

MODEL ACTS

Pub. L. 109-469, title XI, §1105, Dec. 29, 2006, 120 Stat. 3541, provided that:

“(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall provide for or shall enter into an agreement with a non-profit corporation that is described in section 501(c)(3) of the Internal Revenue Code of 1986 [26 U.S.C. 501(c)(3)] and exempt from tax under section 501(a) of such Code to—

“(1) advise States on establishing laws and policies to address alcohol and other drug issues, based on the model State drug laws developed by the President’s Commission on Model State Drug Laws in 1993; and

“(2) revise such model State drug laws and draft supplementary model State laws to take into consideration changes in the alcohol and drug abuse problems in the State involved.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection [probably should be “section”] \$1,500,000 for each of fiscal years 2007 through 2011.”

EX. ORD. NO. 13165. WHITE HOUSE TASK FORCE ON DRUG USE IN SPORTS AND UNITED STATES REPRESENTATIVE ON THE BOARD OF THE WORLD ANTI-DOPING AGENCY

Ex. Ord. No. 13165, Aug. 9, 2000, 65 F.R. 49469, as amended by Ex. Ord. No. 13286, §11, Feb. 28, 2003, 68 F.R. 10622, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Office of National Drug Control [Policy] Reauthorization Act of 1998, (21 U.S.C. 1701 *et seq.*), and in order to develop recommendations for Federal agency actions to address the use of drugs in sports, in particular among young people, it is hereby ordered as follows:

SECTION 1. *Policy.* The use of drugs in sports has reached a level that endangers not just the legitimacy of athletic competition but also the lives and health of athletes—from the elite ranks to youth leagues. The National Household Survey on Drug Abuse issued in 1999 found that in just 1 year’s time the rate of steroid use among young people rose roughly 50 percent among both sexes and across all age groups. It is the policy of my Administration to take the steps needed to help eliminate illicit or otherwise banned drug use and doping in sports at the State, national, and international level.

SEC. 2. *Establishment of a White House Task Force on Drug Use in Sports.* (a) There is established a White House Task Force on Drug Use in Sports (Task Force). The Task Force shall comprise the co-vice chairs of the White House Olympic Task Force (the “Olympic Task Force Vice Chairs”), and representatives designated by the Office of National Drug Control Policy, the Department of Health and Human Services, the Department of Labor, the President’s Council on Physical Fitness and Sports [now President’s Council on Fitness, Sports, and Nutrition], the Office of Management and Budget, the National Security Council, the Department of State, the Department of the Treasury, the Department of Education, the Department of Justice, the Department of Transportation, the Department of Homeland Security, the National Institute on Drug Abuse, and the Substance Abuse and Mental Health Services Administration.

(b) The Task Force shall develop recommendations for the President on further executive and legislative actions that can be undertaken to address the problem of doping and drug use in sports. In developing the recommendations, the Task Force shall consider, among other things: (i) the health and safety of America’s athletes, in particular our Nation’s young people; (ii) the integrity of honest athletic competition; and (iii) the views and recommendations of State and local governments, the private sector, citizens, community groups, and nonprofit organizations, on actions to address this threat. The Task Force, through its Chairs, shall submit its recommendations to the President.

(c) The Director of the Office of National Drug Control Policy (the Director), the Secretary of the Department of Health and Human Services, and the Olympic Task Force Vice Chairs or their designees shall serve as the Task Force Chairs.

(d) To the extent permitted by law and at the request of the Chairs, agencies shall cooperate with and provide information to the Task Force.

SEC. 3. *Participation in the World Anti-Doping Agency.*

(a) As part of my Administration’s efforts to address the problem of drug use in sports, the United States has played a leading role in the formation of a World Anti-Doping Agency (WADA) by the Olympic and sports community and the nations of the world. Through these efforts, the United States has been selected to serve as a governmental representative on the board of the WADA. This order will authorize the Director to serve as the United States Government’s representative on the WADA board.

(b) Pursuant to 21 U.S.C. 1701 *et seq.*, the Director, or in his absence his designee, is hereby authorized to take all necessary and proper actions to execute his responsibilities as United States representative to the WADA.

(c) To assist the Director in carrying out these responsibilities as the United States Government representative to the WADA and to the extent permitted by law, Federal employees may serve in their official capacity, *inter alia*, on WADA Committees or WADA advisory committees, serving as experts to the WADA.

§ 1702. Office of National Drug Control Policy

(a) Establishment of Office

There is established in the Executive Office of the President an Office of National Drug Control Policy, which shall—

- (1) develop national drug control policy;
- (2) coordinate and oversee the implementation of the national drug control policy;
- (3) assess and certify the adequacy of National Drug Control Programs and the budget for those programs; and
- (4) evaluate the effectiveness of the national drug control policy and the National Drug Control Program agencies’ programs, by developing and applying specific goals and performance measurements.

When developing the national drug control policy, any policy of the Director relating to syringe exchange programs for intravenous drug users shall be based on the best available medical and scientific evidence regarding their effectiveness in promoting individual health and preventing the spread of infectious disease, and their impact on drug addiction and use. In making any policy relating to syringe exchange programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.

(b) Director of National Drug Control Policy and Deputy Directors

(1) Director

There shall be a Director of National Drug Control Policy who shall head the Office (referred to in this chapter as the “Director”) and shall hold the same rank and status as the head of an executive department listed in section 101 of title 5.

(2) Deputy Director

There shall be a Deputy Director of National Drug Control Policy who shall report directly to the Director (referred to in this chapter as the “Deputy Director”).

(3) Other Deputy Directors**(A) In general**

There shall be a Deputy Director for Demand Reduction, a Deputy Director for Supply Reduction, and a Deputy Director for State, Local, and Tribal Affairs.

(B) Reporting

The Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, and the Deputy Director for State, Local, and Tribal Affairs shall report directly to the Deputy Director of the Office of National Drug Control Policy.

(C) Deputy Director for Demand Reduction

The Deputy Director for Demand Reduction shall be responsible for the activities in subparagraphs (A) through (H) of section 1701(1)¹ of this title.

(D) Deputy Director for Supply Reduction

The Deputy Director for Supply Reduction shall—

(i) have substantial experience and expertise in drug interdiction and other supply reduction activities; and

(ii) be responsible for the activities in subparagraphs (A) through (C) in section 1701(11) of this title.

(E) Deputy Director for State, Local, and Tribal Affairs

The Deputy Director for State, Local, and Tribal Affairs shall be responsible for the activities—

(i) in subparagraphs (A) through (D) of section 1701(10) of this title;

(ii) in section 1706 of this title, the High Intensity Drug Trafficking Areas Program; and

(iii) in section 1707 of this title, the Counterdrug Technology Assessment Center.

(c) Access by Congress

The location of the Office in the Executive Office of the President shall not be construed as affecting access by Congress, or any committee of the House of Representatives or the Senate, to any—

(1) information, document, or study in the possession of, or conducted by or at the direction of the Director; or

(2) personnel of the Office.

(d) Office of National Drug Control Policy Gift Fund**(1) Establishment**

There is established in the Treasury of the United States a fund for the receipt of gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office under section 1703(c) of this title.

(2) Contributions

The Office may accept, hold, and administer contributions to the Fund.

(3) Use of amounts deposited

Amounts deposited in the Fund are authorized to be appropriated, to remain available

until expended for authorized purposes at the discretion of the Director.

(Pub. L. 105-277, div. C, title VII, §703, Oct. 21, 1998, 112 Stat. 2681-672; Pub. L. 109-469, title I, §102, title XI, §1120, Dec. 29, 2006, 120 Stat. 3505, 3548.)

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 subsec. (b)(1), (2), was in the original “this Act” and was translated as reading “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, to reflect the probable intent of Congress. For complete classification of title VII to the Code, see Short Title note set out under section 1701 of this title and Tables.

Section 1701(1) of this title, referred to in subsec. (b)(3)(C), was in the original “section 702(1)”, and was translated as reading “section 702(1)”, meaning section 702(1) of Pub. L. 105-277, to reflect the probable intent of Congress, because section 702 of Pub. L. 105-277 does not contain a subsec. (1).

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-469, §1120, inserted concluding provisions.

Pub. L. 109-469, §102(a), amended subsec. (a) generally. Prior to amendment, subsec. (a) related to establishment of Office of National Drug Control Policy.

Subsec. (b). Pub. L. 109-469, §102(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) related to Director and Deputy Directors of National Drug Control Policy.

GIFTS TO OFFICE OF NATIONAL DRUG CONTROL POLICY

Pub. L. 112-74, div. C, title II, Dec. 23, 2011, 125 Stat. 895, provided in part: “That the Office [of National Drug Control Policy] is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 111-117, div. C, title II, Dec. 16, 2009, 123 Stat. 3170.

Pub. L. 111-8, div. D, title II, Mar. 11, 2009, 123 Stat. 641.

Pub. L. 110-161, div. D, title II, Dec. 26, 2007, 121 Stat. 1983.

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.

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

Pub. L. 108-7, div. J, title III, Feb. 20, 2003, 117 Stat. 446.

Pub. L. 107-67, title III, Nov. 12, 2001, 115 Stat. 530.

Pub. L. 106-554, §1(a)(3) [title III], Dec. 21, 2000, 114 Stat. 2763, 2763A-139.

Pub. L. 106-58, title III, Sept. 29, 1999, 113 Stat. 447.

Pub. L. 105-277, div. A, §101(h) [title III], Oct. 21, 1998, 112 Stat. 2681-480, 2681-496.

Pub. L. 105-61, title III, Oct. 10, 1997, 111 Stat. 1293.

Pub. L. 104-208, div. A, title I, §101(f) [title III], Sept. 30, 1996, 110 Stat. 3009-314, 3009-329.

Pub. L. 104-52, title III, Nov. 19, 1995, 109 Stat. 479.

Pub. L. 103-329, title III, Sept. 30, 1994, 108 Stat. 2394.

Pub. L. 103-123, title III, Oct. 28, 1993, 107 Stat. 1237.

Pub. L. 102-393, title III, Oct. 6, 1992, 106 Stat. 1741.

Pub. L. 102-141, title III, Oct. 28, 1991, 105 Stat. 847.

Pub. L. 101-509, title III, Nov. 5, 1990, 104 Stat. 1402.

¹ See References in Text note below.

Pub. L. 101-136, title III, Nov. 3, 1989, 103 Stat. 793.

EX. ORD. NO. 12911. SEAL FOR OFFICE OF NATIONAL DRUG CONTROL POLICY

Ex. Ord. No. 12911, Apr. 25, 1994, 59 F.R. 21121 [22121], provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. There is approved for the Office of National Drug Control Policy in the Executive Office of the President an official seal described as follows:

On a blue disc the Arms of the United States proper above a curved gold scroll inscribed "OFFICE OF NATIONAL DRUG CONTROL POLICY" in blue letters, all within a white border edged in gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES" in blue letters.

This design is appropriate for the Office of National Drug Control Policy. The dark blue in this seal is suggested by the Seal of the President and denotes the direct organizational link of the Office of National Drug Control Policy with the Presidential office. The Arms of the United States refer to the entire Nation and represent the involvement in drug control policies that are necessary to assist the President in his role as Chief Executive of the United States.

SEC. 2. The seal shall be of the design that is attached hereto and made a part of this order.

WILLIAM J. CLINTON.



§ 1703. Appointment and duties of Director and Deputy Directors

(a) Appointment

(1) In general

(A) Director

The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

(B) Deputy Directors

The Deputy Director of National Drug Control Policy, Deputy Director for Demand Reduction, the Deputy Director for Supply Reduction, and the Deputy Director for State, Local, and Tribal Affairs shall each be appointed by the President and serve at the pleasure of the President.

(C) Deputy Director for Demand Reduction

In appointing the Deputy Director for Demand Reduction under this paragraph, the President shall take into consideration the scientific, educational, or professional background of the individual, and whether the individual has experience in the fields of substance abuse prevention, education, or treatment.

(2) Duties of Deputy Director of National Drug Control Policy

The Deputy Director of National Drug Control Policy shall—

(A) carry out the duties and powers prescribed by the Director; and

(B) serve as the Director in the absence of the Director or during any period in which the office of the Director is vacant.

(3) Acting Director

If the Director dies, resigns, or is otherwise unable to perform the functions and duties of the office, the Deputy Director shall perform the functions and duties of the Director temporarily in an acting capacity pursuant to subchapter III of chapter 33 of title 5.

(4) Prohibition

No person shall serve as Director or a Deputy Director while serving in any other position in the Federal Government.

(5) Prohibition on political campaigning

Any officer or employee of the Office who is appointed to that position by the President, by and with the advice and consent of the Senate, may not participate in Federal election campaign activities, except that such official is not prohibited by this paragraph from making contributions to individual candidates.

(b) Responsibilities

The Director—

(1) shall assist the President in the establishment of policies, goals, objectives, and priorities for the National Drug Control Program;

(2) shall promulgate the National Drug Control Strategy under section 1705(a) of this title and each report under section 1705(b) of this title in accordance with section 1705 of this title;

(3) shall coordinate and oversee the implementation by the National Drug Control Program agencies of the policies, goals, objectives, and priorities established under paragraph (1) and the fulfillment of the responsibilities of such agencies under the National Drug Control Strategy and make recommendations to National Drug Control Program agency heads with respect to implementation of Federal counter-drug programs;

(4) shall make such recommendations to the President as the Director determines are appropriate regarding changes in the organization, management, and budgets of National Drug Control Program agencies, and changes in the allocation of personnel to and within those departments and agencies, to implement the policies, goals, priorities, and objectives established under paragraph (1) and the National Drug Control Strategy;