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

A BILL

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the [“__________________ Act

of 2018”].

SEC. 2. OFFICE OF NATIONAL DRUG CONTROL POLICY.

Subtitle I of title 31, United States Code, is amended
by adding at the end the following new chapter:
"CHAPTER 10—OFFICE OF NATIONAL DRUG CONTROL POLICY"

"SUBCHAPTER I—OFFICE"

"1001. Definitions.
1002. Office of national drug control policy.
1003. Administration of the office.
1004. National drug control program budget.
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.
1037. Definitions.
1038. Drug-free communities reauthorization.

"SUBCHAPTER I—OFFICE"

"§ 1001. Definitions"

"In this chapter:

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

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—
“(A) the Committee on the Judiciary, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate; and

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

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

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

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

“(C) substance use disorder treatment;

“(D) illicit drug use research;
“(E) illicit drug use rehabilitation;
“(F) drug-free workplace programs;
“(G) drug testing, including the testing of employees;
“(H) interventions for illicit drug use and dependence;
“(I) expanding availability of access to health care services for the treatment of substance use disorders;
“(J) international drug control coordination and cooperation with respect to activities described in this paragraph;
“(K) pre- and post-arrest criminal justice interventions such as diversion programs, drug courts, and the provision of evidence-based treatment to individuals with substance use disorders who are arrested or under some form of criminal justice supervision, including medication assisted treatment;
“(L) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;
“(M) international illicit drug use education, prevention, treatment, recovery, research, rehabilitation activities, and interventions for illicit drug use and dependence; and

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

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

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

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

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

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

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

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

“(11) National Drug Control Program Agency.—The term ‘National Drug Control Program Agency’ means any agency that is responsible for implementing any aspect of the National Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that receives funds for drug control ac-
tivity solely under the National Intelligence Program
or the Military Intelligence Program.

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

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

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

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

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

“(C) coordination and enhancement of
Federal, State, local, and Tribal law enforce-
ment initiatives to gather, analyze, and dissemi-
nate information and law enforcement intel-
ligence relating to drug control among domestic
law enforcement agencies; and

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

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

“(A) law enforcement outside the United
States;

“(B) domestic law enforcement;

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

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

“(i) accurate assessment and moni-
toring of international drug production and
interdiction programs and policies; and
“(ii) coordination and promotion of compliance with international treaties relating to the production, transportation, or interdiction of illegal drugs;

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

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

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

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

§ 1002. Office of national drug control policy

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

“(1) lead national drug control efforts, including developing and assessing implementation of evidence-based drug control policy;
“(2) coordinate and oversee the implementation of the national drug control policy, including the National Drug Control Strategy;

“(3) assess and certify the adequacy of National Drug Control Programs and the budget for those programs;

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

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

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

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

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

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

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

“(2) Deputy director.—

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

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

“(i) carry out the responsibilities delegated by the Director; and

“(ii) be responsible for effectively coordinating with the Associate Deputy Directors.

“(3) Acting director.—If the Director dies, resigns, or is otherwise unable to perform the functions and duties of the office, the Deputy Director shall perform the functions and duties of the Direc-
tor temporarily in an acting capacity pursuant to subchapter III of chapter 33 of title 5.

“(4) ASSOCIATE DIRECTORS.—

“(A) IN GENERAL.—There shall be an Associate Director for Emerging and Continuing Threats, an Associate Director for Cross-Agency Coordination, and an Associate Director for Intergovernmental Affairs. Each Associate Director position described in the previous sentence shall be a career position in the Senior Executive Service.

“(B) EMERGING AND CONTINUING THREATS.—The Associate Director for Emerging and Continuing Threats shall—

“(i) direct activities related to monitoring, identifying, and responding to emerging threats, including the responsibilities under section 1009; and

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

“(C) CROSS-AGENCY IMPLEMENTATION.—The Associate Director for Cross-Agency Implementation shall coordinate and oversee activities related to supply reduction and demand reduc-
tion of the National Drug Control Program under sections 1006, 1007, and 1008.

“(D) INTERGOVERNMENTAL AFFAIRS.—
The Associate Director for Intergovernmental Affairs shall direct implementation of the responsibilities of the Office for—

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

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

“(iii) the High Intensity Drug Trafficking Areas Program under subchapter 2 and the Drug-Free Communities Support Program under subchapter 3.

“(e) RESPONSIBILITIES.—

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

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

“(A) shall consult with—
“(i) State and local governments;
“(ii) National Drug Control Program Agencies;
“(iii) each committee, working group, council, or other entity established under this chapter, as appropriate;
“(iv) the public;
“(v) appropriate congressional committees; and
“(vi) any other person in the discretion of the Director; and
“(B) may—
“(i) establish advisory councils;
“(ii) acquire data from agencies; and
“(iii) request data from any other entity.

§ 1003. Administration of the office
“(a) Employment.—
“(1) Authority of the director.—The Director may select, appoint, employ, and fix compensation of such officers and employees of the Office as may be necessary to carry out the functions of the Office under this chapter.
“(2) Prohibitions.—
“(A) Generally.—No person shall serve as Director or Deputy Director while serving in any other position in the Federal Government.

“(B) Prohibition on political campaigning.—Any officer or employee of the Office who is appointed to that position by the President, by and with the advice and consent of the Senate, may not participate in Federal election campaign activities, except that such official is not prohibited by this paragraph from making political contributions as otherwise permitted by law.

“(b) Prohibition on the use of funds for political campaigns or ballot initiatives.—No funds authorized under this chapter may be obligated for the purpose of influencing any Federal, State, or local election or ballot initiative.

“(c) Personnel detailed to Office.—

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

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

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

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

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

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

“(d) CONGRESSIONAL ACCESS TO INFORMATION.—The location of the Office in the Executive Office of the President shall not be construed as affecting access by Congress, or any committee of the House of Representatives or the Senate, to any—
“(1) information, document, or study in the possession of, or conducted by or at the direction of the Director; or

“(2) personnel of the Office.

“(e) Other Authorities of the Director.—In carrying out this chapter, the Director may—

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

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

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

“(f) General Services Administration.—The Administrator of General Services shall provide to the Director, on a reimbursable basis, such administrative support services as the Director may request.
§ 1004. National drug control program budget

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

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

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

(b) Responsibilities of National Drug Control Program Agencies.—

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

(2) Submission of drug control budget requests.—The head of each National Drug Con-
trol Program Agency shall ensure timely develop-
ment and submission to the Director of each pro-
posed drug control budget request transmitted pur-
suant to this subsection, in such format as may be
designated by the Director with the concurrence of
the Director of the Office of Management and Budg-
et.

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

“(c) REVIEW AND CERTIFICATION OF BUDGET RE-
QUESTS AND BUDGET SUBMISSIONS OF NATIONAL DRUG
CONTROL PROGRAM AGENCIES.—
“(1) IN GENERAL.—The Director shall review each drug control budget request submitted to the Director under subsection (b).

“(2) REVIEW OF BUDGET REQUESTS.—

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

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

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

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

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

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

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

“(D) requests funding for any activities of the Safe and Drug-Free Schools Program that
do not include a clear anti-drug message or purpose intended to reduce drug use;

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

“(F) requests funding for the operations and management of the Department of Homeland Security that does not include a specific request for funds for the Office of Counter-narcotics Enforcement to carry out its responsibilities under section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).

“(4) AGENCY RESPONSE.—

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

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

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

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

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

“(5) CERTIFICATION OF BUDGET SUBMISSIONS.—

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

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

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

“(I) The budget request for the agency fully funds the agency’s activities as necessary to achieve the goals of the National Drug Control Strategy.

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

“(III) The Director is unable to determine whether the budget request for the agency fully funds or partially funds the agency’s activities as necessary to achieve the goals of National Drug Control Strategy.
“(IV) The budget is insufficient to fund the agency’s activities as necessary to achieve the goals of the Strategy.

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

“(iii) For a determination under subclause (II) of clause (i), a certification of the budget with a written explanation of the basis for the determination and a statement identifying the level of funding sufficient to achieve the goals of the Strategy.

“(iv) For each determination under subclause (III) or (IV) of clause (i), a certification of the budget with a written explanation of the basis for the determination that the budget is insufficient and a statement identifying the level of funding
sufficient to achieve the goals of the Strategy.

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

“(1) develop a consolidated National Drug Control Program budget proposal designed to implement the National Drug Control Strategy and to inform Congress and the public about the total amount proposed to be spent on all supply reduction, demand reduction, State, local, and Tribal affairs, including any drug law enforcement, and other drug control activities by the Federal Government, which shall conform to the content requirements set forth in subsection (b)(3) and include—

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

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

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

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

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

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

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

“§ 1005. National drug control strategy

“(a) IN GENERAL.—

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

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

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

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

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

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

In developing and effectively implementing the National Drug Control Strategy, the Director—

“(A) shall consult with—

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

“(ii) the United States Interdiction Coordinator;

“(iii) the Interdiction Committee;

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

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

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

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

“(viii) appropriate representatives of foreign governments;

“(B) in satisfying the requirements of subparagraph (A), shall ensure, to the maximum
extent possible, that State, local, and Tribal officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy;

“(C) with the concurrence of the Attorney General, may require the El Paso Intelligence Center to undertake specific tasks or projects to support or implement the National Drug Control Strategy; and

“(D) with the concurrence of the Director of National Intelligence and the Attorney General, may request that the National Drug Intelligence Center undertake specific tasks or projects to support or implement the National Drug Control Strategy.

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

“(1) IN GENERAL.—The National Drug Control Strategy submitted under subsection (a)(2) shall include the following:

“(A) A description of the current prevalence of illicit drug use in the United States, including both the availability of illicit drugs and
the prevalence of substance use disorders, which
shall include the following:

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

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

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

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

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

“(ii) the number of individuals to re-
ceive treatment for substance use dis-
orders.
“(D) A description of how each goal listed
in the National Drug Control Strategy will be
achieved, including—

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

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

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

“(iv) an identification of existing or
new coordinating mechanisms needed to
achieve the goal; and

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

“(E) For each year covered by the Strat-
ey, a performance evaluation plan for each
goal listed in the National Drug Control Strat-
egy for each National Drug Control Program Agency, including—

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

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

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

“(F) A list identifying existing data sources or a description of data collection needed to evaluate performance, including a description of how the Director will obtain such data.

“(G) A list of anticipated challenges to achieving the National Drug Control Strategy goals and planned actions to address such challenges;

“(H) A description of how each goal was determined, including—

“(i) a description of each required consultation and how such consultation was incorporated;
“(ii) data, research, or other information used to inform the decision; and

“(iii) a statement of whether the goal established in subparagraph (C)(i) will be adequate to disrupt drug trafficking organizations that supply the majority of foreign-sourced illicit drugs trafficked into the United States.

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

“(J) A review of international, State, local, and private sector drug control activities to ensure that the United States pursues coordinated and effective drug control at all levels of government.

“(K) The strategy of the Federal Government for preventing the illegal trafficking of drugs across the international borders between the United States and Mexico, the United States and Canada, and the United States Caribbean border, including through ports of entry and between ports of entry on the borders.

“(L) A strategy to end the illegal trafficking of drugs to or through Indian reservations.
“(M) Such statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences of illicit drug use (including the effects on children), supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

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

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

“(A) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and
“(B) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

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

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

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

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

“(B) annual and quarterly objectives and targets for each performance measure; and
“(C) an estimate of Federal funding and other resources needed to achieve each performance measure.

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

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

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

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

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

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

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

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

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

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

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

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

“(7) implementation of drug treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs.
“(c) CONTENTS OF THE ANNUAL ASSESSMENT.—

The Director shall include in the annual assessment required under subsection (a)—

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

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

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

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

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

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

“(7) a detailed accounting of the amount of funds obligated during the previous fiscal year for carrying out the media campaign under section 1013(d), including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended; and

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

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

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

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

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

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

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

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

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

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

“(C) the adequacy of the coverage of existing national treatment outcome monitoring systems to measure the effectiveness of substance use disorder treatment in reducing illicit drug use and criminal behavior during and after the completion of substance use disorder treatment; and

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

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

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

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

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

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

“(a) IN GENERAL.—The Director shall monitor im-
plementation of the National Drug Control Program and
the activities of the National Drug Control Program Agen-
cies in carrying out the goals and objectives of the Na-
tional Drug Control Strategy including—
“(1) conducting program and performance audits and evaluations; and

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

“(b) ACCOUNTING OF FUNDS EXPENDED.—The Director shall—

“(1) require the National Drug Control Program Agencies to submit to the Director not later than February 1 of each year a detailed accounting of all funds expended by the agencies for National Drug Control Program activities during the previous fiscal year, and require such accounting to be authenticated by the Inspector General for each agency prior to submission to the Director; and

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

“(c) NOTIFICATION.—The Director shall notify any National Drug Control Program Agency if its activities are not in compliance with the responsibilities of the agency under the National Drug Control Strategy, transmit a copy of each such notification to the President and the appropriate congressional committees, and maintain a copy of each such notification.
“(d) RECOMMENDATIONS.—The Director shall make such recommendations to the President and the appropriate congressional committees as the Director determines are appropriate regarding changes in the organization, management, and budgets of the National Drug Control Program Agencies, and changes in the allocation of personnel to and within those agencies, to implement the policies, goals, priorities, and objectives established under section 1002(c)(1) and the National Drug Control Strategy.

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

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

“(b) DETAILING EMPLOYEES TO OTHER AGENCIES.—

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

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

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

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

and

“(B) for any other agency, 10.

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

“(1) the authority under this subsection may be limited in an annual appropriations Act or other provision of Federal law;
“(2) the Director may exercise the authority under this subsection only with the concurrence of the head of each affected agency;

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

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

“(5) the Director shall—

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

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

“(d) Directing Federal Funding to Respond
to Emerging Threats.—

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

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

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

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

“(D) the Director shall—

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

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

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

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

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

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

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

“(3) DISCIPLINARY ACTION FOR VIOLATION.—
In the case of a violation of paragraph (2) by an of-
fer or employee of a National Drug Control Pro-
gram Agency, the head of the agency, upon the re-
quest of and in consultation with the Director, may
subject the officer or employee to appropriate ad-
ministrative discipline, including, when cir-
cumstances warrant, suspension from duty without
pay or removal from office.
“(4) CONGRESSIONAL NOTICE.—Not later than 5 days after issuance of a fund control notice, the Director shall submit a copy of such fund control notice to the appropriate congressional committees and make such notice publicly available.

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


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

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

The Director shall promptly review such proposed change and certify to the head of that agency in writing whether such change is consistent with the National Drug Control Strategy.

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

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

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

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

§ 1009. Emerging threats

“(a) EMERGING THREATS TASK FORCE.—

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

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

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

and

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

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

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

“(B) Drug overdose deaths.

“(C) Substance use disorder treatment admission trends.
“(D) Drug interdiction, supply, and demand data from State, local, and Tribal law enforcement agencies.

“(E) Other criteria determined to be necessary by the Director; and

“(3) Criteria to identify emerging drug threats.—Not later than 60 days after the date on which a task force first meets, the task force shall develop and recommend to the Director criteria to be used to identify emerging drug threats based on statistical data, evidence-based information, and information gathered by the task force in paragraph (2).

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

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

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

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

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

“(b) DESIGNATION.—

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

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

“(c) PLAN.—

“(1) PUBLIC AVAILABILITY OF PLAN.—Not later than 60 days after making a designation under subsection (b), the Director shall publish and make publicly available an Emerging Threat Response Plan and notify the President and the appropriate congressional committees of such plan’s availability.
“(2) TIMING.—Not less frequently than every 90 days after the date on which the plan is published under paragraph (1), the Director shall update the plan, until the Director determines that the goals of the plan have been achieved.

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

“(A) a comprehensive strategic assessment of the emerging drug threat, including the current status of prevention, treatment, and enforcement efforts surrounding the emerging drug threat;

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

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

“(D) the level of funding needed to implement the plan, including whether funding is available to be reprogrammed or transferred to support implementation of the plan or whether supplemental appropriations are necessary to implement the plan.
“(d) IMPLEMENTATION.—

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

“(2) ASSOCIATE DIRECTOR’S RESPONSIBILITIES.—The Associate Director shall—

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

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

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

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

§ 1010. National and international coordination

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

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

“(2) encouraging such agencies (as appropriate) to develop and implement dissemination plans that specifically target State and local governments and nongovernmental entities involved in demand reduction; and
“(3) supporting the substance abuse information clearinghouse administered by the Administrator of the Substance Abuse and Mental Health Services Administration and established in section 501(d)(16) of the Public Health Service Act by—

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

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

“(b) STANDARDS.—

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

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

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

information and data;

“(C) establishing a working group of agencies, State, local, and Tribal governments, and

other relevant stakeholders to discuss and develop such standards; and

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

Tribal governments, and nongovernmental agencies.

“(2) IMPLEMENTATION.—The Director shall promote the implementation of the standards de-

scribed in paragraph (1) by—

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

“(B) facilitating the use and dissemination of such standards among State and local gov-

ernments by—

“(i) providing technical assistance to State, local, and Tribal governments seeking to adopt or implement such standards; and
'(ii) coordinating seminars and training sessions for State, local, and Tribal governments seeking to adopt or implement such standards.

"(c) Private Sector.—

"(1) In general.—The Director or the head of a National Drug Control Program Agency acting in furtherance of the National Drug Control Strategy shall coordinate with the private sector to promote private research and development of medications to treat or prevent addiction, including research and development for non-addictive pain management medication, abuse deterrent formulations, medication-assisted treatment, and other addiction research determined to be necessary by the Director by—

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

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

"(C) providing private sector entities with relevant statistical data and information to enhance research as permissible.
“(2) WORKING GROUP.—The Director may establish a working group of National Drug Control Program Agencies, State, local, and Tribal governments, and the private sector stakeholders to discuss and disseminate best practices, research and development, and other related issues, as appropriate.

“(d) MODEL ACTS PROGRAM.—

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

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

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

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $[XXX] for each of fiscal years 2019 through 2023.]
“(e) INTERNATIONAL COORDINATION.—The Director shall facilitate international drug control coordination efforts.

§ 1011. Interdiction

“(a) FEDERAL DRUG CONTROL AGENCY DEFINED.—In this section, the term ‘Federal drug control agency’ means—

“(1) the Office;

“(2) the Department of Defense;

“(3) the Drug Enforcement Administration;

“(4) the Federal Bureau of Investigation;

“(5) the Department of Homeland Security;

“(6) the Coast Guard; and

“(7) any other agency that the Director determines to be relevant.

“(b) UNITED STATES INTERDICTION COORDINATOR.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(c) Interdiction Committee.—

“(1) In general.—The Interdiction Committee shall meet to—

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

“(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and
“(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

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

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

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

“(d) INTERDICATION PERFORMANCE BUDGET REPORT.—In order to assist Congress in determining the
personnel, equipment, funding, and other resources that
would be required by Federal drug control agencies in
order to achieve a level of interdiction success at or above
the highest level achieved before the date of the enactment
of this chapter, the Director shall submit to Congress and
to each Federal drug control program agency a report that
includes—

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

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

“(i) seized during the year of highest
recorded seizures for each drug in each re-
region and during the year of highest re-
corded overall seizures;

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

“(iii) the number of persons arrested
for violations of section 1010(a) of the
Controlled Substances Import and Export Act (21 U.S.C. 960(a)) and related offenses during the year of the highest number of arrests on record for each region and during the year of highest recorded overall arrests;

“(2) the street price of cocaine, heroin, methamphetamine, marijuana, and any other drug identified by the Director under paragraph (1) during the year of highest price on record during the preceding 10-year period, adjusted for purity where possible; and

“(3) a description of the personnel, equipment, funding, and other resources of the Federal drug control agency devoted to drug interdiction and securing the borders of the United States against drug trafficking for each of the years identified in paragraphs (1) and (2) for each Federal drug control agency.

“(e) BUDGET PROCESS.—

“(1) INFORMATION TO DIRECTOR.—Based on the report submitted under subsection (d), each Federal drug control agency shall submit to the Director, at the same time as each annual drug control budget request is submitted by the Federal drug
control agency to the Director under section 1004, a description of the specific personnel, equipment, funding, and other resources that would be required for the Federal drug control agency to meet or exceed the highest level of interdiction success for that agency identified in the report submitted under subsection (d).

“(2) INFORMATION TO CONGRESS.—The Director shall include each submission under paragraph (1) in each annual consolidated National Drug Control Program budget proposal submitted by the Director to Congress under section 1004, which submission shall be accompanied by a description of any additional resources that would be required by the Federal drug control agencies to meet the highest level of interdiction success identified in the report submitted under subsection (d).

“§ 1012. Critical information coordination

“(a) NATIONAL DRUG CONTROL FUSION CENTER.—

“(1) ESTABLISHMENT.—There is established within the Office a Fusion Center (referred to in this section as the ‘Center’). The Center shall operate under the authority of the Director and shall work with the National Drug Control Program Agencies to collect, compile, analyze, and facilitate
the sharing of data on the use of illicit drugs, treatment for substance use disorder, and interdiction of illicit drugs. The Center shall be considered a ‘statistical agency or unit’, as that term is defined in section 502 of the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).

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

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

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

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

“(C) Compile and analyze any data required to be collected under this chapter.
“(D) Disseminate technology, as appropriate, to States and local jurisdictions to enable or improve the collection of data on drug use, including the recordation of the occurrence of fatal and non-fatal drug overdoses.

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

“(i) The recipient.
“(ii) The amount.
“(iii) The intended purpose.
“(iv) Any evidence of the efficacy of the outcomes achieved by the program funded through the grant.
“(v) Any assessments of how the grant met its intended purpose.

“(4) TOXICOLOGY SCREENING.—

“(A) ESTABLISHMENT.—The Director, acting through the Center Director, shall establish a toxicology screening program that engages in secondary analysis of de-identified urine samples that would otherwise be discarded by—
“(i) hospitals and drug treatment programs;
“(ii) correctional facilities, booking sites, probation programs, drug courts, and related facilities; and
“(iii) coroners and medical examiners.
“(B) DE-IDENTIFICATION OF INFORMATION.—The Director, acting through the Center Director, shall ensure that no samples have any personally identifiable information prior to collection.
“(C) LIMITATION ON USE.—No data obtained from analysis conducted under this paragraph may be used as evidence in any proceeding.
“(D) STATE PROGRAM.—The Director, acting through the Center Director, shall establish a program that enables States and local jurisdictions to submit up to 20 urine samples per year for toxicology analysis for the purposes of identifying substances present in individuals who have suffered fatal drug overdoses.
“(5) AUTHORITY TO CONTRACT.—The Director may award contracts, enter into interagency agree-
ments, manage individual projects, and conduct other operational activities under this subsection.

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

“(1) **IN GENERAL.**—Not later than the first Monday in February of each year, the Director shall submit to Congress a systematic plan for increasing data collection to enable real-time surveillance of drug control threats, developing analysis and monitoring capabilities, and identifying and addressing policy questions relevant to the National Drug Control Policy, Strategy and Program. Such plan shall be made available on the public website of the Office, shall cover at least a 4-year period beginning with the first fiscal year following the fiscal year in which the plan is submitted and published, and contain the following:

“(A) A list of policy-relevant questions for which the Director and each National Drug Control Program Agency intends to develop evidence to support the National Drug Control Program and Strategy.

“(B) A list of data the Director and each National Drug Control Program Agency intends to collect, use, or acquire to facilitate the use of
evidence in drug control policymaking and monitoring.

“(C) A list of methods and analytical approaches that may be used to develop evidence to support the National Drug Control Program and Strategy and related policy.

“(D) A list of any challenges to developing evidence to support policymaking, including any barriers to accessing, collecting, or using relevant data.

“(E) A description of the steps the Director and the head of each National Drug Control Program Agency will take to effectuate the plan.

“(F) Any other relevant information as determined by the Director.

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

“(A) The public.

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

“(C) Office officials responsible for implementing privacy policy.
“(D) Office officials responsible for data governance.

“(E) The appropriate congressional committees.

“(F) Any other individual or entity as determined by the Director.

“(c) EVIDENCE-BASED POLICY.—

“(1) HARM REDUCTION PROGRAMS.—When developing the national drug control policy, any policy of the Director relating to syringe exchange programs for intravenous drug users shall be based on the best available medical and scientific evidence regarding their effectiveness in promoting individual health and preventing the spread of infectious disease and their impact on drug addiction and use. In making any policy relating to syringe exchange programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.

“(2) FUND RESTRICTION FOR THE LEGALIZATION OF CONTROLLED SUBSTANCES.—The Director shall ensure that no Federal funds appropriated to the Office shall be expended for any study or contract relating to the legalization (for a medical use or any other use) of a substance listed in schedule

“(d) Drug Control Data Dashboard.—The Director shall create and maintain a data dashboard on the online portal of the Office titled ‘Drug Control Data Dashboard’. The Director shall ensure the user interface of the dashboard is constructed with modern design standards.

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

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

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

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

“(ii) the total amount of known flows which could not be interdicted or disrupted in the current year and each of the previous 3 years;
“(iv) the known and estimated levels of domestic production in the current year and each of the previous three years, including the levels of domestic production if the drug is a prescription drug product that appears on the controlled substances list; and

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

“(B) for the current year and each of the previous three years, the following data, disaggregated by State and, to the extent feasible, by region within a State, county, or city—

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

“(ii) the prevalence of substance use disorders;

“(iii) the number of individuals who have received substance use disorder treatment including medication assisted treatment, for a substance use disorder, including treatment provided through publicly financed health care programs; and
“(iv) the extent of the unmet need for substance use disorder treatment, including the unmet need for medication assisted treatment;

“(C) the extent of prescription drug diversion, trafficking, and misuse in the current and each of the previous 3 years; and

“(D) such quantifiable measures as the Director shall deem appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.

“(e) ACCESS TO INFORMATION.—

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

“(A) drug control; or

“(B) the manner in which amounts made available to that agency for drug control are being used by that agency.
“(2) Protection of intelligence information.—

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

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

“(3) Required reports from national drug control agencies.—The head of each National Drug Control Program Agency shall submit to the Director such information and reports as requested from such National Drug Control Program Agency by the Director, which shall include from the appropriate National Drug Control Program Agencies:
“(A) Not later than July 1 of each year, the head of a designated National Drug Control Program Agency shall submit to the Director and the appropriate congressional committees an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of their respective agencies that was seized or eradicated by their personnel during the preceding calendar year.

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

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

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

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

“(i) arrests for drug violations;

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

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

“(f) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—
“(1) Interagency and Intergovernmental Designation and Use of Data Exchange Standards Working Group.—The Director shall establish a working group of National Drug Control Program Agencies, State, local and Tribal government health and law enforcement agencies, and data governance experts to develop consensus data exchange standards for necessary categories of information that allow effective electronic exchange of information between States, between State agencies, between States and National Drug Control Program Agencies, and any other drug control relevant data exchange.

“(2) Data Exchange Standards Must Be Nonproprietary and Interoperable.—The data exchange standards designated under paragraph (1) shall, to the extent practicable, be nonproprietary and interoperable.

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

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

“(B) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and

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

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

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

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

“(i) incorporate a widely accepted, nonproprietary, searchable, machine-readable format;
“(ii) be consistent with and implement applicable accounting principles;
“(iii) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and
“(iv) be capable of being continually upgraded as necessary.

“(C) Incorporation of nonproprietary standards.—In designating data exchange standards under this paragraph, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards.

“(D) Rule of construction.—Nothing in this paragraph shall be construed to require a change to existing data exchange standards for Federal reporting about a program referred to in this section, if the head of the agency responsible for administering the program finds the standards to be effective and efficient.

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

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

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

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

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

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

“(iii) illicit drug use by arrestees, probationers, and parolees.
“(B) An assessment of the reduction of illicit drug availability, as measured by—

“(i) the quantities of cocaine, heroin, marijuana, methamphetamine, ecstasy, opioids, and other drugs available for consumption in the United States;

“(ii) the amount of marijuana, cocaine, heroin, methamphetamine, ecstasy, opioids, and precursor chemicals and other drugs entering the United States;

“(iii) the number of illicit drug manufacturing laboratories seized and destroyed and the number of hectares of marijuana, poppy, and coca cultivated and destroyed domestically and in other countries;

“(iv) the number of metric tons of marijuana, heroin, cocaine, methamphetamine, and opioids seized; and

“(v) changes in the price and purity of heroin, methamphetamine, cocaine, opioids, changes in the price of ecstasy, and changes in tetrahydrocannabinol level of marijuana and other drugs.
“(C) An assessment of the reduction of the consequences of illicit drug use and availability, which shall include—

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

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

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

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

“(i) public and private treatment utilization; and

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

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

“(i) screening chemicals for potential therapeutic value;

“(ii) developing promising compounds;
“(iii) conducting clinical trials;
“(iv) seeking Food and Drug Administration approval for drugs to treat addiction;
“(v) marketing the drug for the treatment of addiction;
“(vi) urging physicians to use the drug in the treatment of addiction; and
“(vii) encouraging insurance companies to reimburse the cost of the drug for the treatment of addiction.

§ 1013. Education and outreach campaign for emerging threats

“(a) IN GENERAL.—The Director shall provide for the planning and implementation of national public-private partnerships for a substance use prevention education and outreach campaign to raise public awareness of the dangers of an illicit drug designated as an emerging threat under section 1009. Such campaign shall include the dissemination of information that—
“(1) educates the public about the dangers of such drug, including patient and family education about the characteristics of such drug, and the hazards of such drug, and methods to safeguard against such dangers, including safe disposal of such drug;
“(2) supports evidence-based prevention programs targeting audiences’ attitudes, perceptions, and beliefs concerning substance use and intentions to initiate or continue such use;

“(3) increases awareness of the negative consequences of drug use;

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

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

“(b) CONSULTATION.—For the planning of the campaign under subsection (a), the Secretary shall consult with appropriate National Drug Control Program agencies to provide ongoing advice on evidence-based scientific information for policy, program development, and evaluation.

“(c) GIFTS AND DONATIONS.—

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

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

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

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

“(3) ANNUAL REPORT REQUIRED.—The Direc-
tor shall provide an annual report to the appropriate
congressional committees identifying the sources of
all gifts and donations accepted by the Office or any
contractor acting on behalf of the Office, under this
subsection, including the value of each gift and donation provided by each source.

“(d) MEDIA CAMPAIGN.—

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

“(2) REQUIREMENT OF CAMPAIGN.—The campaign implemented under paragraph (1)—

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

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

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

“(D) may include the use of nationally recognized positive role models.
“(3) EVALUATION.—The Secretary shall ensure that any media campaign implemented under paragraph (1) is subject to an independent evaluation every 2 years and shall report every 2 years to Congress on the effectiveness of such campaigns towards meeting evidence-based metrics.

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

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

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

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

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

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

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

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

“§ 1014. Authorization of appropriations

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

“SUBCHAPTER II—HIGH INTENSITY DRUG
TRAFFICKING AREAS PROGRAM

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

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established in the
Office a program to be known as the High Intensity
Drug Trafficking Areas Program (in this section re-
ferred to as the ‘Program’).
“(2) PURPOSE.—The purpose of the Program is to reduce drug trafficking and drug production in the United States by—

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

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

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

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

“(b) DESIGNATION.—

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

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

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

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

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

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

“(c) PETITIONS FOR DESIGNATION.—The Director shall establish and maintain regulations under which a coalition of interested law enforcement agencies from an area may petition for designation as a high intensity drug trafficking area (in this section referred to as the ‘HIDTA’). Such regulations shall provide for a regular re-
(d) FACTORS FOR CONSIDERATION.—In considering whether to designate an area under this section as a high intensity drug trafficking area, the Director shall consider, in addition to such other criteria as the Director considers to be appropriate, the extent to which—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(2) a detailed justification that explains—

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

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

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

“(3) the amount of HIDTA funds used to investigate and prosecute organizations and individuals trafficking in each major illicit drug, as identified by the Director, in the prior calendar year, and a description of how those funds were used.
“(k) HIDTA Annual Evaluation Report.—As part of each National Drug Control Evaluation assessment under section 1006, the Director shall include, for each designated high intensity drug trafficking area, a report that—

“(1) describes—

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

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

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

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

“(4) describes—

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

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

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

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

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

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

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

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

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

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

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

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

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

“(m) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this section—

[“(1) $____ 0,000,000 for fiscal year 2019;]
“(n) SPECIFIC PURPOSES.—

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

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

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

“SUBCHAPTER III—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

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

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

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

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

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

“(3) provide for the general administration of the Program.
“(c) ADMINISTRATION.—The Director shall appoint an Administrator to carry out the Program.

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

§ 1032. Program authorization

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

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

“(2) MAJOR SECTOR INVOLVEMENT.—

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

“(i) Youth.

“(ii) Parents.

“(iii) Businesses.

“(iv) The media.

“(v) Schools.

“(vi) Organizations serving youth.
“(vii) Law enforcement.
“(viii) Religious or fraternal organizations.
“(ix) Civic and volunteer groups.
“(x) Health care professionals.
“(xi) State, local, or tribal governmental agencies with expertise in the field of substance abuse or substance use disorders (including, if applicable, the State authority with primary authority for substance abuse).
“(xii) Other organizations involved in reducing the prevalence of substance abuse or substance use disorders.

“(B) Elected Officials.—If feasible, in addition to representatives from the categories listed in subparagraph (A), the coalition shall have an elected official (or a representative of an elected official) from—
“(i) the Federal Government; and
“(ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 4(e) of
the Indian Self-Determination Act (25 U.S.C. 450b(e)).

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

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

“(A) that the representatives of the coalition have worked together on substance abuse reduction initiatives, which, at a minimum, includes initiatives that target drugs referenced in section 1037(8)(A), for a period of not less than 6 months, acting through entities such as task forces, subcommittees, or community boards; and

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

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

“(A) have as its principal mission the reduction of illegal drug use, which, at a min-
imum, includes the use of illegal drugs referenced in section 1037(8)(A), in a comprehensive and long-term manner, with a primary focus on youth in the community;

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

“(C)(i) provide a description of substance abuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and abuse of drugs referenced in section 1037(8)(A), in existence at the time of the grant application; and

“(ii) identify substance abuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and abuse of drugs referenced in section 1037(8)(A), in the community;

“(D) develop a strategic plan to reduce substance abuse among youth, which, at a minimum, includes the use and abuse of drugs ref-
erenced in section 1037(8)(A), in a comprehen-
sive and long-term fashion; and

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

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

“(A) is—

“(i)(I) a nonprofit organization; or

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

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

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

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

“(6) ACCOUNTABILITY.—The coalition shall—
“(A) establish a system to measure and report outcomes—

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

“(ii) approved by the Administrator;

“(B) conduct—

“(i) for an initial grant under this subchapter, an initial benchmark survey of drug use among youth (or use local surveys or performance measures available or accessible in the community at the time of the grant application); and

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

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

“(i) in gathering data related to substance abuse among youth; or

“(ii) in evaluating the effectiveness of community anti-drug coalitions.
“(7) ADDITIONAL CRITERIA.—The Director shall not impose any eligibility criteria on new applicants or renewal grantees not provided in this chapter.

“(b) GRANT AMOUNTS.—

“(1) IN GENERAL.—

“(A) GRANTS.—

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

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

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

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

“(B) COALITION AWARDS.—

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

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

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

“(II) each of the coalitions has independently met the requirements set forth in subsection (a).
“(2) RURAL COALITION GRANTS.—

“(A) IN GENERAL.—

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

“(ii) MATCHING REQUIREMENT.—Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.
“(iii) Suspension of Grants.—If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

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

“(C) Limitations.—

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

“(ii) Awards.—With respect to a county referred to in subparagraph (A), the Administrator may award a grant
under this section to not more than 1 eligible coalition that represents the county.

“(3) ADDITIONAL GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (F), the Administrator may award an additional grant under this paragraph to an eligible coalition awarded a grant under paragraph (1) or (2) for any first fiscal year after the end of the 4-year period following the period of the initial grant under paragraph (1) or (2), as the case may be.

“(B) SCOPE OF GRANTS.—A coalition awarded a grant under paragraph (1) or (2), including a renewal grant under such paragraph, may not be awarded another grant under such paragraph, and is eligible for an additional grant under this section only under this paragraph.

“(C) NO PRIORITY FOR APPLICATIONS.—

The Administrator may not afford a higher priority in the award of an additional grant under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather
than an application for a grant under this para-

graph.

“(D) RENEWAL GRANTS.—Subject to sub-

paragraph (F), the Administrator may award a

renewal grant to a grant recipient under this

paragraph for each of the fiscal years of the 4-

fiscal-year period following the fiscal year for

which the initial additional grant under sub-

paragraph (A) is awarded in an amount not to

exceed amounts as follows:

“(i) For the first and second fiscal

years of that 4-fiscal-year period, the

amount equal to 80 percent of the non-

Federal funds, including in-kind contribu-
tions, raised by the coalition for the appli-
cable fiscal year.

“(ii) For the third and fourth fiscal

years of that 4-fiscal-year period, the

amount equal to 67 percent of the non-

Federal funds, including in-kind contribu-
tions, raised by the coalition for the appli-
cable fiscal year.

“(E) SUSPENSION.—If a grant recipient

under this paragraph fails to continue to meet

the criteria specified in subsection (a), the Ad-
ministrator may suspend the grant, after pro-
viding written notice to the grant recipient and
an opportunity to appeal.

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

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

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

“(d) PRIORITY IN AWARDING GRANTS.—In awarding
grants under subsection (b)(1)(A)(i), priority shall be
given to a coalition serving economically disadvantaged
areas.
“§ 1033. Information collection and dissemination
with respect to grant recipients

“(a) Coalition Information.—

“(1) General Auditing Authority.—For the
purpose of audit and examination, the Adminis-
trator—

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

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

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

“(3) Reporting.—The Administrator shall, to
the maximum extent practicable and in a manner
consistent with applicable law, minimize reporting
requirements by a grant recipient and expedite any
application for a renewal grant made under this sub-
chapter.
“(b) DATA COLLECTION AND DISSEMINATION.—
“(1) IN GENERAL.—The Administrator may
collect data from—
“(A) national substance abuse organiza-
tions that work with eligible coalitions, commu-

nity anti-drug coalitions, departments or agen-
cies of the Federal Government, or State or
local governments and the governing bodies of
Indian tribes; and
“(B) any other entity or organization that
carries out activities that relate to the purposes
of the Program.
“(2) ACTIVITIES OF ADMINISTRATOR.—The Ad-
ministrator may—
“(A) evaluate the utility of specific initia-
tives relating to the purposes of the Program;
“(B) conduct an evaluation of the Pro-
gram; and
“(C) disseminate information described in
this subsection to—
“(i) eligible coalitions and other sub-
stance abuse organizations; and
“(ii) the general public.
“(3) Consultation.—The Administrator shall carry out activities under this subsection in consultation with the Advisory Commission and the National Community Antidrug Coalition Institute.

“(4) Limitation on use of certain funds for evaluation of program.—Amounts for activities under paragraph (2)(B) may not be derived from amounts under section 1038(a) except for amounts that are available under section 1038(b) for administrative costs.

§ 1034. Technical assistance and training

“(a) In general.—

“(1) Technical assistance and agreements.—With respect to any grant recipient or other organization, the Administrator may—

“(A) offer technical assistance and training; and

“(B) enter into contracts and cooperative agreements.

“(2) Coordination of programs.—The Administrator may facilitate the coordination of programs between a grant recipient and other organizations and entities.
“(b) TRAINING.—The Administrator may provide training to any representative designated by a grant recipient in—

“(1) coalition building;
“(2) task force development;
“(3) mediation and facilitation, direct service, assessment and evaluation; or
“(4) any other activity related to the purposes of the Program.

“§ 1035. Supplemental grants for coalition mentoring activities

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

“(b) TREATMENT WITH OTHER GRANTS.—

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

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

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

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

“(1) has been in existence for at least 5 years;
“(2) has achieved, by or through its own ef-
forts, measurable results in the prevention and treat-
ment of substance abuse among youth;
“(3) has staff or members willing to serve as
mentors for persons seeking to start or expand the
activities of other coalitions in the prevention and
treatment of substance abuse;
“(4) has demonstrable support from some mem-
bers of the community in which the coalition men-
toring activities to be supported by the grant under
this section are to be carried out; and
“(5) submits to the Administrator a detailed
plan for the coalition mentoring activities to be sup-
ported by the grant under this section.

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

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

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

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

“(g) GRANT AMOUNTS.—

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

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

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

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

“(i) PRIORITY IN AWARDED INITIAL GRANTS.—In awarding initial grants under this section, priority shall be given to a coalition that expressly proposes to provide mentorship to a coalition or aspiring coalition serving economically disadvantaged areas.
§ 1036. Authorization for National Community Anti-

drug Coalition Institute

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

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

(c) Use of Grant Amount.—The organization re-
ceiving the grant under subsection (a) shall continue a Na-
tional Community Anti-Drug Coalition Institute to—

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

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

(3) bridge the gap between research and prac-
tice by translating knowledge from research into
practical information.
“(d) Authorization of Appropriations.—There is authorized to be appropriated for purposes of activities under this section, including the grant under subsection (a), for each of the fiscal years 2019 through 2023, [\(\$\ldots,000,000\)].

“§ 1037. Definitions

“In this subchapter:

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

“(2) Community.—The term ‘community’ shall have the meaning provided that term by the Administrator, in consultation with the Advisory Commission.

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

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

“(5) Nonprofit Organization.—The term ‘nonprofit organization’ means an organization described under section 501(e)(3) of the Internal Revenue Code of 1986 that is exempt from taxation
under section 501(a) of the Internal Revenue Code of 1986.

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

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

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

“(B) the abuse of inhalants; or

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

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

§ 1038. Drug–free communities reauthorization

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

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

“(2) $[Amount to be determined] for fiscal year 2020.
“(3) $[Amount to be determined] for fiscal year 2021.

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

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

“(b) ADMINISTRATIVE COSTS.—

“(1) LIMITATION.—Not more than 3 percent of the funds appropriated for this subchapter may be used by the Office to pay for administrative costs associated with the responsibilities of the Office under this subchapter.

“(2) DESIGNATED AGENCY.—The agency delegated to carry out the program under section 1031(d) may use up to 5 percent of the funds allocated for grants under this subchapter for administrative costs associated with carrying out the program.”.

SEC. 3. OPIOID CRISIS RESPONSE.

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

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

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

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

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

(ii) directing the United States Postal Service and any other related National Drug Control Program Agency to take any appropriate actions necessary to reduce the amount of illicit drugs entering the country; and
(iii) developing an international co-
ordination plan, in accordance with section
1010 of such title 31, United States Code,
as added by section 2(b)), to include ef-
forts to address international drug control
initiatives and strengthen bilateral and
multilateral strategies to reduce illicit
drugs and precursor chemicals from enter-
ing the United States through inter-
national mail or across land borders, or
ports of entry.

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

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

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

(iii) issuing guidance to National
Drug Control Program Agencies to, as ap-
propriate, revise regulations to ensure pro-
fessionals have effective continuing education requirements; and

(iv) disseminating and encouraging the adoption of best practices and evidence-based guidelines for effective prescribing practices.

(C) A program to monitor the prescription drug market and illicit drug market for changes in trends relevant to reducing the supply or demand of such drugs.

(D) An initiative to facilitate and coordinate Federal, State and local government initiatives, studies, and pilot or demonstration programs designed to evaluate the benefits of drug courts and related programs that reduce substance use prevalence.

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

(i) facilitate the development of treatment and deterrent products, in accordance with section 1010(c) of title 31, United States Code, as added by section 2(b); and

(ii) encourage the expansion of medication disposal programs and technology.
(F) Initiatives to encourage the National Drug Control Program Agencies and the Model Acts program, established under section 1010(d) of title 31, United States Code, as added by section 2(b)—

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

and

(ii) to advise States on establishing laws and policies to address opioid issues based on the recommendations developed and set forth by the President’s Commission on Combating Drug Addiction and the Opioid Crisis.

(G) Working groups, established in accordance with section 1010 of title 31, United States Code, as added by section 2(b), to develop standards, and encourage the use of such standards, for the collection of data necessary to understand and monitor the opioid crisis, including—

(i) State medical examiner reports on deaths caused by overdoses and related statistical data; and
(ii) first responder opioid intoxication incidents.

(H) A program to identify successful college recovery programs, including sober housing programs that provide a shared living residence free of alcohol or illicit drug use for individuals recovering from drug or alcohol addiction and substance use disorders, on college campuses and disseminate best practices to Colleges and Universities to increase the number and capacity of such programs.

(I) Convening working groups, consisting of the appropriate National Drug Control Program Agencies, State, local and Tribal governments, and other appropriate stakeholders, established in accordance with section 1010 of title 31, United States Code—

(i) to support Prescription Drug Monitoring Programs by—

(I) facilitating the sharing of program data among States and Federal prescription drug monitoring programs;

(II) assisting States in increasing utilization of such programs;
(III) facilitating efforts to incorporate available overdose and naloxone deployment data into such programs;

(IV) evaluating barriers to integrating program data with electronic health records; and

(V) offering recommendations to address identified barriers; and

(ii) to develop standards, and encourage the use of such standards, for the collection of data necessary to understand and monitor the opioid crisis, including—

(I) State medical examiner reports on deaths caused by overdoses and related statistical data; and

(II) first responder opioid intoxication incidents.

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

(i) Medication Assisted Treatment.
(ii) Data collection systems used to confirm opioid use by individuals who have been arrested or hospitalized.

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

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

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

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

(1) by the President; or

(2) jointly by—
(A) in the case of the National Intelligence Program, the Director and the Director of National Intelligence; or

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

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

SEC. 5. GAO STUDY AND REPORTS.

(a) REPORTS.—

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

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

(b) CONTENTS OF REPORT.—The reports described in subsection (a) shall include the following:
(1) A review of the implementation of the Education and Outreach Campaign for Emerging Threats, including—

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

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

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

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

(4) An evaluation of whether the required annual assessments prepared by the Office met the requirements of section 1006 of title 31, United States Code, as added by section 2(b).
Such other matters as the Comptroller General determines to be appropriate.

SEC. 6. DEFINITIONS.

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