

PART A—DRUG-FREE COMMUNITIES SUPPORT PROGRAM

§ 1531. Establishment of drug-free communities support program

(a) Establishment

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

(b) Program

In carrying out the Program, the Director shall—

- (1) make and track grants to grant recipients;
- (2) provide for technical assistance and training, data collection, and dissemination of information on state-of-the-art practices that the Director determines to be effective in reducing substance use and misuse; and
- (3) provide for the general administration of the Program.

(c) Administration

Not later than 30 days after receiving recommendations from the Advisory Commission under section 1542(a)(1)¹ of this title, the Director shall appoint an Administrator to carry out the Program.

(d) Contracting

The Director may employ any necessary staff and may enter into contracts or agreements with national drug control agencies, including interagency agreements to delegate authority for the execution of grants and for such other activities necessary to carry out this subchapter.

(Pub. L. 100-690, title I, §1031, as added Pub. L. 105-20, §2(a)(2), June 27, 1997, 111 Stat. 226; amended Pub. L. 115-271, title VIII, §8203(b)(4)(A), Oct. 24, 2018, 132 Stat. 4111; Pub. L. 116-74, §2(c)(1)(A)(ii)(II), Nov. 27, 2019, 133 Stat. 1157.)

REFERENCES IN TEXT

Section 1542(a)(1) of this title, referred to in subsec. (c), was repealed by Pub. L. 115-271, title VIII, §8203(b)(5), Oct. 24, 2018, 132 Stat. 4112.

AMENDMENTS

2019—Subsecs. (a), (b)(2). Pub. L. 116-74, §2(c)(1)(A)(ii)(II), made technical amendment to directory language of Pub. L. 115-271, §8203(b)(4)(A). See 2018 Amendment note below.

2018—Subsecs. (a), (b)(2). Pub. L. 115-271, §8203(b)(4)(A), as amended by Pub. L. 116-74, §2(c)(1)(A)(ii)(II), substituted “substance use and misuse” for “substance abuse”.

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116-74 effective as if included in the enactment of subtitle K of title VIII of Pub. L. 115-271, see section 2(c)(2) of Pub. L. 116-74, set out as a note under section 1522 of this title.

§ 1532. Program authorization

(a) Grant eligibility

To be eligible to receive an initial grant or a renewal grant under this part, a coalition shall meet each of the following criteria:

¹ See References in Text note below.

(1) Application

The coalition shall submit an application to the Administrator in accordance with section 1533(a)(2) of this title.

(2) Major sector involvement

(A) In general

The coalition shall consist of 1 or more representatives of each of the following categories:

- (i) Youth.
- (ii) Parents.
- (iii) Businesses.
- (iv) The media.
- (v) Schools.
- (vi) Organizations serving youth.
- (vii) Law enforcement.
- (viii) Religious or fraternal organizations.
- (ix) Civic and volunteer groups.
- (x) Health care professionals.
- (xi) State, local, or tribal governmental agencies with expertise in the field of substance use and misuse (including, if applicable, the State authority with primary authority for substance use and misuse).
- (xii) Other organizations involved in reducing substance use and misuse.

(B) Elected officials

If feasible, in addition to representatives from the categories listed in subparagraph (A), the coalition shall have an elected official (or a representative of an elected official) from—

- (i) the Federal Government; and
- (ii) the government of the appropriate State and political subdivision thereof or the governing body or an Indian tribe (as that term is defined in section 5304(e) of title 25).

(C) Representation

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

(3) Commitment

The coalition shall demonstrate, to the satisfaction of the Administrator—

(A) that the representatives of the coalition have worked together on substance use and misuse reduction initiatives, which, at a minimum, includes initiatives that target drugs referenced in section 1523(9)(A) of this title, for a period of not less than 6 months, acting through entities such as task forces, subcommittees, or community boards; and

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

(4) Mission and strategies

The coalition shall, with respect to the community involved—

(A) have as its principal mission the reduction of substance use and misuse, which, at a minimum, includes the use and abuse of

drugs referenced in section 1523(9)(A) of this title, in a comprehensive and long-term manner, with a primary focus on youth in the community;

(B) describe and document the nature and extent of the substance use and misuse problem, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title, in the community;

(C)(i) provide a description of substance use and misuse prevention and treatment programs and activities, which, at a minimum, includes programs and activities relating to the use and abuse of drugs referenced in section 1523(9)(A) of this title, in existence at the time of the grant application; and

(ii) identify substance use and misuse programs and service gaps, which, at a minimum, includes programs and gaps relating to the use and abuse of drugs referenced in section 1523(9)(A) of this title, in the community;

(D) develop a strategic plan to reduce substance use and misuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title, in a comprehensive and long-term fashion; and

(E) work to develop a consensus regarding the priorities of the community to combat substance use and misuse among youth, which, at a minimum, includes the use and abuse of drugs referenced in section 1523(9)(A) of this title.

(5) Sustainability

The coalition shall demonstrate that the coalition is an ongoing concern by demonstrating that the coalition—

(A) is—

- (i) (I) a nonprofit organization; or
- (II) an entity that the Administrator determines to be appropriate; or
- (ii) part of, or is associated with, an established legal entity;

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

(C) has a strategy to solicit substantial financial support from non-Federal sources to ensure that the coalition and the programs operated by the coalition are self-sustaining.

(6) Accountability

The coalition shall—

(A) establish a system to measure and report outcomes—

- (i) consistent with common indicators and evaluation protocols established by the Administrator; and
- (ii) approved by the Administrator;

(B) conduct—

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

evaluation) to measure the progress and effectiveness of the coalition; and

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

- (i) in gathering data related to substance use and misuse among youth; or
- (ii) in evaluating the effectiveness of community anti-drug coalitions.

(7) Additional criteria

The Director shall not impose any eligibility criteria on new applicants or renewal grantees not provided in this subchapter.

(b) Grant amounts

(1) In general

(A) Grants

(i) In general

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

(ii) Suspension of grants

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

(iii) Renewal grants

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

(iv) Limitation

The amount of a grant award under this subparagraph may not exceed \$125,000 for a fiscal year.

(B) Coalition awards

(i) In general

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

(ii) Exception

The Administrator may make a grant to more than 1 eligible coalition that represents a community if—

- (I) the eligible coalitions demonstrate that the coalitions are collaborating with one another; and
- (II) each of the coalitions has independently met the requirements set forth in subsection (a).

(2) Rural coalition grants

(A) In general

(i) In general

In addition to awarding grants under paragraph (1), to stimulate the develop-

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

(ii) Matching requirement

Subject to subparagraph (C), for a fiscal year, the Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

(iii) Suspension of grants

If such grant recipient fails to continue to meet any criteria specified in subsection (a) that has not been waived by the Administrator pursuant to clause (i), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(B) Renewal grants

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

(C) Limitations

(i) Amount

The amount of a grant award under this paragraph shall not exceed \$125,000 for a fiscal year.

(ii) Awards

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

(3) Additional grants

(A) In general

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

(B) Scope of grants

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

(C) No priority for applications

The Administrator may not afford a higher priority in the award of an additional grant

under this paragraph than the Administrator would afford the applicant for the grant if the applicant were submitting an application for an initial grant under paragraph (1) or (2) rather than an application for a grant under this paragraph.

(D) Renewal grants

Subject to clause (iv),¹ the Administrator may award a renewal grant to a grant recipient under this subparagraph² for each fiscal year of the 4-fiscal-year period following the first fiscal year for which the initial additional grant is awarded in an amount not to exceed the following:

(i) For the first and second fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 125 percent of the amount awarded.

(ii) For the third and fourth fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 150 percent of the amount awarded.

(E) Suspension

If a grant recipient under this paragraph fails to continue to meet the criteria specified in subsection (a), the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(F) Limitation

The amount of a grant award under this paragraph may not exceed \$125,000 for a fiscal year.

(4) Process for suspension

A grantee shall not be suspended or terminated under paragraph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that grantee is afforded a fair, timely, and independent appeal prior to such suspension or termination.

(c) Treatment of funds for coalitions representing certain organizations

Funds appropriated for the substance use and misuse activities of a coalition that includes a representative of the Bureau of Indian Affairs, the Indian Health Service, or a tribal government agency with expertise in the field of substance use and misuse may be counted as non-Federal funds raised by the coalition for purposes of this section.

(d) Priority in awarding grants

In awarding grants under subsection (b)(1)(A)(i), priority shall be given to a coalition serving economically disadvantaged areas.

(Pub. L. 100-690, title I, § 1032, as added Pub. L. 105-20, § 2(a)(2), June 27, 1997, 111 Stat. 227; amended Pub. L. 107-82, § 1(d), (g), (h), Dec. 14, 2001, 115 Stat. 818, 819; Pub. L. 109-469, title VIII, §§ 802(a), 803, 804, Dec. 29, 2006, 120 Stat. 3535; Pub. L. 115-271, title VIII, § 8203(a)(3)(A), (b)(4), formerly § 8203(a)(4)(A), (b)(4), Oct. 24, 2018, 132 Stat.

¹ So in original. Probably should be "subparagraph (F)".

² So in original. Probably should be "this paragraph".

4111, renumbered Pub. L. 116-74, §2(c)(1)(A)(i)(IV), Nov. 27, 2019, 133 Stat. 1157; Pub. L. 116-74, §2(c)(1)(A)(i)(V), (ii)(II), (iii), (3), Nov. 27, 2019, 133 Stat. 1157, 1158.)

AMENDMENTS

2019—Pub. L. 116-74, §2(c)(1)(A)(ii)(II), made technical amendment to directory language of Pub. L. 115-271, §8203(b)(4). See 2018 Amendment notes below.

Pub. L. 116-74, §2(c)(1)(A)(i)(V), made technical amendment to directory language of Pub. L. 115-271, §8203(a)(3)(A). See 2018 Amendment note below.

Subsec. (b)(1)(A)(iii). Pub. L. 116-74, §2(c)(1)(A)(ii)(II), (III), (3), amended directory language of Pub. L. 115-271, §8203(b)(4)(B). See 2018 Amendment note below.

Subsec. (b)(3)(D). Pub. L. 116-74, §2(c)(1)(A)(ii)(II), (III), (iii), amended directory language of Pub. L. 115-271, §8203(b)(4)(B). See 2018 Amendment note below.

2018—Pub. L. 115-271, §8203(b)(4)(A), as amended by Pub. L. 116-74, §2(c)(1)(A)(ii)(II), substituted “substance use and misuse” for “substance abuse” wherever appearing.

Pub. L. 115-271, §8203(a)(3)(A), formerly §8203(a)(4)(A), as renumbered and amended by Pub. L. 116-74, §2(c)(1)(A)(i)(IV), (V), amended directory language of Pub. L. 109-469, §§802(a), 803, 804. See 2006 Amendment notes below.

Subsec. (b)(1)(A)(iii). Pub. L. 115-271, §8203(b)(4)(B), which originally directed striking cl. (iii) and inserting a new cl. (iii), was subsequently amended by Pub. L. 116-74, §2(c)(1)(A)(ii)(II), (III), so that it no longer amended cl. (iii) but amended subsec. (b)(3)(D) instead. In addition, Pub. L. 116-74, §2(c)(3), restored the prior cl. (iii) as if the amendment made by Pub. L. 115-271, §8203(b)(4), had never been enacted. See subsec. (b)(3)(D) Amendment note below.

Subsec. (b)(3)(D). Pub. L. 115-271, §8203(b)(4)(B), as amended by Pub. L. 116-74, §2(c)(1)(A)(ii)(II), (III), (iii), amended subpar. (D) generally. Prior to amendment, text read as follows: “Subject to subparagraph (F), the Administrator may award a renewal grant to a grant recipient under this paragraph for each of the fiscal years of the 4-fiscal-year period following the fiscal year for which the initial additional grant under subparagraph (A) is awarded in an amount not to exceed amounts as follows:

“(i) For the first and second fiscal years of that 4-fiscal-year period, the amount equal to 80 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.

“(ii) For the third and fourth fiscal years of that 4-fiscal-year period, the amount equal to 67 percent of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year.”

2006—Subsec. (a)(7). Pub. L. 109-469, §804, as amended by Pub. L. 115-271, §8203(a)(3)(A), added par. (7).

Subsec. (b)(1)(A)(iv), (2)(C)(i), (3)(F). Pub. L. 109-469, §803, as amended by Pub. L. 115-271, §8203(a)(3)(A), substituted “\$125,000” for “\$100,000”.

Subsec. (b)(4). Pub. L. 109-469, §802(a), as amended by Pub. L. 115-271, §8203(a)(3)(A), added par. (4).

2001—Subsec. (b)(3). Pub. L. 107-82, §1(d), added par. (3).

Subsec. (c). Pub. L. 107-82, §1(g), added subsec. (c).

Subsec. (d). Pub. L. 107-82, §1(h), added subsec. (d).

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116-74 effective as if included in the enactment of subtitle K of title VIII of Pub. L. 115-271, see section 2(c)(2) of Pub. L. 116-74, set out as a note under section 1522 of this title.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by section 8203(a)(3)(A) of Pub. L. 115-271 effective as if enacted as part of Pub. L. 109-469, see section 8203(a)(3)(B) of Pub. L. 115-271, set out as a note under section 1524 of this title.

REPORT TO CONGRESS

Pub. L. 109-469, title VIII, §802(b), Dec. 29, 2006, 120 Stat. 3535, as amended by Pub. L. 115-271, title VIII, §8203(a)(3)(A), formerly §8203(a)(4)(A), Oct. 24, 2018, 132 Stat. 4111, as renumbered by Pub. L. 116-74, §2(c)(1)(A)(i)(IV), Nov. 27, 2019, 133 Stat. 1157; Pub. L. 116-74, §2(c)(1)(A)(i)(V), Nov. 27, 2019, 133 Stat. 1157, provided that: “Not later than 60 days after the date of enactment of this Act [Dec. 29, 2006], the Director of the Office of National Drug Control Policy shall submit to Congress a report detailing the appeals process required by section 1032(b)(4) of the Anti-Drug Abuse Act of 1988 [21 U.S.C. 1532(b)(4)], as added by subsection (a).”

§ 1533. Information collection and dissemination with respect to grant recipients

(a) Coalition information

(1) General auditing authority

For the purpose of audit and examination, the Administrator—

(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this subchapter; and

(B) may periodically request information from a grant recipient to ensure that the grant recipient meets the applicable criteria under section 1532(a) of this title.

(2) Application process

The Administrator shall issue a request for proposal regarding, with respect to the grants awarded under section 1532 of this title, the application process, grant renewal, and suspension or withholding of renewal grants. Each application under this paragraph shall be in writing and shall be subject to review by the Administrator.

(3) Reporting

The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a grant recipient and expedite any application for a renewal grant made under this part.

(b) Data collection and dissemination

(1) In general

The Administrator may collect data from—

(A) national substance use and misuse organizations that work with eligible coalitions, community anti-drug coalitions, departments or agencies of the Federal Government, or State or local governments and the governing bodies of Indian tribes; and

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

(2) Activities of Administrator

The Administrator may—

(A) evaluate the utility of specific initiatives relating to the purposes of the Program;

(B) conduct an evaluation of the Program; and

(C) disseminate information described in this subsection to—

- (i) eligible coalitions and other substance use and misuse organizations; and
- (ii) the general public.