

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to change the name of the “President’s Council on Counter-Narcotics” to the “President’s Drug Policy Council” and to make the Secretaries of the Interior, Agriculture, Health and Human Services, Housing and Urban Development, Education, Veterans Affairs, and the Assistant to the President for Domestic Policy, permanent members of the Council, it is hereby ordered as follows:

SECTION 1. The Council established by Executive Order 12992 [set out above] shall henceforth be called the “President’s Drug Policy Council.”

[SECS. 2, 3. Amended Ex. Ord. No. 12992, set out above.]

WILLIAM J. CLINTON.

§ 1708a. Annual report requirement

(a) In general

On or before February 1 of each year, the Director shall submit a report to Congress that describes—

- (1) the strategy of the national media campaign and whether specific objectives of the campaign were accomplished;
- (2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the campaign;
- (3) plans to purchase advertising time and space;
- (4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse;
- (5) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign;
- (6) specific policies and steps implemented to ensure compliance with title IV of this Act;
- (7) steps taken to ensure that the national media campaign will secure, to the maximum extent possible, no cost matches of advertising time and space or in-kind contributions that are directly related to the campaign in accordance with title IV of this Act; and
- (8) a review and evaluation of the effectiveness of the national media campaign strategy for the past year.

(b) Audit

The Government Accountability Office shall, at a frequency of not less than once per year—

- (1) conduct and supervise an audit and investigation relating to the programs and operations of the—
 - (A) Office; or
 - (B) certain programs within the Office, including—
 - (i) the High Intensity Drug Trafficking Areas Program;
 - (ii) the Counterdrug Technology Assessment Center; or
 - (iii) the National Youth Anti-drug Media Campaign; and
- (2) provide the Director and the appropriate congressional committees with a report containing an evaluation of and recommendations on the—
 - (A) policies and activities of the programs and operations subject to the audit and investigation;

(B) economy, efficiency, and effectiveness in the administration of the reviewed programs and operations; and

(C) policy or management changes needed to prevent and detect fraud and abuse in such programs and operations.

(Pub. L. 109–469, title II, § 203, Dec. 29, 2006, 120 Stat. 3517.)

REFERENCES IN TEXT

Title IV of this Act, referred to in subsec. (a)(6), (7), is title IV of Pub. L. 109–469, Dec. 29, 2006, 120 Stat. 3525, which amended section 1707 of this title.

CODIFICATION

Section was enacted as part of the Office of National Drug Control Policy Reauthorization Act of 2006, and not as part of the Office of National Drug Control Policy Reauthorization Act of 1998 which comprises this chapter.

§ 1709. Repealed. Pub. L. 109–469, title XI, § 1101(a), Dec. 29, 2006, 120 Stat. 3539

Section, Pub. L. 105–277, div. C, title VII, § 710, Oct. 21, 1998, 112 Stat. 2681–689, related to Parents Advisory Council on Youth Drug Abuse.

§ 1710. Drug Interdiction Coordinator and Committee

(a) United States Interdiction Coordinator

(1) In general

The United States Interdiction Coordinator shall perform the duties of that position described in paragraph (2) and such other duties as may be determined by the Director with respect to coordination of efforts to interdict illicit drugs from entering the United States.

(2) Responsibilities

The United States Interdiction Coordinator shall be responsible to the Director for—

- (A) coordinating the interdiction activities of the National Drug Control Program agencies to ensure consistency with the National Drug Control Strategy;
- (B) on behalf of the Director, developing and issuing, on or before March 1 of each year and in accordance with paragraph (3), a National Interdiction Command and Control Plan to ensure the coordination and consistency described in subparagraph (A);
- (C) assessing the sufficiency of assets committed to illicit drug interdiction by the relevant National Drug Control Program agencies; and
- (D) advising the Director on the efforts of each National Drug Control Program agency to implement the National Interdiction Command and Control Plan.

(3) Staff

The Director shall assign such permanent staff of the Office as he considers appropriate to assist the United States Interdiction Coordinator to carry out the responsibilities described in paragraph (2), and may also, at his discretion, request that appropriate National Drug Control Program agencies detail or assign staff to the Office of Supply Reduction for that purpose.

(4) National Interdiction Command and Control Plan

(A) Purposes

The National Interdiction Command and Control Plan shall—

- (i) set forth the Government's strategy for drug interdiction;
- (ii) state the specific roles and responsibilities of the relevant National Drug Control Program agencies for implementing that strategy; and
- (iii) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

(B) Consultation with other agencies

The United States Interdiction Coordinator shall issue the National Interdiction Command and Control Plan in consultation with the other members of the Interdiction Committee described in subsection (b).

(C) Limitation

The National Interdiction Command and Control Plan shall not change existing agency authorities or the laws governing inter-agency relationships, but may include recommendations about changes to such authorities or laws.

(D) Report to Congress

On or before March 1 of each year, the United States Interdiction Coordinator shall provide a report on behalf of the Director to the appropriate congressional committees, to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate, which shall include—

- (i) a copy of that year's National Interdiction Command and Control Plan;
- (ii) information for the previous 10 years regarding the number and type of seizures of drugs by each National Drug Control Program agency conducting drug interdiction activities, as well as statistical information on the geographic areas of such seizures; and
- (iii) information for the previous 10 years regarding the number of air and maritime patrol hours undertaken by each National Drug Control Program agency conducting drug interdiction activities, as well as statistical information on the geographic areas in which such patrol hours took place.

(E) Treatment of classified or law enforcement sensitive information

Any content of the report described in subparagraph (D) that involves information classified under criteria established by an Executive order, or the public disclosure of which, as determined by the Director, the Director of National Intelligence, or the head of any Federal Government agency the activities of which are described in the plan, would be detrimental to the law enforcement or national security activities of any

Federal, State, or local agency, shall be presented to Congress separately from the rest of the report.

(b) Interdiction Committee

(1) In general

The Interdiction Committee shall meet to—

(A) discuss and resolve issues related to the coordination, oversight and integration of international, border, and domestic drug interdiction efforts in support of the National Drug Control Strategy;

(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and

(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

(2) Chairman

The Director shall designate one of the members of the Interdiction Committee to serve as chairman.

(3) Meetings

The members of the Interdiction Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, prior to March 1. At the call of either the Director or the current chairman, the Interdiction Committee may hold additional meetings, which shall be attended by the members either in person, or through such delegates or representatives as they may choose.

(4) Report

Not later than September 30 of each year, the chairman of the Interdiction Committee shall submit a report to the Director and to the appropriate congressional committees describing the results of the meetings and any significant findings of the Committee during the previous 12 months. Any content of such a report that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director, the chairman, or any member, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency, shall be presented to Congress separately from the rest of the report.

(Pub. L. 105-277, div. C, title VII, §711, Oct. 21, 1998, 112 Stat. 2681-691; Pub. L. 109-469, title I, §103(f)(1), Dec. 29, 2006, 120 Stat. 3507.)

REPEAL OF SECTION

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

AMENDMENTS

2006—Pub. L. 109-469, which directed that section 711 of Office of National Drug Control Policy Reauthorization Act of 1998 (Pub. L. 105-277, div. C, title VII) be amended by “adding at the end” a new section 711, was executed by substituting the new section 711 for this section which was the existing section 711 of the Act, to reflect the probable intent of Congress. Prior to amendment, this section related to drug interdiction.

§ 1710a. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials

(a) Requirement

Each advertisement or other communication paid for by the Office, either directly or through a contract awarded by the Office, shall include a prominent notice informing the target audience that the advertisement or other communication is paid for by the Office.

(b) Advertisement or other communication

In this section, the term “advertisement or other communication” includes—

(1) an advertisement disseminated in any form, including print or by any electronic means; and

(2) a communication by an individual in any form, including speech, print, or by any electronic means.

(Pub. L. 105-277, div. C, title VII, § 712, as added Pub. L. 109-469, title XI, § 1118, Dec. 29, 2006, 120 Stat. 3546.)

REPEAL OF SECTION

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

CODIFICATION

Another section 712 of title VII of div. C of Pub. L. 105-277 amended former section 1509 of this title.

§ 1711. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter except activities otherwise specified, to remain available until expended, such sums as may be necessary for each of fiscal years 2006 through 2010.

(Pub. L. 105-277, div. C, title VII, § 714, Oct. 21, 1998, 112 Stat. 2681-693; Pub. L. 109-469, title VI, § 601, Dec. 29, 2006, 120 Stat. 3533.)

REPEAL OF SECTION

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

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VII of Pub. L. 105-277, div. C, Oct. 21, 1998, 112 Stat. 2681-670, which is classified principally to this chapter. For complete classification of title VII to the Code, see Short Title note set out under section 1701 of this title and Tables.

AMENDMENTS

2006—Pub. L. 109-469 substituted “chapter except activities otherwise specified,” for “chapter,” and “2006 through 2010” for “1999 through 2003”.

APPROPRIATIONS

Provisions appropriating funds to carry out activities authorized by the Office of National Drug Control Policy Reauthorization Act of 1998, which enacted this chapter, notwithstanding section 1712 of this title, were contained in the following appropriation acts:

Pub. L. 109-115, div. A, title V, Nov. 30, 2005, 119 Stat. 2475.

Pub. L. 108-447, div. H, title III, Dec. 8, 2004, 118 Stat. 3249, 3250.

Pub. L. 108-199, div. F, title III, Jan. 23, 2004, 118 Stat. 324.

§ 1712. Termination of Office of National Drug Control Policy

(a) In general

Except as provided in subsection (b) of this section, effective on September 30, 2010, this chapter and the amendments made to this chapter are repealed.

(b) Exception

Subsection (a) of this section does not apply to section 713 or the amendments made by that section.

(Pub. L. 105-277, div. C, title VII, § 715, Oct. 21, 1998, 112 Stat. 2681-693; Pub. L. 109-469, title VI, § 602, Dec. 29, 2006, 120 Stat. 3533.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title VII of Pub. L. 105-277, div. C, Oct. 21, 1998, 112 Stat. 2681-670, which is classified principally to this chapter. For complete classification of title VII to the Code, see Short Title note set out under section 1701 of this title and Tables.

Section 713, referred to in subsec. (b), is section 713 of Pub. L. 105-277, div. C, title VII, Oct. 21, 1998, 112 Stat. 2681-693, which amended sections 5312 to 5314 of Title 5, Government Organization and Employees, section 1105 of Title 31, Money and Finance, and section 402 of Title 50, War and National Defense.

CODIFICATION

The repeal of this chapter and of the amendments made by this chapter, effective Sept. 30, 2003, by this section, as in effect on Sept. 30, 2003, has not been given effect in the Code, to reflect the probable intent of Congress, because of the amendment to this section by Pub. L. 109-469 which substituted “September 30, 2010” for “September 30, 2003” as the effective date of the repeal. See 2006 Amendment note below.

AMENDMENTS

2006—Pub. L. 109-469 substituted “September 30, 2010, this chapter and the amendments made to this chapter” for “September 30, 2003, this chapter and the amendments made by this chapter”.

§ 1713. Authorization of use of environmentally approved herbicides to eliminate illicit narcotics crops

The Secretary of State, the Attorney General, the Secretary of Agriculture, the Secretary of Defense, the Director of the Office of National Drug Control Policy, and the Administrator of the Environmental Protection Agency are authorized to support the development and use of environmentally-approved herbicides to eliminate illicit narcotics crops, including coca, cannabis, and opium poppy, both in the United States and in foreign countries.

(Pub. L. 105-277, div. C, title VIII, § 834, Oct. 21, 1998, 112 Stat. 2681-702.)

CODIFICATION

Section was enacted as part of the Western Hemisphere Drug Elimination Act, and not as part of the Office of National Drug Control Policy Reauthorization Act of 1998 which comprises this chapter.