

United States Senate

WASHINGTON, DC 20510

August 15, 2022

The Honorable Rahul Gupta
Director
Office of National Drug Control Policy
Executive Office of the President
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear Dr. Gupta:

We write today regarding the Office of National Drug Control Policy's (ONDCP) High Intensity Drug Trafficking Areas (HIDTA) program and certain deficiencies in the designation process for counties in the Appalachian region.

Since its creation in 1988, the HIDTA grant assistance program has provided for greater coordination and information sharing among federal, state, tribal, and local law enforcement agencies. These additional federal resources, allocated to areas deemed as critical drug trafficking regions, are essential in eliminating drug trafficking and its harmful consequences.

As you know, the *Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act* (SUPPORT Act) provides ONDCP the statutory authority to create new HIDTAs and add new counties to existing HIDTAs once it has received a formal petition from a coalition of law enforcement agencies.¹ HIDTA designation is determined by four criteria, which include an evidence based description detailing the extent of illegal drug activity, the impact on the area and the United States, existing efforts to curtail it, and the increased need for federal resources to respond adequately to the area's drug-related activities.

In Appalachia, law enforcement struggles to stem the tide of substance abuse. In the words of then-Attorney General William Barr, Appalachia has suffered the consequences of the opioid epidemic "more, perhaps, than any other region."² In 2018, the overdose mortality rate for individuals ages 25-43 was 43% higher in Appalachia than the rest of the country.³ It is a region that needs the assistance that the HIDTA program was designed to provide.

¹ 21 U.S.C. § 1706(b)(1) (2018)

² United States Department of Justice, "Appalachian Regional Prescription Opioid Strike Force Takedown Results in Charges Against 60 Individuals, Including 53 Medical Professionals," April 17, 2019, <https://www.justice.gov/usao-wdva/pr/appalachian-regional-prescription-opioid-strike-force-takedown-results-charges-against>.

³ Appalachian Regional Commission, "Addressing Substance Abuse Disorder in Appalachia," <https://www.arc.gov/addressing-substance-abuse-in-appalachia/>.

Yet, historically, the Appalachian HIDTA has only gained approval for approximately 30% of petitions submitted.⁴ And in this most recent round of designations, *no* counties within the Appalachian HIDTA received the sought after designation. This fact, juxtaposed with the region's manifest need, suggests strongly that the process of awarding the designation needs to be revisited.

Counties in the Appalachian HIDTA would benefit from the expansion of this program into their communities and it would be of immense help to the law enforcement agencies serving them and surrounding areas. As ONDCP reviews HIDTA designation petitions from Appalachia, we ask that you consider the devastating impacts of illegal drugs in the region in order to effectively disrupt and dismantle trafficking organizations and reduce drug-related crime.

We urge ONDCP to review its criteria to ensure that hard hit regions like Appalachia remain competitive for HIDTA designations. We further request that a written response describing the results of this review be provided in a timely manner.

Sincerely,



Mark R. Warner
United States Senator



Joe Manchin III
United States Senator



Tim Kaine
United States Senator



Shelley Moore Capito
United States Senator

⁴ Appalachian HIDTA, "County Designation FAQ," <https://www.ahidta.org/content/county-designation-faq>.



Marsha Blackburn
United States Senator



Bill Hagerty
United States Senator