



January 2019

DRUG CONTROL

DOD Should Improve Its Oversight of the National Guard Counterdrug Program

GAO Highlights

Highlights of [GAO-19-27](#), a report to congressional committees

Why GAO Did This Study

Since 1989, DOD has received billions of dollars to fund the National Guard's participation in a counterdrug program focused on domestic drug interdiction activities. DOD received \$261 million for this program in fiscal year 2018. This program provides military support to assist state, local, and tribal law enforcement organizations with counterdrug activities and operates in 54 states and territories across the United States.

Senate Report 115-125 included a provision for GAO to evaluate the National Guard counterdrug program. This report (1) evaluates the extent to which DOD has strategy and implementing guidance for the National Guard counterdrug program, and (2) assesses DOD's processes to approve states' counterdrug plans and distribute funding to the program, among other things. GAO reviewed DOD's counterdrug strategy and guidance; DOD funding and personnel data; and its processes to distribute funding.

What GAO Recommends

GAO is making a total of five recommendations, including, among others, that DOD issue a strategic framework that addresses current drug threats, the National Guard issue guidance with detailed procedures on how states should administer the program, DOD assess the revised process for approving state plans, and the National Guard incorporate DOD's strategic counternarcotics priorities into its funding distribution process. DOD concurred with GAO's recommendations.

View [GAO-19-27](#). For more information, contact Elizabeth Field at (202) 512-2775 or FieldE1@gao.gov.

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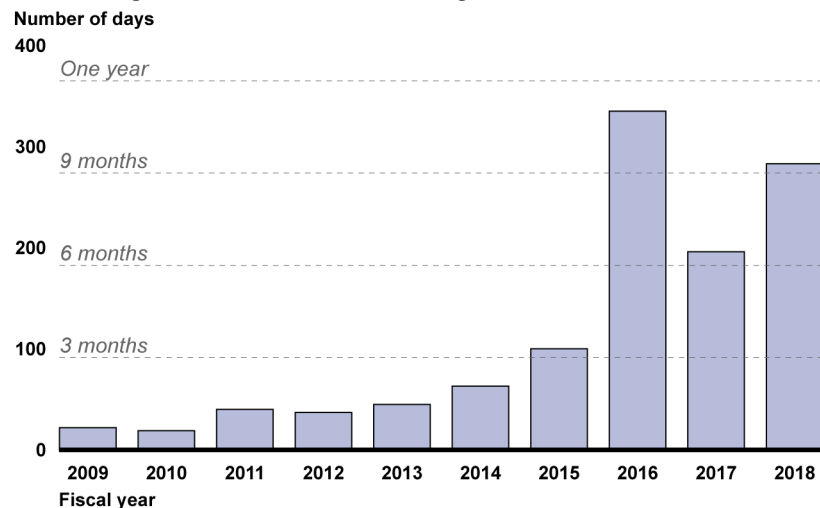
DOD Should Improve Its Oversight of the National Guard Counterdrug Program

What GAO Found

The Department of Defense (DOD) lacks current strategy and guidance to implement the National Guard counterdrug program. Although a number of key national-level strategies, such as the National Drug Control Strategy, have been updated since 2011 to address changing drug threats, GAO found that DOD's 2011 Counternarcotics and Global Threats Strategy has not been updated to reflect these changes. In addition, the National Guard lacks detailed procedures and processes for the states to implement the National Guard counterdrug program, such as how to conduct cross-state aerial reconnaissance. Without current strategy or guidance, it will be difficult for the National Guard to operate its counterdrug program effectively.

DOD's processes to approve state counterdrug plans and distribute funding to the state-level counterdrug programs could be improved. Since at least 2009, DOD has provided funding to the states without first approving state plans for counterdrug activities, as required by statute. GAO found that the delay in approval of state counterdrug plans has worsened since fiscal year 2009; in fiscal year 2018, approval took over 9 months (283 days); see figure below. In 2018, DOD took some steps to address the timely review of state plans, but GAO found that those steps did not rectify the problem.

Number of Days Between the Beginning of the Fiscal Year and when DOD Approved All State Counterdrug Plans, Fiscal Years 2009 through 2018



Source: GAO analysis of Department of Defense data. | [GAO-19-27](#)

GAO also found that the process used by the National Guard to distribute funding to the states within the program does not incorporate DOD's strategic counternarcotics priorities, such as the U.S. southwest and northern border areas. GAO's work on results-oriented management states that strategy should inform program activities and resourcing. Until National Guard's process to distribute funding to state counterdrug programs is improved, it risks directing funding toward lower priority counterdrug activities at the expense of higher priority activities.

Contents

Letter		1
	Background	5
	DOD Lacks a Current Strategy and Guidance for the National Guard Counterdrug Program	12
	The National Guard Bureau Has Taken Steps to Improve the Availability of Funds When Operating under Continuing Resolutions	18
	DOD Could Improve Its Processes for Approving and Distributing Funds to State Counterdrug Programs	22
	Conclusions	29
	Recommendations for Executive Action	30
	Agency Comments and Our Evaluation	31
Appendix I	National Guard Counterdrug Program Funding by Project Code	33
Appendix II	Overview of State Counterdrug Program Planned Support Activities, Fiscal Year 2018	38
Appendix III	Process to Fund the National Guard Counterdrug Program	40
Appendix IV	Funding Provided by the Department of Defense under Congressional Appropriations	42
Appendix V	Threat-Based Resource Model	43
Appendix VI	Comments from the Department of Defense	48
Appendix VII	Status of October 2015 Recommendations on National Guard Counterdrug Program	51

Tables

Table 1: Summary of Title 32 and Title 10 Authorities for Use of the National Guard	7
Table 2: Executive Branch Strategies Addressing U.S. Drug Threats, 2012 through 2018	13
Table 3: National Guard Bureau Publications	17
Table 4: Department of Defense’s (DOD) Budget Request for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018	34
Table 5: Congressionally-Directed Increases for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018	35
Table 6: Total Budget Authority for the National Guard Counterdrug Program, Fiscal Years 2010 through 2017	36
Table 7: Obligation Amounts for the National Guard Counterdrug Program, Fiscal Years 2010 through 2017	37
Table 8: State Plans’ Mission Categories and Support Activities	38
Table 9: Funding Provided by the Department of Defense (DOD) for the National Guard Counterdrug Program under Congressional Appropriations in Fiscal Years 2014 through 2018	42
Table 10: Fiscal Years 2015 through 2018 Threat-Based Resource Model Percentages by State or Territory Program	44
Table 11: Fiscal Years 2012 through 2018 Planned Funding, by State or Territory Program	46
Table 12: Status of Recommendations from GAO, Drug Control: Additional Performance Information Is Needed to Oversee the National Guard’s State Counterdrug Program, GAO-16-133 (Washington, D.C.: October 2015)	51

Figures

Figure 1: Program Funding in DOD’s Drug Interdiction and Counterdrug Activities, Defense Account in Fiscal Year 2018	9
Figure 2: DOD’s Budget Requests and Congressionally-Directed Increases for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018	10

Figure 3: National Guard Counterdrug Program Obligation Amounts and Total Budget Authority Amounts, Fiscal Years 2010 through 2017	19
Figure 4: Number of National Guard Personnel Performing State Drug Interdiction and Counterdrug Activities by Month, Fiscal Years 2012 through 2018	20
Figure 5: Department of Defense’s Process for Approving State Drug Interdiction and Counterdrug Activities Plans	24
Figure 6: Number of Days Between the Beginning of the Fiscal Year and when the Department of Defense Approved All State Drug Interdiction and Counterdrug Activities Plans, Fiscal Years 2009 through 2018	25
Figure 7: Steps in the Process to Fund the National Guard Counterdrug Program	41

Abbreviations

ASD (HD&GS)	Assistant Secretary of Defense for Homeland Defense and Global Security
CR	Continuing Resolution
DASD (CN>)	Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats
DOD	Department of Defense
OMB	Office of Management and Budget
OUSD (C)	Office of the Undersecretary of Defense, Comptroller

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January 17, 2019

The Honorable James M. Inhofe
Chairman
The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate

The Honorable Adam Smith
Chairman
The Honorable Mac Thornberry
Ranking Member
Committee on Armed Services
House of Representatives

Since 1989, Congress has provided billions of dollars to the Department of Defense (DOD) to fund the National Guard's participation in domestic drug interdiction and counterdrug activities. The type of military support provided by the National Guard can range from reconnaissance to analytical support, but it generally reflects the drug interdiction priorities of the Governors of the 50 states, the District of Columbia, and three U.S. territories; the capabilities of each state's National Guard; and the needs of interagency partners. These interagency partners include state, local, and tribal law enforcement organizations, as well as several federal agencies—including the Departments of Justice, Homeland Security, and Treasury—all of which are involved in efforts to disrupt and dismantle the infrastructure of major drug-trafficking organizations. According to the National Guard Bureau, in fiscal year 2017, the National Guard counterdrug program employed over 3,700 personnel who supported law enforcement's efforts to remove over 3.3 million pounds, or nearly \$11.2 billion, in illicit drugs from U.S. communities.¹ In addition to providing support to law enforcement partners, the National Guard Bureau operates five counterdrug schools that provide training in drug interdiction and

¹Department of Defense, *2019 National Guard Bureau Posture Statement Focused on Readiness*.

counterdrug activities.² According to the National Guard Bureau, these schools trained over 41,400 law enforcement officers, community based organization members, and military personnel in fiscal year 2017.³

Senate Report 115-125 accompanying a bill for the National Defense Authorization Act for Fiscal Year 2018 contained a provision that we evaluate the National Guard counterdrug program and its approach to resource allocation.⁴ This report: (1) evaluates the extent to which DOD has strategy and implementing guidance for the National Guard counterdrug program, (2) describes the actions taken by the National Guard Bureau to improve the availability of funds when operating under continuing resolutions, and (3) assesses DOD's processes to approve states' counterdrug plans and distribute funding to the program.

To address our objectives, we reviewed documentation and interviewed officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats; the National Guard Bureau; select state counterdrug programs; Office of the Under Secretary of Defense, Comptroller; and Army and Air National Guard Budget Execution Offices. Our analysis of the National Guard counterdrug program focused on Title 32 state activities, which includes five specific projects: 1) state plans, 2) counterdrug schools, 3) counterthreat finance, 4) linguist support, and 5) linguist and data analysis.⁵

²The five counterdrug schools are: 1) Multi-jurisdictional Counterdrug Task Force Training, Starke, Florida; 2) Midwest Counterdrug Training Center, Johnston, Iowa; 3) Regional Counterdrug Training Academy, Meridian, Mississippi; 4) Northeast Counterdrug Training Center, Fort Indiantown Gap, Pennsylvania; and 5) Western Regional Counterdrug Training Center, Tacoma, Washington.

³Department of Defense, *2019 National Guard Bureau Posture Statement Focused on Readiness*. According to DOD officials, these figures include law enforcement officers, community-based organization members, and military personnel trained on-site and by mobile training teams. Officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated that they are concerned that a high percentage of the instruction hours provided by the National Guard counterdrug schools have been for commonly expected law enforcement training contracted at the state level to non-government civilian instructors to provide training not organic to the DOD.

⁴S. Rep. No. 115-125, at 247 (2017).

⁵See appendix I for a description of the five projects that make up the National Guard counterdrug program's Title 32 activities.

In addition, we used a non-generalizable sample of 9 of the 54 participating states, territories, and the District of Columbia as case studies and interviewed officials in those states to get their perspectives on strategy, policy, guidance, and funding for the program. The nine states we included in our review were: Alaska, California, Maine, Mississippi, Missouri, New Mexico, New York, Tennessee, and Texas. To select these case studies for our sample, we relied on five criteria. First, we selected states from each of the four counterdrug program regions: Northeast, Northwest, Southeast, and Southwest. Second, we selected both low and high drug threat level states from each region, as determined by the National Guard Bureau's funding distribution model known as the threat-based resource model in 2018. Third, we selected states that experienced large fluctuations in their threat level between fiscal years 2016 and 2018 as a consequence of changes to the National Guard Bureau's threat-based resource model for fiscal year 2018, such as the expansion in the number of drug threat variables in the model and the institution of seizure thresholds to better distinguish which drug seizures would be considered within the model. Fourth, we selected states that received what National Guard Bureau officials referred to as a "functional" level of funding for fiscal year 2018, meaning that funding was provided at a level necessary to support two counterdrug missions in that state or territory, regardless of its threat level. Finally, we selected from states that have an international border and that border international waters.

To address our first objective, we reviewed DOD's 2011 Counternarcotics and Global Threats Strategy and other executive branch strategy documents, including the Office of National Drug Control Policy's National Drug Control Strategy and geographic drug control strategies. We evaluated DOD's strategy to determine the extent to which it aligned with current national-level strategies and drug threats. We also reviewed a DOD Inspector General assessment of the National Guard counterdrug program that addresses the counternarcotics and global threats strategy. In addition, we reviewed whether the National Guard Bureau has issued guidance on counterdrug support in accordance with Chief National Guard Bureau policy that assigns responsibility for the issuance of supporting guidance for the National Guard counterdrug program.

To address our second objective, we analyzed DOD's budget requests and congressionally-directed increases for fiscal years 2004 through

2018.⁶ We also analyzed the National Guard counterdrug program's total budget authority and obligation amounts by project code and calculated overall obligation rates for fiscal years 2010 through 2017.⁷ Further, we examined the number of personnel on-orders by month supporting National Guard counterdrug program activities for October 2012 through August 2018. Finally, we reviewed DOD's process to distribute funds to the National Guard counterdrug program and funding received under each appropriation period—including continuing resolutions and final appropriations—for fiscal years 2014 and 2018, including the timing and amount of funds received.

To address our third objective, we reviewed DOD's process for approving state drug interdiction and counterdrug activities plan submissions and distributing funding to state counterdrug programs for fiscal years 2009 through 2018.⁸ We compared DOD's process for approving state plan submissions to the law governing the use of funds for state counterdrug activities and to DOD policy. Finally, we examined the National Guard Bureau's threat-based resource model and its process to distribute funding to the program and assessed it based on GAO's work on results-oriented management.

We assessed the reliability of the following types of data on the National Guard counterdrug program: DOD's budget requests and congressionally-directed increases for fiscal years 2004 through 2018; total budget authority and obligations amounts for fiscal years 2010 through 2017; program personnel on orders by month for October 2012 through August 2018; threat-based resource model percentages for fiscal years 2015 through 2018 and planned funding levels by state or territory program for fiscal years 2012 through 2018; and state plans approval dates for fiscal years 2009 through 2018.⁹ We assessed the reliability of all sources of data by examining them for missing values, outliers, and obvious errors as well as by interviewing knowledgeable agency officials

⁶Throughout this report, we refer to the funds Congress has appropriated above budget request levels for the National Guard counterdrug program as congressionally-directed increases.

⁷Total budget authority is the authority to incur obligations and pay expenses.

⁸Throughout this report, we refer to state drug interdiction and counterdrug activities plans as state plans.

⁹We analyzed National Guard counterdrug program data based on the availability of complete and reliable data from DOD.

regarding their accuracy and completeness. For data on DOD's budget requests, congressionally-directed increases, total budget authority, and obligation amounts, we examined other sources that provide the same types of data to ensure consistency. In addition, we also assessed data on DOD's budget requests and congressionally-directed increases by comparing them to amounts presented in a prior GAO report.¹⁰ We determined that all the data we report on were sufficiently reliable for the purposes of our review.

We conducted this performance audit from August 2017 to January 2019 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 that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

National Guard Counterdrug Program

The National Guard counterdrug program is part of DOD's broader counterdrug mission, which focuses on supporting local, state, federal, and foreign government agencies in addressing the illegal drug trade and narcotics-related terrorism.¹¹ The program was originally conceived as a reconnaissance support mission largely focused on marijuana eradication efforts. In 1977, the Hawaii National Guard became the first state National Guard to assist law enforcement agencies in counterdrug missions. Hawaii law enforcement officials sought Hawaii National Guard helicopter transport to support Operation Green Harvest, a marijuana eradication mission. By 1984, four additional states' National Guards were supporting state law enforcement agencies with counterdrug efforts. That number grew to 32 states in 1988. However, this assistance was limited in scope and generally conducted as Guard units performed normal training

¹⁰GAO, *Drug Control: Additional Performance Information Is Needed to Oversee the National Guard's State Counterdrug Program*, [GAO-16-133](#) (Washington, D.C.: Oct. 21, 2015).

¹¹According to DOD officials, DOD conducts its counterdrug mission in two primary areas: detecting and monitoring drug trafficking into the United States and sharing information on illegal drugs with U.S. and foreign government agencies.

activities, and costs associated with this assistance were paid for by the states.

The National Defense Authorization Act, Fiscal Year 1989 tasked DOD with the mission to ensure the availability of military support to law enforcement agencies nationwide.¹² This law established DOD as the single lead agency of the federal government for the detection and monitoring of aerial and maritime transit of illegal drugs into the United States,¹³ and it amplified the National Guard's role as a support agency for state law enforcement in counterdrug support missions under the Governor of each state, territory, and the District of Columbia. By 1994, the program was in operation in 54 states and territories across the United States.

As of fiscal year 2018, National Guard Bureau policy allows state counterdrug programs to perform 15 support activities grouped into five broad mission categories—(1) technical support (including linguist and translator, operational and investigative case and criminal analyst, and counterthreat finance support), (2) general support (including domestic cannabis suppression and eradication operations and transportation support), (3) reconnaissance and observation (including ground and aerial reconnaissance), (4) civil operations and coalition development, and (5) counterdrug training.¹⁴

Legal Authorities of the National Guard Counterdrug Program

The National Guard counterdrug program conducts activities under the authority of two titles in the United States Code—Title 32 and Title 10. Section 502 of title 32 allows a member of the National Guard to be ordered to full-time National Guard duty status under regulations

¹²Pub. L. No. 100-456, § 1104 (1988).

¹³*Id.* at § 1102(a), repealed by Pub. L. No. 101-189, § 1202 (1989) (codifying this provision at 10 U.S.C. § 124).

¹⁴Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support* (June 22, 2015). The Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats recategorized counterthreat finance activities in fiscal year 2018 and beyond to, according to DOD officials, more accurately reflect the type of National Guard investigative case analysis support provided to law enforcement. The program also includes a mission category for internal program management. Since this mission category does not provide support to interagency partners, we did not include it in our analysis. For an overview of approved counterdrug support activities, see appendix II.

prescribed by the Secretary of the Army or Secretary of the Air Force. In addition, Section 112 of title 32 authorizes personnel of the National Guard of a State, under regulations prescribed by the Secretary of Defense, to be ordered to perform full-time National Guard duty under section 502 for the purposes of carrying out drug interdiction and counterdrug activities in accordance with state plans.¹⁵ Section 112 also authorizes the Secretary of Defense to provide funds to support the approved drug interdiction and counter-drug activities plan of state governors.

In addition, Title 10 allows the Secretary of the Army or Air Force to order a member of the National Guard, under the Secretary’s jurisdiction, to active duty with the consent of the member and the governor of that state.¹⁶ Under Section 284 of title 10, DOD provides support to a number of partners, such as federal agencies, in their counterdrug activities, at times using National Guard personnel on active duty. Table 1 provides a summary of the Title 32 and Title 10 authorities.

Table 1: Summary of Title 32 and Title 10 Authorities for Use of the National Guard

	Title 32	Title 10
Command and control	State governor	President
Duty status	Full-time National Guard duty	Active duty in Reserves of Army and Air Force
Where duty is performed	Within the United States, U.S. territories and possessions, and the District of Columbia	Worldwide and within the U.S.

Source: GAO analysis of National Guard statutory authorities. | GAO-19-27

¹⁵Governors and the Commanding General of the National Guard of the District of Columbia each submit a state drug interdiction and counter-drug activities plan that, among other things, specifies how National Guard personnel within their state are to be used in drug interdiction and counter-drug activities and includes a certification that those operations are to be conducted at a time when the personnel involved are not in Federal service.

¹⁶10 U.S.C. § 12301(d).

Funding for the National Guard Counterdrug Program

To fund DOD's counterdrug mission, Congress appropriates amounts to DOD's Drug Interdiction and Counterdrug Activities, Defense account.¹⁷ The categories of activities funded by the account include: detection and monitoring; international support; intelligence, technology, and other; domestic support, which includes the National Guard counterdrug program; and drug demand reduction.¹⁸ Of all the activities, the domestic support activity, which includes the National Guard counterdrug program, receives the largest amount of funding from DOD's Drug Interdiction and Counterdrug Activities account. In fiscal year 2018, Congress appropriated about \$934.8 million to the Drug Interdiction and Counterdrug Activities, Defense account,¹⁹ of which about \$261.4 million, or 28 percent, was appropriated for the National Guard counterdrug program.²⁰ Figure 1 shows the program funding in DOD's Drug Interdiction and Counterdrug Activities Account for fiscal year 2018.

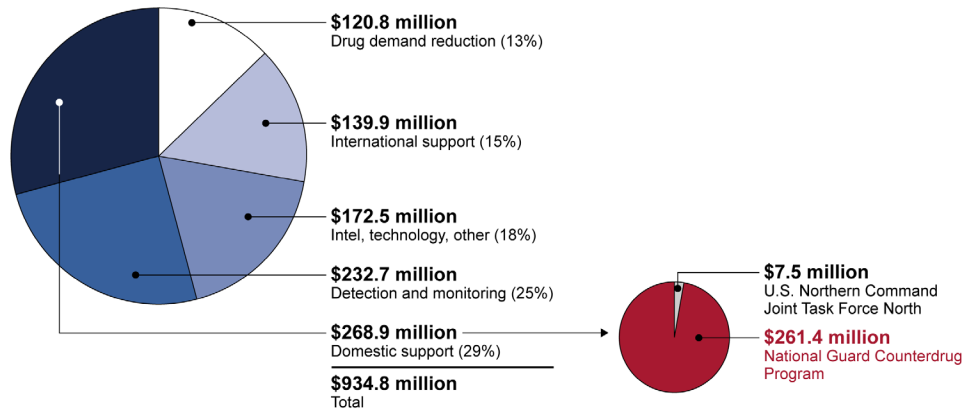
¹⁷This account, originally called Drug Interdiction, Defense, was established by the Department of Defense Appropriations Act, 1989.

¹⁸For fiscal year 2018, the National Guard counterdrug program is comprised of five projects: state plans, counterdrug schools, counterthreat finance, and two projects that provide linguist support to law enforcement partners. Throughout this report, we refer to these projects collectively as the National Guard counterdrug program.

¹⁹The \$934.8 million appropriated amount does not include any Overseas Contingency Operations funding.

²⁰About \$236.4 million was appropriated for the state-level National Guard counterdrug programs, and \$25 million was appropriated for the National Guard counterdrug schools program.

Figure 1: Program Funding in DOD’s Drug Interdiction and Counterdrug Activities, Defense Account in Fiscal Year 2018



Source: GAO analysis of Department of Defense data. | GAO-19-27

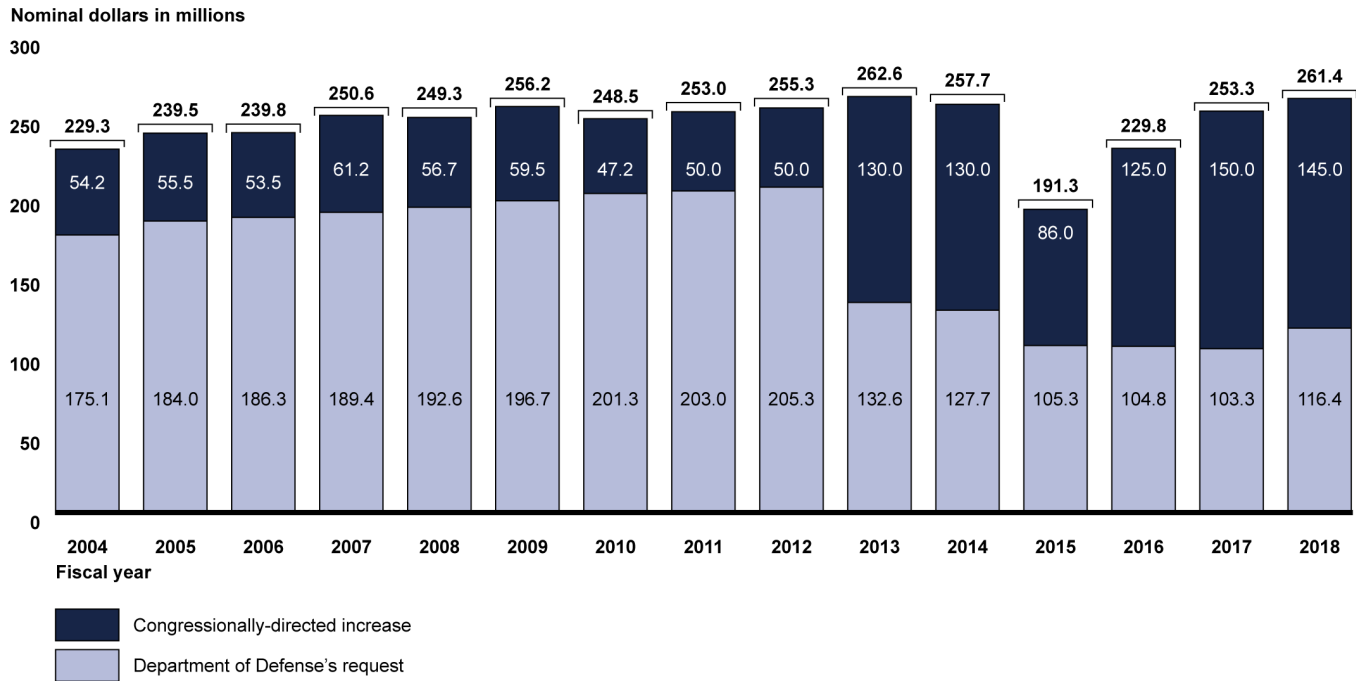
Note: Overseas Contingency Operations funding is not included in this analysis.

DOD’s budget request to the President for the National Guard counterdrug program was generally steady from fiscal year 2004 through fiscal year 2012, but was reduced significantly in fiscal year 2013.²¹ Since then, congressionally-directed increases have generally accounted for 50 percent or more of the program’s total funding, as shown in figure 2 below.²²

²¹From fiscal years 2013 to 2016, DOD reduced its budget request for domestic counterdrug efforts such as those supported by the National Guard counterdrug program. DOD officials stated that to address spending limits required by the Budget Control Act of 2011, some programs had to be reduced in order to maintain support for higher priority U.S. programs aimed at supporting Afghanistan operations and to address drug cartel violence in Mexico and Central America that were destabilizing the region and threatened to spill over into the United States. The Budget Control Act of 2011, Pub. L. No. 112-25 (2011), amends the Balanced Budget and Emergency Deficit Control Act of 1985, Pub. L. No. 99-177 (1985), codified at 2 U.S.C. § 901, and provides that new budget authority may not exceed the discretionary spending limits for a fiscal year. Subsequent amendments have revised the discretionary spending limits and extended the sequestration of direct spending through fiscal year 2027. See Bipartisan Budget Act of 2018, Pub. L. No. 115-123, § 30101 (2018); Bipartisan Budget Act of 2015, Pub. L. No. 114-74, § 101 (2015); Bipartisan Budget Act of 2013, Pub. L. No. 113-67, § 101 (2013).

²²Appendix I provides additional information on DOD’s budget requests and congressionally-directed increases for the National Guard counterdrug program and counterdrug schools program.

Figure 2: DOD's Budget Requests and Congressionally-Directed Increases for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018



Source: GAO analysis of Department of Defense data. | GAO-19-27

In fiscal year 2018, the Senate Committee on Appropriations expressed concerns that DOD reduced overall funding for the National Guard counterdrug program from the fiscal year 2017 enacted levels and failed to include an individual budget line in its budget request for the National Guard counterdrug schools program.²³ DOD's budget request for fiscal year 2018 was about \$116.4 million, while the final appropriation designated \$261.4 million for the program—approximately a 125 percent increase.

²³S. Comm. on Appropriations, 115th Cong., Explanatory Statement for the Department of Defense Appropriations Bill, 2018 (2017) (accompanying the recommendations of the Chairman of the Senate Appropriations Committee). According to DOD officials, DOD requested funding for the counterdrug schools program in fiscal year 2018; however, Congress desired greater visibility for the program in the form of a separate budget line item. DOD officials stated that Congress's request for greater visibility was partially addressed in the fiscal year 2019 budget request and has now been fully implemented for the fiscal year 2020 budget request.

Roles and Responsibilities

On July 31, 2002, the Deputy Secretary of Defense issued a memorandum that, among other things, assigned responsibility for DOD's counternarcotics program to the Deputy Assistant Secretary of Defense for Counternarcotics.²⁴ The responsibilities include developing and implementing DOD's counternarcotics policy, conducting analyses, making recommendations, and issuing guidance regarding DOD's counternarcotics plans and programs. In addition, the office is responsible for coordinating and monitoring DOD's counternarcotics plans and programs to ensure adherence to this policy.

Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support*, establishes policy and assigns responsibilities for the National Guard counterdrug program.²⁵ The instruction assigns the Director of the National Guard Domestic Operations and Force Development as the proponent for the program. The Director's responsibilities include publishing supporting documents for the instruction, verifying that the plans outlining each state's proposed activities are consistent with annual instructions published by the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats and are processed efficiently and on-time, and conducting periodic evaluations of program operations at the state level.

²⁴Deputy Secretary of Defense Memorandum, *Department of Defense Counternarcotics Policy* (July 31, 2002). Today, the official is named the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats.

²⁵Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support* (June 22, 2015). This instruction applies to National Guard personnel when not in federal service.

DOD Lacks a Current Strategy and Guidance for the National Guard Counterdrug Program

DOD Counternarcotics and Global Threats Strategy Is Outdated

DOD's 2011 Counternarcotics and Global Threats Strategy, the governing strategy for the National Guard counterdrug program, is outdated and does not reflect current drug threats outlined in more recent executive branch strategies.²⁶ While the 2011 Counternarcotics and Global Threats Strategy shares common themes with the updated executive branch strategies, such as the importance of combatting transnational criminal organizations involved in drug trafficking, it has not been updated to reflect changes in the drug threats faced by the United States that are outlined by the more recent executive branch strategies. Table 2 provides details on national-level strategies that have been released since 2011.

²⁶*Department of Defense Counternarcotics and Global Threats Strategy* (Apr. 27, 2011).

Table 2: Executive Branch Strategies Addressing U.S. Drug Threats, 2012 through 2018

Strategy	Source	Releases since 2011	Purpose
National Drug Control Strategy	Office of National Drug Control Policy	2012, 2013, 2014, 2015, and 2016	Outlines the President's drug policy to reduce illicit drug use and its consequences in the United States
National Security Strategy	President	2015 and 2017	Describes international interests, goals, and objectives of the United States that are vital to national security and plans for achieving them
National Defense Strategy	Secretary of Defense	2012 and 2018	Outlines the President's strategic direction and priorities for the Department of Defense
National Southwest Border Counternarcotics Strategy	Office of National Drug Control Policy	2013 and 2016	Outlines the Federal, State, local, tribal and international actions that will reduce the flow of illicit drugs, cash, and weapons across the southwest border of the United States
National Northern Border Counternarcotics Strategy	Office of National Drug Control Policy	2012 and 2014	Outlines plans for preventing the illegal trafficking of drugs across the northern border of the United States
Caribbean Border Counternarcotics Strategy	Office of National Drug Control Policy	2015	Outlines the United States' framework for reducing the threats associated with drugs at the Caribbean border

Source: GAO analysis of national-level strategies. | GAO-19-27

The Office of National Drug Control Policy released a new National Drug Control Strategy each year between 2011 and 2016.²⁷ Each update discussed the threat posed by opioids, which the 2016 update labeled as

²⁷The Office of National Drug Control Policy is a component of the Executive Office of the President. This office is responsible for, among other things, overseeing and coordinating implementation of national drug control policy and responding to emerging threats related to illicit drug use. 21 U.S.C. § 1702(a).

the greatest drug threat facing the nation.²⁸ The 2017 National Security Strategy also addressed opioids by emphasizing the need to dismantle transnational criminal organizations that feed the illicit opioid epidemic.²⁹ However, DOD's 2011 Counternarcotics and Global Threats Strategy does not address the domestic opioid epidemic. In addition, the 2016 National Southwest Border Counternarcotics Strategy states that the increased role of Mexican heroin manufacturers and traffickers is altering previously established trafficking patterns. While the 2011 Counternarcotics and Global Threats Strategy considers the illicit trafficking of cocaine from the Southwest border, it does not consider changes in the heroin threat.³⁰ Further, because DOD's Counternarcotics and Global Threats Strategy has not been updated, it does not take into consideration other strategies that have since been issued, such as the 2015 Caribbean Border Counternarcotics Strategy.³¹ According to officials from the National Guard Bureau, DOD's 2011 counternarcotics strategy only addresses the National Guard counterdrug program in a limited capacity and therefore they are challenged to provide strategic direction to the state counterdrug programs.

DOD's 2011 Counternarcotics and Global Threats Strategy states that officials will ensure that the strategy remains consistent with and integrates key DOD and executive branch strategies, such as National Drug Control Strategy. It also states that, given the dynamic environment within which the challenges related to the flow and impact of illegal drugs exist, the strategy is meant to be a living document, to be modified

²⁸The United States has experienced a recent rise in opioid use involving the abuse of prescription drugs and more traditional illicit opioids, such as heroin. Coinciding with this increase, there has been a significant increase in the use of man-made (synthetic) opioids, such as fentanyl and fentanyl analogues, which are a main contributor to the spikes in overdose deaths. To respond to the rise in opioid use, the President directed the Acting Secretary of Health and Human Services to declare the drug demand and opioid crisis to be a public health emergency on October 26, 2017. That day, the Acting Health and Human Services Secretary declared the public health emergency under the Public Health Service Act, 42 U.S.C. § 247d. 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).

²⁹The White House, *National Security Strategy of the United States of America* (December 2017).

³⁰Office of National Drug Control Policy, *National Southwest Border Counternarcotics Strategy* (May 2016).

³¹Office of National Drug Control Policy, *Caribbean Border Counternarcotics Strategy* (January 2015).

regularly. However, officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats acknowledged that they have not regularly modified the strategy and that the security environment has changed. These officials stated that they have been in the process of developing an updated Counternarcotics and Global Threats Strategy with revised strategic goals and objectives since 2013, but the document has not been signed and released by the Secretary of Defense. DOD officials stated that after the 2018 National Defense Strategy was issued, they delayed the release of an updated Counternarcotics and Global Threats Strategy in order to ensure alignment between the two documents. However, according to DOD officials, the 2018 National Defense Strategy, which was issued in January 2018, did not address DOD counternarcotics efforts as they had anticipated, requiring them to reconsider their approach.

Officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated that they now plan to issue a strategic framework, which would allow them to respond to changes in the security environment more quickly because updates to the framework would not require Secretary of Defense approval, as is the case with a DOD strategy. However, they stated that they are now waiting for the release of a new National Drug Control Strategy before issuing the framework.³² Officials with the Office of National Drug Control Policy stated that, while they have drafted a new National Drug Control Strategy, they have not committed to an issuance date and are waiting for their new director to be confirmed by the Senate before proceeding with reviewing and issuing the draft.³³ However, a substantial amount of time has lapsed since DOD's counternarcotics strategy was last issued—over 7 years—and there have been significant developments during that time in the nature of the drug threats facing the United States. DOD officials acknowledged that because the process to update its strategic framework requires less review than a full strategy, DOD could quickly update it, if

³²The Office of National Drug Control Policy is required to develop a comprehensive annual National Drug Control Strategy that sets forth a plan to reduce illicit drug use and the consequences of such illicit drug use in the United States by limiting the availability of, and reducing the demand for, illegal drugs. As of January 2019, a new strategy has not been issued.

³³Current and former members of the House Oversight and Government Reform Committee have expressed concern regarding the lack of a current National Drug Control Strategy. GAO has ongoing work related to the programs and strategy of Office of National Drug Control Policy, which is planned for release in 2019.

necessary, to ensure that it aligns with a new National Drug Control Strategy once one is released. Without a DOD counternarcotics and global threats strategic framework that reflects DOD's current strategic priorities and drug threats, the National Guard counterdrug program risks focusing activities and resources in areas that are less imperative to address than others and that do not counter current drug threats.

The National Guard Bureau Does Not Have Guidance for Operating and Administering the Counterdrug Program

The National Guard Bureau had guidance—National Guard Regulation 500-2—that prescribed policies, procedures, and responsibilities for the National Guard counterdrug program, but it was rescinded in September 2014 by Chief National Guard Bureau Instruction 3100.01 to conform with new National Guard publications guidance, according to National Guard Bureau officials. Chief National Guard Bureau Instruction 3100.01A, which replaced Chief National Guard Bureau Instruction 3100.01 in June 2015, establishes policies and assigns responsibilities for the National Guard counterdrug program, but it does not provide detailed procedures and processes that states can use to implement these policies. For example, National Guard Regulation 500-2 provided information on how states should operate and administer the National Guard counterdrug program, including how to perform counterdrug financial management, acquisition and logistics management, personnel and administration, records and reports, and operate the counterdrug schools. Chief National Guard Bureau Instruction 3100.01A does not provide these types of instructions. State counterdrug program officials we interviewed stated that without the detailed procedures and processes included in National Guard Regulation 500-2, they have no administrative guidance regarding hiring, retirement, budgeting, and planning for their counterdrug programs. Additionally, National Guard Bureau officials stated that they do not have procedures and processes instructing states on how to provide cross-state support. For example, there are currently no guidelines on how a state that can perform aerial reconnaissance activities could provide these resources to another state upon request. National Guard Bureau officials told us they should have guidelines to facilitate cross-state support.³⁴ Table 3 provides an overview of National Guard Bureau publications.

³⁴National Guard Bureau officials stated that states seeking cross-state support must maintain an approved state plan that authorizes the performance of the activity for which they are requesting support.

Table 3: National Guard Bureau Publications

Issuance	Purpose	Status
National Guard Regulation 500-2/ Air National Guard Instruction 10-801	Prescribes policies, procedures, and responsibilities governing the utilization of National Guard and Department of Defense resources in the National Guard counterdrug program and the National Guard counterdrug schools.	Replaced by Chief National Guard Bureau Instruction 3100.01
Chief National Guard Bureau Instruction 3100.01A	Establishes policies and assigns responsibilities for the National Guard counterdrug program	Current (last updated June 22, 2015)
Chief National Guard Bureau Manual	Provide detailed procedures and processes to implement policy established by Chief National Guard Bureau Instruction 3100.01A	Not issued

Source: GAO analysis of National Guard Bureau publications. | GAO-19-27

To help implement policy established by Chief National Guard Bureau instructions, the National Guard Bureau can issue more detailed guidance on the corresponding procedures and processes in the form of a Chief National Guard Bureau Manual.³⁵ Additionally, Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support*, assigns the Director of National Guard Domestic Operations and Force Development the responsibility to publish supporting documents to implement the instruction and counterdrug program when required. However, the National Guard Bureau officials acknowledge that they have not issued a manual that provides detailed procedures and processes to implement National Guard counterdrug program policies since the prior operating guidance in the National Guard regulation was rescinded in September 2014.

National Guard Bureau officials stated that they intended to publish a Chief National Guard Bureau Manual in September 2014, concurrent with Chief National Guard Bureau Instruction 3100.01, which would have provided additional operating guidance for administering and operating the counterdrug program. However, according to National Guard officials, issuance of the manual was delayed because of disagreements among National Guard Bureau officials about its content. Specifically, some National Guard Bureau officials stated that the draft manual was too focused on support for Title 10 activities and did not adequately address Title 32 support, which reflects the bulk of the activities conducted by the

³⁵Chief National Guard Bureau Instruction 5000.01A, *Chief of the National Guard Bureau Issuances* (Apr. 26, 2017).

program. National Guard Bureau officials stated that they intended to re-issue National Guard Regulation 500-2 as interim guidance until they completed the Chief National Guard Bureau Manual; however, they have yet to do so because they have been focused on other efforts. National Guard Bureau officials stated that they have now worked with state counterdrug program officials to more adequately address Title 32 support activities and intend to publish a Chief National Guard Bureau Manual in June 2019.

The draft manual is in the beginning of the review process. However, the National Guard Bureau will not have guidance to operate the counterdrug program until at least June 2019. Without interim guidance that provides detailed procedures and processes for the National Guard counterdrug program, such as reissuing National Guard Regulation 500-2, states will continue to be left without clear instructions on how to operate and administer the program, such as how and when to provide support across state lines and to interagency partners.

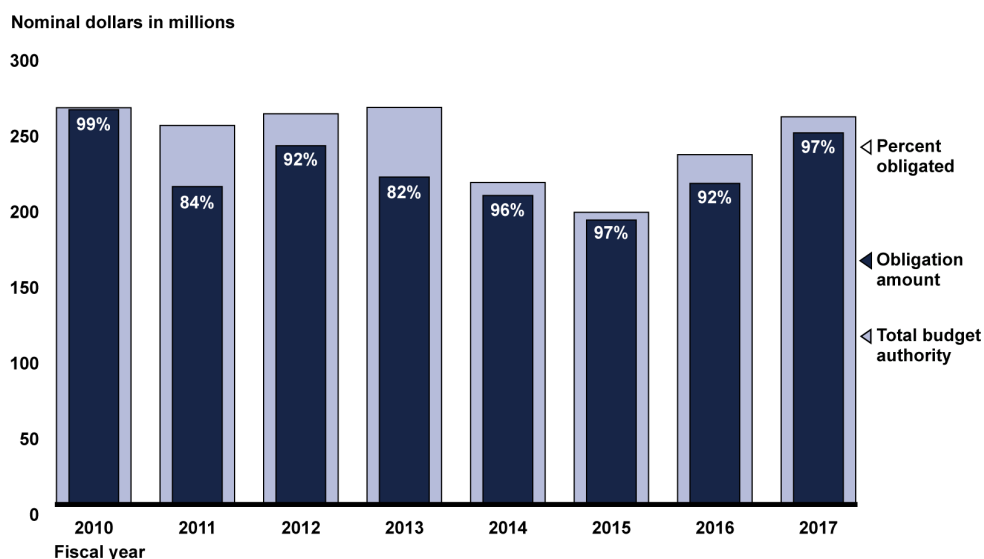
The National Guard Bureau Has Taken Steps to Improve the Availability of Funds When Operating under Continuing Resolutions

The federal government has operated under a continuing resolution for 36 of the last 40 years. National Guard counterdrug program officials stated that they have experienced program disruptions during these periods. The disruptions described by the officials are similar to the problems that other programs experience during continuing resolutions.³⁶ For example, National Guard Bureau officials stated that continuing resolutions have created challenges for the National Guard counterdrug program in fully obligating its funds. DOD data show that the program obligated 84 and 82 percent of total budget authority amounts in fiscal year 2011 and 2013 respectively, although the gap between total budget authority amounts and obligations has decreased since then. According to National Guard officials, the differences over the years between the amounts obligated and total budget authority amounts were partly due to the timing and amount of funding received by the program. Specifically, they stated that it is difficult to fully obligate funds when DOD provides them with a significant portion of their funding close to the end of the fiscal year.

³⁶In 2009, we examined the effect of continuing resolutions on selected case study agency operations. We found that all six case study agencies reported that operating within the limitations of the continuing resolutions resulted in inefficiencies, including delays to certain activities such as hiring, and repetitive work, including issuing multiple grants or contracts. GAO, *Continuing Resolutions: Uncertainty Limited Management Options and Increased Workload in Selected Agencies*, [GAO-09-879](#) (Washington, D.C.: Sept. 24, 2009).

Remaining unobligated amounts are transferred back to DOD's Drug Interdiction and Counterdrug Activities, Defense account.³⁷ Figure 3 details the counterdrug program's obligations from fiscal years 2010 through 2017.³⁸

Figure 3: National Guard Counterdrug Program Obligation Amounts and Total Budget Authority Amounts, Fiscal Years 2010 through 2017



Source: GAO analysis of Department of Defense data. | GAO-19-27

Note: The National Guard counterdrug program's obligations may be above or below the congressionally-directed program level which does not equal total budget authority available for the National Guard's counterdrug program in a given year. In no year did programmatic obligations exceed actual budget authority.

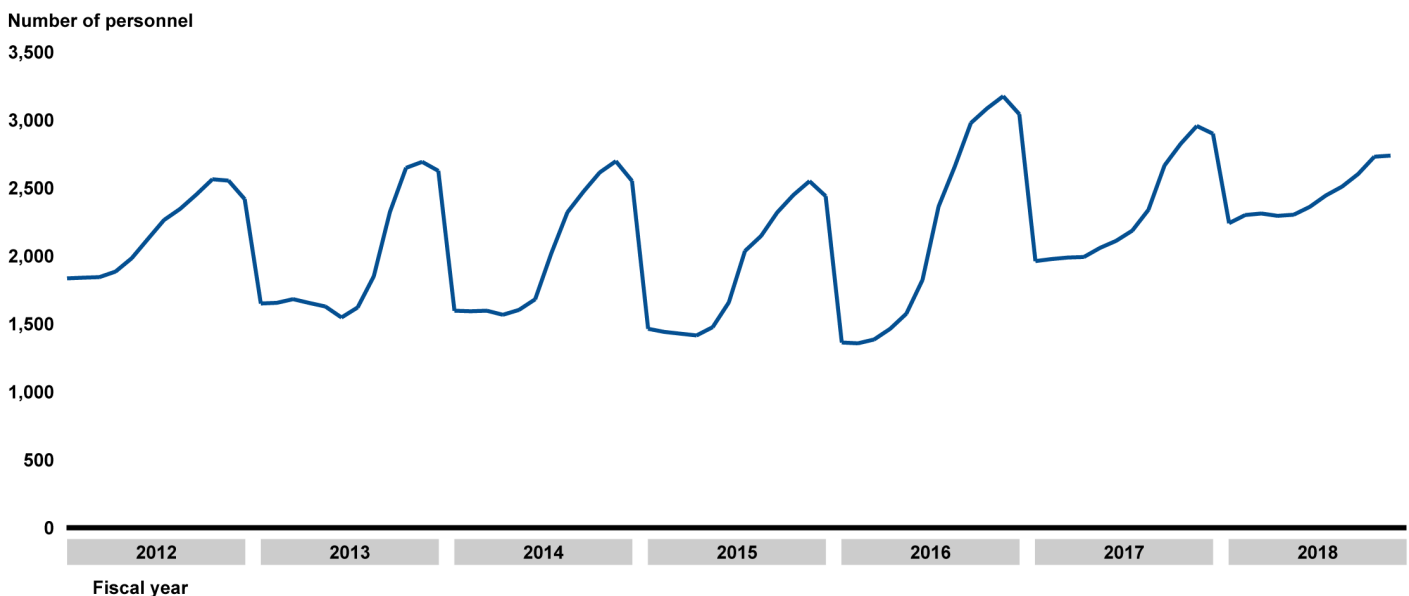
State counterdrug program officials stated that the timing of DOD's distribution of funds also creates program execution challenges. For example, state counterdrug program officials stated that prior to fiscal year 2017, they began each year with a minimal number of personnel performing state drug interdiction and counterdrug activities until DOD

³⁷Funds transferred from the Drug Interdiction and Counterdrug Activities, Defense account to various other programs, including the National Guard program, can be transferred back to the account upon a determination that all or part of the funds are not necessary and remain unobligated. For an overview of DOD's process to fund the National Guard counterdrug program, see appendix III.

³⁸See appendix I for additional information on the National Guard counterdrug program's total budget authority and obligation amounts for fiscal years 2010 through 2017.

provided more funding to the program after the enactment of the appropriation for the remainder of the fiscal year. Thereafter, state program officials stated that they increased the number of National Guard personnel supporting National Guard counterdrug program activities. However, state program officials said that after the appropriation expired at the end of each fiscal year, they were once again forced to reduce the number of personnel performing state drug interdiction and counterdrug activities until the enactment of another final appropriation was passed. Figure 4 provides a summary of the number of National Guard personnel performing state drug interdiction and counterdrug activities by month during fiscal years 2012 through 2017.

Figure 4: Number of National Guard Personnel Performing State Drug Interdiction and Counterdrug Activities by Month, Fiscal Years 2012 through 2018



Source: GAO analysis of National Guard Bureau data. | GAO-19-27

Note: This figure does not include personnel in a Title 10 active duty status, such as those supporting some counterthreat finance activities or personnel supporting international counterdrug efforts.

According to state counterdrug program officials, the majority of funds provided after a final appropriation is passed fund temporary personnel and seasonal work, rather than analysis support activities deemed a priority for the National Guard counterdrug program by the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats. State counterdrug program officials stated that this is because they cannot hire, train, and integrate personnel on a full-time basis and

that law enforcement agencies are looking more for long-term, rather than temporary support. State counterdrug officials told us that as a result of the funding uncertainty they experience significant fluctuations in the number of personnel performing state drug interdiction and counterdrug activities and that they are challenged in obtaining and retaining highly qualified National Guard personnel. Additionally, state counterdrug program officials stated that withdrawing National Guard personnel from partner organizations after appropriations expire can severely affect their operations and diminish trust between counterdrug programs and law enforcement partners.

According to National Guard Bureau officials, the National Guard Bureau revised its process for funding the National Guard counterdrug program in fiscal year 2017 to try to mitigate the effects of DOD's process for providing funds under continuing resolutions on the program. Specifically, the National Guard Bureau worked with the Army and Air National Guard budget execution offices to establish a process to expedite funding made available to the state-level counterdrug programs. Under the revised process, the Army and Air National Guard budget execution offices reprogram available amounts from other programmatic activities, such as funds for annual training, to the counterdrug program earlier in the fiscal year. According to Army and Air National Guard budget execution officials, amounts provided through reprogramming are based on a number of factors, including prior years' appropriations for the program, execution levels, current-year appropriations and congressional directions, and an assessment of risk to the other activities.³⁹

The National Guard Bureau and state counterdrug program officials stated that this revised funding process has helped mitigate challenges arising from uncertainty of when and how much funding would be provided to the states.⁴⁰ For example, state counterdrug program officials said that in fiscal year 2017, the funding process enabled them to retain more personnel on orders and decrease the amount of funds that went

³⁹Officials from the National Guard Bureau and Army and Air National Guard budget execution offices stated that the amounts provided to the National Guard counterdrug program from other programs' available funding is replenished when the National Guard counterdrug program receives program funding from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats.

⁴⁰Appendix IV provides an overview of amounts received by the National Guard counterdrug program during each appropriations period for fiscal years 2014 through 2018.

unspent. The total number of personnel assigned to the National Guard counterdrug program at the beginning of fiscal year 2018 was approximately 2,250. Conversely, the program began fiscal year 2016 with approximately 1,350 personnel on orders. In addition, program officials stated that the process to provide funding earlier in the fiscal year helped them to obligate almost 97 percent of the total budget authority in fiscal year 2017, a higher percentage compared to many of the previous fiscal years. National Guard officials stated that while reprogramming amounts from other programmatic activities has helped to address the fiscal challenges of the National Guard counterdrug program, they cannot provide assurance that this funding process will continue from year to year. However, National Guard Bureau officials have assessed the risks and believe this is the best solution available for funding the program during a continuing resolution until the enactment of the final appropriation.

DOD Could Improve Its Processes for Approving and Distributing Funds to State Counterdrug Programs

DOD Has Provided Funding to State Counterdrug Programs without Approved Plans

DOD has established a process for development and review of the state plans—an annual plan of each state’s counterdrug activities—to ensure that state counterdrug program activities reflect DOD’s counternarcotics strategic priorities. However, since at least 2009 DOD has not met the statutory requirement to examine the adequacy of state plans prior to distributing funding to state counterdrug programs.⁴¹

To develop the state plans, counterdrug coordinators in each state counterdrug program use guidance in annual memorandums issued by

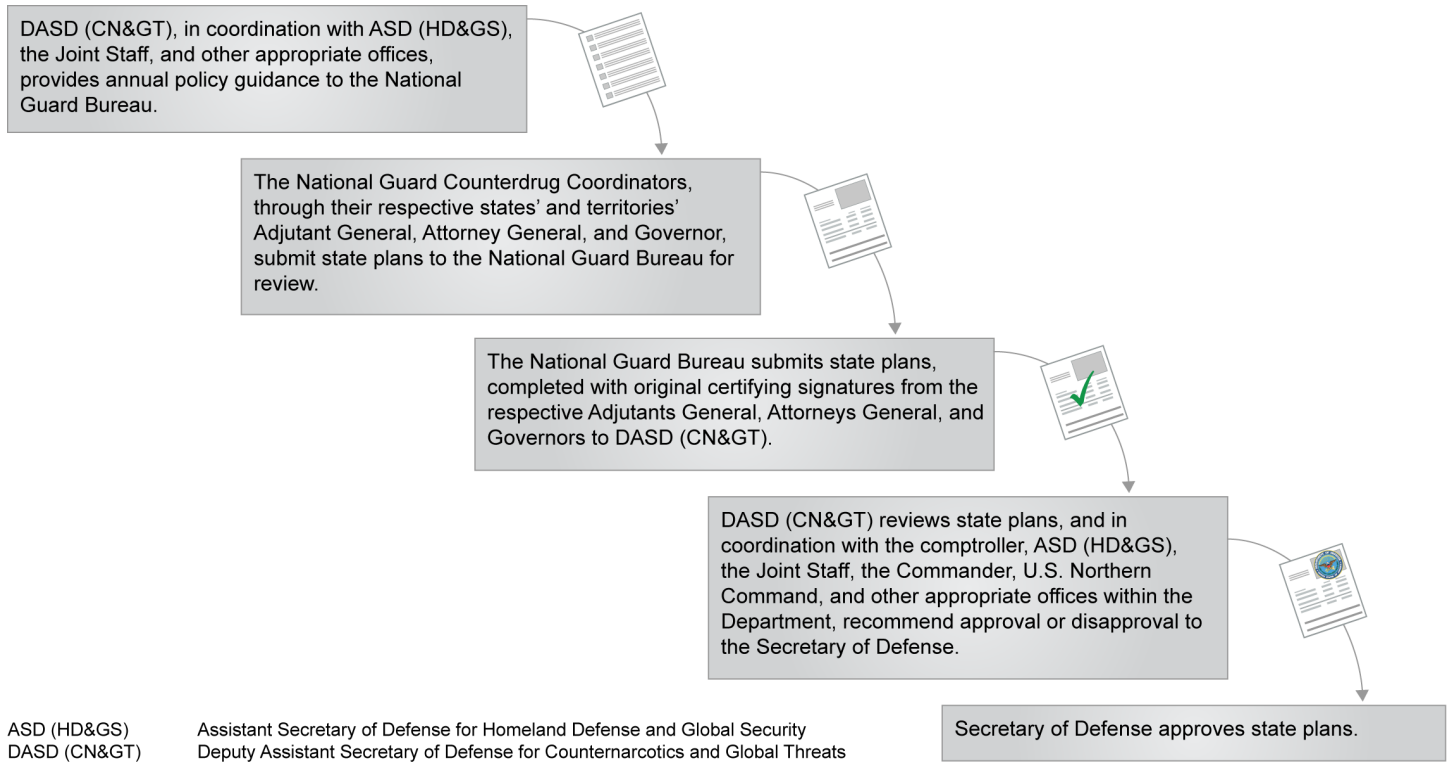
⁴¹32 U.S.C. § 112(d)(1).

DOD.⁴² According to the guidance, the plans should identify the state's counterdrug priorities and how each state counterdrug program intends to obligate its available funds. Counterdrug coordinators then work with their state's Adjutant General, Attorney General, and Governor, who each review and sign them, before the plans are sent to the National Guard Bureau for further review. Once the National Guard Bureau reviews the plans, they are forwarded to the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats. Officials from that office review the plans and make recommendations to the Secretary of Defense to approve or disapprove the plans. Based on these recommendations, the Secretary of Defense reviews the plans for adequacy, and when satisfied, signs a memorandum of agreement approving the plans.⁴³ Figure 5 provides an outline of the process to approve state plans for their counterdrug activities.

⁴²DOD has provided the National Guard counterdrug program with annual state plans development memorandums that list specific activities on which state counterdrug programs should focus their efforts and provide instructions programs should use when developing their state plans.

⁴³Section 112(c) of title 32 requires that state plans shall: (1) specify how personnel of the National Guard of that State are to be used in drug interdiction and counter-drug activities; (2) certify that those operations are to be conducted at a time when the personnel involved are not in Federal service; (3) certify that participation by National Guard personnel in those operations is service in addition to training required under section 502 of title 32; (4) certify that any engineer-type activities (as defined by the Secretary of Defense) under the plan will be performed only by units and members of the National Guard; (5) include a certification by the Attorney General of the State (or, in the case of a State with no position of Attorney General, a civilian official of the State equivalent to a State attorney general) that the use of the National Guard of the State for the activities proposed under the plan is authorized by, and is consistent with, State law; and (6) certify that the Governor of the State or a civilian law enforcement official of the State designated by the Governor has determined that any activities included in the plan that are carried out in conjunction with Federal law enforcement agencies serve a State law enforcement purpose.

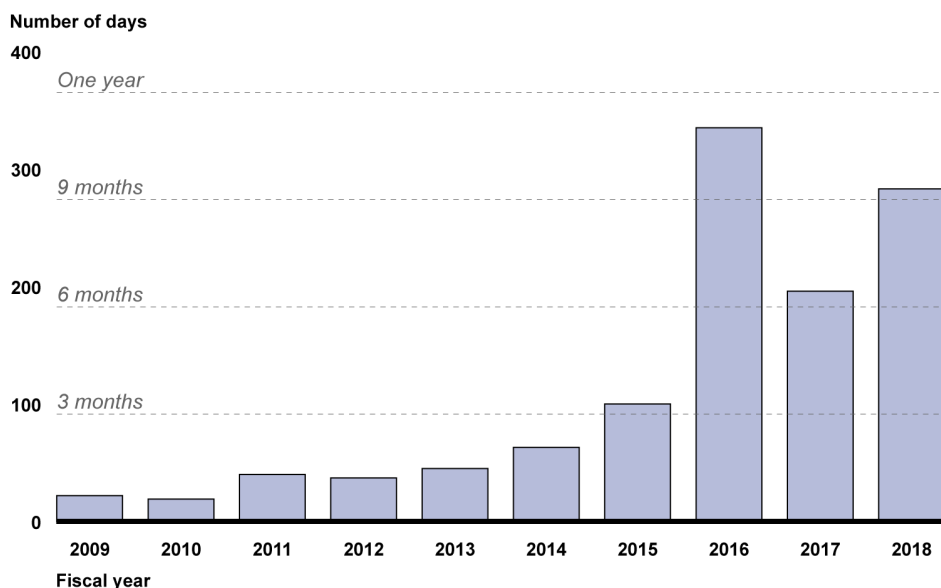
Figure 5: Department of Defense’s Process for Approving State Drug Interdiction and Counterdrug Activities Plans



However, since at least 2009, DOD has provided funding to the state counterdrug programs prior to the Secretary of Defense approving states’ plans for their counterdrug activities, according to National Guard Bureau officials. This is inconsistent with section 112 of title 32 of the United States Code, which requires that before funds are provided to the Governor of a state for counterdrug activities and before members of the National Guard of that State are ordered to full-time National Guard duty, the Secretary of Defense must examine the adequacy of the plan submitted by the Governor. We found that that the delay in approval of states’ plans for their counterdrug activities has worsened since 2009, and in fiscal year 2018, approval took over 9 months (283 days) after

funding was provided at the beginning of the fiscal year.⁴⁴ Figure 6 provides information on the number of days between the beginning of the fiscal year, when states received funding, and when all plans were approved in fiscal years 2009 through 2018.

Figure 6: Number of Days Between the Beginning of the Fiscal Year and when the Department of Defense Approved All State Drug Interdiction and Counterdrug Activities Plans, Fiscal Years 2009 through 2018



Source: GAO analysis of Department of Defense data. | GAO-19-27

Note: The start of the fiscal year begins on October 1. According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, in fiscal year 2018, all states' drug interdiction and counterdrug activities plans were approved on May 17, 2018, except for Michigan's plan, which was returned for revision. The Michigan plan was subsequently approved on July 10, 2018.

Officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats and the National Guard Bureau stated that several factors have contributed to delays in the state plan approval process. First, officials stated that, prior to fiscal year 2016, the

⁴⁴According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, in fiscal year 2018, all but one of the state plans were approved on or before May 17, 2018. Officials stated that the final state plan was returned to the state for a revision, and was ultimately approved on July 10, 2018. However DOD had provided funds to all the state counterdrug programs at the beginning of the fiscal year prior to approving state plans.

National Guard Bureau submitted state plans to the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats signed by the Division Chief of the National Guard counterdrug program, a colonel in the Army or the Air Force. However, in fiscal year 2016, officials from the Office of the Secretary of Defense found the Counterdrug Program Division Chief's review and approval of the state plans to be insufficient because the approving official did not have the appropriate rank to approve state plans on behalf of the National Guard Bureau. As a result, officials from the National Guard Bureau elevated the level of approval within the National Guard Bureau to the National Guard Bureau Joint Staff Director of Domestic Operations and Force Development, a Major General in the Army National Guard or Air National Guard. Officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated that this resulted in an increase in the number of days that it took the National Guard Bureau to provide reviewed state plans. Officials stated that they are working to develop an updated timeline to address delays created by the approval process. Specifically, officials stated that they are working to submit the plans for review earlier in order to allow enough time to ensure that state plans are approved before funds are provided to state counterdrug programs.

Second, officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated that their office required state plans to include information, such as narratives detailing states' planned activities that were not critical to determining plans' alignment with DOD priorities. In addition, officials stated that, over time, states had expanded the narratives in their plans, which increased the length of each submission. As a result of this required information, officials stated that the department's review of state plans took longer than had the extra information not been included. Officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated they have reviewed the statutory requirements for the plans to identify which components are necessary and streamlined the format of the plans for use in fiscal year 2019.

Third, officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats stated that in the past the Office of the Secretary of Defense would not accept state plans from the National Guard Bureau in batches, but instead insisted on receiving and reviewing them altogether, delaying the review process. These officials noted that they have since begun accepting state plans from

National Guard Bureau in batches in order to speed up the approval process.

On June 7, 2018, the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats issued a memorandum to the Chief of the National Guard Bureau that required all states and territories to submit their plans, through National Guard Bureau and the Joint Staff, to his office no later than August 31, 2018. According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, the state plans were to detail fiscal year 2019 National Guard counterdrug program activities and provide the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats additional time to review state plans prior to the beginning of the fiscal year.

However, in October 2018, officials from the National Guard Bureau and the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats told us that none of the fiscal year 2019 plans had been approved prior to the beginning of the fiscal year, and that DOD had provided state counterdrug programs with funding for fiscal year 2019. As of mid-November, officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats told us that 39 of the 54 state plans had been approved. DOD has not assessed why the steps it took to improve the state plan review process did not result in timely approval of the state plans. GAO's *Standards for Internal Control in the Federal Government* note that management should monitor activities and evaluate the results of programmatic changes.⁴⁵ Assessing the revised process for reviewing states' plans would enable DOD to determine what additional actions are needed to ensure the plans are approved by the Secretary of Defense before funding is provided to state counterdrug programs, as statutorily required by section 112 of title 32.

⁴⁵GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 10, 2014)

**National Guard Bureau's
Funding Distribution
Process Does Not
Incorporate DOD Strategic
Counternarcotics Priorities**

We found that the National Guard Bureau's funding distribution process does not consider DOD's strategic counternarcotics priorities. For example, while DOD's 2011 Counternarcotics and Global Threats Strategy prioritizes efforts on the southwest and northern borders, the National Guard Bureau's funding distribution process does not specifically account for this. Rather than taking into account established DOD counternarcotics priorities to inform funding distribution, the National Guard Bureau uses survey results and statistics on drugs from a number of national-level databases to develop a distribution percentage for each state within its threat-based resource model that reflects its relative drug threat.⁴⁶ Each state's threat-based resource model percentage is then applied to the funding transferred to the National Guard Bureau from the Drug Interdiction and Counterdrug Activities, Defense account and disbursed to the 54 state programs.⁴⁷ For example, Arizona's threat percentage was determined to be 6.25 percent based on existing drug threats; as a result, Arizona received about \$11.8 million in funding for state plans in fiscal year 2018.⁴⁸

National Guard Bureau officials stated that while the threat-based resource model's variables and the data that feed the model relate to DOD strategic counternarcotics priorities, they do not adjust the process to reflect these priorities when distributing funding. When we asked National Guard Bureau officials why its funding distribution process does not consider DOD's strategic counternarcotics priorities, National Guard Bureau officials stated that they were focused on identifying variables and data sources within the threat-based resource model to reflect relative

⁴⁶An assumption of the threat-based resource model is that each state and territory has unique drug challenges, or threats, that continue to change, adapt, and emerge over time. In order to determine each state counterdrug program's funding distribution percentage, the National Guard Bureau administers a survey to subject matter experts in each state. Various drug-related variables are weighted against each other based on which variable poses a higher perceived challenge or threat level. After determining the relative weights of each variable in threat-based resource model, the National Guard Bureau establishes a funding distribution percentage for each state by multiplying the weighted variables against raw data on each variable for each state from national-level databases.

⁴⁷See appendix V for more information on the National Guard Bureau's threat-based resource model.

⁴⁸States' actual funding distribution percentages may not align with the overall amount of funding they received in a fiscal year because the National Guard Bureau provides additional funding to smaller states to ensure each state has a functional counterdrug program.

drug threats and did not consider incorporating DOD's strategic counternarcotics priorities as part of the funding distribution process.

Our work on results-oriented management states that strategy should inform program activities and resourcing.⁴⁹ In addition, the National Guard Bureau reported that the goal of the threat-based resource model is to prioritize the most pressing threats from a national perspective, informed by current national and DOD counternarcotics strategies. Both the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats and National Guard Bureau officials stated that incorporating DOD's strategic counternarcotics priorities into the National Guard Bureau's funding distribution process would help ensure that DOD priorities are resourced. National Guard Bureau officials stated that they are considering how to align the funding distribution process with DOD's strategic counternarcotics priorities. They added that the next time they could make changes to their funding distribution process would be for use in fiscal year 2020. Until the National Guard Bureau incorporates DOD's strategic counternarcotics priorities into the funding distribution process, the National Guard Bureau risks directing funding toward lower priority counterdrug activities at the expense of higher priority activities.

Conclusions

The National Guard counterdrug program was established nearly 30 years ago to assist efforts of the Governors of the 50 states, District of Columbia, and three U.S. territories in addressing illicit drug production, trade, and consumption. The drug threats facing the nation are complex and continue to evolve over time, and efforts to combat those threats will require continued support from DOD, to include the National Guard counterdrug program.

DOD lacks current strategy and guidance for the National Guard counterdrug program. Although DOD has a counternarcotics and global threats strategy from 2011, it is outdated and does not reflect current drug threats or changes in national-level strategies, which are critical for informing DOD's strategic counternarcotics priorities. Issuing a strategic framework will ensure that DOD's counterdrug priorities are aligned with the priorities of other agencies involved in counternarcotics efforts, provide direction for DOD's counternarcotics activities, and ensure that

⁴⁹GAO, *Managing For Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#), (Washington, D.C.: Sept. 9, 2005).

the National Guard counterdrug program addresses current drug threats. Further, the National Guard Bureau guidance to operate and administer the program was rescinded and has not been replaced, leaving state counterdrug programs officials without clear instructions on how to operate and administer program activities. Issuing interim guidance would provide detailed processes and procedures that states could use to operate their counterdrug programs. Without current strategy or guidance for the National Guard counterdrug program, it will be difficult for the program to operate effectively.

In addition, it is important to ensure that funding is distributed to the state-level programs in support of DOD's strategic counternarcotics priorities. Although the Secretary of Defense is statutorily responsible for reviewing the adequacy of states' plans prior to providing funds to the states, these reviews have not occurred before state counterdrug programs received funding. Also, the National Guard Bureau has not incorporated DOD's strategic counternarcotics priorities into its funding distribution process, which is instead wholly reliant on survey responses and drug data. While these are important factors to consider when distributing funding, incorporating DOD strategic counternarcotics priorities into the National Guard Bureau's funding distribution process would better inform such decisions. Until DOD's process to approve state plans and the National Guard Bureau's process to distribute funding are improved, DOD may not be able to ensure that resources are applied to its strategic counternarcotics priorities.

Taken together these actions should improve the Department's oversight of the National Guard counterdrug program and help ensure that the program uses resources effectively and achieves positive results.

Recommendations for Executive Action

We are making five recommendations to DOD.

The Secretary of Defense should ensure that the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats issues its counternarcotics and global threats strategic framework that incorporates relevant national-level strategies and reflects current drug threats, and update it, as appropriate, upon issuance of the new National Drug Control Strategy. (Recommendation 1)

The Secretary of Defense should ensure that the Chief of the National Guard Bureau issues interim guidance that provides detailed procedures

and processes on how to operate and administer the National Guard counterdrug program. (Recommendation 2)

The Secretary of Defense should ensure that the Chief of the National Guard Bureau take steps to ensure it issues a manual to accompany Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support*, by June 2019. (Recommendation 3)

The Secretary of Defense should ensure that the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, in coordination with the Chief of the National Guard Bureau, assess the revised process for reviewing states' plans for their counterdrug activities, and take actions based on the assessment to ensure the plans are approved by the Secretary of Defense before funding is provided to state counterdrug programs, as statutorily required. (Recommendation 4)

The Secretary of Defense should ensure that the Chief of the National Guard Bureau incorporate the strategic counternarcotics priorities, to be outlined in DOD's counternarcotics and global threats strategic framework, into the National Guard Bureau's funding distribution process. (Recommendation 5)

Agency Comments and Our Evaluation

In written comments on a draft of this report, DOD concurred with all five of our recommendations and identified actions it plans to take to improve its oversight of the National Guard counterdrug program. DOD's comments are reprinted in their entirety in appendix VI. DOD also provided technical comments on a draft of this report, which we incorporated as appropriate. For example, we adjusted the wording of our fifth recommendation, replacing threat-based resource model with funding distribution process, to reflect the department's technical comment that it is unlikely that the National Guard Bureau would change the threat-based resource model, but rather add strategic priorities to the funding distribution process to meet the intent of our recommendation.

We are sending copies of this report to appropriate congressional committees, the Acting Secretary of Defense, the Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict, and the Chief of the National Guard Bureau. In addition, the report is available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff has any questions about this report, please contact me at (202) 512-2775 or fielde1@gao.gov. Contact points for our Office of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix VIII.

A handwritten signature in black ink, appearing to read "Elizabeth A. Field". The signature is fluid and cursive, with a large loop at the end.

Elizabeth A. Field, Acting Director
Defense Capabilities and Management

Appendix I: National Guard Counterdrug Program Funding by Project Code

Department of Defense (DOD) budgets for National Guard counterdrug program activities using 5 projects codes:

7403—State Plans—funds DOD support to U.S. State Governors in accordance with State requests in the form of drug interdiction and counter-drug activities plans submitted in accordance with 32 U.S.C. § 112(c).

7415—Counterdrug Schools—funds five National Guard Counterdrug Schools as authorized by §901 of the Office of National Drug Control Policy Reauthorization Act of 2006, as amended, and as identified in plans submitted by host State Governors to the Secretary of Defense in accordance with 32 U.S.C. § 112(c).

9301—Counterthreat Finance—funded reserve military pay and associated support costs for National Guard personnel in support of State, Federal, and Combatant Command efforts to identify, target, and disrupt illicit financial systems that enable drug trafficking, and when vital to U.S. national security interests—terrorism and transnational organized crime.¹

1295—Linguist and Data Analysis—funds DOD support for combatant command and interagency law enforcement efforts to detect and disrupt transnational criminal organizations' operations using linguistic and analytical skills of National Guard personnel.

9498—Linguist Support—funds language transcription, translation, and data analysis support to the U.S. Department of Justice and Drug Enforcement Administration using Utah National Guard personnel.

DOD's budget request for the National Guard counterdrug program increased steadily from fiscal year 2004 through fiscal year 2012, peaking at just more than \$205 million. However, in fiscal year 2013 DOD's budget request for the program decreased substantially and continued to decline through fiscal year 2017. The decrease in requested funding

¹The Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats recategorized counterthreat finance activities in fiscal year 2018 and beyond to more accurately reflect the type of National Guard investigative case analysis support provided to law enforcement. Based on guidance provided by the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, funds previously provided to the National Guard Bureau under project code 9301 were to be rolled into project code 7403, state plans, for disbursement in fiscal year 2019.

**Appendix I: National Guard Counterdrug
Program Funding by Project Code**

amounts for the program is primarily in the State Plans and Counterdrug Schools project codes. In fiscal year 2018, the budget request for the program increased slightly and included additional funding amounts within the State Plans and Counterdrug Schools project codes. Table 4 provides a summary of DOD's budget request for the National Guard counterdrug program, by project code, in fiscal years 2004 through 2018.

Table 4: Department of Defense's (DOD) Budget Request for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018

(Nominal Dollars in Thousands by Fiscal Year)

Project Code	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
7403—State Plans	160,309	164,746	166,696	166,496	169,148	172,171	176,365	177,691	179,718	105,853	104,688	86,698	80,075	79,077	88,307
7415—Counterdrug Schools	4,747	4,799	4,855	8,921	9,126	9,809	9,989	10,151	10,286	8,622	4,909	N/A	5,000	4,877	5,182
9301—Counterthreat Finance	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2,526	2,525	2,767	2,823	2,981	3,289
1295—Linguist and Data Analysis	3,936	7,672	7,777	6,885	7,025	7,178	7,300	7,379	7,460	7,588	7,590	7,759	8,704	8,378	10,781
9498—Linguist Support	6,102	6,733	6,920	7,111	7,334	7,567	7,673	7,737	7,825	7,971	7,945	8,073	8,227	7,979	8,794
Total	175,094	183,950	186,248	189,413	192,633	196,725	201,327	202,958	205,289	132,560	127,657	105,297	104,829	103,292	116,353

Source: GAO Analysis of Department of Defense (DOD) data. | GAO-19-27

Note: DOD's budget request for the Counterthreat Finance project code did not begin until 2013. Therefore no requested funding amount is recorded in this project code from fiscal years 2004 through 2012. In addition, DOD did not request funding for the National Guard counterdrug schools in fiscal year 2015 because, according to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, they did not have a full understanding of the counterdrug schools' activities and wanted to assess the schools' training efforts before requesting a specific amount for this project code.

Since at least 2004, Congress has directed increases above DOD's budget request level for the activities of the National Guard counterdrug program. Congressionally-directed increases have been directed to the State Plans and Counterdrug Schools project codes. Beginning in fiscal year 2013, congressionally-directed increases have generally made up half or more of the total funding appropriated to the National Guard counterdrug program. Table 5 provides a summary of congressionally-

**Appendix I: National Guard Counterdrug
Program Funding by Project Code**

directed increases for the National Guard counterdrug program, by project code, in fiscal years 2004 through 2018.

Table 5: Congressionally-Directed Increases for the National Guard Counterdrug Program, Fiscal Years 2004 through 2018

(Nominal Dollars in Thousands by Fiscal Year)

Project Code	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
7403—State Plans	40,160	43,625	42,205	47,560	42,504	46,000	31,400	40,170	40,000	118,912	125,049	76,000	110,000	134,877	125,182
7415—Counterdrug Schools	14,035	11,900	11,325	13,660	14,160	13,500	15,800	9,830	10,000	11,088	4,951	10,000	15,000	15,123	19,818
9301—Counterthreat Finance	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1295—Linguist and Data Analysis	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
9498—Linguist Support	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	54,195	55,525	53,530	61,220	56,664	59,500	47,200	50,000	50,000	130,000	130,000	86,000	125,000	150,000	145,000

Source: GAO Analysis of Department of Defense (DOD) data. | GAO-19-27

Note: Project codes 9301, 1295, and 9498 did not receive funds from congressionally-directed increases. Unless otherwise stated, total amounts reflect congressionally-directed increases as written in joint explanatory statements or conference reports accompanying the appropriations. There were no joint explanatory statements or conference reports in fiscal year 2011. Amounts for project codes 7403 and 7415 as shown above reflect DOD's reprogramming in response to congressional direction.

According to DOD's data, total budget authority for the National Guard counterdrug program varied from fiscal year 2010 through fiscal year 2017. Total budget authority may be above or below congressionally-enacted amounts because DOD can transfer or reprogram amounts into other authorized accounts and activities based on program requirements. Table 6 provides a summary of total budget authority for the National Guard counterdrug program, by project code, in fiscal years 2010 through 2017.

**Appendix I: National Guard Counterdrug
Program Funding by Project Code**

Table 6: Total Budget Authority for the National Guard Counterdrug Program, Fiscal Years 2010 through 2017

(Nominal Dollars in Thousands by Fiscal Year)

Project Code	2010	2011	2012	2013	2014	2015	2016	2017
7403—State Plans	219,814	212,493	214,029	221,652	179,322 ^a	162,335	187,078	214,170
7415—Counterdrug Schools	27,361	21,335	23,621	19,961	8,693	10,130	21,820	20,007
9301—Counterthreat Finance	N/A	N/A	2,500	2,549	2,279	2,977	3,674	4,031
1295—Linguist and Data Analysis	7,469	9,191	9,427	8,797	11,887	9,719	10,475	8,761
9498—Linguist Support	7,705	7,803	8,795	9,601	10,760	8,110	8,336	7,713
Total	262,349	250,822	258,372	262,560	212,941	193,271	231,383	254,682

Source: GAO analysis of Department of Defense (DOD) data. | GAO-19-27

^aFiscal year 2014 reflects a reduction of \$41 million by DOD to 7403—State Plans project code—to address a congressional reduction to the DOD Drug Interdiction and Counterdrug Activities, Defense account of \$50 million for prior-year under-execution. According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats the prior year under-execution was primarily in 7403—State Plans.

Note: DOD did not request funding for the Counterthreat Finance project code in its budget until fiscal year 2013; however, DOD provided funding for the Counterthreat Finance project code in fiscal year 2012 through an execution year program adjustment. Therefore no funding is recorded in this project code for fiscal years 2010 and 2011.

According to DOD’s data, obligation amounts for the National Guard counterdrug program varied from fiscal year 2010 through fiscal year 2017. According to National Guard officials, variation was partly due to the timing and amount of allocations received by the program. Funds transferred from the Drug Interdiction and Counterdrug Activities, Defense account to various other DOD drug interdiction accounts or programs, including the National Guard program, can be transferred back to the account upon a determination that all or part of the funds are not necessary and remain unobligated. Once funds are returned to the Drug Interdiction and Counterdrug Activities, Defense account, they are available for transfer to other DOD counterdrug programs for obligation. Table 7 details the counterdrug program’s obligations from fiscal years 2010 through 2017.

**Appendix I: National Guard Counterdrug
Program Funding by Project Code**

Table 7: Obligation Amounts for the National Guard Counterdrug Program, Fiscal Years 2010 through 2017

(Nominal Dollars in Thousands by Fiscal Year)

Project Code	2010	2011	2012	2013	2014	2015	2016	2017
7403—State Plans	219,081	174,631	196,055	176,526	172,780	158,217	174,270	204,912
7415—Counterdrug Schools	27,341	19,997	22,323	19,452	7,043	9,781	17,185	18,622
9301—Counterthreat Finance	N/A	N/A	1,510	2,255	2,179	2,340	2,844	4,252
1295—Linguist and Data Analysis	7,370	9,171	8,629	8,721	11,759	9,716	9,857	9,361
9498—Linguist Support	7,219	6,438	8,763	9,597	10,543	8,108	8,205	8,644
Total	261,011	210,237	237,280	216,551	204,304	188,162	212,361	245,791

Source: GAO Analysis of Department of Defense (DOD) data. | GAO-19-27

Note: DOD did not request funding for the Counterthreat Finance project code in its budget until fiscal year 2013; however, DOD provided funding for the Counterthreat Finance project code in fiscal year 2012 through an execution year program adjustment. Therefore no funding is recorded in this project code for fiscal years 2010 and 2011.

Appendix II: Overview of State Counterdrug Program Planned Support Activities, Fiscal Year 2018

As of fiscal year 2018, National Guard Bureau policy allows state counterdrug programs to perform 15 approved support activities grouped into five broad mission categories.¹ The five mission categories are technical support (including linguist and translator, operational and investigative case and criminal analyst, and counterthreat finance support), general support (including domestic cannabis suppression and eradication operations and transportation support), reconnaissance and observation (including ground and aerial reconnaissance), civil operations and coalition development, and counterdrug training.² Of the 15 approved support activities, the investigative case and analyst support activity was the most frequently provided activity; it accounted for 42 percent of all support provided in fiscal years 2011 to 2014. Among all of the supported organizations from fiscal year 2011 to fiscal year 2014, law enforcement agencies received about 38 percent of all support provided by the National Guard counterdrug program. Table 8 lists the fiscal year 2018 approved state plan mission categories and support activities.

Table 8: State Plans' Mission Categories and Support Activities

Technical support
a. Linguist and translator support
b. Operational and investigative case and criminal analyst support
c. Illicit narcotics detection support
d. Communications support
e. Engineer support
f. Subsurface and diver support
g. Counterthreat finance analyst support ^a
h. Imagery and mapping support
General support
a. Domestic cannabis suppression and eradication operations
b. Transportation support
Reconnaissance and observation
a. Ground reconnaissance

¹Chief National Guard Bureau Instruction 3100.01A, *National Guard Counterdrug Support* (June 22, 2015).

²In fiscal year 2011, the National Guard counterdrug program expanded its list of approved missions states could undertake to include the counterthreat finance mission. This mission aids in investigations to deny, disrupt, destroy or defeat finance systems and networks that negatively affect U.S. interests.

**Appendix II: Overview of State Counterdrug
Program Planned Support Activities, Fiscal
Year 2018**

Reconnaissance and observation

b. Aerial reconnaissance

Civil operations and coalition development

a. Educational programs

b. Military unique tactics to community strategies

c. Civil operations support to coalitions

Counterdrug-related training

Source: GAO analysis of National Guard counterdrug missions and activities. | GAO-19-27

Note: The program also includes a mission category for internal program management. Since this mission category does not provide support to interagency partners, we did not include it in this table.

^aDOD's fiscal year 2019 guidance for the National Guard counterdrug program states that the counterthreat finance activity and its corresponding funding are not approved under section 112, title 32 authorities. The guidance further states that funds previously provided to the National Guard Bureau for counterthreat finance will be rolled into the state plan's project code for disbursement. DOD officials stated the counterthreat finance activity was recategorized to more accurately reflect the type of National Guard operational and investigative case and criminal analyst support provided to law enforcement.

Appendix III: Process to Fund the National Guard Counterdrug Program

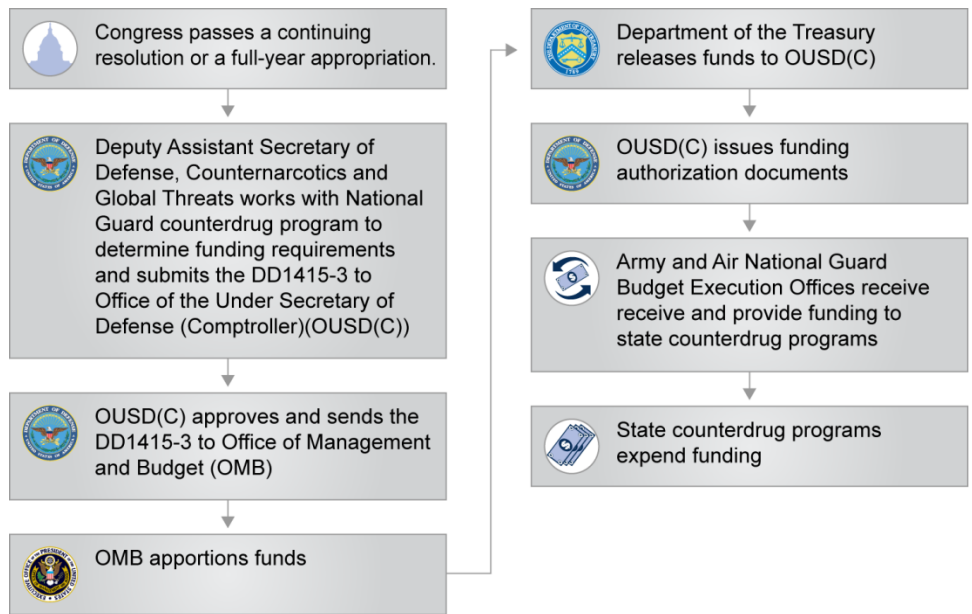
After Congress appropriates amounts to the Drug Interdiction and Counterdrug Activities, Defense account, there are multiple steps performed by various organizations before counterdrug funds are provided to each individual state program.¹ To begin the process to distribute funding, the Department of Defense (DOD) Counternarcotics and Global Threats program officials prepare and submit to the Office of the Under Secretary of Defense (Comptroller) a reprogramming action (DD1415-3), which details the allocation of funds by appropriation or budget activity account for each program they manage.² DOD Comptroller officials review and approve the DD1415-3 and forward it to the Office of Management and Budget.³ Once approved by the Office of Management and Budget, the DOD Comptroller issues a funding authorization document to transfer funds to the military services appropriation accounts (such as military personnel or operation and maintenance). The military services then transfer funds to appropriation accounts managed by Army National Guard and Air National Guard, which, in turn, distribute the funds onto each state National Guard participating in the program. The National Guard Bureau's Counterdrug Program office coordinates the process involving the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, the Army and Air National Guard budget and financial management offices, and the individual state counterdrug programs. According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, the process to complete the DD1415-3 takes 3 full weeks and then an additional 8 weeks, on average, for the funding to become available for state counterdrug programs. Figure 7 outlines the process to fund the National Guard counterdrug program.

¹If no defense appropriations act has been passed and DOD is operating under a continuing resolution, amounts transferred are based on a rate-per-day formula developed by OMB.

²According to officials from the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats they did not submit a DD1414—baseline for reprogramming action—for fiscal year 2018 because the Consolidated Appropriations Act, 2018 included a provision that provided an exemption for the Drug Interdiction and Counterdrug Activities, Defense account.

³Office of Management and Budget (OMB) manages and approves apportionments at the Treasury appropriation fund level. Apportionment is part of the government-wide system for the administrative control of funds. Unless exempted by statute or automatically apportioned, all DOD appropriated resources require OMB approval through the apportionment process before they are available for distribution and legal obligation.

Figure 7: Steps in the Process to Fund the National Guard Counterdrug Program



Source: GAO analysis of Department of Defense funding allocation process. | GAO-19-27

Appendix IV: Funding Provided by the Department of Defense under Congressional Appropriations

Table 9: Funding Provided by the Department of Defense (DOD) for the National Guard Counterdrug Program under Congressional Appropriations in Fiscal Years 2014 through 2018

(Nominal Dollars in Millions)

Fiscal Year 2014 Appropriations	DOD provided funding	Amount provided	Date Received
Public Law 113-46 (CR)	✓	66.2	December, 2, 2013
Public Law 113-73 (CR)	X	—	—
Public Law 113-76	✓	151.8	May 14, 2014
Fiscal Year 2015 Appropriations			
Public Law 113-164 (CR)	✓	26.1	October 21, 2014
Public Law 113-202 (CR)	X	—	—
Public Law 113-203 (CR)	X	—	—
Public Law 113-235	✓	166.1	March 24, 2015
Fiscal Year 2016 Appropriations			
Public Law 114-53 (CR)	✓	38.2	November 17, 2015
Public Law 114-96 (CR)	X	—	—
Public Law 114-100 (CR)	X	—	—
Public Law 114-113	✓	193.0	April 08, 2016
Fiscal Year 2017 Appropriations			
Public Law 114-223 (CR)	✓	49.7	November 5, 2016
Public Law 114-254 (CR)	✓	85.2	March 15, 2017
Public Law 115-30 (CR)	X	—	—
Public Law 115-31	✓	117.9	September 14, 2017
Fiscal Year 2018 Appropriations			
Public Law 115-56 (CR)	✓	47.0	January 18, 2018
Public Law 115-90 (CR)	X	—	—
Public Law 115-96 (CR)	X	—	—
Public Law 115-120 (CR)	X	—	—
Public Law 115-123 (CR)	X	—	—
Public Law 115-141	✓	214.3	July 3, 2018

Legend:

CR = continuing resolution

✓ = yes

X = no

— = Not Applicable

Source: GAO analysis of public laws. | GAO-19-27

Appendix V: Threat-Based Resource Model

The National Guard Bureau's threat-based resource model has been used since fiscal year 2012 to help determine funding distribution percentages for the state counterdrug programs. Between fiscal years 2013 and 2015, National Guard Bureau officials stated that they determined planned funding amounts based on a combination of historical funding levels and threat-based resource model threat percentages.¹ According to officials, beginning in fiscal year 2016, funding aligned more closely with threat-based resource model threat percentages. However, National Guard Bureau officials stated that funding distribution percentages from the threat-based resource model were deemed unusable in fiscal year 2017 due to concerns they had with the amount of reporting and the quality of the data that was reported. As a result, officials stated that the fiscal year 2016 threat-based resource model funding percentages were used to distribute fiscal year 2017 funding to state programs while National Guard Bureau officials revised the model for use in fiscal year 2018. Updates to the model included expanding the number of variables to better respond to changes in drug threats, adjusting the model so that it did not treat all drug seizure incidents and amounts equally, and increasing the number of data sources. Table 10 provides threat-based resource model percentages and table 11 funding amounts, by state, for fiscal years 2012 through 2018.

¹According to National Guard Bureau officials, the National Guard Bureau determined planned funding amounts, in part, based on state funding requests in fiscal year 2015; states that requested an amount equal to or less than their threat-based resource model threat percentage received their full request. Where states requested less funding than requested, the National Guard Bureau redistributed leftover funds to states that had requested more than their threat-based resource model threat percentage.

Table 10: Fiscal Years 2015 through 2018 Threat-Based Resource Model Percentages by State or Territory Program

Program	Fiscal year 2015 percentage	Fiscal year 2016 percentage	Fiscal year 2017 percentage	Fiscal year 2018 percentage
California	14.18	13.80	13.80	13.93
Texas	13.97	11.77	11.77	11.55
New York	4.66	8.11	8.11	7.88
Arizona	5.40	6.49	6.49	6.25
Florida	5.97	5.24	5.24	5.48
Puerto Rico	2.92	4.28	4.28	4.04
Illinois	3.44	3.78	3.78	3.54
Kentucky	2.23	3.59	3.59	3.32
Ohio	2.30	2.43	2.43	2.66
Tennessee	2.65	2.62	2.62	2.40
Michigan	1.96	2.14	2.14	2.38
Missouri	2.35	2.35	2.35	2.33
Pennsylvania	2.28	2.07	2.07	2.02
North Carolina	2.09	1.85	1.85	1.84
Georgia	2.43	1.97	1.97	1.75
Indiana	1.65	1.76	1.76	1.69
New Jersey	2.05	1.41	1.41	1.62
Virginia	1.60	1.48	1.48	1.55
New Mexico	1.04	1.24	1.24	1.43
Maryland	1.53	1.18	1.18	1.36
Louisiana	1.46	1.09	1.09	1.25
Massachusetts	1.36	1.07	1.07	1.23
Washington	1.54	0.99	0.99	1.14
Oklahoma	1.26	1.31	1.31	1.11
Arkansas	0.95	1.18	1.18	1.00
South Carolina	1.24	1.11	1.11	0.94
Alabama	1.21	1.10	1.10	0.94
Wisconsin	0.94	1.08	1.08	0.92
Oregon	1.13	0.79	0.79	0.91
Colorado	1.00	0.76	0.76	0.87
Minnesota	0.93	0.68	0.68	0.78
Kansas	1.20	0.90	0.90	0.77
Mississippi	1.01	0.66	0.66	0.76
Nevada	0.99	0.68	0.68	0.65
Utah	0.81	0.63	0.63	0.63

Appendix V: Threat-Based Resource Model

Program	Fiscal year 2015 percentage	Fiscal year 2016 percentage	Fiscal year 2017 percentage	Fiscal year 2018 percentage
Connecticut	0.68	0.52	0.52	0.60
Iowa	0.98	0.67	0.67	0.57
Hawaii	0.25	0.67	0.67	0.57
Nebraska	0.79	0.55	0.55	0.47
West Virginia	0.43	0.40	0.40	0.46
Maine	0.35	0.51	0.51	0.43
Delaware	0.80	0.38	0.38	0.37
Wyoming	0.18	0.35	0.35	0.30
Washington, D.C.	0.72	0.25	0.25	0.29
North Dakota	0.12	0.32	0.32	0.27
New Hampshire	0.23	0.23	0.23	0.26
Idaho	0.35	0.29	0.29	0.25
Rhode Island	0.33	0.21	0.21	0.24
Montana	0.23	0.26	0.26	0.24
Alaska	0.27	0.24	0.24	0.20
South Dakota	0.24	0.21	0.21	0.19
Vermont	0.19	0.14	0.14	0.16
U.S. Virgin Islands	0.45	0.10	0.10	0.12
Guam	0.18	0.08	0.08	0.07

Source: GAO analysis of National Guard Bureau data. | GAO-19-27

Note: According to National Guard Bureau officials, the threat-based resource model results were deemed unusable in fiscal year 2017 due to concerns about the amount of reporting and the quality of the data that was reported. Officials stated that fiscal year 2016 threat percentages and distribution amounts were used until changes could be made to the model to improve the reliability of the model.

Table 11: Fiscal Years 2012 through 2018 Planned Funding, by State or Territory Program

(Nominal Dollars by Fiscal Year)

Program	2012 amount	2013 amount	2014 amount	2015 amount	2016 amount	2017 amount	2018 amount
California	18,357,817	24,705,866	23,308,294	22,639,065	23,073,454	20,376,127	26,286,493
Texas	15,957,648	19,244,029	18,096,454	17,478,733	19,679,316	17,378,769	21,802,655
New York	5,472,267	6,268,549	6,531,500	7,163,473	13,559,834	11,974,666	14,881,175
Arizona	8,219,187	10,200,000	14,116,892	6,643,038	10,851,211	9,582,686	11,795,194
Florida	6,886,602	11,488,199	6,320,926	6,347,694	8,761,225	7,737,022	10,347,532
Puerto Rico	4,571,199	5,501,759	3,468,617	4,563,715	7,156,115	6,319,552	7,629,059
Illinois	2,505,254	3,073,976	3,135,672	2,951,287	6,320,120	5,581,287	6,671,757
Kentucky	3,179,222	5,935,854	8,034,316	5,289,403	6,002,442	5,300,746	6,273,668
Ohio	1,887,220	3,010,295	2,443,352	2,468,261	4,062,934	3,587,970	5,010,895
Tennessee	2,448,376	3,739,148	3,595,708	3,837,808	4,380,612	3,868,511	4,532,769
Michigan	1,915,731	2,135,348	1,947,976	2,013,786	3,578,057	3,159,776	4,487,682
Missouri	2,546,394	2,516,922	2,382,271	2,992,862	3,929,175	3,469,848	4,397,509
Pennsylvania	2,634,637	2,529,808	2,914,034	2,868,961	3,461,018	3,056,419	3,812,433
North Carolina	2,566,537	1,940,725	2,064,791	1,996,380	3,093,180	2,731,582	3,472,711
Georgia	2,603,569	4,196,897	3,889,948	3,312,889	3,293,819	2,908,766	3,302,850
Indiana	1,642,761	3,317,799	3,886,980	4,207,991	2,942,701	2,598,694	3,189,610
New Jersey	2,580,733	2,799,199	2,443,663	2,123,567	2,357,505	2,081,909	3,060,327
Virginia	1,784,861	1,925,792	1,667,424	1,433,987	2,474,544	2,185,266	2,925,382
New Mexico	4,035,743	5,494,890	3,683,913	2,524,656	2,073,267	1,830,898	2,691,351
Maryland	2,142,523	2,328,565	2,763,234	2,304,829	1,972,948	1,742,306	2,561,124
Louisiana	3,938,836	2,643,873	2,396,025	1,291,725	1,822,468	1,609,419	2,365,784
Massachusetts	1,714,357	1,243,046	1,383,039	1,065,624	1,789,029	1,579,888	2,322,375
Washington	3,003,517	2,569,544	2,126,321	1,843,313	1,655,270	1,461,766	2,148,740
Oklahoma	1,504,048	1,311,812	1,497,793	1,777,016	2,190,306	1,934,256	2,101,556
Arkansas	1,591,812	2,299,258	1,786,639	1,783,881	1,972,948	1,742,306	1,893,005
South Carolina	1,819,096	1,767,728	1,819,307	1,387,388	1,855,908	1,638,949	1,780,708
Alabama	2,286,156	1,789,842	2,110,367	2,130,546	1,839,188	1,624,184	1,764,666
Wisconsin	1,584,931	1,097,283	1,367,539	1,144,083	1,805,749	1,594,653	1,732,581
Oregon	2,406,630	1,724,120	1,668,232	2,089,292	1,320,872	1,166,459	1,714,651
Colorado	1,481,252	1,117,865	1,247,416	1,403,185	1,270,712	1,122,164	1,649,538
Minnesota	1,573,084	1,357,850	1,312,450	1,387,742	1,136,953	1,004,041	1,475,902
Kansas	1,806,275	1,182,006	1,178,746	884,441	1,504,790	1,328,878	1,443,817
Mississippi	2,051,970	1,728,731	1,865,560	2,242,773	1,103,513	974,510	1,432,493

Appendix V: Threat-Based Resource Model

Program	2012 amount	2013 amount	2014 amount	2015 amount	2016 amount	2017 amount	2018 amount
Nevada	1,474,804	1,932,798	1,478,681	1,262,081	1,136,953	1,004,041	1,226,773
Utah	1,365,684	1,735,905	1,875,157	2,104,681	1,053,353	930,214	1,189,026
U.S. Virgin Islands	1,257,392	777,544	1,256,055	841,297	750,000	750,000	1,169,731
Guam	1,233,134	647,155	563,306	632,498	750,000	750,000	1,166,431
Connecticut	1,429,129	1,198,714	1,205,451	1,311,015	869,435	767,796	1,128,631
Iowa	1,616,352	1,648,546	1,591,581	1,514,021	1,120,233	989,276	1,074,842
Hawaii	1,590,223	1,371,160	1,140,145	790,244	1,120,233	989,276	1,074,842
Alaska	1,527,606	1,589,662	0	0	750,000	750,000	1,032,337
Delaware	1,518,323	1,074,367	938,827	998,640	750,000	750,000	955,633
Washington, D.C.	1,826,712	1,034,964	1,131,791	1,166,180	750,000	750,000	925,622
Vermont	1,642,585	769,332	708,446	718,257	750,000	750,000	910,286
Maine	1,813,137	1,206,712	1,008,600	799,520	852,715	753,031	886,778
New Hampshire	1,456,760	569,408	660,572	650,535	750,000	750,000	886,778
Nebraska	1,528,882	1,095,386	1,010,916	771,621	919,594	812,092	882,333
Rhode Island	1,415,380	945,728	750,104	944,095	750,000	750,000	875,654
Wyoming	1,259,938	732,341	577,971	596,005	750,000	750,000	869,462
West Virginia	2,129,570	1,236,452	2,998,851	2,310,368	750,000	750,000	868,178
North Dakota	1,547,566	827,367	911,218	793,178	750,000	750,000	852,578
Montana	1,509,370	925,341	936,077	754,400	750,000	750,000	808,982
Idaho	1,338,415	737,835	702,119	602,127	750,000	750,000	802,214
South Dakota	1,350,465	813,782	1,591,833	896,192	750,000	750,000	788,354

Source: GAO Analysis of National Guard Bureau data. | GAO-19-27

Note: According to National Guard Bureau officials, final distribution amounts to state counterdrug programs may differ from planned funding amounts. Alaska did not participate in the National Guard counterdrug program in fiscal years 2014 and 2015.

Appendix VI: Comments from the Department of Defense



SPECIAL OPERATIONS /
LOW INTENSITY CONFLICT

ASSISTANT SECRETARY OF DEFENSE
2500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2500

JAN 02 2019

Ms. Elizabeth Field
Acting Director, Defense Capabilities Management
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Field:

In response to the GAO Draft Report, GAO-19-27, "DRUG CONTROL: DoD Should Improve Its Oversight of the National Guard Counterdrug Program," dated October 30, 2018 (GAO Code 102249). The Department concurs with the report's recommendations and has already begun taking steps to improve the accountability of the National Guard Counterdrug Program.

Pursuant to the report's recommendations, my office will continue to work with National Guard Bureau to issue new strategic guidance, update policies and procedures, and improve staffing timelines as it relates to the management and oversight of the National Guard Counterdrug Program. The attached document outlines the steps DoD plans to take in response to the GAO's recommendations.

Thank you for the opportunity to review the draft report. My point of contact for this audit is Colonel Brent Flachsbart, 703-601-8849, brent.d.flachsbart.mil@mail.mil.

Sincerely,

A handwritten signature in cursive script that reads "Owen West".

Owen West



GAO DRAFT REPORT DATED OCTOBER 30, 2018
GAO-19-27 (GAO CODE 102249)

“DRUG CONTROL: DOD SHOULD IMPROVE ITS OVERSIGHT OF THE
NATIONAL GUARD COUNTERDRUG PROGRAM”

DEPARTMENT OF DEFENSE RESPONSES
TO THE GAO RECOMMENDATIONS

GAO RECOMMENDATION 1: The Secretary of Defense should ensure that the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats issues its counter-drug and global threats strategic framework that incorporates relevant national level strategies and reflects current drug threats and update it, as appropriate, upon issuance of the new National Drug Control Strategy.

DoD RESPONSE: CONCUR. The Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats (DASD (CN>)) is currently staffing the draft framework with the National Guard Bureau, Combatant Commands, and other DoD components for comments and feedback. The new framework was informed by the most recently published National Security Strategy, National Defense Strategy, National Drug Control Strategy, and other relevant guidance. When published, it will provide updated foundational guidance for developing and implementing programs that support the Department’s strategic goals and priorities with respect to countering illicit drug trafficking and other illicit threat networks. The goal is to publish the framework by July 1, 2019.

GAO RECOMMENDATION 2: The Secretary of Defense should ensure that the Chief of the National Guard Bureau issues interim guidance that provides detailed procedures and processes on how to operate and administer the National Guard counter-drug program.

DoD RESPONSE: CONCUR. The National Guard Bureau has begun drafting interim guidance to address detailed procedures and processes. To ensure compliance, DASD (CN>) has introduced a requirement for the National Guard Bureau to issue interim program guidance in the draft Fiscal Year 2020 DoD State Plans Guidance, currently in development.

GAO RECOMMENDATION 3: The Secretary of Defense should ensure that the Chief of the National Guard Bureau take steps to ensure it issues a manual to accompany Chief National Guard Bureau Instruction 3100.01A, National Guard Counterdrug Support, by June 2019.

DoD RESPONSE: CONCUR. The National Guard Bureau has begun updating Chief National Guard Bureau Instruction (CNGBI) 3100.01A to comply with the most recently published Secretary of Defense guidance and plans to expedite the issuance of the accompanying Manual. DASD (CN>) is working with the National Guard Bureau to ensure any updated guidance complies with changes to policy that have been included in a

draft DoD Instruction (DoDI) that will govern future counter-drug program activities. When published, the new DoDI will update and consolidate published policies for DoD counter-drug and related counter-transnational organized crime support. To ensure compliance, DASD (CN>) has included the requirement for National Guard Bureau to update internal guidance in the draft Fiscal Year 2020 State Plans Guidance.

GAO RECOMMENDATION 4: The Secretary of Defense should ensure that the Office of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats, in coordination with the Chief of the National Guard Bureau, assess the revised process for reviewing states' plans for their counter-drug activities and take actions based on the assessment to ensure the plans are approved by the Secretary of Defense before funding is provided to state counter-drug programs, as statutorily required.

DoD RESPONSE: CONCUR. Fiscal Year 2019 State Plans received by the DASD (CN>) by August 31, 2018, the published due date, were approved by October 18, 2018. As of December 3, 2018, 52 State Plans had been received. DASD (CN>) continues to monitor this process, with the National Guard Bureau, to ensure all 54 plans are approved accordingly. DASD (CN>) will continue to work with the National Guard Bureau to improve the State Plans staffing process for Fiscal Year 2020 and beyond. DASD (CN>) Fiscal Year 2020 State Plans Guidance will reiterate that, in accordance with statute, funding may not be provided for a State's counter-drug program until the Secretary of Defense has approved its plan.

GAO RECOMMENDATION 5: The Secretary of Defense should ensure the Chief of the National Guard Bureau incorporate the strategic counter-drug priorities, to be outlined in DOD's counter-drug and global threats strategic framework, into the threat-based resource model.

DoD RESPONSE: CONCUR. DASD (CN>) will work with the National Guard Bureau to support its efforts to incorporate and align DoD strategic priorities into its planning and resource allocation processes. The threats posed by drug trafficking and transnational organized crime negatively affect each state in unique ways. The Department understands the National Guard is an important asset for states' efforts to confront these threats, but that clear guidance is required to ensure planned activities align with DoD's strategic priorities with respect to readiness and threats to national security.

Appendix VII: Status of October 2015 Recommendations on National Guard Counterdrug Program

In October 2015, GAO issued a report on the National Guard counterdrug program titled *Drug Control: Additional Performance Information Is Needed to Oversee the National Guard's State Counterdrug Program*.¹ In that report, we made two recommendations aimed at ensuring that resources are being efficiently applied to meet the National Guard counterdrug program's objectives. Table 12 provides an update on the status of the recommendations from that report.

Table 12: Status of Recommendations from GAO, *Drug Control: Additional Performance Information Is Needed to Oversee the National Guard's State Counterdrug Program*, GAO-16-133 (Washington, D.C.: October 2015)

Recommendation #1:	Status: Implemented
To ensure that resources are being efficiently applied to meet the National Guard counterdrug program's objectives, the Secretary of Defense should direct the National Guard Bureau in consultation with the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats to identify additional information needed to evaluate the performance of the state programs and oversee counterdrug schools' training.	<p>Concurrence: Yes</p> <p>The National Guard Bureau implemented revisions to the National Guard counterdrug program to identify and collect additional information to evaluate the performance of the 54 state programs and the counterdrug schools, as GAO recommended. Specifically, in April 2016, National Guard counterdrug program officials developed a strategic framework with four goals that support counterdrug objectives of the Department of Defense, Office of the National Drug Control Policy, and Federal law enforcement. Within each of the goals, are objectives and measures to evaluate the efforts of the individual state programs and the counterdrug schools. In August 2016, each of the state programs and the counterdrug schools included the goals, objectives, and revised performance measures in their individual fiscal year 2017 plans.</p>
Recommendation #2:	Status: Open
To ensure that resources are being efficiently applied to meet the National Guard counterdrug program's objectives, the Secretary of Defense should direct the National Guard Bureau in consultation with the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats to subsequently collect and use performance information to help inform funding distribution decisions to state programs and to conduct oversight of the training offered by the counterdrug schools.	<p>Concurrence: Yes</p> <p>DOD's response to our report stated that it would collect and use performance information to evaluate the effectiveness of each state program to provide support and to meet its objectives. DOD also stated that it would take steps to assist states with any needed corrective-action plans. For fiscal year 2017, the National Guard counterdrug program collected performance information in its fiscal year 2017 annual assessments of state programs and counterdrug schools, but had not yet incorporated the information into funding distribution decisions. The recommendation will remain open until performance information has been included in the funding distribution process.</p>

Source: GAO analysis. | GAO-19-27

¹GAO, *Drug Control: Additional Performance Information Is Needed to Oversee the National Guard's State Counterdrug Program*, GAO-16-133 (Washington, D.C.: Oct. 21, 2015).

Appendix VIII: GAO Contact and Staff Acknowledgments

GAO Contact

Elizabeth A. Field, (202) 512-2775 or fielde1@gao.gov

Staff Acknowledgments:

In addition to the contact named above, Rich Geiger (Assistant Director), Joy Booth, Carol Henn, Jesse T. Jordan, Amie M. Lesser, Shari Nikoo, Tobin J. McMurdie, Carol D. Petersen, Clarice Ransom, Michael D. Silver, Alexandra L. Stewart, and Sarah B. Warmbein, made key contributions to this report.

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