



September 7, 2021

## High Intensity Drug Trafficking Areas (HIDTA) Program

Administered by the White House's Office of National Drug Control Policy (ONDCP), the HIDTA program provides assistance to law enforcement agencies—at the federal, state, local, and tribal levels—that are operating in regions of the United States that have been deemed as critical drug trafficking regions. The program aims to reduce drug production and trafficking through

- promoting coordination and information sharing among federal, state, local, and tribal law enforcement;
- bolstering intelligence sharing among federal, state, local, and tribal law enforcement;
- disseminating reliable intelligence to law enforcement agencies to help them design effective enforcement operations and strategies; and
- promoting coordinated law enforcement strategies that rely upon available resources to reduce illegal drug supplies not only in a given area, but also throughout the country.

The HIDTA program does not focus on a specific drug threat, such as heroin trafficking; rather, funds are used to support the most pressing drug-related initiatives in each region. These range from multiagency enforcement initiatives involving investigation, interdiction, and prosecution to drug use prevention and treatment initiatives. Congress initially created the HIDTA program through the Anti-Drug Abuse Act of 1988 (P.L. 100-690). It was permanently authorized through the Office of National Drug Control Policy Reauthorization Act of 2006 (P.L. 109-469).

### HIDTA Designations

The Director of ONDCP has the authority to designate areas within the United States that are centers of illegal drug production, manufacturing, importation, or distribution as HIDTAs. Four main criteria are considered when designating an area as an HIDTA (see 21 U.S.C. § 1706):

the extent to which [1] the area is a significant center of illegal drug production, manufacturing, importation, or distribution; [2] State, local, and tribal law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem; [3] drug-related activities in the area are having a significant harmful impact in the area, and in other areas of the country; and [4] a significant increase in allocation of Federal resources is necessary to respond adequately to drug related activities in the area.

The HIDTA program uses counties as the geographic unit of inclusion in the program. To begin the designation process, a coalition of law enforcement agencies may petition the Director of ONDCP for their county to be included in an HIDTA.

There are currently 33 designated HIDTAs in the United States and its territories, and ONDCP indicates that of the 100 most populous metropolitan areas in the United States, 99 are included in areas designated as HIDTAs. (See CRS Report R45188, cited below).

### HIDTA Coordination

At the national level, the HIDTA program is administered by ONDCP. However, each of the HIDTA regions is governed by its own Executive Board, which consists of representatives from participating federal, state, local, and tribal agencies (if applicable), and there must be an equal proportion of federal and nonfederal representatives. Additional nonvoting members from nonparticipating agencies or associations are allowed. Each Executive Board is required to meet four times each year. Among other duties, each board is responsible for providing direction and oversight in establishing and achieving the goals of the HIDTA, managing the funds of the HIDTA, and selecting the HIDTA director for the region.

The Executive Boards have the discretion to design and implement initiatives to address specific drug trafficking threats in their regions. This allows a board to tailor its strategy and reassess its initiatives to respond to changes in local drug threats. Each board is also responsible for ongoing evaluation of the HIDTA's initiatives. The evaluation considers whether each initiative is in compliance with overall HIDTA program requirements, effectively implementing the HIDTA's strategy, achieving the performance standards negotiated for the HIDTA, and productive enough to merit continued funding from that particular HIDTA.

### HIDTA Funding

Funding for the HIDTA program is provided by a direct appropriation to the HIDTA subaccount under the ONDCP account. For FY2021, Congress provided \$290.0 million for the HIDTA program through the Consolidated Appropriations Act, 2021 (P.L. 116-260). From the total HIDTA program appropriation, each HIDTA receives a base amount of funding calculated, in part, on its previous annual funding and HIDTA size (ranging from \$2.5 million to nearly \$16.3 million in FY2020) to support initiatives in its region. The remainder of the overall HIDTA appropriation is allocated to HIDTAs based on specific priorities throughout the country—determined collectively by the HIDTA directors and ONDCP.

Funds provided to the HIDTAs may be used to cover a range of costs, including both administrative costs (such as overtime, rent, and facilities fees) and programmatic costs. The programmatic costs may be related to activities such as enforcement initiatives involving investigation, interdiction, and prosecution activities; intelligence and information collection and sharing initiatives; drug use prevention and treatment initiatives; and miscellaneous costs, such as trainings, lab fees, and information technology needs.

### HIDTA Administration

Beginning with the FY2019 budget request, and in subsequent budget requests, the Trump Administration proposed transferring the administration of the HIDTA program out of ONDCP and into the Department of Justice (DOJ), specifically the Drug Enforcement Administration (DEA). As a law enforcement agency within DOJ, the DEA participates in the HIDTA program, including at the Intelligence Support Centers within each HIDTA; it does not currently administer grant programs. Congress declined to support the proposed transfer and continued to fund the HIDTA program as a grant program administered by ONDCP. The Biden Administration has not proposed any changes to the administration of the HIDTA program. However, as Congress examines ONDCP's role in federal drug control, policymakers may continue to examine whether the HIDTA program should continue to be administered by ONDCP.

### SUPPORT Act Changes to HIDTA

The HIDTA program was most recently amended and reauthorized in 2018 by the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act; P.L. 115-271). In this reauthorization, the SUPPORT Act removed a prohibition on the use of HIDTA funds to establish or expand drug treatment programs and specified that a maximum of 5% of HIDTA appropriated funds can be used for “substance use disorder treatment programs and drug prevention programs.”

It also authorized \$280 million to be appropriated for the HIDTA program each year for FY2018 through FY2023 and specified that at least \$7 million annually should be spent on HIDTAs with severe neighborhood safety and illegal drug distribution problems. It required that the HIDTA Director develop and disseminate to HIDTAs best practices for helping state, local, and tribal governments with “witness protection or assistance in cases of illegal drug distribution and related activities.”

The SUPPORT Act also authorized the ONDCP Director to use \$10 million of the funds otherwise appropriated to ONDCP to provide supplemental competitive grants to HIDTAs whose participating agencies seized high amounts of fentanyl and new psychoactive substances for (1) purchasing portable equipment to test for fentanyl and other substances; (2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and (3) purchasing protective equipment, including overdose reversal drugs.

The SUPPORT Act specifically authorized ONDCP to use HIDTA funds to implement its drug overdose response strategy.

### Overdose Response Strategy

In 2015, ONDCP launched the Heroin Response Strategy, now called the Overdose Response Strategy (ORS), as “a multi-HIDTA, cross-disciplinary approach that develops partnerships among public safety and public health agencies at the Federal, state and local levels to reduce drug overdose fatalities and disrupt trafficking in illicit opioids.” Through ORS, HIDTA partners with the Centers for Disease Control and Prevention, and the strategy now involves 21 programs across 34 states and the District of Columbia. The HIDTA program notes that through these programs, ORS has the ability to improve access to near real-time data for rapid overdose response, increase timely and accurate information about emerging drug threats, promote multidisciplinary and multiagency data sharing and collaboration, promote prevention strategies in schools and high-risk communities, and support first responder behavioral and mental health.

### HIDTA Evaluation

ONDCP established a Performance Management Process (PMP) to help evaluate the success of individual HIDTAs, as well as the program as a whole, in achieving the two goals of the HIDTA program: (1) disrupting the market for illegal drugs by dismantling or disrupting drug trafficking and/or money laundering organizations and (2) improving the effectiveness and efficiency of HIDTA initiatives. The PMP is reportedly more effective in evaluating overall performance of an HIDTA than of a specific initiative within an HIDTA, and it does not compare performance between various HIDTA regions or between initiatives.

To help evaluate the two program goals, ONDCP requires each HIDTA to provide four items annually: (1) a threat assessment of the drug trafficking and related activities in its area, (2) a strategy for how the HIDTA addresses the threats identified in the threat assessment, (3) a budget proposal including funding needs for initiatives in the area and performance goals for the initiatives, and (4) a report describing activities and progress in executing the HIDTA's strategy.

As policymakers conduct oversight of ONDCP and the HIDTA program, they may examine the reliability and validity of the PMP. Policymakers may also review how discretionary funds are allocated to each HIDTA based on its needs and performance.

For more information on the HIDTA program, see CRS Report R45188, *High Intensity Drug Trafficking Areas (HIDTA) Program*.

---

**Kristin Finklea**, Specialist in Domestic Security

IF11917

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.