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Report to Congressional Committees

December 2022

DRUG CONTROL

Office of National Drug Control Policy Met Some Strategy Requirements but Needs a Performance Evaluation Plan

Accessible Version

GAO-23-105508

GAO Highlights

Highlights of GAO-23-105508, a report to congressional committees

December 2022

DRUG CONTROL

Office of National Drug Control Policy Met Some Strategy Requirements but Needs a Performance Evaluation Plan

Why GAO Did This Study

In 2021, a record 107,000 Americans died from drug overdoses, according to CDC's provisional data. In 2020, GAO designated drug misuse a high-risk issue and subsequently added it to the 2021 High-Risk Series update. The federal drug control budget for fiscal year 2022 was $39 billion. The federal government has enlisted more than a dozen federal agencies to address drug misuse and its effects. ONDCP plays a critical role in overseeing and coordinating the development and implementation of U.S. drug control policy and development of the National Drug Control Strategy and Budget.

The Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act) includes a provision for GAO to review ONDCP's programs and operations. This report (1) assesses the extent to which ONDCP followed its documented process for developing its 2022 National Drug Control Strategy, (2) assesses the extent to which the 2022 Strategy adhered to selected statutory requirements, and (3) describes ONDCP's mechanisms for overseeing the agency's key programs.

GAO obtained and analyzed documentation against ONDCP's Strategy development plan, and assessed the Strategy documents against selected statutory requirements. To describe ONDCP's activities for overseeing the agency's key programs, GAO analyzed program evaluations, annual reports, and interagency agreements. GAO also interviewed ONDCP staff.

View GAO-23-105508. For more information, contact Triana McNeil at (202) 512-8777 or mcneilt@gao.gov.

What GAO Found

The Office of National Drug Control Policy (ONDCP) created a plan for developing the National Drug Control Strategy, and generally followed its documented process to develop the 2022 Strategy. From August 2021 to June 2022, ONDCP issued the Strategy and accompanying documents to address certain statutory requirements.

The 2022 Strategy and accompanying documents vary in their level of compliance with selected statutory requirements. The Strategy fully met some requirements, including those related to comprehensive, long-range, quantifiable goals, and targets to accomplish those goals. The Strategy partially met other selected requirements, including those related to identifying resources for the treatment of substance use disorders. The Strategy does not address some statutory requirements, including some related to future planning. For example, the Strategy is to contain a systematic plan for increasing data collection, including to enable real time surveillance of drug control threats. However, as of December 2022, ONDCP has not created such a plan. GAO recommended in 2019 that ONDCP routinely implement an approach to meet the requirements for the 2020 Strategy and future iterations. Doing so will better position ONDCP to ensure that future strategies completely address all of the statutory requirements.

Depiction of Various Narcotics

Source: GAO. | GAO-23-105508

ONDCP has oversight mechanisms to assess the performance of its key programs that support the National Drug Control Program. Specifically, ONDCP has conducted audits and evaluations of the High Intensity Drug Trafficking Areas program, including assessing each region's performance on its goals. From fiscal years 2019-2021, ONDCP made recommendations to individual regions to improve performance data accuracy and strengthen financial internal controls, which ONDCP reported were implemented. ONDCP also annually assesses whether the Drug-Free Communities Support Program met its goals.

Specifically, ONDCP monitors the performance of the program's community coalitions through regular grantee reporting and weekly meetings with officials from the Centers for Disease Control and Prevention (CDC), which manages the program. The program's 2020 and 2021 evaluations found that its coalitions met the goal of increasing the percentages of local youth who chose not to use substances. The National Anti-Drug Media Campaign's *Truth About Opioids* initiative ran from June 2018 to August 2019. ONDCP reported that contractors provided the required monthly progress reports and met performance targets. ONDCP did not identify any deficiencies in the program.

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Abbreviations

CDC	Centers for Disease Control and Prevention
DEA	Drug Enforcement Administration
DFC	Drug-Free Communities Support
HHS	Department of Health and Human Services
HIDTA	High Intensity Drug Trafficking Areas
ISC	Investigative Support Center
OMB	Office of Management and Budget
ONDCP	Office of National Drug Control Policy
PMP	Performance Management Process
SAMHSA	Substance Abuse and Mental Health Services Administration
SUPPORT Act	Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act of 2018

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U.S. GOVERNMENT ACCOUNTABILITY OFFICE
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Congressional Committees

In 2021, the number of drug overdose deaths in the U.S. exceeded 100,000 in a year for the first time, representing a nearly 15 percent increase in deaths from the previous year according to provisional estimates from the Centers for Disease Control and Prevention (CDC).[1] Further, drug overdoses have become a leading cause of death due to injuries in the U.S., most of which involve opioids. The federal drug control budget for fiscal year 2022 was $39 billion, and the government has enlisted more than a dozen agencies to address drug misuse and its effects.

Primarily due to increasing rates of opioid-related deaths and opioid use disorder, the Acting Secretary of the Department of Health and Human Services (HHS) declared the opioid crisis an ongoing public health emergency on October 26, 2017.[2] Every two years at the start of a new Congress, GAO calls attention to agencies and program areas that are high risk due to their vulnerabilities to fraud, waste, abuse, and mismanagement, or are most in need of transformation. In March 2019, we named drug misuse as an emerging issue requiring close attention.[3] In March 2020, we determined that national efforts to prevent, respond to,

[1]The CDC's National Center for Health Statistics provisional counts are adjusted to account for reporting delays, according to CDC. Provisional data are underreported, due to incomplete data. These data represent CDC's predicted number of drug overdose deaths.

[2]A public health emergency triggers the availability of certain authorities under federal law that enable federal agencies to take certain actions in response. In September 2018, we reported that the federal government had used three available authorities since declaring the public health emergency to: (1) quickly survey more than 13,000 providers to assess prescribing trends for a medication used to treat opioid use disorder and any barriers to prescribing it, (2) waive the public notice period for approval of two state Medicaid demonstration projects related to substance use disorder treatment, and (3) expedite research funding on medication development for opioid use disorder and overdoses. See GAO, *Opioid Crisis: Status of Public Health Emergency Authorities*, GAO-18-685R (Washington, D.C.: Sep. 26, 2018).

[3]GAO, *High-Risk Series: Substantial Efforts Needed to Achieve Greater Progress on High-Risk Areas*, GAO-19-157SP (Washington, D.C.: Mar. 6, 2019).

and recover from drug misuse were high risk.[4] Subsequently, in our most recent High-Risk report issued on March 2, 2021, we added national efforts to prevent, respond to, and recover from drug misuse to the High-Risk List.[5] The Secretary of Health and Human Services last renewed the public health emergency on October 3, 2022 due to the continued consequences of the opioid crisis affecting our nation.

The Office of National Drug Control Policy (ONDCP), a component of the Executive Office of the President, is responsible for overseeing the implementation of the nation's drug control policy and leading the national drug control effort.[6] Its mission is to reduce substance use disorder and its consequences by coordinating the nation's drug control policy through the development and oversight of the National Drug Control Strategy (Strategy) and National Drug Control Budget (Budget). The National Drug Control Strategy is to set forth a comprehensive plan to: (1) reduce illicit drug use in the U.S. by limiting the availability of, and reducing the demand for, illegal drugs, and (2) promote prevention, early intervention, treatment, and recovery support for individuals with substance use disorders.[7] The Strategy is important for assessing the nation's capacity to address drug misuse through both the development of federal funding estimates and the certification of agency budget requests that aim to meet the Strategy's goals.

ONDCP also manages a number of programs that support the National Drug Control Program. The High Intensity Drug Trafficking Areas (HIDTA) program coordinates and assists federal, state, local, and tribal law enforcement agencies to address regional drug threats with the purpose

[4]GAO, *Drug Misuse: Sustained National Efforts Are Necessary for Prevention, Response, and Recovery*, GAO-20-474 (Washington, D.C.: Mar. 26, 2020). In March 2020, we stated that the severe public health and economic effects of the COVID-19 pandemic could fuel some of the contributing factors of drug misuse, such as unemployment, highlighting the need to sustain and build upon ongoing efforts. We anticipated that maintaining sustained attention on preventing, responding to, and recovering from drug misuse would be challenging in the subsequent months as many of the federal agencies responsible for addressing drug misuse were focused on addressing the pandemic. Therefore, GAO included drug misuse in the 2021 High-Risk Series update and made the high-risk designation effective at that time.

[5]See GAO, *High-Risk Series: Dedicated Leadership Needed to Address Limited Progress in Most High-Risk Areas,* GAO-21-119SP (Washington, D.C.: Mar 2, 2021).

[6]21 U.S.C. § 1702(a)(1)-(2).

[7]21 U.S.C. § 1705(b)(1).

of reducing drug trafficking and drug production in the U.S.[8] The Drug-Free Communities Support (DFC) program grants funding to community-based coalitions that focus on preventing youth substance use and misuse.[9] The National Anti-Drug Media Campaign aims to change attitudes about drug use, and reverse drug trends through targeted media advertisements.[10]

The Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act) of 2018 includes a provision for us to review ONDCP's programs and operations.[11] In 2019, we reported on ONDCP's 2017, 2018, and 2019 iterations of the Strategy and Budget.[12] This subsequent report (1) assesses the extent to which ONDCP followed its documented process for developing its 2022 National Drug Control Strategy, (2) assesses the

[8]In March 2018, we reported on how federal agencies coordinated and adapted their approaches to prevention and treatment in response to the illicit synthetic opioid epidemic, which examined the HIDTA program's operations along with other drug control agencies. See GAO, *Illicit Opioids: While Greater Attention Given to Combating Synthetic Opioids, Agencies Need to Better Assess their Efforts*, GAO-18-205 (Washington, D.C.: Mar. 29, 2018).

[9]In February 2017, we assessed the extent to which management of the program followed leading practices and ensured that grantees followed statutory requirements for performance monitoring. See GAO, *Drug-Free Communities Support Program: Agencies Have Strengthened Collaboration but Could Enhance Grantee Compliance and Performance Monitoring,* GAO-17-120 (Washington, D.C.: Feb. 7, 2017). Further, in November 2020, we reported on how selected drug control agencies, including ONDCP, support drug prevention activities in schools, and how their prevention activities support the National Drug Control Strategy, including a focus on the DFC program. See GAO, *Drug Misuse: Agencies Have Not Fully Identified How Grants That Can Support Drug Prevention Education Programs Contribute to National Goals*, GAO-21-96 (Washington, D.C.: Nov. 18, 2020).

[10]We last reported on the National Anti-Drug Media Campaign in August 2006, when our review of program evaluations provided credible evidence that the program's activities focused on marijuana use were not effective at reducing youth drug use. See GAO, *ONDCP Media Campaign: Contractor's National Evaluation Did Not Find That the Youth Anti-Drug Media Campaign Was Effective in Reducing Youth Drug Use*, GAO-06-818 (Washington, D.C.: Aug. 25, 2006). Since fiscal year 2011, the media campaign has not received an appropriation, according to ONDCP officials. The media campaign's most recent programmatic activity was the *Truth About Opioids* drug-prevention ads in collaboration with the Ad Council and Truth Initiative in 2018 and 2019.

[11]Pub. L. No. 115-271, § 8220, 132 Stat. 3894, 4134 (codified at 21 U.S.C. § 1715).

[12]GAO, *Drug Control: The Office of National Drug Control Policy Should Develop Key Planning Elements to Meet Statutory Requirements*, GAO-20-124 (Washington, D.C.: Dec. 18, 2019).

extent to which the Strategy adhered to selected statutory requirements, and (3) describes ONDCP's mechanisms in place for overseeing the HIDTA program, the DFC program, and National Anti-Drug Media Campaign.[13]

To address our first objective, we obtained and analyzed correspondence, copies of meeting appointments, and other documentation that ONDCP created during the development of the Strategy.[14] We also interviewed ONDCP management and staff to identify the steps they took to develop these documents. We compared the dates and content of these documents against the milestones ONDCP established in its June 2021 Strategy development plan.[15] Specifically, we analyzed documents and written statements from officials, and conducted interviews with ONDCP staff, to determine whether ONDCP took steps to meet each milestone in its Strategy development plan. In addition, we interviewed Office of Management and Budget (OMB) officials about the interagency review process. In some cases, ONDCP provided documentation showing how it completed a milestone, while in other cases we determined how ONDCP completed a milestone based on information obtained from our interviews or officials' written statements. Finally, we interviewed ONDCP officials and obtained and analyzed documentation and correspondence related to the fiscal year 2023 Budget to describe its development and relation to the Strategy.

To address our second objective, we assessed the 2022 Strategy documents that ONDCP released as of October 2022 against selected requirements of 21 U.S.C. § 1705. We reviewed the Strategy and accompanying documents to determine the extent to which the contents of the documents addressed the statutory requirements for the information required to be included in the Strategy. Specifically, we assessed whether the contents of the Strategy and accompanying documents fully met, partially met, or did not meet selected statutory

[13]In June 2022, we reported on our preliminary observations on the 2022 Strategy. GAO, *Drug Policy: Preliminary Observations on the 2022 National Drug Control Strategy,* GAO-22-106087 (Washington, D.C.: June 15, 2022).

[14]Examples of documentation included internal ONDCP planning documents, communication between ONDCP components, and consultation letters.

[15]ONDCP developed the June 2021 plan in response to our prior recommendation, which called for ONDCP to develop and document key planning elements to help the agency meet SUPPORT Act requirements for the 2020 Strategy and future Strategy iterations. GAO-20-124.

requirements. We selected these statutory requirements because they relate to the goals and associated resources expected to be outlined in the 2022 Strategy.

To address our third objective, we obtained and analyzed program evaluations, annual reports, contracts, and interagency agreements for each fiscal year 2019 through 2021.[16] In addition, we analyzed these evaluations and reports to describe any identified deficiencies, as well as how ONDCP addressed them. We also reviewed program guidance and interviewed officials from the HIDTA program, the DFC program, and the National Anti-Drug Media Campaign to describe their program oversight efforts—including mechanisms in place to detect and prevent fraud, waste, and abuse. For each of the programs, we obtained and analyzed available performance and financial audit reports to identify audit findings related to the programs' efficiency and effectiveness—for each fiscal year 2019 through 2021. We also reviewed documentation of ONDCP's efforts to track its progress in addressing any findings, if applicable. Additionally, we interviewed ONDCP staff from each of the three programs to identify how they conducted program oversight and assessed the efficiency and effectiveness of each respective program. Finally, we conducted interviews with entities subject to ONDCP's oversight to learn about ONDCP's oversight of these programs.[17]

We conducted this performance audit from November 2021 to December 2022 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe

[16]We selected this time frame to update our prior work on these programs and to account for the most recent complete year available documentation available on each program at the time of our review. See GAO-18-205 for prior work related to the HIDTA program, GAO-17-120 for prior work on the DFC program, and GAO-06-818 for prior work on the media campaign.

[17]Specifically, we interviewed officials from the National HIDTA Assistance Center due to its role in financial oversight of the HIDTA program, including managing a contract to conduct invoice reviews of individual HIDTAs' spending, on behalf of ONDCP. In addition, we randomly selected two individual HIDTAs for interviews. During these interviews, we spoke with the HIDTA's Executive Director and representatives from the HIDTA's Executive Board due to their role in financial and programmatic oversight of the HIDTA. We interviewed CDC officials due to their role in day-to-day management of the DFC program.

that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

ONDCP History and Function

ONDCP was established by the Anti-Drug Abuse Act of 1988 as a component of the Executive Office of the President.[18] Its Director is to assist the President in the establishment of policies, goals, objectives, and priorities for the National Drug Control Program.[19] ONDCP describes its primary functions to include: (1) developing and overseeing the implementation of the National Drug Control Strategy, (2) developing and overseeing the implementation of the National Drug Control Budget, and (3) administering programs to address overdoses, disrupt drug trafficking, and support community-led efforts to reduce youth substance abuse. More than a dozen National Drug Control Program agencies, as identified by ONDCP, have responsibilities for drug prevention, treatment, and law enforcement activities.[20] Within these agencies, there may be components or offices that handle specific aspects of drug control. Some examples include CDC within HHS, and the Drug Enforcement Administration (DEA) within the Department of Justice.

[18]Pub. L. No. 100-690, 102 Stat. 4181.

[19]21 U.S.C. § 1703(b)(1).

[20]Under 21 U.S.C. § 1701(11), "the term 'National Drug Control Program agency' means any agency (or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof) 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 activity solely under the National Intelligence Program or the Joint Military Intelligence Program." In addition to ONDCP, these agencies include the departments of Agriculture, Defense, Education, HHS, Homeland Security, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs, as well as AmeriCorps, U.S. Postal Inspection Service, the Court Services and Offender Supervision Agency for the District of Columbia, and the Federal Judiciary, as identified by ONDCP.

ONDCP Structure and Funding

ONDCP is a component of the Executive Office of the President. It is organized into 10 components that work to coordinate national drug control policy and reduce substance use disorder and its consequences, as shown in table 1. The number of full-time equivalent positions at ONDCP has declined over the past two decades. For example, ONDCP had 115 full-time equivalent positions in 2002, and 98 full-time equivalent positions in 2012. ONDCP had 65 full-time equivalent positions, as of September 2022.[21]

Table 1: Office of National Drug Control Policy (ONDCP) Components and Number of Full-Time Equivalent Positions, as of September 2022

ONDCP component	Description	Number of full-time equivalent positions[a]
Office of the Director	Oversees policy development, implementation, and coordination across the agency. Drives development of the National Drug Control Strategy and budget formulation.	12
Office of Public Health	Develops and implements public health approaches to reduce drug use and its consequences.	5
Office of International Relations and Supply Reduction	Develops and implements supply reduction efforts and coordinates international engagements.	7
Office of Translational Research	Focuses on evidence-based policy making and works with the Office of Public Health and Office of International Relations and Supply Reduction to inform policy making.	4
Office of External and Legislative Affairs	Provides support to the Director and all components on legislative affairs. Works closely with state, local, and tribal leaders, and responds to Congressional inquiries.	5
Office of Operations	Implements human resources, contracting, and IT work.	7
Office of Performance and Budget	Responsible for drafting the National Drug Control Budget and associated products.[b] Coordinates the interagency National Drug Control Budget process and provides budget guidance to National Drug Control Program agencies. Develops and coordinates performance measurement activities.	11
High Intensity Drug Trafficking Areas (HIDTA) Program Office	Oversees the HIDTA grant program run by ONDCP. The program coordinates and assists federal, state, local, and tribal law enforcement agencies.	4

[21]According to ONDCP officials, ONDCP is authorized for 65 full-time equivalent positions, but had five vacant positions as of September 2022. This total does not include two authorized full-time equivalent positions for the DFC program, according to ONDCP officials. The officials stated in December 2022 that ONDCP was in the recruiting and hiring process for all vacant positions.

ONDCP component	Description	Number of full-time equivalent positions[a]
Drug-Free Communities Support (DFC) Program	Oversees the DFC program, which grants funding to community-based coalitions that aim to reduce youth substance use and misuse.	2
Office of Intelligence	Coordinates with the federal Intelligence Community, nonfederal intelligence partners, partner nation intelligence organizations and the National Security Council to convey policy priorities and develop intelligence to inform ONDCP policy making.	3
Total full-time equivalent positions		**60[c]**

Source: ONDCP documentation. | GAO-23-105508

[a]Data represent full-time equivalent positions reported by ONDCP as of September 2022. The Office of the Director's number of full-time equivalent positions includes the Office of General Counsel.

[b]These include the National Drug Control Strategy Budget Summary, Performance Review Summary report, and the National Drug Control Assessment.

[c]According to ONDCP officials, ONDCP is authorized for 65 full-time equivalent positions, but had five vacant positions as of September 2022. This total does not include two authorized full-time equivalent positions for the DFC program, according to ONDCP officials. The officials stated in December 2022 that ONDCP was in the recruiting and hiring process for all vacant positions.

Developing the National Drug Control Strategy and Certifying Agency Drug Control Budgets

Pursuant to the ONDCP Reauthorization Act of 2006,[22] the Director of ONDCP was required to promulgate the Strategy annually and the President was to submit the Strategy to Congress by February 1 of each year.[23] In October 2018, the SUPPORT Act reauthorized ONDCP[24] and required the Director to release a statement of drug control policy priorities in the calendar year of a presidential inauguration (but not later than April 1).[25] It also required the President to submit to Congress a Strategy not later than the first Monday in February following the year in which the term of the President commences, and every two years thereafter.[26] The Strategy is to set forth a comprehensive plan to reduce

[22]Pub. L. No. 109-469, 120 Stat. 3502.

[23]21 U.S.C. §§ 1703(b)(2) and 1705(a) (2017).

[24]Pub. L. No. 115-271, § 8202, 132 Stat. at 4110.

[25]Pub. L. No. 115-271, § 8221, 132 Stat. at 4134-42. 21 U.S.C. § 1705(a)(1).

[26]21 U.S.C. § 1705(a)(2).

illicit drug use and the consequences of such illicit drug use in the U.S. by limiting the availability of, and reducing the demand for, illegal drugs.[27]

In 2019, we reported that ONDCP did not issue a Strategy for 2017 or 2018.[28] In 2019 and 2020, ONDCP issued the Strategy by the statutory deadline (February of each year). In 2021, ONDCP released a Statement of Drug Control Policy Priorities as required by the SUPPORT Act in a Presidential inaugural year.[29] In 2022, ONDCP issued the 2022 Strategy, as shown in table 2.

[27]21 U.S.C. § 1705(b).

[28]GAO-20-124.

[29]21 U.S.C. § 1705(a)(1).

Table 2: Issuance Month for the National Drug Control Strategy or Statement of Drug Control Policy Priorities from 2012 through 2022

Year	Strategy/Statement of Drug Control Policy Priorities issued by statutory deadline month[a]	Month and year of issuance
2012	No	April 2012
2013	No	April 2013
2014	No	July 2014
2015	No	November 2015
2016	No	January 2017
2017[b]	No	Not Issued
2018[c]	No	Not Issued
2019	Yes	January 2019
2020	Yes	February 2020
2021[d]	Yes	April 2021
2022	No[e]	April 2022

Source: GAO analysis of Office of National Drug Control Policy (ONDCP) documentation. | GAO-23-105508

[a]The statutory deadline month for the Strategy is February; the statutory deadline month for the Drug Control Policy Priorities is April.

[b]Indicates inaugural year of a new administration.

[c]The Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act) became law on October 24, 2018.

[d]The Office of National Drug Control Policy released a Statement of Drug Control Priorities in 2021 because it was the first Presidential inaugural year after the passage of the SUPPORT Act.

[e]According to ONDCP documentation, ONDCP began development of the 2022 Strategy in April 2021, about 6 months before Dr. Rahul Gupta was confirmed as ONDCP Director in October 2021. Dr. Gupta told Congress in June 2022 that he reviewed and helped develop the Strategy after his confirmation in October 2021. In addition, ONDCP officials told us that the interagency consultation process contributed to the delayed issuance of the 2022 Strategy.

The Director of ONDCP is also responsible for developing a consolidated National Drug Control Program budget proposal for each fiscal year, known as the National Drug Control Budget. This budget constitutes a part of the President's budget submission to Congress, and is designed to implement the Strategy and inform Congress and the public about federal spending on drug control activities.[30] As part of this effort, the Director of ONDCP is required to assess and certify National Drug Control Program agencies' drug control budgets on an annual basis to determine if they are adequate to meet the goals and objectives of the Strategy.[31]

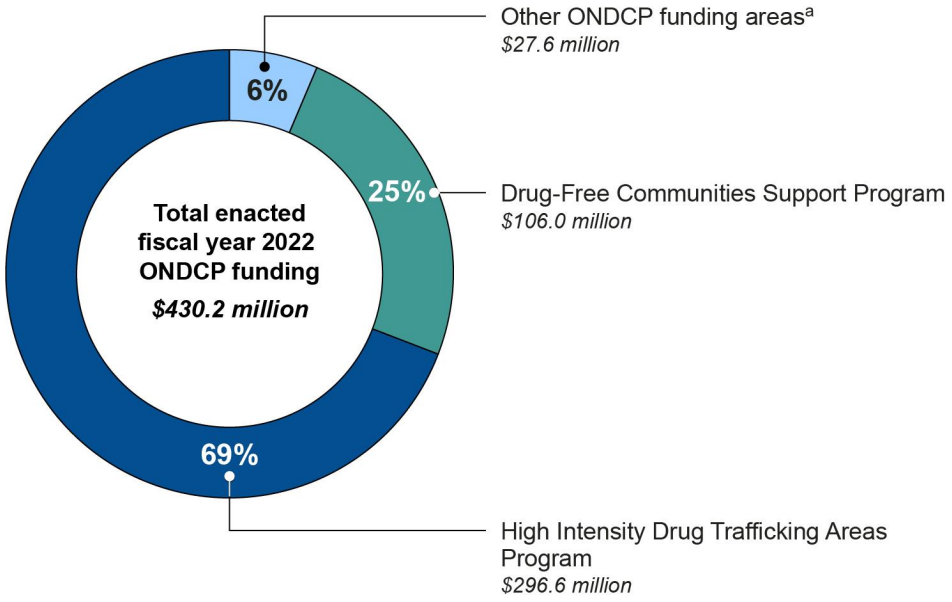
[30]21 U.S.C. § 1703(c)(2).

[31]See 21 U.S.C. § 1703(c)(3). According to ONDCP officials, through the budget certification process they are able to hold agencies accountable by aligning agency budgets with the Strategy, and monitoring the implementation of the Strategy.

ONDCP's Key Programs Supporting National Drug Control Efforts

ONDCP oversees several key programs that support the overall National Drug Control Program, including the HIDTA program, DFC program, and the National Anti-Drug Media Campaign.[32] Figure 1 shows ONDCP's fiscal year 2022 programming funds, including the HIDTA and DFC programs. These two programs represent about 94 percent ($403 million) of ONDCP's total programming funding for fiscal year 2022.

Figure 1: Office of National Drug Control Policy (ONDCP) Programming Enacted Funding for Fiscal Year 2022



Source: GAO analysis of ONDCP budget documentation. | GAO-23-105508

[32]Pursuant to 21 U.S.C. § 1715(1)(B), we are to conduct an audit relating to the programs and operations of certain programs within the Office, including the HIDTA program, DFC program, and the National Anti-Drug Media Campaign.

Data table for Figure 1: Office of National Drug Control Policy (ONDCP) Programming Enacted Funding for Fiscal Year 2022

	Dollars in millions	Percentage
High Intensity Drug Trafficking Areas Program	296.6	69
Drug-Free Communities Support Program	106	25
Other ONDCP funding areas[a]	27.6	6
Total enacted fiscal year 2022 ONDCP funding	**430.2**	**100**

Source: GAO analysis of ONDCP budget documentation. | GAO-23-105508

[a]Other ONDCP funding areas include drug court training and technical assistance, anti-doping activities, programming under the Model Acts Program, the Comprehensive Addiction and Recovery Act, and dues paid to the World Anti-Doping Agency. The National Anti-Drug Media Campaign did not receive funding in fiscal year 2022.

The HIDTA program coordinates and assists federal, state, local, and tribal law enforcement agencies to address regional drug threats with the purpose of reducing drug trafficking and drug production in the U.S. Through this coordination, the program enables various levels of law enforcement to leverage resources and capabilities to address drug trafficking and drug-related crime.[33] The program supports more than 900 local initiatives ranging from enforcement—such as investigation, interdiction, and prosecution—to drug use prevention and treatment initiatives. These initiatives consist of nearly 23,000 federal, state, local, and tribal law enforcement agents, officers, analysts, attorneys, support personnel, and drug treatment and prevention specialists, according to ONDCP.[34] Nearly 70 percent of these personnel are from state, local, or tribal agencies, while about 30 percent are from federal agencies.

[33]The HIDTA program was created in 1988. The program aims to reduce drug production and trafficking by: promoting coordination and information sharing among federal, state, local, and tribal law enforcement; bolstering intelligence sharing among federal, state, local, and tribal law enforcement; providing reliable intelligence to law enforcement agencies so they may be better equipped to design effective enforcement operations and strategies; and promoting coordinated law enforcement strategies that rely upon available resources to reduce illegal drug supplies.

[34]Personnel figures are as of calendar year 2022, the most recent year for which complete data are available.

ONDCP oversees 33 individual HIDTAs that operate in all 50 states, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.[35] In its oversight role, ONDCP provides policy direction and technical assistance to each HIDTA, and serves as the program's grant oversight authority. For example, ONDCP is to review annual budget requests submitted by each HIDTA, and evaluate compliance with HIDTA program requirements. At the local level, each HIDTA has an Executive Board with responsibility for establishing and achieving goals, managing funds, and evaluating the HIDTA's initiatives. A central feature of the HIDTA program is the discretion ONDCP gives to these Executive Boards to design and implement initiatives that are to address the specific drug trafficking threats in their regions. In fiscal year 2022, the Consolidated Appropriations Act, 2022, appropriated about $297 million to the HIDTA program.[36]

The DFC program grants funding to community-based coalitions that aim to prevent youth substance use and misuse.[37] The program seeks to mobilize community leaders to identify and respond to the drug problems unique to their community and change local community conditions tied to substance use. As shown in figure 2 below, each DFC coalition is required to have a volunteer representative from each of 12 community sectors.[38] These sectors are youth; parents; schools; law enforcement; health care professionals; businesses; the media; organizations serving youth; religious or fraternal organizations; civic or volunteer groups; state, local, or tribal governmental agencies with expertise in the field of substance use and misuse; and organizations involved in reducing substance use and misuse.[39]

[35]Generally, the HIDTA program uses counties as the geographic unit of inclusion in the program. The ONDCP Director has the authority to designate areas within the United States that are centers of illegal drug production, manufacturing, importation, or distribution as HIDTAs. See 21 U.S.C. §1706(d). While most designations are at the county level, other designations are based on the judicial district, parish, or city.

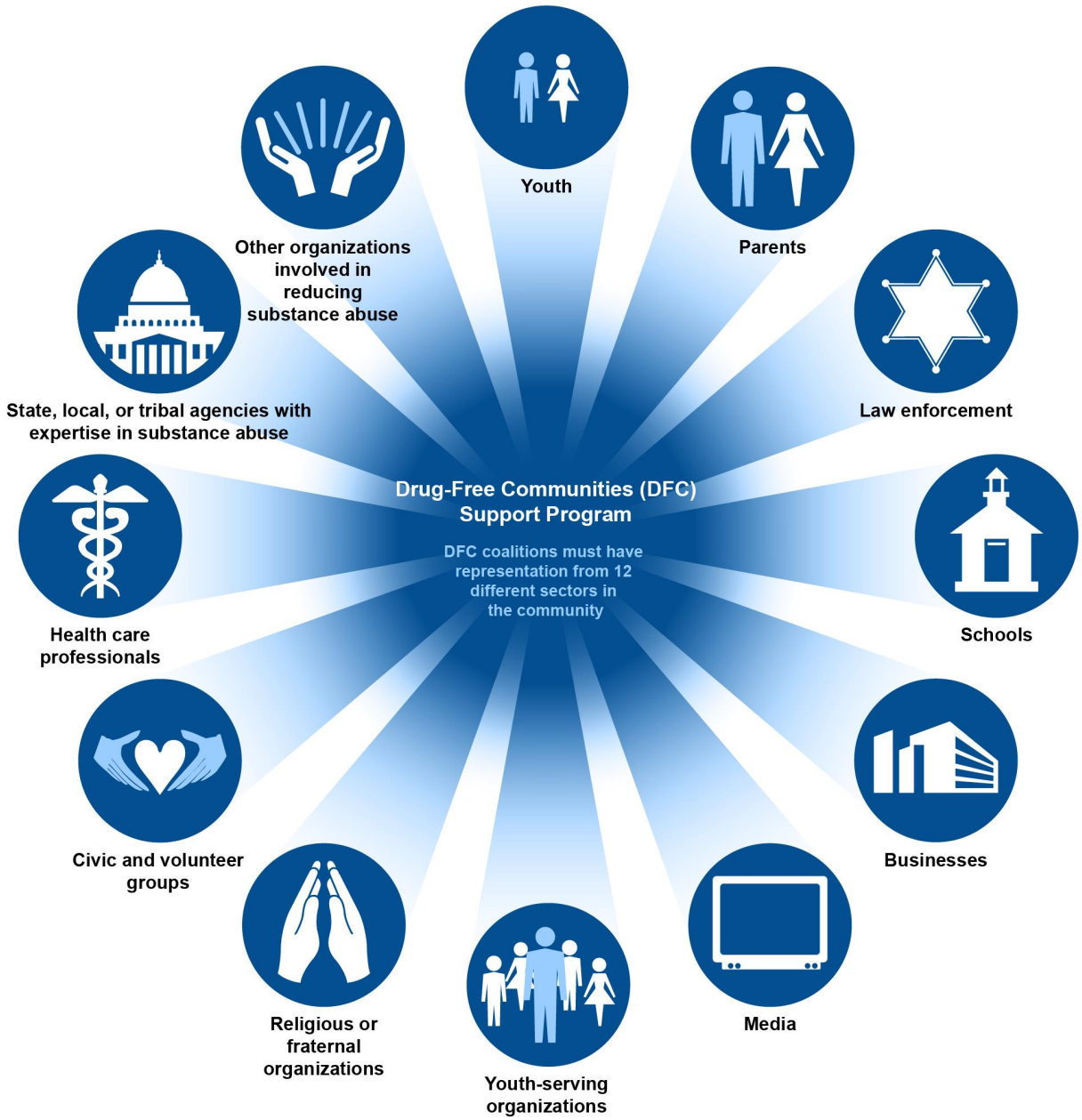
[36]Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. 49, 254.

[37]The DFC program was established through the Drug-Free Communities Act of 1997, Pub. L. No. 105-20, 111 Stat. 224.

[38]Pursuant to 21 U.S.C. § 1532(a)(2)(C), an individual who is a member of the coalition may only serve on the coalition as a representative of one of the community sector categories.

[39]21 U.S.C. § 1532(a)(2)(A).

Figure 2: Composition of Drug-Free Communities Support Program Coalitions



Source: Drug Free Communities Support Program guidance; Art Explosion (clip art). | GAO-23-105508

The DFC program focuses its efforts on preventing and reducing the use of four primary substances: (1) alcohol, (2) tobacco, (3) marijuana, and

(4) the illicit use of prescription drugs.[40] In fiscal year 2021, approximately 750 community coalitions across the country were eligible to receive up to $125,000 per fiscal year for a total of 10 years to enhance collaboration among local partners and create an infrastructure to reduce youth substance use.[41] ONDCP is responsible for overseeing strategic planning, bi-annual progress reporting, and funding for the program, while the CDC conducts day-to-day management under contract with ONDCP.[42] Day-to-day management includes interacting with grantees on a regular basis and reviewing their activities. In fiscal year 2022, the Consolidated Appropriations Act, 2022, appropriated about $106 million to the DFC program.[43]

ONDCP's National Anti-Drug Media Campaign aims to change attitudes about drug use and reverse drug trends through targeted media advertisements.[44] In 2006, we found that an evaluation of the media campaign yielded no evidence of a positive outcome related to teen drug use.[45] As a result, we recommended that Congress consider limiting appropriations for the media campaign until ONDCP provides credible evidence of the campaign's effectiveness. Congress gradually reduced appropriations for the media campaign beginning in fiscal year 2007.[46] Through the SUPPORT Act, ONDCP was authorized $25 million annually for the media program for fiscal years 2018 through 2023.[47] However, ONDCP has not received appropriated funds for the campaign since

[40]In addition to these substances, individual coalitions may focus on other substances that may be impacting their youth.

[41]There are two types of DFC grants, depending on the number of years the applicant has received funding. New grant applicants are those openly competing for their first or sixth year of DFC funding, or that previously experienced a lapse in funding. For all other years through year 10, applicants apply for continuation grants for one fiscal year of funding.

[42]The CDC National Center for Injury Prevention and Control provides grant management services and government project officer monitoring support for the DFC program. CDC officially began this role on October 1, 2020, after a contract award from ONDCP. Prior to this, the Substance Abuse and Mental Health Services Administration (SAMHSA) acted in this role.

[43]Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, 136 Stat. at 254-55.

[44]ONDCP launched the media campaign, then known as the National Youth Anti-Drug Media Campaign, in 1998.

[45]GAO-06-818.

[46]For example, the media campaign received $120 million in fiscal year 2006, $100 million in fiscal year 2007, $60 million in fiscal year 2008, and $45 million in fiscal year 2010.

[47]Pub. L. No. 115-271, § 8218, 132 Stat. 3894, 4125-32. 21 U.S.C. § 1708(g).

fiscal year 2011. See table 3 for an overview of ONDCP key programs and a description of fiscal year 2022 funding for these programs.

Table 3: Overview of Office of National Drug Control Policy (ONDCP) Key Programs

ONDCP key programs	Enacted fiscal year 2022 funding	Program overview
High Intensity Drug Trafficking Areas (HIDTA) Program	$297 million	Established in 1988, the HIDTA program coordinates and assists federal, state, local, and tribal law enforcement agencies to address regional drug threats with the purpose of reducing drug trafficking and drug production in the U.S. The program supports 33 regional HIDTAs that operate in 99 of 100 the most populous metropolitan areas in the U.S.
Drug-Free Communities Support (DFC) Program	$106 million	Established in 1997, the DFC program grants funding to community-based coalitions that aim to prevent youth substance use and misuse. DFC aims to mobilize community leaders to identify and respond to the drug problems unique to their community and change local community conditions tied to substance use. In fiscal year 2021, the DFC program granted up to $125,000 to about 750 community coalitions across the U.S. to enhance collaboration among local partners and create an infrastructure that reduces youth substance use.
National Anti-Drug Media Campaign	$0	ONDCP launched the National Anti-Drug Media Campaign in 1998 with the aim of changing attitudes about drug use and reverse drug trends through targeted media advertisements. The media campaign has not been appropriated any funds since fiscal year 2011. However, from June 2018 to August 2019, ONDCP supported the *Truth About Opioids* drug-prevention ads in collaboration with the Ad Council and Truth Initiative using about $500,000 in leftover funds from its fiscal year 2011 appropriations and recoveries from prior year obligations.

Source: GAO summary of ONDCP documentation. | GAO-23-105508

ONDCP Adhered to Its Process to Develop the 2022 National Drug Control Strategy

ONDCP Established a Plan with Key Milestones and Deliverables to Develop the National Drug Control Strategy

ONDCP has established a plan for developing the National Drug Control Strategy. In 2019, we reported that ONDCP could not provide key planning elements—including planned steps, interim milestones, resource investments, or overall time frames—for the development of the Strategy. We recommended that the Director of ONDCP develop and document key planning elements to help the agency meet the SUPPORT Act

requirements for the 2020 Strategy and future Strategy iterations. Further, we stated that planning elements should include descriptions of resource investments, time frames, and any processes, policies, roles, and responsibilities needed to address each requirement.[48]

ONDCP created a plan in June 2021, which outlines a process for developing the Strategy and National Drug Control Budget.[49] The plan is intended to enable ONDCP to meet all statutory requirements related to the development and promulgation of the Strategy.[50] The plan also includes a timeline of key deliverables and milestones. These key milestones include:

- establishing Strategy goals,
- internal deadlines for review and clearance of the Strategy, and
- statutory deadlines for issuance of the Strategy.

While the plan focuses on development of the Strategy, it also outlines milestones for the Budget. ONDCP officials told us that while the plan does not specifically apply to the development of the Budget, these processes are interconnected. For example, the plan includes:

- deadlines for drug control agencies to send budget requests to ONDCP and
- a deadline for ONDCP to finalize requested budget levels.

ONDCP Followed Its Process to Develop the 2022 National Drug Control Strategy

We found that ONDCP followed its documented process for the development and promulgation of the 2022 Strategy. ONDCP's plan for developing the Strategy contains a calendar outlining 44 milestones for completing the Strategy. We found that ONDCP was able to provide

[48]In June 2021, ONDCP took actions to fully implement our recommendation to create a Strategy development plan.

[49]*Dir. No. 2021-001: Development of the National Drug Control Strategy*, Office of National Drug Control Policy (Washington, D.C.: June 16, 2021).

[50]ONDCP officials told us that they plan to incorporate lessons learned from the development of the 2022 Strategy into future Strategy iterations, and update its June 2021 Strategy development plan accordingly.

documentation showing that it followed the development plan and completed 39 of 44 milestones. This documentation included correspondence, working papers, and meeting agendas corresponding to milestones outlined in the plan. For example, ONDCP sent:

- an email to ONDCP staff including the Strategy goals approved by ONDCP's Acting Director,[51]
- an agenda for consultation meetings with the National Drug Control Program agencies to gather feedback on the Strategy,[52] and
- an email documenting the ONDCP Director's feedback on the Strategy.[53]

For three of the 44 milestones, ONDCP provided an explanation of how it completed the relevant milestones. Additionally, as of October 2022, ONDCP had not completed two milestones related to the National Drug Control Assessment because the agency is not required to issue the Assessment until February 2023.[54]

ONDCP Issuance of the 2022 National Drug Control Strategy Was Delayed by Two Months

ONDCP issued 2022 Strategy documents, including a summary of the fiscal year 2023 Budget, to address the statutory requirements for the Strategy. According to ONDCP officials, the 2022 Strategy comprises eight documents which outline various aspects of ONDCP's government-wide strategy to address drug misuse, as shown in table 4.

[51]Plan milestone: "Strategy goals established in coordination with [ONDCP's] Office of Performance and Budget".

[52]Plan milestone: "Meeting held with National Drug Control Program Agencies on draft National Drug Control Strategy/Performance Review System".

[53]Plan milestone: "Director feedback on National Drug Control Strategy/Performance Review System sent back to staff".

[54]Pursuant to 21 U.S.C. § 1705(g), not later than the first Monday in February of each year, the Director is required to submit to the President, Congress, and the appropriate congressional committees, a report assessing the progress of each National Drug Control Program agency toward achieving each goal, objective, and target contained in the National Drug Control Strategy applicable to the prior fiscal year.

Table 4: 2022 Office of National Drug Control Policy's (ONDCP) National Drug Control Strategy Products as of October 2022

ONDCP product	Description	Date of issuance
National Interdiction Command and Control Plan	Outlines the interdiction strategy to reduce the supply of illicit drugs in the U.S.	August 2021
National Drug Control Strategy report	Sets the government-wide strategy to counter illicit drug use. The National Drug Control Strategy sets goals and objectives for federal counterdrug activities.	April 21, 2022
Performance Review System report	Reports overall progress toward achieving the goals and objectives of the National Drug Control Strategy, including specific 2-year and 5-year targets for accomplishing the Strategy's long-term goals. ONDCP officials told us that the agency plans to use future Performance Review System reports to adjust the Strategy's policy and program actions as necessary to achieve its goals.	April 21, 2022
Southwest Border Counternarcotics Strategy	Outlines the federal government's approach to prevent illegal trafficking of drugs across the southwest border.[a]	April 21, 2022
Northern Border Counternarcotics Strategy	Outlines the federal government's approach to prevent illegal trafficking of drugs across the northern border.[b]	April 21, 2022
Caribbean Border Counternarcotics Strategy	Outlines the federal government's approach to prevent illegal trafficking of drugs across the Caribbean border with the U.S.	April 21, 2022
Fiscal Year 2023 Budget Summary	Identifies the major programs and activities of the National Drug Control Program agencies that support the goals and objectives of the National Drug Control Strategy. In addition, the Budget Summary is to include the related programs, activities, and available assets, and discuss the role of each program, activity, and asset in achieving the Strategy's goals.[c]	June 27, 2022
National Drug Control Assessment	A summary of the progress of each National Drug Control Program agency's efforts towards meeting the National Drug Control Strategy's goals. It also establishes each agency's specific performance measures and includes an evaluation of the progress toward meeting the annual targets of those performance measures.	To be issued in February 2023[d]

Source: Office of National Drug Control Policy. | GAO-23-105508

[a]21 U.S.C. § 1705(c)(3)(B).

[b]21 U.S.C. § 1705(c)(3)(C).

[c]ONDCP officials stated that they did not identify any gaps in the responsibilities of National Drug Control Program agencies for implementing the 2022 Strategy.

[d]According to ONDCP officials, ONDCP plans to release the National Drug Control Assessment in February 2023.

ONDCP officials cited a number of reasons why ONDCP delivered the Strategy report later than the statutory deadline.[55] Recognizing that there

[55]Along with the Strategy report, ONDCP was also delayed in issuing the Southwest, Northern, and Caribbean Border Counternarcotics Strategies, and the Performance Review System Report.

would be delays as a result of multiple factors, ONDCP notified Congress in January 2022 that the report would be issued later than the February 2022 deadline. In the letter sent to Congress, ONDCP cited the scale of the drug overdose epidemic and need for a coordinated federal response as reasons for the delay. ONDCP officials also told us that the interagency review process for Strategy documents was more time-consuming than in the past. The interagency review process involves ONDCP sending Strategy documents to OMB for its feedback, review, and clearance, as well as revisions between ONDCP and the National Drug Control Program agencies. In addition, given that the Strategy had been in development for about 6 months (beginning in April 2021) when Dr. Rahul Gupta was confirmed as ONDCP Director, Dr. Gupta told Congress in June 2022 that he reviewed and helped develop the Strategy after his confirmation in October 2021.

ONDCP officials told us that the interagency consultation process contributed to the delayed issuance of the Strategy. Specifically, it stated that the consultation process included hundreds of comments, recommendations, and requests for additional conversations between ONDCP and National Drug Control Program agencies that contributed to the delay.[56] Additionally, according to ONDCP officials, OMB requested several rounds of edits by ONDCP before OMB would send the documents for interagency clearance. According to OMB officials, resolving these edits took 7 working days from when OMB provided ONDCP with its first round of edits.

ONDCP's 2022 National Drug Control Strategy Met Some but Not All Selected Statutory Requirements

The 2022 National Drug Control Strategy and related products vary in their level of compliance with selected statutory requirements. Specifically, our analysis indicates that the Strategy fully addresses some of the selected statutory requirements, including those related to comprehensive, long-range, quantifiable goals and specific targets to accomplish long-term quantifiable goals. We found that the Strategy

[56]OMB officials we spoke with stated that ONDCP sent OMB the 2022 Strategy documents in December 2021 and that OMB's portion of the review took 4 months. OMB officials further stated that OMB did not experience any significant difficulties or obstacles in working with ONDCP to provide clearance of the 2022 Strategy.

partially addresses some selected statutory requirements, including those related to identifying the resources for the treatment for substance use disorders and the implementation of border counternarcotics strategies. Finally, we found that the Strategy did not address some selected statutory requirements, including certain provisions related to future planning. For example, the Strategy did not include a performance evaluation plan for each Strategy goal and a plan for increasing data collection, as required.

In 2018, the SUPPORT Act reauthorized ONDCP and a number of its programs.[57] The SUPPORT Act aims to address overprescribing and opioid misuse in the U.S. and includes provisions involving law enforcement, public health, and healthcare financing and coverage. The National Drug Control Strategy is to set forth a comprehensive plan to (1) reduce illicit drug use in the U.S. by limiting the availability of and reducing the demand for illegal drugs, and (2) promote prevention, early intervention, treatment, and recovery support for individuals with substance use disorders.[58]

ONDCP published its National Interdiction Command and Control Plan in August 2021. ONDCP later published the Strategy and some accompanying documents on April 21, 2022. These documents were:

- 2022 National Drug Control Strategy,
- Performance Review System Report,
- Southwest Border Counternarcotics Strategy,
- Northern Border Counternarcotics Strategy, and
- Caribbean Border Counternarcotics Strategy.

In June 2022, we testified on our preliminary observations of the 2022 Strategy and the extent to which ONDCP fulfilled selected statutory requirements.[59] We conducted that review by examining selected statutory requirements from the SUPPORT Act against the Strategy and accompanying documents released by ONDCP on or prior to April 21,

[57]Pub. L. No. 115-271, 132 Stat. 3894 (2018).

[58]21 U.S.C. § 1705(b)(1).

[59]GAO-22-106087.

2022.[60] ONDCP subsequently released the Fiscal Year 2023 Budget Summary on June 27, 2022.

Our analysis indicates that the 2022 Strategy and accompanying documents fully address some of the statutory requirements, including those related to comprehensive, long-range, quantifiable goals and specific targets to accomplish long-term quantifiable goals. Specifically:

- **Comprehensive, long-range, quantifiable goals.** By law, the Strategy is required to include "[c]omprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use, and the consequences of illicit drug use in the U.S."[61] The 2022 Strategy outlines seven specific strategic goals and objectives for the Nation to reduce the demand for and availability of illicit drugs and their consequences. Each goal is supplemented by objectives that include targets to reach by 2025. These goals represent the comprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use, and the consequences of illicit drug use in the U.S., as required.

[60]21 U.S.C. § 1705.

[61]21 U.S.C. § 1705(c)(1)(B).

Selected objectives from the 2022 National Drug Control Strategy

Source: 2022 National Drug Control Strategy, warmworld/stock.adobe.com. | GAO-23-105508

- **Specific targets to accomplish long-term quantifiable goals.** By law, the Strategy is required to include "[a]nnual quantifiable and measureable objectives and specific targets to accomplish long-term quantifiable goals that the Director determines may be achieved during each year beginning on the date on which the National Drug Control Strategy is submitted."[62] In the Performance Review System report, ONDCP provides additional details on the goals and objectives discussed in the Strategy. While each Strategy goal is supplemented by objectives that include long-range targets to reach by 2025, as stated above, the Performance Review System report outlines specific annual targets for each of the objectives outlined in the Strategy. We found that in nearly all cases ONDCP has established annual targets for each of the goals and objectives for fiscal years 2021 through 2025.[63]
- **Estimate of resources needed to achieve Strategy goals.** By law, the Strategy is required to include "an estimate of federal funding and other resources needed to achieve such goal."[64] We found that the Strategy outlines seven goals and the 2023 Budget Summary outlines estimates for federal funding required for each National Drug Control Program agency to address broad funding functions such as treatment, prevention, interdiction, and others.

Our analysis indicates that the Strategy and accompanying documents partially address some statutory requirements. Specifically:

- **Resources to expand treatment for substance use disorders.** By law, the Strategy is required to include "a plan to expand treatment of substance use disorders, which shall … identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy."[65] According to the 2023 Budget Summary, we found that some National Drug Control Program agencies listed the resources necessary to expand treatment for substance use disorders. However, not all National Drug Control

[62]21 U.S.C. § 1705(c)(1)(C).

[63]ONDCP officials told us that they convene relevant agencies to address action items outlined in the Strategy through interagency working groups. They said these working groups serve as venues to reach consensus on policy and practice areas to fulfill the goals and intent of the Strategy.

[64]21 U.S.C. § 1705(c)(1)(F)(iii).

[65]21 U.S.C. § 1705(c)(1)(N)(iii).

Program agencies that the 2023 Budget Summary identified as responsible listed the resources necessary to expand treatment.

- **Resources to eliminate unmet need for substance use disorder treatment.** The Strategy must include "a plan to expand treatment of substance use disorders, which shall … identify the resources, including private resources, required to eliminate the unmet need for evidence-based substance use disorder treatment."[66] While the 2023 Budget Summary included resources necessary to eliminate unmet need for substance use disorder treatment, we found that ONDCP did not cite any private sources or indicate that private sources were unnecessary.
- **Description of resources to implement border counternarcotics strategies.** ONDCP released Northern and Southwest Border Counternarcotics Strategies in April 2022 pursuant to law.[67] However, the strategies are required to "identify the specific resources required to enable the relevant National Drug Control Program agencies to implement" each strategy.[68] The 2023 Budget Summary included some information on the resources necessary to implement the Northern, Southwest, and Caribbean Border Counternarcotics Strategies collectively. However, neither the Strategy nor accompanying documents provided the specific resources for each individual strategy. The 2023 Budget Summary indicated that because Congress does not appropriate funding by specific borders to the relevant National Drug Control Program agencies, ONDCP is unable to report resource levels for the Northern, Southwest, and Caribbean borders distinct from each other.

Our analysis indicates that the Strategy and accompanying documents did not address some statutory requirements. Specifically:

- **Performance evaluation plan for each established Strategy goal.** By law, the Strategy is required to include "[f]or each year covered by the Strategy, a performance evaluation plan for each goal established [as part of the Strategy] for each National Drug Control Program agency."[69] We did not identify such a performance evaluation plan for National Drug Control Program agencies. However, the Performance

[66]21 U.S.C. § 1705(c)(1)(N)(iv).

[67]21 U.S.C. § 1705(c)(3)(B) and (c)(3)(C).

[68]21 U.S.C. § 1705(c)(3)(B)(i)(III) and (C)(i)(III).

[69]21 U.S.C. § 1705(c)(1)(G).

Review System report, released in April 2022, states that "it is complemented by the Assessment, which is a summary of the progress of each National Drug Control Program agency's efforts towards meeting the Strategy's goals. The Assessment establishes each National Drug Control Program agency's specific performance measures and includes an evaluation of the progress of meeting the annual targets of those performance measures." As of December 2022, ONDCP has not yet released the Assessment or any other document that addresses the statutory requirement for a performance evaluation plan under 21 U.S.C. § 1705(c)(1)(G). According to ONDCP officials, the agency plans to release the Assessment in February 2023.

- **Systematic plan for increasing data collection**. By law, the Strategy is required to include 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 related to the National Drug Control Strategy and Program."[70] As of December 2022, ONDCP has not yet publicly released a systematic plan for increasing data collection.
- **Budget priorities for the National Drug Control Program.** By law, the Strategy must include "a 5-year projection for the National Drug Control Program and budget priorities."[71] Despite establishing long-range goals in other Strategy documents, we did not identify a 5-year projection pursuant to the statutory requirement. According to the 2023 Budget Summary, the Strategy establishes the 5-year projection for the National Drug Control Program and budget priorities, and details the drug control resources in the fiscal year 2023 President's Budget needed to implement the Strategy and achieve its goals and objectives. However, ONDCP officials told us that OMB has a policy and practice of not disclosing information about future presidential budget proposals. Consistent with our prior work, taking steps to address this statutory requirement would better position ONDCP and National Drug Control Program agencies, as well as Congress, to plan

[70]21 U.S.C. § 1705(c)(1)(M).

[71]21 U.S.C. § 1705(c)(1)(D).

for the resources needed to achieve the efforts that will have the greatest impact.[72]

Our work has shown that ONDCP can improve its efforts to develop a Strategy that meets statutory requirements and effectively coordinates national efforts to address drug misuse. In 2017 and 2018, ONDCP did not issue a statutorily required Strategy, and we reported that the 2019 Strategy did not fully comply with the law.[73] In December 2019, we recommended that, after developing and documenting key planning elements to meet the SUPPORT Act requirements, ONDCP routinely implement an approach, based on these planning elements, to meet the requirements for the 2020 Strategy and future Strategy iterations.[74] In 2020, we reviewed the 2020 Strategy and found that ONDCP had made progress in addressing several statutory requirements but fell short in meeting other requirements.[75]

While ONDCP has documented key planning elements by creating and implementing a plan for developing the Strategy, it has not yet implemented an approach to meet all of the statutory requirements. Doing so would better position ONDCP to ensure that future Strategy iterations completely address all of the statutory requirements.

ONDCP Has Oversight Mechanisms in Place to Assess the Performance of Its Key Programs

ONDCP Focuses Reviews on Individual HIDTAs and Collects Information to Assess Their Progress toward Performance Targets

ONDCP uses a number of audits and evaluations to oversee the HIDTA program, including audits of performance data, financial audits, and other reviews to ensure compliance with program requirements. ONDCP

[72]We have previously discussed the benefits of a 5-year projection in the Strategy for planning purposes. See GAO, *Drug Policy: Preliminary Observations on the 2019 National Drug Control Strategy,* GAO-19-370T (Washington, D.C.: Mar. 7, 2019); GAO-20-124; GAO-20-474; GAO-21-119SP; and GAO-22-106087.

[73]GAO-20-124.

[74]GAO-20-124.

[75]GAO-20-474.

assesses the performance of the HIDTA program by measuring how each HIDTA performed on targets it sets in coordination with ONDCP. ONDCP uses performance data audits on HIDTAs each year to help ensure the accuracy and validity of HIDTA performance data. ONDCP uses financial audits to assess individual HIDTAs' financial internal controls. It also reviews all reimbursement requests submitted by individual HIDTAs to prevent and detect fraud, waste, and abuse. Finally, according to HIDTA program guidance, ONDCP may conduct program reviews of individual HIDTAs on an as-needed basis to ensure compliance with program grant requirements, or to investigate issues identified during its other audits. For a summary of ONDCP's activities for overseeing the HIDTA program, see table 5 below.

Table 5: Office of National Drug Control Policy (ONDCP) Oversight of the High Intensity Drug Trafficking Areas (HIDTA) Program

Oversight Activity	Description
Annual Budget Review	During its annual budget review, ONDCP assesses each HIDTA's performance against established targets. If a HIDTA falls short of a target, ONDCP may require corrective actions, such as reallocating funding to address the performance results, before it approves the HIDTA's budget.
Performance Data Audits	To ensure the accuracy and validity of HIDTA performance data, ONDCP selects nine HIDTAs to audit each year, with audits for each HIDTA about every 4 years. Audits assess the reliability of performance data, the quality of internal controls, and compliance with program policy.
Financial Audits	Financial audits focus on each HIDTA's local grantees. ONDCP selects seven HIDTAs for a financial audit each year, prioritizing grantees with significant financial deficiencies, higher-dollar grantees, and HIDTAs that have not recently participated in a financial audit, according to ONDCP officials. Auditors assess whether each grantee presents its financial information fairly, has adequate internal controls, and complies with laws and regulations.
Invoice Reviews	For HIDTA operations, each HIDTA's law enforcement partners pay for eligible expenses, then submit requests to ONDCP's contractor for reimbursement. The contractor conducts a detailed review of all invoices before it issues payments to HIDTA grantees to minimize the likelihood of improper payments and help ensure that all payments align with approved budgets.
Program Reviews	ONDCP can conduct program reviews on specific HIDTAs on an as-needed basis. These program reviews can, for example, further investigate issues identified during previous financial and performance data audits, assess a HIDTA's implementation of open recommendations, or address issues of noncompliance at the initiative level.

Source: GAO analysis of ONDCP information. | GAO-23-105508

Review of performance data. One key way ONDCP assesses the efficiency and effectiveness of the HIDTA program is by using data from the program's performance data system. In 2004, ONDCP created a system to measure the performance of individual HIDTAs toward overall program goals, and identify gaps between performance targets and outcomes. ONDCP requires each of the 33 HIDTAs to submit data on the

program's core measures on a quarterly basis.[76] ONDCP uses these data to assess the quantitative performance of each HIDTA and the program overall.

The HIDTA program's core measures include the number of drug trafficking organizations dismantled or disrupted, the return on investment for asset seizures, and the return on investment for drug seizures.[77] For example, in calendar year 2021, the most recent year for which complete data are available, the HIDTA program reported that the combined value of illegal drugs seized and the cash and assets taken from traffickers equated to a return on investment of $100 for every dollar in the program's budget. Specifically, HIDTA initiatives across the entire program reported removing drugs from the market valued at about $26.1 billion, while seizing about $740 million in cash and $1.16 billion in non-cash assets from drug traffickers.[78] It also reported that it disrupted or dismantled over 3,100 drug trafficking organizations or money laundering organizations.

ONDCP assesses each HIDTA's performance during its annual budget review. As part of this review, each HIDTA submits an Initiative Description and Budget Proposal to ONDCP identifying how it plans to implement its strategy during the upcoming year. While developing that proposal, each HIDTA is to assess the efficiency and effectiveness of each of its local initiatives, and reallocates funding from less successful initiatives to more successful ones. Moreover, each HIDTA is responsible for terminating or revising initiatives that are no longer sufficiently productive, no longer address an identified threat, or duplicate effort with existing law enforcement operations. After ONDCP receives each HIDTA's Initiative Description and Budget Proposal, it reviews that

[76]Office of National Drug Control Policy, *High Intensity Drug Trafficking Areas Program Policy and Budget Guidance* (Washington, D.C.: Sept. 9, 2021).

[77]Return on investment for assets is the ratio between the value of cash and non-cash assets seized and the amount of HIDTA funds budgeted for all activities other than treatment, prevention, research and development. Return on investment for drugs is the ratio between the wholesale value of drugs seized and the amount of HIDTA funds budgeted for all activities other than treatment, prevention, research and development.

[78]The HIDTA program supports more than 900 local initiatives ranging from enforcement—such as investigation, interdiction, and prosecution—to drug use prevention and treatment initiatives. ONDCP gives individual HIDTAs the discretion to design and implement initiatives that confront the specific drug trafficking threats in their regions. ONDCP reports these performance metrics in its annual HIDTA Program Report to Congress.

HIDTA's performance against its core measure targets. If any core performance measures varied by 15 percent or more from the target, ONDCP requires the HIDTA to explain the variance.[79]

From fiscal years 2019 through 2021, ONDCP did not identify any deficiencies or issue any recommendations as part of its assessment of individual HIDTAs' core measure performance, according to ONDCP officials. They said that instead of formally issuing recommendations during this process, ONDCP typically requires the HIDTA to take necessary actions, such as reallocating funding to address the performance results, before ONDCP will approve the HIDTA's budget for the upcoming year. The ONDCP officials said, however, that typically HIDTAs sufficiently address the areas where they did not meet performance targets during the initiative review prior to submitting the budget request to ONDCP.

Assessing reliability of performance data. To ensure the accuracy and validity of HIDTA performance data, ONDCP commissions an independent contractor to audit HIDTAs' performance data. Performance data audits focus on three areas: the reliability of performance data, the quality of internal controls, and compliance with HIDTA policy.[80] In fiscal year 2021, the contractor completed audits of nine HIDTAs. Eight of those audits resulted in findings with 14 recommendations to improve the accuracy of data entry on HIDTA operations.[81] For example, five recommendations related to ensuring HIDTA personnel accurately record cash or drug seizure information, four related to accurately recording training of HIDTA personnel, and two related to accurately recording law

[79]The performance targets each HIDTA sets in coordination with ONDCP reflect the specific conditions, resources, and mix of activities in each HIDTA region. For example, a HIDTA focused more on interdiction initiatives may expect relatively more seizures, while a HIDTA focused on investigative work may expect to disrupt and dismantle more drug trafficking organizations.

[80]ONDCP selects nine HIDTAs for performance data reliability audits on a cyclical basis, auditing each HIDTA about every 3 to 4 years, according to ONDCP officials. During a performance data audit, contractors assess the HIDTA's performance reporting, including validating the two most recent years of performance data.

[81]Performance audits conducted in fiscal year 2021 covered HIDTA operations during calendar years 2018 and 2019.

enforcement deconfliction information.[82] The relevant HIDTAs implemented all 14 recommendations. For example, the Appalachia HIDTA closed a recommendation to develop procedures to ensure personnel accurately enter intelligence surveys into the performance data system. Specifically, the HIDTA took steps to distribute and collect more intelligence support surveys to better understand its analytical and intelligence support capabilities, and developed new training measures to ensure the accuracy of data entry. For a list of recommendations resulting from fiscal year 2021 performance data audits and a summary of actions taken to address them, see appendix I.

Financial reviews. ONDCP uses financial audits to review individual HIDTAs' internal controls and, according to HIDTA officials, to help prevent and detect fraud, waste, and abuse. Financial audits, conducted by an independent accounting firm, take place at the initiative grantee level, not the HIDTA level. Each year, ONDCP selects seven HIDTAs for a financial audit based on a risk assessment, which according to ONDCP officials, can include grantees with material weaknesses or significant deficiencies identified in single audit reports.[83] ONDCP also prioritizes higher-dollar grantees and HIDTAs that ONDCP has not recently selected for a financial audit, according to ONDCP officials. As part of a financial audit, the auditor is to assess whether the grantee presents its financial information fairly, its internal controls are adequate, and the grantee complies with laws and regulations.[84] From fiscal years 2019 through 2021, the auditor conducted financial audits on 19 HIDTAs, and identified

[82]Deconfliction is the process of determining when law enforcement personnel are conducting an operation close to each other, or an investigation involving the same data, and notifying relevant agencies or personnel accordingly. According to HIDTA guidance, deconfliction serves to reduce the duplication of effort, leverage intelligence activities, and promote officer safety.

[83]A nonfederal entity that expends $750,000 or more in total federal awards during the fiscal year must have a single audit conducted for that year in accordance with 2 C.F.R. Part 200. A single audit, which is typically performed by an independent certified public accountant, is an audit of the award recipient's expenditure of federal awards and of its financial statements.

[84]During a financial audit, the auditor spends about 2 weeks onsite with each grantee examining financial statements. HIDTA financial audits are based on agreed-upon procedures, and are not full financial statement audits, according to ONDCP officials. During an agreed-upon procedures audit, the auditor issues a report based on specific procedures performed with a specified scope. During a full financial statement audit, which is done in compliance with generally accepted auditing standards, the auditor expresses an opinion regarding the full set of financial statements.

deficiencies in one of the 19 audits.[85] Specifically, one audit in fiscal year 2021 identified four deficiencies related to internal controls, including an initiative grantee not properly tracking inventory and purchases made with HIDTA funds. The grantee addressed all four deficiencies, according to ONDCP officials. For example, the grantee brought inventory tracking into compliance with HIDTA policy and began conducting regular physical inventory of property it purchased using HIDTA funds.

ONDCP is to review all reimbursement requests submitted by individual HIDTAs to prevent and detect fraud, waste, and abuse. For HIDTA operations, each HIDTA's law enforcement partners pay for eligible expenses, then submit requests for reimbursement to ONDCP's contractor for review. The contractor conducts a detailed review of all invoices before it issues payments to HIDTA grantees. ONDCP conducts invoice reviews to minimize the likelihood of improper payments and help ensure that all payments align with approved budgets.

Program reviews. Finally, ONDCP conducts program reviews of individual HIDTAs on an as-needed basis to ensure compliance with HIDTA grant requirements. When contractors conduct financial audits or performance data audits, they may identify issues relating to a specific HIDTA beyond the scope of their audit contract. In these instances, ONDCP can conduct a standard program review to further investigate these issues, and assess a HIDTA's implementation of open recommendations.[86] In addition, ONDCP can conduct a comprehensive program review to address specific issues of noncompliance at the initiative level or potential misuse of grant funds.[87] These reviews can span several months and trigger additional financial and performance data audits, according to HIDTA program guidance. A comprehensive review can result in required corrective actions, such as reimbursement of grant funds from the HIDTA to ONDCP, withholding of future grant funds, or changes to the HIDTA's initiatives.

[85]While ONDCP contractors conduct seven financial audits each year, during fiscal year 2020 they could not complete two financial audits due to challenges related to the COVID-19 pandemic.

[86]A standard program review is the most basic form of program review, and follows the completion of financial and performance audits, as appropriate.

[87]ONDCP may conduct comprehensive reviews of a HIDTA when ordered by the Director of ONDCP or the National HIDTA Director.

ONDCP conducted program reviews of three HIDTAs from fiscal years 2019 through 2021. ONDCP conducted two of these program reviews to better understand the HIDTA's day-to-day operations, compliance with program policies, and operational structure after recent leadership transitions, according to audit documentation. The other program review focused on compliance with recent performance data audit findings. The three program reviews resulted in 38 recommendations, all of which have been addressed. The recommendations related to topics such as operating procedures; intelligence and information sharing; financial oversight; and hiring and training. For example, during one program review, ONDCP issued multiple recommendations related to intelligence and information sharing requirements. ONDCP recommended that the HIDTA collocate federal law enforcement officials with their state or local counterparts, and improve coordination with federal officials while developing strategic intelligence products. The HIDTA implemented these recommendations by reorganizing its Investigative Support Center, which revised communication and coordination practices and brought the HIDTA into full compliance with statutory requirements, according to HIDTA program documentation.[88] For a list of recommendations resulting from the three program reviews and a summary of actions taken to address them, see appendix II.

ONDCP Assesses the Effectiveness of the Drug-Free Communities Support Program through Its National Evaluation

ONDCP assesses the effectiveness of the DFC program through an annual national evaluation, which measures how the program performed in achieving its goals. In its role managing day-to-day operations of the program, the CDC reviews a random selection of all CDC-managed grants, which include DFC awards, to ensure compliance with fiscal and grant management policies. ONDCP monitors the performance of DFC coalitions through regular grantee reporting, such as progress reports grantees are to submit twice each year, and through weekly meetings with CDC. The DFC program does not formally assess efficiency, but requirements for grantees to match federal funds with additional funding

[88]All HIDTAs are required to establish and maintain an Investigative Support Center that fulfills the policy requirement to facilitate the sharing of intelligence and information between law enforcement partner agencies, provide analytical case support to investigative task forces, and prepare a strategic threat assessment of drug trafficking and money laundering threats in the designated area.

from nonfederal sources helps to improve grantees' efficiency, according to ONDCP officials. For a summary of ONDCP's activities for overseeing the DFC program, see table 6 below.

Table 6: Office of National Drug Control Policy (ONDCP) Oversight of the Drug-Free Communities Support (DFC) Program

Oversight Activity	Description
National Evaluation	Each year, ONDCP releases a national evaluation, which measures the effectiveness of the DFC program in achieving its goals. The purpose of the national evaluation is to monitor data to demonstrate the progress of the DFC program and its grantees. ONDCP uses the evaluation to compile data reported by grantees, and interpret them to give federal managers and policymakers a clear vision of what is working at the local level.
Internal Control Reviews	The Centers for Disease Control and Prevention (CDC), which manages the DFC program's day-to-day operations, conducts monthly internal control reviews to ensure adherence to fiscal and grant management policies and procedures. Reviews assess implementation of CDC standard operating procedures and policies through a review of grant file documentation. Examples of elements under review include documentation verifying that a merit review was conducted; documentation that a cost analysis of the applicant's budget was completed; and evidence of the program tracking grant documentation as required.
Application Review	ONDCP oversees DFC coalitions through its review of the substantial documentation grantees submit in their applications. These materials, for example, enable the DFC program to ensure grantees have the personnel for overseeing the financial aspects of the grant (such as bookkeeping or accounting services), have an adequate financial management system, and comply with statutory funding limits.
Performance Reporting	DFC grantees are required to submit semiannual progress reports to ONDCP that describe their community and coalition members, coalition accomplishments and challenges, and assessment activities. Progress reports typically describe coalition efforts (such as target substances), key efforts to prevent drug misuse (such as a positive school climate), and key risks that could lead to drug misuse (such as family trauma or stress). Progress reports are to also identify measures of short-term, intermediate, and long-term outcomes, which can serve as benchmarks for measuring progress.

Source: GAO analysis of ONDCP and CDC information. | GAO-23-105508

National evaluation. Each year, ONDCP releases a national evaluation, which measures the effectiveness of the DFC program in achieving its goals.[89] The purpose of the evaluation is to regularly monitor data regarding the progress of the DFC program and its grantees. Evaluators under contract with ONDCP are to compile data reported by grantees and interpret them to give federal managers and policymakers a clear vision of what is working at the local level.

The 2020 and 2021 evaluations both found that DFC coalitions met the goal of increasing the percentages of middle school and high school

[89]The DFC program aims to increase community collaboration in reducing and preventing youth substance use.

youth in their communities who chose not to use substances.[90] This included decreases in past 30-day prevalence of use. In addition, based on the goal of building the capacity to prevent and reduce youth substance use, the 2021 evaluation found that 70 percent of coalitions implemented activities to address opioid or methamphetamine use. In addition, the evaluation found that 69 percent of coalitions engaged in activities to address vaping.[91] The 2020 and 2021 evaluations did not identify any deficiencies, however they noted challenges that some coalitions faced due to the COVID-19 pandemic.[92] For example, the evaluation stated that COVID-19-related school closures, social distancing, indoor gathering size limit mandates, and stay-at-home restrictions presented challenges to capacity building and strategy implementation.

Internal control reviews. The CDC conducts monthly internal control reviews to help ensure adherence to fiscal and grant management policies and procedures, according to CDC officials.[93] The officials said that CDC is to review a random sample of all CDC grant files, which includes DFC grants. According to CDC officials, after CDC took over day-to-day management of the DFC program in October 2020, the agency included DFC grants for possible selection beginning in January 2021. From January 2021 through May 2022, audits included four DFC awards in the May 2021 review, and three DFC awards in the October

[90]ONDCP released the 2021 National Evaluation in August 2022 based on data through August 2021. ONDCP released the 2020 National Evaluation in March 2021 based on data through August 2020. The evaluation tracks core outcomes findings, which include use of alcohol, tobacco, and marijuana, and the illicit use of prescription drugs. In addition to these substances, individual coalitions may focus on other substances that may be impacting their youth.

[91]These represented slight decreases in the percentage of community coalitions engaging in these activities from the previous year. Specifically, the 2020 evaluation found that 73 percent of coalitions implemented activities to address opioid or methamphetamine use, and 76 percent implemented activities to address vaping.

[92]According to ONDCP officials, the national evaluation does not identify deficiencies within individual coalitions. Instead, they said, the evaluation is designed to evaluate the effectiveness of the overall DFC program, and provide training and technical assistance to strengthen coalitions' local data collection efforts.

[93]Elements that CDC auditors may review as part of an internal control review include: documentation verifying that a merit review was conducted; documentation that a cost analysis of the applicant's budget was completed; and evidence of the program tracking grant documentation as required.

2021 review. In its audit of these seven awards, CDC did not identify any deficiencies.

Efficiency. There is no formal assessment for efficiency of the DFC program, according to ONDCP officials. However, the DFC program requires coalitions to obtain funding from nonfederal sources to match the federal funding it receives. This, according to ONDCP officials, helps to improve grantees' efficiency. Specifically, in a grantee's first year with the DFC program through its sixth year, the grantee is required to match 100 percent of federal funds with nonfederal funds.[94] The match requirement increases to 125 percent in years 7 and 8, and to 150 percent in years 9 and 10.[95] Each grantee is required to itemize a dollar-for-dollar match from nonfederal sources and explain how they comply with match requirements in their budget narrative.[96]

Application and planning requirements. ONDCP oversees DFC coalitions through its review of the substantial documentation grantees submit in their applications. For example, applicants are to submit a description of their projects, a 12-month action plan outlining their focus areas and planned activities, and a data management plan showing how they plan to manage and share the data they collect. Applicants are also to explain how they plan to collect and analyze the data needed to measure the effectiveness of their action plans.

To help prevent fraud, waste, and abuse, the DFC program requires applicants to demonstrate that they have a primary party responsible for overseeing the financial aspects of the grant (such as bookkeeping or accounting services) and a financial management system that will allow for proper funds management and separation of funds by program. In addition, per its memorandum of understanding for program management with ONDCP, CDC is required to conduct pre-award risk assessments to determine the risk an applicant poses to meeting federal programmatic

[94]21 U.S.C. § 1532(b).

[95]21 U.S.C. § 1532(b)(3)(D).

[96]Under the Consolidated Appropriations Act, 2022, Pub. L. No. 117-103, Div. P, § 161, 136 Stat. at 801-02 (see 21 U.S.C. § 1532 note), if DFC grantees were unable to meet the match requirement due to fundraising challenges related to the COVID-19 pandemic, they were eligible to apply to the DFC program to waive the match requirement for fiscal years 2020, 2021 and 2022. For fiscal year 2021, 54 coalitions received a waiver of matching requirements, and for fiscal year 2022, 63 coalitions received a waiver, according to CDC officials. They said CDC approved all the waiver requests that it received.

and administrative requirements. Finally, after receiving funding, grantees are responsible for submitting quarterly and annual Federal Financial Reports to demonstrate they are accurately documenting financial transactions.

During the review of DFC applications, ONDCP and CDC are to review submissions to ensure compliance with statutory requirements, including that coalitions receive no more than 10 years of DFC funding.[97] CDC guidance defines characteristics of a new coalition, including having different leadership and community sector representatives, having a new name and mission statement, and serving a new population. The foundation of the review, according to CDC officials, is that the applicant attests to meeting the requirements, thereby demonstrating that they have not received more than 10 years of funding.

However, ONDCP officials told us that ONDCP awarded a grant to an applicant in September 2020 that was substantially similar to one that had previously received the maximum 10 years of funding. Specifically, after the DFC program approved the application and awarded the grant, other grantees informed ONDCP that the new coalition was similar to one that had previously operated in the area. After conducting an investigation in May 2021, ONDCP learned that the new coalition had all 12 community sector representatives in common with the prior coalition that had received maximum funding.[98] According to CDC officials, the applicant's attestation was not accurate.

ONDCP officials said they subsequently rescinded the grant in August 2021, and have since put a new process in place to determine if an applicant is substantially similar to a previous coalition. They said the DFC program did not previously screen applicants against previous coalitions, and instead relied on program staff or current grantees to raise concerns, as happened in this case. In fiscal year 2022, the DFC program began cross-checking proposed sector representatives in all relevant applications against previously funded coalitions dating back to the oldest

[97]21 U.S.C. § 1532.

[98]Pursuant to 21 U.S.C. § 1532(a)(2)(A), each DFC coalition is required to have a volunteer representative from each of 12 community sectors. These sectors are youth; parents; schools; law enforcement; health care professionals; businesses; the media; organizations serving youth; religious or fraternal organizations; civic and volunteer groups; state, local, or tribal governmental agencies with expertise in the field of substance use and misuse; and other organizations involved in reducing substance use and misuse.

available data from fiscal year 2015, according to ONDCP and CDC officials. Using this screening process, ONDCP officials said they have seen some duplication of sector representatives, such as overlap of one or two sector representatives, and given some of those applications closer scrutiny. However, they said they have not identified any additional cases of substantial overlap. They also said that some duplication is not necessarily a problem, and they evaluate each occurrence on a case-by-case basis.

Performance reporting. Pursuant to the DFC program's 2022 Notice of Funding Opportunity, grantees are required to submit semiannual progress reports to ONDCP that describe their community and coalition members, coalition accomplishments and challenges, and assessment activities. Specifically, progress reports typically describe coalition efforts (such as target substances) and key protective and risk factors found in the local community (such as availability of substances and the environment in schools).[99] In the progress report, grantees are also to identify measures of short-term, intermediate, and long-term outcomes, which can serve as benchmarks for measuring programmatic progress and impact. Continuous grantee reporting provides ONDCP and CDC with periodic data to monitor coalition progress toward meeting outcomes and overall performance, and identifies successes and challenges that coalitions encounter. According to ONDCP officials, the DFC program does not issue formal recommendations to grantees while reviewing progress reports. Instead, CDC staff provide feedback on the progress report, including additional information or documentation the grantee should include in the current progress report or future reports.

In addition to examining regular reporting from grantees, CDC monitors coalition performance through routine engagement, and regularly reports coalition progress and challenges to ONDCP. For example, CDC communicates regularly with grantees and conducts site visits to coalition communities to track coalition progress in achieving desired outcomes, ensure the adequacy of data reporting systems, and work with grantees to adjust work plans and budgets as necessary.

[99]For example, coalitions have identified community protective factors against drug misuse, including community involvement, creating positive contributions to peer groups, positive school climate, and family involvement. Coalitions have also identified risk factors to drug misuse, such as substance availability, individual youth with favorable attitudes towards substance use, and family trauma or stress.

CDC staff update ONDCP on program activities in weekly meetings, according to CDC and ONDCP officials. CDC and ONDCP officials said that during these meetings they discuss any potential issues facing grantees and develop possible solutions. For example, CDC is required to inform ONDCP of any grant recipients in restricted status, according to its memorandum of understanding with ONDCP. This could include grantees with financial instability or risk of financial failure, poor performance or poor business practices, or inadequate management systems. After discussing a grantee's performance challenges and possible solutions with ONDCP, CDC placed a grantee in restricted status for the first time in August 2022 due to the grantee not being responsive to CDC staff, failing to submit required financial reports, and submitting late and incomplete progress reports. According to ONDCP officials, while in restricted status, the grantee must seek ONDCP's approval before drawing funds from its DFC grant account. In addition, they said the grantee must demonstrate progress in communicating with CDC staff and submitting required documentation before CDC would release the grantee from restricted status.

ONDCP Evaluated Its Media Campaign Focused on Opioids, Which Ended in 2019

The National Anti-Drug Media Campaign conducted the *Truth About Opioids* initiative, a national public awareness campaign that ran from June 2018 to August 2019. The SUPPORT Act authorized $25 million annually for the media campaign from fiscal years 2018 through 2023.[100] However, the media campaign has not been appropriated any funds since fiscal year 2011, despite two requests by ONDCP since that time, according to ONDCP officials.

ONDCP administered the *Truth About Opioids* initiative, in collaboration with the Ad Council and Truth Initiative, from June 2018 to August 2019.[101] The initiative's objectives were to increase awareness of opioid misuse and prevention and secure at least $15 million in donated media. According to ONDCP officials, during the initiative ONDCP contributed

[100]Pub. L. No. 115-271, § 8218, 132 Stat. at 4125-32. 21 U.S.C. § 1708(g).

[101]After the conclusion of the *Truth About Opioids* initiative, ONDCP held a balance of about $1.2 million for its media campaign efforts remaining from fiscal year 2011 appropriations and recoveries from prior year obligations, as of September 2022, according to ONDCP officials.

about $500,000 left over from its fiscal year 2011 appropriations and recoveries from prior year obligations. This funding helped secure over $27 million worth of advertising space donated by various media outlets.[102]

ONDCP conducted oversight by requiring contractors to submit monthly progress reports summarizing campaign activity. In addition, ONDCP reviewed invoices for compliance with the campaign contract before releasing funds, according to ONDCP officials. ONDCP reported that the Ad Council and the Truth Initiative provided the required monthly progress reports.[103]

As required, ONDCP submitted a report to Congress in April 2019 about the *Truth About Opioids* initiative that described campaign activity, including whether the campaign accomplished its objectives and operated in an effective and efficient manner, and actions taken to prevent fraud, waste, and abuse.[104] ONDCP found that the contractors met performance targets, and did not identify any deficiencies in the program.

[102]ONDCP selected the Ad Council based on its expertise in securing donated advertising space from media outlets, and promoting the use of public service announcements. ONDCP's expenditures went primarily toward Ad Council staff time and other expenses associated with obtaining donated advertising space. ONDCP did not pay for creative content or ad development, which the Truth Initiative completed at no cost. The Truth Initiative also tested the effectiveness of ads to create the most effective set of ads.

[103]Monthly progress reports summarized campaign activity, including: topics for creative development, public relations plans and launches, website content development, support provided by media partners, content distribution, results of media monitoring, research and audience testing, promotional activity, issues and mitigation plans, and upcoming scheduled events. To determine whether contractors submitted progress reports each month to ONDCP, we requested four specific monthly progress reports disbursed throughout the contractor period, and found that each report was provided to ONDCP as required.

[104]According to ONDCP officials, since the *Truth About Opioids* initiative was developed and initiated before passage of the SUPPORT Act, it submitted its report to Congress based on requirements in the Office of National Drug Control Policy Reauthorization Act of 2006, Pub. L. No. 109-469, § 203, 120 Stat. at 3517-18 (codified at 21 U.S.C. § 1708a (2006))(amended by GAO Mandates Revision Act of 2012, Pub. L. No. 112-234, § 2, 126 Stat. at 1624-25)(repealed 2018).

In March 2022, pursuant to the Methamphetamine Response Act of 2021, Congress declared methamphetamine an emerging drug threat.[105] Pursuant to 21 U.S.C. § 1708(e), upon designation of an emerging drug threat, the Director of ONDCP is to evaluate whether a media campaign would be appropriate to address that threat. In November 2022, ONDCP officials told us that they would not consider undertaking a new media campaign focused on an emerging drug threat without dedicated funding.

In September 2022, ONDCP initiated plans to conduct a new initiative to raise awareness about the risks of illicit drugs and the benefits of harm reduction, including the opioid-reversal drug naloxone. ONDCP plans to spend $500,000 on the initiative, which is to run from September 2022 to September 2023.[106]

Agency Comments and Our Evaluation

We provided a draft of this report to HHS, OMB, and ONDCP for review and comment. ONDCP provided written comments, which are summarized below and reproduced in appendix III. HHS and ONDCP provided technical comments, which we incorporated as appropriate. OMB did not provide any comments on the report.

In its written comments, ONDCP stated that it did not agree with our analysis related to two of the examples identified in the report related to certain statutory requirements of the National Drug Control Strategy. Specifically, as noted in the report, under 21 U.S.C. § 1705(c)(3)(B)(i)(III), the Southwest Border Counternarcotics Strategy is required to "identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy." Similarly and separately, under 21 U.S.C. § 1705(c)(3)(C)(i)(III), the Northern Border Counternarcotics Strategy is required to "identify the specific resources

[105]Pub. L. No. 117-99, § 2(b), 136 Stat. 43 (2022). The Act required the Director of ONDCP to establish and implement an Emerging Threat Response Plan that is specific to methamphetamine in accordance with 21 U.S.C. § 1708(d) not later than 90 days after the date of enactment of the Act. On May 7, 2022, the Director of ONDCP announced the plan to address methamphetamine and its impact on public health and safety.

[106]According to ONDCP officials, the agency plans to spend $500,000 on the initiative, which was funded by left over media campaign funds and recoveries from prior year appropriations.

required to enable the relevant National Drug Control Program agencies to implement the strategy."

As detailed in the report, we found that these requirements were partially met because the Fiscal Year 2023 Budget Summary included some information on the resources necessary to implement the Northern, Southwest, and Caribbean Border Counternarcotics Strategies collectively. However, neither the Strategy nor accompanying documents provided the specific resources for either the Southwest or Northern Border Counternarcotics Strategies, as required. The Budget Summary indicated that because Congress does not appropriate funding by specific borders to the relevant National Drug Control Program agencies, ONDCP is unable to report resource levels for the Northern, Southwest, and Caribbean borders distinct from each other. In addition, ONDCP stated that there is no accurate methodology or rubric for calculating the resource levels required for implementing each separate and distinct border strategy given how Congress appropriated these resources. However, we believe that the relevant National Drug Control Program agencies responsible for implementing the Southwest and Northern Border Counternarcotics Strategies could identify the specific resources required or provide appropriate estimates to ONDCP to address the statutory requirements.

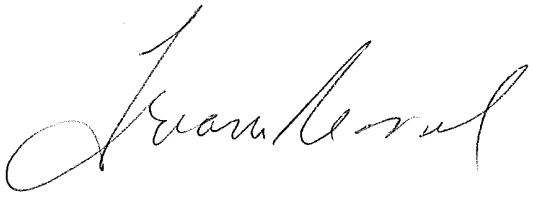
In addition, ONDCP did not agree with our analysis related to 21 U.S.C. § 1705(c)(1)(D), which requires the Strategy to include "[a] 5-year projection for the National Drug Control Program and budget priorities." As detailed in this report, we concluded that this statutory provision was not addressed in the Strategy and accompanying documents. ONDCP believes that it fulfilled this statutory requirement by establishing Strategy goals and objectives. While this addresses the statutory requirements for goals and objectives under 21 U.S.C. § 1705(c)(1)(B) and (C),[107] it does not address the statutory requirement for a 5-year projection for the National Drug Control Program and budget priorities.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Health and Human Services, Director of the

[107]Pursuant to 21 U.S.C. § 1705(c)(1)(B) and (C), the National Drug Control Strategy is required to include "[c]omprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use, and the consequences of illicit drug use in the United States," and "[a]nnual quantifiable and measurable objectives and specific targets to accomplish long-term quantifiable goals that the Director determines may be achieved during each year beginning on the date on which the National Drug Control Strategy is submitted."

Office of Management and Budget, Director of the Office of National Drug Control Policy, and other interested parties. In addition, the report is available at no charge on the GAO website at http://www.gao.gov.

If you or your staff have any questions about this report, please contact me at (202) 512-8777 or mcneilt@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix IV.



Triana McNeil,
Director, Homeland Security and Justice

List of Committees

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The Honorable Carolyn B. Maloney
Chairwoman
The Honorable James Comer
Ranking Member
Committee on Oversight and Reform
House of Representatives

Appendix I: High Intensity Drug Trafficking Areas (HIDTA) Performance Data Audit Recommendations

To help ensure the accuracy and validity of HIDTA performance data, the Office of National Drug Control Policy (ONDCP) commissions an independent contractor to conduct performance data reliability audits on the data each HIDTA enters in the program's performance data system. Performance data audits focus on three areas: the reliability of performance data, the quality of internal controls, and compliance with HIDTA policy.[1] In fiscal year 2021, the contractor completed audits of nine HIDTAs. Eight of those audits included findings, with 14 recommendations to improve the accuracy of data entry on HIDTA operations. Performance audits conducted in fiscal year 2021 covered HIDTA operations during fiscal years 2018 and 2019. See table 7 for a list of recommendations that resulted from fiscal year 2021 performance data audits, as well as ONDCP's reported actions that the relevant HIDTA took to address them.

Table 7: High Intensity Drug Trafficking Areas (HIDTA) Performance Data Audit Recommendations and Reported Actions Taken, Fiscal Year 2021

HIDTA region	Recommendations	Summary of reported resolutions
Appalachia HIDTA	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters cash seizure performance information into the Performance Management Process (PMP) system.[a]	The HIDTA implemented a system to check for duplicate seizures. The process uses both a process through the PMP system, and a manual review of all seizures over a predetermined amount. The manual review involves comparing results against initiative paperwork, and verifying any seizures with possible inaccuracies.

[1]ONDCP selects nine HIDTAs for performance data reliability audits on a cyclical basis, auditing each HIDTA about every 3 to 4 years. During a performance data audit, contractors spend 3 to 5 days onsite to assess the HIDTA's performance reporting, including validating the two most recent years of performance data. The contractor delivers a report to ONDCP and the HIDTA, followed by a management letter with any recommendations.

HIDTA region	Recommendations	Summary of reported resolutions
	The HIDTA should develop procedures that ensure intelligence surveys are accurately entered into the PMP system and let the HIDTA follow up with intelligence surveys recipients if needed.	The HIDTA took steps to distribute and collect more intelligence support surveys so the HIDTA can better understand its analytical and intelligence support. The HIDTA also developed new training measures to address the recommendations.
Atlanta/Carolinas HIDTA	The HIDTA should develop procedures to ensure the accurate recording of performance information in official training records and into the PMP system.	The HIDTA implemented a process to ensure training records are recorded accurately in the PMP system, including quarterly reviews to ensure data are consistent.
	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters deconfliction information into the PMP system.[b]	Under new procedures, managers enter deconfliction data, and the Director annually reviews data and certifies its accuracy.
	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters threat assessment records and strategic product information into the PMP system.	The HIDTA implemented a system to maintain accurate records of threat assessments and strategic products.
Arizona HIDTA	No recommendations	Not applicable
Central Florida HIDTA	The HIDTA should develop procedures to ensure the accurate recording of performance information in official training records and into the PMP system. The procedures should include an annual summary of activities from the HIDTA Online Training Tracker; and require a review to be performed at each year end.	Under a new process, the Training Coordinator will reconcile training data to ensure its accuracy, and report findings annually to HIDTA leadership.
Chicago HIDTA	The HIDTA should develop procedures to ensure the accurate recording of performance information in official training records and into the PMP system. The procedures should include an annual summary of activities from HIDTA Online Training Tracker; and require a management review to be performed at each year end.	The HIDTA implemented data management practices, including locking data at the end of the year to preserve it, and a quarterly audit of training data.
Hawaii HIDTA	The HIDTA should develop procedures to ensure the accurate recording of performance information in official training records and into the PMP system. The procedures should include an annual summary of activities from HIDTA Online Training Tracker; and require a management review to be performed at each year end.	The HIDTA's Training Coordinator now monitors all training data entry transactions and validates the reported values in the PMP system. Each year, the HIDTA internally audits inputted training data to ensure it matches values in the PMP system.
	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters deconfliction information into the PMP system.	The HIDTA hired a new coordinator responsible for PMP data to ensure closer scrutiny of deconfliction data. The new coordinator also validates the accuracy of deconfliction values prior to entry, and the HIDTA audits the data annually to ensure its accuracy.
Nevada HIDTA	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters drug seizure performance information into the PMP system.	The HIDTA implemented a new data entry process, including more detailed case-specific reporting, and regular audits to verify accuracy and detect duplicate data.
Northern California HIDTA	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters drug seizure performance information into the PMP system.	The HIDTA implemented quality control measures to ensure the data is entered into the PMP accurately, including the addition of multiple layers of data review.

HIDTA region	Recommendations	Summary of reported resolutions
West Texas HIDTA	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters drug seizure performance information into the PMP system.	To address all three recommendations, and ensure the accuracy of data on drug seizures, asset seizures, and dismantling of labs, the HIDTA implemented quality control processes to ensure accurate data entry. New processes included revising training materials, providing new training to personnel, and having each Initiative Commander validate the entered information.
	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters cash and other asset seizure performance information into the PMP system.	
	The HIDTA should develop procedures to ensure HIDTA personnel accurately enters performance information on dismantled clandestine labs into the PMP system.	

Source: GAO summary of Office of National Drug Control Policy (ONDCP) information. | GAO-23-105508

Note: ONDCP commissions an independent contractor to conduct performance data reliability audits on the data each HIDTA enters in the program's performance data system. ONDCP has closed all performance data audit recommendations as implemented for fiscal year 2021.

[a]The PMP system monitors the extent to which individual HIDTAs meet their annual performance targets. The quantity of drug, cash, and asset seizures is one source of information needed to annually assess information.

[b]Event deconfliction is the process of determining when law enforcement personnel are conducting an event close to each other simultaneously. Events include raids, surveillance, undercover operations, or executing search warrants. If certain elements (time, date, location) match, a conflict results and immediate notification is made to the relevant agencies or personnel. Target/investigative deconfliction is the process of determining when law enforcement personnel are conducting an investigation involving the same data, and notifying relevant agencies or personnel regarding the conflict.

Appendix II: High Intensity Drug Trafficking Areas (HIDTA) Program Review Recommendations and Actions Taken

The Office of National Drug Control Policy (ONDCP) conducts program reviews of individual HIDTAs on an as-needed basis to ensure compliance with HIDTA grant requirements. When contractors conduct financial audits or performance data audits, they may identify issues relating to a specific HIDTA beyond the scope of their audit contract. In these instances, ONDCP can conduct a program review to further investigate these issues, and assess a HIDTA's implementation of open recommendations. In addition, ONDCP can conduct a program review to address specific issues of noncompliance at the initiative level or potential misuse of grant funds. A review can result in required corrective actions, such as reimbursement of grant funds from the HIDTA to ONDCP, withholding of future grant funds, or changes to the HIDTA's initiatives. ONDCP conducted program reviews of three HIDTAs for fiscal years 2019 through 2021, which resulted in 38 recommendations, all of which the appropriate HIDTA has addressed, according to ONDCP documentation. See table 8 for a list of recommendations resulting from these three program reviews, and ONDCP's reported actions that the relevant HIDTA took to address them.

Table 8: High Intensity Drug Trafficking Areas (HIDTA) Program Review Recommendations and Reported Actions Taken, Fiscal Years 2019 through 2021

HIDTA	Recommendation	Summary of resolutions
Central Valley California HIDTA	Establish an initiative review process to evaluate each initiative and recommend performance targets and funding adjustments to the Executive Board.	A subcommittee of the Executive Board now conducts annual reviews.
	Develop common reporting templates for Initiative Commanders to ensure consistency when briefing the Executive Board and annual initiative reviews.[a]	The HIDTA provided common reporting templates to Initiative Commanders.
	Convene an intelligence subcommittee and submit a comprehensive plan to address compliance matters.	The HIDTA formed a subcommittee to assist with the management, financial, and intelligence recommendations from the program review.

HIDTA	Recommendation	Summary of resolutions
	Convene a subcommittee to review the costs associated with fiduciary fees and unspent funding. Bring fiduciary fees closer to the national average. The HIDTA fees paid to fiduciaries were 15 to 17 percent, far exceeding the national average of 2 to 4 percent.	The Executive Board implemented a plan to operate on a flat fee-for-service, bringing the overall fiduciary fees from 21 percent in the 2021 -2022 grant year to 8 percent in the 2022-2023 grant year. The change also reduced the unspent balance by more than 50 percent.
	Review existing orientation procedures and materials for new Executive Board members and Initiative Commanders and enhance and improve orientation materials.	The HIDTA updated orientation procedures and provided new materials to Board members and Commanders.
	Form a subcommittee that is responsible for creating and amending standard operating procedures and memorandums of understanding.	The Executive Board approved 10 internal operating procedures. The procedures are presented annually to the Executive Board for approval to ensure relevance, maintain current policy standards, and keep the Executive Board informed.
	Establish a collocated Investigative Support Center (ISC).[b]	The Executive Board approved the ISC to join the Organized Crime Drug Enforcement Task Force's Strike Force. The ISC Manager leads the Strike Force Intelligence Group, and the Strike Force Intelligence Group will join the ISC. The ISC Manager is the leader and hub of information sharing for 24 analysts in the field.
	Develop a staffing plan for analysts that includes a clearly defined career ladder, position description, and compensation.	The Executive Board approved a new procedure for compensation, and moved analysts to the Federal General Schedule scale. The Board hired the first official Training Coordinator to assist with the development of analysts, facilitating thousands of hours of training.
	Retain a strategic intelligence analyst to supplement strategic intelligence production across the region.	The Executive Board approved the addition of a strategic analyst.
	Invest in a common platform to facilitate information sharing among analysts, and establish expectations with the ISC leadership to regularly collaborate with the entire analytic team to share information, identify needs, distribute resources, and strengthen accountability.	While a HIDTA-funded platform for information sharing was beyond financial reach, the HIDTA leveraged its new relationship with the Organized Crime Drug Enforcement Task Force's Strike Force to address information shortcomings. The HIDTA hired its first information technology manager and continues to pursue getting analysts access to Federal systems.
	Establish enhanced internal controls at the HIDTA management level, to include random sampling of reporting, and quarterly reviews prior to entry in the Performance Management Process (PMP) database.[c]	The Executive Board approved a written procedure for internal controls related to the PMP.
	Provide Initiative Commanders with a PMP orientation with reporting templates and support materials. Establish a baseline understanding of expectations and reporting requirements at both the initiative and Executive Board levels.	The Board provided PMP training and supporting materials to Initiative Commanders and plans to continue training annually.
Nevada HIDTA	Review and revise interagency agreements and memorandums of understanding to reflect recent changes to enforcement and intelligence initiatives.	The Executive Board reviewed all interagency agreements and memorandums of understanding and updated them as needed.
	Enhance orientation procedures for new Executive Board members and Initiative Commanders.	A new orientation process and self-paced PowerPoint was created for all new Board members, Initiative Commanders, and task force supervisors.

HIDTA	Recommendation	Summary of resolutions
	Form a management subcommittee to the Executive Board that is responsible for creating and amending standard operating procedures and/or bylaws.	The Executive Board approved and adopted Board bylaws and added a private meeting time to every Board meeting to address sensitive matters and provide direction to the Director on various matters. When a Board document or procedure needs to be reviewed by Board members, the Director asks for volunteers to review the document.
	Implement a long-term strategic planning process.	The Board instructed the Director to work with agency operational leaders to determine where long-term planning may be beneficial. The Director completes a written plan at the Director's discretion where there is a particular need, such as future facilities or intelligence expansion.
	Develop and disseminate common reporting templates for Initiative Commanders to ensure consistency when briefing the Executive Board and participating in annual initiative reviews.	The Board created a standard briefing template and instructions outlining the Board's expectations when an initiative manager reports initiative activities in a formal Board meeting.
	Adopt and implement a case management system to support the work of ISC and Criminal Intelligence Unit analysts and the enforcement initiatives.	The HIDTA determined it was impossible to utilize a single, HIDTA-specific case management system. Instead, according to Office of National Drug Control Policy (ONDCP) officials, the HIDTA addressed the intent of the recommendation by collocating analysts and ensuring they worked collaboratively.
	Ensure that all initiatives are receiving the same level of case support, regardless of the lead agency for an investigation.	HIDTA actions included overhauling the Information and Intelligence Sharing Initiative, prioritizing case support based on task force mission and productivity, and establishing long-term funding goals between the HIDTA and the initiative grantee.
	Provide remote access to specific Drug Enforcement Agencies systems for ISC analysts assigned to the Criminal Intelligence Unit.	The Executive Board determined that direct access by analysts was not required. Instead, access to the information on these systems is provided on a case-by-case basis and in collaboration with Drug Enforcement Agency analysts. ONDCP found this action sufficient and considers this recommendation addressed, according to ONDCP officials.
	Ensure that the ISC Manager is fully engaged in the annual budget planning and initiative review process.	Two Intelligence Managers, one from the HIDTA staff and one from the initiative grantee, are fully engaged in the annual budget planning, initiative review process, day to day operation, personnel management and collaboration with partners. The Intelligence Managers collaborate routinely with HIDTA staff on the fiscal needs of all HIDTA partners.
Rocky Mountain HIDTA	Establish and maintain an annual initiative review process to evaluate each HIDTA initiative and recommend performance targets, funding, and other adjustments, as appropriate, to the Executive Board for approval prior to submitting the annual budget request to ONDCP.	The HIDTA began conducting annual reviews of all the regional initiatives concurrently with the annual budget review process.
	Develop common reporting templates for Initiative Commanders to ensure consistency when briefing the Executive Board and participating in annual initiative reviews.	The HIDTA developed a template for drug unit Commanders to make standardized submissions to the PMP.
	Conduct a comprehensive review of each initiative's ability to fully comply with policies related to waivers.	The HIDTA undertook a full review of waivers and reduced the overall number of waivers from 16 to four.

HIDTA	Recommendation	Summary of resolutions
	Establish an intelligence subcommittee to review and address the recommendations outlined below.	The HIDTA established an intelligence subcommittee comprising law enforcement leaders from the Executive Board.
	Establish and convene a budget subcommittee to review the HIDTA's current budget and allocation of resources, and make recommendations to the Executive Board, as appropriate.	The HIDTA determined that its existing budget review process, which includes a review by the budget subcommittee prior to review by the Executive Board, was sufficient to address the recommendation, and ONDCP concurred.
	Review existing orientation procedures and materials for new Board members and Initiative Commanders, and provide the Executive Director with expectations to supplement and enhance orientation materials.	The HIDTA updated its orientation materials and provided an orientation for all new staff and Executive Board members.
	Form a management subcommittee tasked with creating and/or amending standard operating procedures and bylaws, formulating a long-term strategic planning process, and developing a three to five-year strategic plan for future resource allocation.	The HIDTA determined that, while another subcommittee was not warranted, the budget subcommittee should add the actions in the recommendation to its oversight. ONDCP concurred.
	Establish a collaborative ISC by either partnering with an existing field-based intelligence operation, or adding to the existing ISC infrastructure with personnel resources.	The HIDTA reorganized its ISC and is operating in full compliance with relevant policies, including having full-time, multi-agency participation and collaboration between Federal and state, local, or tribal personnel.
	Retain at least one full-time and/or two part-time strategic intelligence analysts from a Federal partner agency to supplement the existing strategic intelligence team, and ensure that all Rocky Mountain HIDTA strategic intelligence analysts are either supervised by or directly coordinating with a Federal partner agency.	The HIDTA reorganized its ISC and is operating in full compliance with relevant policies.[d]
	Develop a staffing plan for full-time state or local analysts that includes a clearly defined career ladder, position description, and compensation schedule.	The HIDTA reviewed all analyst positions and developed a staffing plan that accommodated both agency employees and contractors. The HIDTA continues to monitor all positions and coordinates with the funded agencies to ensure fairness, equity, appropriate compensation, and opportunity for growth.
	Develop a coordination plan for ensuring intelligence analysts are engaged with, and connected to, the ISC manager for oversight, accountability, and interstate information sharing.	The HIDTA reorganized its ISC to ensure that all core analysts now coordinate directly with the ISC Manager.
	Conduct a review to ensure that existing network capabilities are fully utilized to fulfill information sharing requirements across the entire region.	The HIDTA conducted a review to ensure that the networks support the needed data systems.
	Establish and maintain enhanced internal controls at the HIDTA management level, to include random sampling of reporting and quarterly reviews of reported information by the Performance Management Coordinator and the Executive Director (or their designee) prior to entry in the PMP database.	In addition to review by the Coordinator, strategic analysts review entries. The Executive Director and Deputy Director also conduct randomized reviews.

HIDTA	Recommendation	Summary of resolutions
	Provide Initiative Commanders with performance management orientation on an annual basis, along with reporting templates and support materials, establish a baseline understanding of PMP expectations and reporting requirements at both the initiative and Executive Board levels, and maintain consistency at all levels.	The HIDTA instituted a standard onboarding training for all new Commanders and Executive Board members.
	Conduct a comprehensive review of the HIDTA management team's organizational chart to better align personnel resources, capabilities, and responsibilities to ensure resources are reaching areas of need across the HIDTA.	The HIDTA conducted a comprehensive review and, at ONDCP's recommendation, consulted with other multi-state HIDTAs. The review and consultation led to the reorganization of the ISC and structural changes within the management team.
	Bring all task force Commanders into one location at least once per year for a dedicated, facilitated engagement to provide training, information, and other resources, while fulfilling requirements for annual initiative reviews and evaluation.	The HIDTA holds an annual, joint training for Commanders.
	Conduct a comprehensive training survey of participating and nonparticipating law enforcement agencies in each state to assess training needs and priorities for future training delivery, and develop a strategic plan for training delivery in each state on a consistent basis.	The HIDTA is surveying law enforcement agencies and expanding its use of training sites to accommodate events across the HIDTA region.

Source: GAO summary of ONDCP documentation. | GAO-23-105508

Note: ONDCP, which leads HIDTA program reviews, has closed all program review recommendations as implemented for fiscal years 2019 through 2021.

[a]An Initiative Commander leads each initiative under a HIDTA, creating and reviewing operational plans, and managing the initiative's day-to-day operations to carry out the initiative's mission. The commander is tasked with leading a team of professionals from multiple agencies, and building unity from the collective expertise and abilities of the initiative members.

[b]All HIDTAs are required to establish and maintain an Investigative Support Center that fulfills the policy requirement to facilitate the sharing of intelligence and information between law enforcement partner agencies, provide analytical case support to investigative task forces, and to prepare a strategic threat assessment of drug trafficking and money laundering threats in the designated area.

[c]The PMP system is the HIDTA program's performance data system. ONDCP created the PMP to measure the performance of individual HIDTAs toward HIDTA program goals, and identify gaps between performance targets and outcomes.

[d]Relevant policies that informed reorganization of the ISC include HIDTA's Program Policy and Budget Guidance, sections 6.2.3-4.

Appendix III: Comments from the Office of National Drug Control Policy

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

December 2, 2022

Triana McNeil
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC. 20548

Dear Director McNeil,

The Office of National Drug Control Policy (ONDCP) hereby provides our response to the draft final report entitled, *Drug Control: Information on Office of National Drug Control Policy's National Strategy and Program Oversight*, GAO-22-105508. We appreciate GAO's work on this audit and your recognition that ONDCP is acting in good faith to fulfill our mission in light of limited resources and declining staffing levels. ONDCP is grateful for GAO's overall efforts to raise public awareness about drug misuse and its negative consequences.

Although we have no objection to the factual information contained in the report, ONDCP would like to note for the record our disagreement with several of GAO's legal interpretations of SUPPORT Act requirements. In several instances GAO interpreted SUPPORT Act provisions in a manner that differs from ONDCP's legal interpretation. GAO's differing interpretations caused GAO to conclude that ONDCP did not comply with the SUPPORT Act in several key areas. ONDCP believes that our legal interpretation is reasonable and should be afforded deference under the doctrine established in Chevron v. Natural Resources Defense Council, 467 U.S. 837 (1983). In short, based on fundamental principles of federal administrative law, in areas where ONDCP's legal interpretation differs from GAO's in relation to SUPPORT Act implementation, ONDCP's interpretation should be controlling. Not doing so sets the agency up for unparalleled uncertainty and a situation where it may never be able to meet the standards of such interpretations, now and in the future.

ONDCP disagrees with GAO's conclusion that the Border Strategies only partially comply with the SUPPORT Act. We believe that we fully satisfied the Congressional intent as well as the legal requirements in 21 U.S.C. §§ 1705(c)(3)(B)(i)(III) and 1705(c)(3)(C)(i)(III) by calculating the collective amount of resources needed to implement the border strategies. ONDCP identified "the specific resources required to enable the relevant National Drug Control Program agencies to implement" the Border Strategies to the maximum extent feasible given how Congress appropriates this type of funding. No accurate methodology or rubric exists for calculating the resource levels required for implementing each separate and distinct border strategy given how Congress appropriated these resources. Simply put, we believe that calculating the collective amount of resources needed to implement the border strategies is a reasonable, good-faith interpretation of the law that is consistent with Congressional intent.

ONDCP disagrees with GAO's conclusion that ONDCP did not meet the legal requirement in 21 U.S.C. § 1705(c)(1)(D), which requires ONDCP to make "a 5-year projection for the National

Drug Control Program and budget priorities." ONDCP believes that we fulfilled this statutory requirement by establishing Strategy goals and objectives. The Strategy goals, priorities and action items establish the "budget priorities" towards which ONDCP instructs national drug control program agencies to direct resources. National drug control program agencies project and craft their budget requests to address ONDCP funding priorities meant to ensure implementation of the Strategy and achieve the policy goals, objectives and targets detailed in the Strategy's Performance Reporting System.

Please find attached ONDCP's Technical Comments on the draft report which contains our recommended edits. Thank you for the opportunity to review and comment on the draft final report. Feel free to contact Robert Kent, ONDCP General Counsel, at (202) 881-8815 or Robert.A.Kent@ondcp.eop.gov if you would like to further discuss our response.

Respectfully,

Rahul Gupta, MD, MPH, MBA
Director

Text of Appendix III: Comments from the Office of National Drug Control Policy

December 2, 2022

Triana McNeil

Director, Homeland Security and Justice

U.S. Government Accountability Office 441 G Street, NW

Washington, DC. 20548

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Respectfully,

Rahul Gupta, MD, MPH, MBA Director

Appendix IV: GAO Contact and Staff Acknowledgments

GAO Contact

Triana McNeil, Director, Homeland Security and Justice, (202) 512-8777 or McNeilT@gao.gov

Staff Acknowledgments:

In addition to the contact named above, Frederick Lyles, Jr. (Assistant Director), Daniel Kuhn (Analyst in Charge), Billy Commons, Holland Freeman Casenhiser, Taylor Hadfield, Amanda Miller, Minda Nicolas, Shivani Singh, Samantha Lyew, and T. Jackson Autry made key contributions to the report. Also contributing to the report were Howard Arp, Eric Hauswirth, Jan Montgomery, Heather Rasmussen, and Adam Vogt.

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