

of America, including the National Narcotics Leadership Act of 1988, as amended (former 21 U.S.C. 1501 *et seq.*), and in order to provide for the effective management of the drug abuse policies of the United States, it is hereby ordered as follows:

SECTION 1. GENERAL PROVISIONS. (a) Because the United States considers the operations of international criminal narcotics syndicates as a national security threat requiring an extraordinary and coordinated response by civilian and military agencies involved in national security, the Director of the Office of National Drug Control Policy (Director), in his role as the principal adviser to the National Security Council on national drug control policy (50 U.S.C. 402(f)), shall provide drug policy guidance and direction in the development of related national security programs.

(b) The Director shall provide oversight and direction for all international counternarcotics policy development and implementation, in coordination with other concerned Cabinet members, as appropriate.

(c) An Interagency Working Group (IWG) on international counternarcotics policy, chaired by the Office of National Drug Control Policy, shall develop and ensure coordinated implementation of an international counternarcotics policy. The IWG shall report its activities and differences of views among agencies to the Director for review, mediation, and resolution with concerned Cabinet members, and if necessary, by the President.

(d) A coordinator for drug interdiction shall be designated by the Director to ensure that assets dedicated by Federal drug program agencies for interdiction are sufficient and that their use is properly integrated and optimized. The coordinator shall ensure that interdiction efforts and priorities are consistent with overall U.S. international counternarcotics policy.

(e) The Director shall examine the number and structure of command/control and drug intelligence centers operated by drug control program agencies involved in international counter-narcotics and suggest improvements to the current structure for consideration by the President and concerned members of the Cabinet.

(f) The Director, utilizing the services of the Drugs and Crime Data Center and Department of Justice Clearinghouse, shall assist in coordinating and enhancing the dissemination of statistics and studies relating to anti-drug abuse policy.

(g) The Director shall provide advice to agencies regarding ways to achieve efficiencies in spending and improvements to interagency cooperation that could enhance the delivery of drug control treatment and prevention services to the public. The Director may request agencies to provide studies, information, and analyses in support of this order.

SEC. 2. GOALS, DIRECTION, DUTIES AND RESPONSIBILITIES WITH RESPECT TO THE NATIONAL DRUG CONTROL PROGRAM. (a) *Budget Matters.* (1) In addition to the budgetary authorities and responsibilities provided to the Director by statute, [former] 21 U.S.C. 1502, for those agency budget requests that are not certified as adequate to implement the objectives of the National Drug Control Strategy, the Director shall include in such certifications initiatives or funding levels that would make such requests adequate.

(2) The Director shall provide, by July 1 of each year, budget recommendations to the heads of departments and agencies with responsibilities under the National Drug Control Program. The recommendations shall apply to the second following fiscal year and address funding priorities developed in the annual National Drug Control Strategy.

(b) *Measurement of National Drug Control Strategy Outcomes.* (1) The National Drug Control Strategy shall include long-range goals for reducing drug use and the consequences of drug use in the United States, including burdens on hospital emergency rooms, drug use among arrestees, the extent of drug-related crime, high school dropout rates, the number of infants exposed annually to illicit drugs in utero, national drug abuse treatment capacity, and the annual national health care costs of drug use.

(2) The National Drug Control Strategy shall also include an assessment of the quality of techniques and instruments to measure current drug use and supply and demand reduction activities, and the adequacy of the coverage of existing national drug use instruments and techniques to measure the total illicit drug user population and groups at-risk for drug use.

(3) The Director shall coordinate an effort among the relevant drug control program agencies to assess the quality, access, management, effectiveness, and standards of accountability of drug abuse treatment, prevention, education, and other demand reduction activities.

(c) *Provision of Reports.* To the extent permitted by law, heads of departments and agencies with responsibilities under the National Drug Control Program shall make available to the Office of National Drug Control Policy, appropriate statistics, studies, and reports, pertaining to Federal drug abuse control.

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§ 1704. Coordination with National Drug Control Program agencies in demand reduction, supply reduction, and State and local affairs

(a) Access to information

(1) In general

Upon the request of the Director, the head of any National Drug Control Program agency shall cooperate with and provide to the Director any statistics, studies, reports, and other information prepared or collected by the agency concerning the responsibilities of the agency under the National Drug Control Strategy that relate to—

(A) drug control; or

(B) the manner in which amounts made available to that agency for drug control are being used by that agency.

(2) Protection of intelligence information

(A) In general

The authorities conferred on the Office and the Director by this chapter shall be exercised in a manner consistent with provisions of the National Security Act of 1947 (50 U.S.C. 401 *et seq.*). The Director of National Intelligence shall prescribe such regulations as may be necessary to protect information provided pursuant to this chapter regarding intelligence sources and methods.

(B) Duties of Director

The Director of National Intelligence and the Director of the Central Intelligence Agency shall, to the maximum extent practicable in accordance with subparagraph (A), render full assistance and support to the Office and the Director.

(3) Required reports

(A) Secretaries of the Interior and Agriculture

Not later than July 1 of each year, the Secretaries of Agriculture and the Interior shall jointly submit to the Director and the appropriate congressional committees an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of the Federal Government for the preceding year.

(B) Secretary of Homeland Security

Not later than July 1 of each year, the Secretary of Homeland Security shall sub-

mit to the Director and the appropriate congressional committees information for the preceding year regarding—

- (i) the number and type of seizures of drugs by each component of the Department of Homeland Security seizing drugs, as well as statistical information on the geographic areas of such seizures; and
- (ii) the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Homeland Security.

(C) Secretary of Defense

The Secretary of Defense shall, by July 1 of each year, submit to the Director and the appropriate congressional committees information for the preceding year regarding the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Defense.

(D) Attorney General

The Attorney General shall, by July 1 of each year, submit to the Director and the appropriate congressional committees information for the preceding year regarding the number and type of—

- (i) arrests for drug violations;
- (ii) prosecutions for drug violations by United States Attorneys; and
- (iii) seizures of drugs by each component of the Department of Justice seizing drugs, as well as statistical information on the geographic areas of such seizures.

(b) Certification of policy changes to Director

(1) In general

Subject to paragraph (2), the head of a National Drug Control Program agency shall, unless exigent circumstances require otherwise, notify the Director in writing regarding any proposed change in policies relating to the activities of that agency under the National Drug Control Program prior to implementation of such change. The Director shall promptly review such proposed change and certify to the head of that agency in writing whether such change is consistent with the National Drug Control Strategy.

(2) Exception

If prior notice of a proposed change under paragraph (1) is not practicable—

- (A) the head of the National Drug Control Program agency shall notify the Director of the proposed change as soon as practicable; and
- (B) upon such notification, the Director shall review the change and certify to the head of that agency in writing whether the change is consistent with the National Drug Control Strategy.

(c) General Services Administration

The Administrator of General Services shall provide to the Director, on a reimbursable basis, such administrative support services as the Director may request.

(d) Accounting of funds expended

The Director shall—

(A) require the National Drug Control Program agencies to submit to the Director not later than February 1 of each year a detailed accounting of all funds expended by the agencies for National Drug Control Program activities during the previous fiscal year, and require such accounting to be authenticated by the Inspector General for each agency prior to submission to the Director; and

(B) submit to Congress not later than April 1 of each year the information submitted to the Director under subparagraph (A).

(Pub. L. 105-277, div. C, title VII, §705, Oct. 21, 1998, 112 Stat. 2681-680; Pub. L. 109-469, title I, §104, Dec. 29, 2006, 120 Stat. 3510.)

REPEAL OF SECTION

For repeal of section on Sept. 30, 2010, see section 1712 of this title.

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (a)(2)(A), is act July 26, 1947, ch. 343, 61 Stat. 495, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 401 of Title 50, War and National Defense, and Tables.

AMENDMENTS

2006—Subsec. (a)(1)(A). Pub. L. 109-469, §104(1), struck out “abuse” after “drug”.

Subsec. (a)(2)(A). Pub. L. 109-469, §104(2), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

Subsec. (a)(2)(B). Pub. L. 109-469, §104(3), substituted “Director of National Intelligence and the Director of the Central Intelligence Agency” for “Director of Central Intelligence”.

Subsec. (a)(3). Pub. L. 109-469, §104(4), amended par. (3) generally. Prior to amendment, text read as follows: “The Secretary of Agriculture shall annually submit to the Director an assessment of the acreage of illegal drug cultivation in the United States.”

Subsec. (b)(2)(B). Pub. L. 109-469, §104(5), substituted “Strategy” for “Program”.

Subsec. (c). Pub. L. 109-469, §104(6), substituted “on” for “in”.

§ 1705. Development, submission, implementation, and assessment of National Drug Control Strategy

(a) Timing, contents, and process for development and submission of National Drug Control Strategy

(1) Timing

Not later than February 1 of each year, the President shall submit to Congress a National Drug Control Strategy, which shall set forth a comprehensive plan for the year 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.

(2) Contents

(A) In general

The National Drug Control Strategy submitted under paragraph (1) shall include the following:

- (i) Comprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use and the consequences of illicit drug use in the United States.