

§ 1506. Termination of Office of National Drug Control Policy

This subtitle and the amendments made by this subtitle, other than section 1007, are repealed on September 30, 1997.

(Pub. L. 100-690, title I, §1009, Nov. 18, 1988, 102 Stat. 4188; Pub. L. 103-322, title IX, §90208(a), Sept. 13, 1994, 108 Stat. 1995.)

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A of title I of Pub. L. 100-690, Nov. 18, 1988, 102 Stat. 4181, known as the National Narcotics Leadership Act of 1988, which is classified principally to this chapter (§1501 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

Section 1007, referred to in text, is section 1007 of Pub. L. 100-690, title I, Nov. 18, 1988, 102 Stat. 4187, which amended section 1115 of this title and sections 5314 and 5315 of Title 5, Government Organization and Employees, repealed sections 1103, 1111 to 1114, 1116, and 1201 to 1204 of this title, enacted provisions set out as notes under section 1501 of this title, and repealed provisions set out as notes under section 1201 of this title.

AMENDMENTS

1994—Pub. L. 103-322 substituted “September 30, 1997” for “the date which is 5 years after November 18, 1988”.

CONTINUED EFFECTIVENESS OF NATIONAL NARCOTICS LEADERSHIP ACT OF 1988

Section 90208(b) of Pub. L. 103-322 provided that: “The National Narcotics Leadership Act of 1988 (21 U.S.C. 1501 et seq.) [see Short Title note set out under section 1501 of this title] shall be considered not to have been repealed by operation of section 1009 of that Act [this section], but shall remain in effect as if the amendment made by subsection (a) [amending this section] had been included in that Act on the date of its enactment [Nov. 18, 1988].”

§ 1507. Definitions

As used in this subtitle—

(1) the term “drug” has the same meaning as the term “controlled substance” has in section 802(6) of this title;

(2) the term “drug control” means any activity conducted by a National Drug Control Program agency involving supply reduction or demand reduction;

(3) the term “supply reduction” means any enforcement activity of a program conducted by a National Drug Control Program agency that is intended to reduce the supply or use of drugs in the United States and abroad, including—

(A) international drug control;

(B) foreign and domestic drug enforcement intelligence;

(C) interdiction; and

(D) domestic drug law enforcement, including law enforcement directed at drug users;

(4) the term “demand reduction” means any activity conducted by a National Drug Control Program agency, other than an enforcement activity, that is intended to reduce the demand for drugs, including—

(A) drug abuse education;

(B) prevention;

(C) treatment;

(D) research; and
(E) rehabilitation;

(5) the term “National Drug Control Program” means programs, policies, and activities undertaken by National Drug Control Program agencies pursuant to the responsibilities of such agencies under the National Drug Control Strategy;

(6) the term “National Drug Control Program agency” means any department or agency and all dedicated units thereof, with responsibilities under the National Drug Control Strategy, as designated—

(A) jointly by the Director and the head of the department or agency; or

(B) by the President;

(7) the term “Director” means the Director of National Drug Control Policy; and

(8) the term “National Drug Control Strategy” means a strategy developed and submitted to the Congress under section 1504 of this title.

(Pub. L. 100-690, title I, §1010, Nov. 18, 1988, 102 Stat. 4188.)

REPEAL OF SECTION

For repeal of section on Sept. 30, 1997, see section 1506 of this title.

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A of title I of Pub. L. 100-690, Nov. 18, 1988, 102 Stat. 4181, known as the National Narcotics Leadership Act of 1988, which is classified principally to this chapter (§1501 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

§ 1508. Authorization of appropriations

For the purposes of carrying out this subtitle, there are authorized to be appropriated \$3,500,000 for fiscal year 1989 and such sums as may be necessary for each of the 8 succeeding fiscal years, to remain available until expended.

(Pub. L. 100-690, title I, §1011, Nov. 18, 1988, 102 Stat. 4189; Pub. L. 103-322, title IX, §90206, Sept. 13, 1994, 108 Stat. 1995.)

REPEAL OF SECTION

For repeal of section on Sept. 30, 1997, see section 1506 of this title.

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A of title I of Pub. L. 100-690, Nov. 18, 1988, 102 Stat. 4181, known as the National Narcotics Leadership Act of 1988, which is classified principally to this chapter (§1501 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

AMENDMENTS

1994—Pub. L. 103-322 substituted “8 succeeding fiscal years” for “4 succeeding fiscal years”.

APPROPRIATIONS

Provisions appropriating funds for fiscal year 1994 for necessary expenses of Office of National Drug Control Policy and requiring the Office to hire and maintain not less than 40 full-time equivalent positions were contained in the Executive Office Appropriations Act,

1994, Pub. L. 103-123, title III, Oct. 28, 1993, 107 Stat. 1235, 1237.

§ 1509. Establishment of Special Forfeiture Fund

(a) In general

There is established in the Treasury of the United States the Special Forfeiture Fund (hereafter referred to in this section as the “Fund”) which shall be available to the Director of the National Drug Control Policy without fiscal year limitation in such amounts as may be specified in appropriations Acts.

(b) Deposits

There shall be deposited into the Fund the amounts specified by section 524(c)(9)¹ of title 28 and section 9307(g)¹ of title 31 and any earnings on the investments authorized by subsection (d) of this section.

(c) Super surplus

(1) Any unobligated balance up to \$20,000,000 remaining in the Fund on September 30 of a fiscal year shall be available to the Director, subject to paragraph (2), to transfer to, and for obligation and expenditure in connection with drug control activities of, any Federal agency or State or local entity with responsibilities under the National Drug Control Strategy.

(2) A transfer may be made under paragraph (1) only with the advance written approval of the Committees on Appropriations of each House of Congress.

(d) Investment of Fund

Amounts in the Fund which are not currently needed for the purposes of this section shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Fund.

(e) President's budget

The President shall, in consultation with the Director for National Drug Control Policy, include, as part of the budget submitted to the Congress under section 1105(a) of title 31, a separate and detailed request for the use of the amounts in the Fund. This request shall reflect the priorities of the National Drug Control strategy.²

(f) Funds provided supplemental

Funds disbursed under this subsection³ shall not be used to supplant existing funds, but shall be used to supplement the amount of funds that would be otherwise available.

(g) Annual report

No later than 4 months after the end of each fiscal year, the President shall submit to both Houses of Congress a detailed report on the amounts deposited in the Fund and a description of expenditures made under this subsection.³

(Pub. L. 100-690, title VI, § 6073, Nov. 18, 1988, 102 Stat. 4323; Pub. L. 101-647, title XX, § 2001(b), Nov. 29, 1990, 104 Stat. 4854; Pub. L. 102-393, title VI, § 638(c), Oct. 6, 1992, 106 Stat. 1788; Pub. L. 103-322, title IX, § 90205(a), (d), Sept. 13, 1994, 108 Stat. 1994, 1995.)

REFERENCES IN TEXT

Section 524(c)(9) of title 28, referred to in subsec. (b), was redesignated section 524(c)(8) by Pub. L. 104-66, title I, § 1091(h)(2), Dec. 21, 1995, 109 Stat. 722.

Section 9307(g) of title 31, referred to in subsec. (b), probably should be a reference to section 9703(g) of title 31, and probably means the section 9703 of title 31 added by section 638(b)(1) of Pub. L. 102-393.

CODIFICATION

Section was enacted as part of the Anti-Drug Abuse Act of 1988 and as part of the Asset Forfeiture Amendments Act of 1988, and not as part of the National Narcotics Leadership Act of 1988 which comprises this chapter.

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-322, § 90205(a), which directed that this section be amended to read as follows, was executed by amending subsec. (b) of this section generally, to reflect the probable intent of Congress. Prior to amendment, subsec. (b) read as follows: “There may be transferred to and deposited into the Special Forfeiture Fund, amounts from—

“(1) the Department of Justice Assets Forfeiture Fund pursuant to section 524(c)(9) of title 28; and

“(2) the Department of the Treasury Forfeiture Fund pursuant to section 9703(g)(3)(A) of title 31.”

Subsecs. (c) to (g). Pub. L. 103-322, § 90205(d), added subsec. (c) and redesignated former subsecs. (c) to (f) as (d) to (g), respectively.

1992—Subsec. (b). Pub. L. 102-393 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Deposits in the Fund shall be made by transfer from the Department of Justice Assets Forfeiture Fund in the manner provided in section 524(c)(9) of title 28.”

1990—Subsec. (b). Pub. L. 101-647 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “Beginning in fiscal year 1990, there shall be deposited in the Fund not to exceed \$150,000,000 in unobligated amounts remaining at the end of each fiscal year from the Department of Justice Assets Forfeiture Fund (28 U.S.C. 524(c)) except that amounts specified in section 524(c)(9) of title 28 may be carried forward and remain available for appropriation in the next fiscal year.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 28 section 524; title 31 section 9703.

¹ See References in Text note below.

² So in original. Probably should be capitalized.

³ So in original. Probably should be “section”.