

ant to the President for National Security Affairs, shall act as staff for the Council.

**(3) Cooperation from other agencies**

Each department and agency of the executive branch shall—

(A) cooperate with the Council in carrying out the functions of the Council under this section; and

(B) provide such assistance, information, and advice as the Council may request, to the extent permitted by law.

(Pub. L. 105-277, div. C, title VII, § 709, Oct. 21, 1998, 112 Stat. 2681-688.)

REPEAL OF SECTION

*For repeal of section on Sept. 30, 2003, see section 1712 of this title.*

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 401 of Title 50, War and National Defense.

EX. ORD. NO. 12992. PRESIDENT'S COUNCIL ON COUNTER-NARCOTICS

Ex. Ord. No. 12992, Mar. 15, 1996, 61 F.R. 11287, as amended by Ex. Ord. No. 13023, §§ 2, 3, Nov. 6, 1996, 61 F.R. 57767; Ex. Ord. No. 13284, § 8, Jan. 23, 2003, 68 F.R. 4076, provided:

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, it is hereby ordered as follows:

SECTION 1. *Establishment.* There is established the President's Drug Policy Council ("Council").

SEC. 2. *Membership.* The Council shall comprise the:

- (a) President, who shall serve as Chairman of the Council;
  - (b) Vice President;
  - (c) Secretary of State;
  - (d) Secretary of the Treasury;
  - (e) Secretary of Defense;
  - (f) Attorney General;
  - (g) Secretary of the Interior;
  - (h) Secretary of Agriculture;
  - (i) Secretary of Health and Human Services;
  - (j) Secretary of Housing and Urban Development;
  - (k) Secretary of Transportation;
  - (l) Secretary of Education;
  - (m) Secretary of Veterans Affairs;
  - (n) Secretary of Homeland Security;
  - (o) Representative of the United States of America to the United Nations;
  - (p) Director of the Office of Management and Budget;
  - (q) Chief of Staff to the President;
  - (r) Director of National Drug Control Policy;
  - (s) Director of Central Intelligence;
  - (t) Assistant to the President for National Security Affairs;
  - (u) Counsel to the President;
  - (v) Chairman, Joint Chiefs of Staff;
  - (w) National Security Advisor to the Vice President;
- and
- (x) Assistant to the President for Domestic Policy.

As applicable, the Council shall also comprise such other officials of the departments and agencies as the President may, from time to time, designate.

SEC. 3. *Meetings of the Council.* The President, or upon his direction, the Vice President, may convene meetings of the Council. The President shall preside over meetings of the Council, provided that in his absence, the Vice President will preside. The Council will meet at least quarterly.

SEC. 4. *Functions.* (a) The functions of the Council are to advise and assist the President in: (1) providing direction and oversight for the national drug control strategy, including relating drug control policy to other national security interests and establishing priorities; and (2) ensuring coordination among departments and agencies concerning implementation of the President's national drug control strategy.

(b) The Director of National Drug Control Policy will continue to be the senior drug control policy official in the executive branch and the President's chief drug control policy spokesman.

(c) In matters affecting national security interests, the Director of National Drug Control Policy shall work in conjunction with the Assistant to the President for National Security Affairs.

SEC. 5. *Administration.* (a) The Council may utilize established or ad hoc committees, task forces, or inter-agency groups chaired by the Director of National Drug Control Policy or his representative, in carrying out its functions under this order.

(b) The staff of the Office of National Drug Control Policy, in coordination with the staffs of the Vice President and the Assistant to the President for National Security Affairs, shall act as staff for the Council.

(c) All executive departments and agencies shall cooperate with the Council and provide such assistance, information, and advice as the Council may request, to the extent permitted by law.

EX. ORD. NO. 13023. EXPANDING AND CHANGING NAME OF PRESIDENT'S COUNCIL ON COUNTER-NARCOTICS

Ex. Ord. No. 13023, Nov. 6, 1996, 61 F.R. 57767, provided: 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.

**§ 1709. Parents Advisory Council on Youth Drug Abuse**

**(a) In general**

**(1) Establishment**

There is established a Council to be known as the Parents Advisory Council on Youth Drug Abuse (referred to in this section as the "Council").

**(2) Membership**

**(A) Composition**

The Council shall be composed of 16 members, of whom—

- (i) 4 shall be appointed by the President, each of whom shall be a parent or guardian of a child who is not less than 6 and not more than 18 years of age as of the date on which the appointment is made;

(ii) 4 shall be appointed by the Majority Leader of the Senate, 3 of whom shall be a parent or guardian of a child who is not less than 6 and not more than 18 years of age as of the date on which the appointment is made;

(iii) 2 shall be appointed by the Minority Leader of the Senate, each of whom shall be a parent or guardian of a child who is not less than 6 and not more than 18 years of age as of the date on which the appointment is made;

(iv) 4 shall be appointed by the Speaker of the House of Representatives, 3 of whom shall be a parent or guardian of a child who is not less than 6 and not more than 18 years of age as of the date on which the appointment is made; and

(v) 2 shall be appointed by the Minority Leader of the House of Representatives, each of whom shall be a parent or guardian of a child who is not less than 6 and not more than 18 years of age as of the date on which the appointment is made.

### **(B) Requirements**

#### **(i) In general**

Each member of the Council shall be an individual from the private sector with a demonstrated interest and expertise in research, education, treatment, or prevention activities related to youth drug abuse.

#### **(ii) Representatives of nonprofit organizations**

Not less than 1 member appointed under each of clauses (i) through (v) of paragraph (2)(A) shall be a representative of a nonprofit organization focused on involving parents in antidrug education and prevention.

### **(C) Date**

The appointments of the initial members of the Council shall be made not later than 60 days after October 21, 1998.

### **(D) Executive Director**

The Director shall appoint the Executive Director of the Council, who shall be an employee of the Office of National Drug Control Policy.

## **(3) Period of appointment; vacancies**

### **(A) Period of appointment**

Each member of the Council shall be appointed for a term of 3 years, except that, of the initial members of the Council—

(i) 1 member appointed under each of clauses (i) through (v) of paragraph (2)(A) shall be appointed for a term of 1 year; and

(ii) 1 member appointed under each of clauses (i) through (v) of paragraph (2)(A) shall be appointed for a term of 2 years.

### **(B) Vacancies**

Any vacancy in the Council shall not affect its powers, provided that a quorum is present, but shall be filled in the same manner as the original appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which the

member's predecessor was appointed shall be appointed only for the remainder of that term.

### **(C) Appointment of successor**

To the extent necessary to prevent a vacancy in the membership of the Council, a member of the Council may serve for not more than 6 months after the expiration of the term of that member, if the successor of that member has not been appointed.

### **(4) Initial meeting**

Not later than 120 days after the date on which all initial members of the Council have been appointed, the Council shall hold its first meeting.

### **(5) Meetings**

The Council shall meet at the call of the Chairperson.

### **(6) Quorum**

Nine members of the Council shall constitute a quorum, but a lesser number of members may hold hearings.

## **(7) Chairperson and Vice Chairperson**

### **(A) In general**

The members of the Council shall select a Chairperson and Vice Chairperson from among the members of the Council.

### **(B) Duties of Chairperson**

The Chairperson of the Council shall assign committee duties relating to the Council and direct the Executive Director to convene hearings and conduct other necessary business of the Council.

### **(C) Duties of Vice Chairperson**

If the Chairperson of the Council is unable to serve, the Vice Chairperson shall serve as the Chairperson.

## **(b) Duties of Council**

### **(1) In general**

The Council—

(A) shall advise the Director on drug prevention, education, and treatment and assist the Deputy Director of Demand Reduction in the responsibilities for the coordination of the demand reduction programs of the Federal Government and the analysis and consideration of prevention and treatment alternatives; and

(B) may issue reports and recommendations on drug prevention, education, and treatment, in addition to the reports detailed in paragraph (2), as the Council considers appropriate.

### **(2) Submission of reports**

Any report or recommendation issued by the Council shall be submitted to the Director and subsequently to Congress.

### **(3) Advice on the national drug control strategy**

Not later than December 1, 1999, and on December 1 of each year thereafter, the Council shall submit to the Director an annual report containing drug control strategy recommendations on drug prevention, education, and treat-

ment. The Director may include any recommendations submitted under this paragraph in the report submitted by the Director under section 1705(b) of this title.

**(c) Expenses**

The members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5 while away from their homes or regular places of business in the performance of services for the Council.

**(d) Authorization of appropriations**

There are authorized to be appropriated to the Council such sums as may be necessary<sup>1</sup> carry out this section.

(Pub. L. 105-277, div. C, title VII, § 710, Oct. 21, 1998, 112 Stat. 2681-689.)

REPEAL OF SECTION

*For repeal of section on Sept. 30, 2003, see section 1712 of this title.*

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 1710. Drug interdiction**

**(a) Definition**

In this section, the term “Federal drug control agency” means—

- (1) the Office of National Drug Control Policy;
- (2) the Department of Defense;
- (3) the Drug Enforcement Administration;
- (4) the Federal Bureau of Investigation;
- (5) the Immigration and Naturalization Service;
- (6) the United States Coast Guard;
- (7) the United States Customs Service; and
- (8) any other department or agency of the Federal Government that the Director determines to be relevant.

**(b) Report**

In order to assist Congress in determining the personnel, equipment, funding, and other resources that would be required by Federal drug control agencies in order to achieve a level of interdiction success at or above the highest level achieved before October 21, 1998, not later than 90 days after October 21, 1998, the Director shall submit to Congress and to each Federal drug control program agency a report, which shall include—

- (1) with respect to the southern and western border regions of the United States (including the Pacific coast, the border with Mexico, the

Gulf of Mexico coast, and other ports of entry) and in overall totals, data relating to—

(A) the amount of marijuana, heroin, methamphetamine, and cocaine—

(i) seized during the year of highest recorded seizures for each drug in each region and during the year of highest recorded overall seizures; and

(ii) disrupted during the year of highest recorded disruptions for each drug in each region and during the year of highest recorded overall seizures; and

(B) the number of persons arrested for violations of section 960(a) of this title and related offenses during the year of the highest number of arrests on record for each region and during the year of highest recorded overall arrests;

(2) the price of cocaine, heroin, methamphetamine, and marijuana during the year of highest price on record during the preceding 10-year period, adjusted for purity where possible; and

(3) a description of the personnel, equipment, funding, and other resources of the Federal drug control agency devoted to drug interdiction and securing the borders of the United States against drug trafficking for each of the years identified in paragraphs (1) and (2) for each Federal drug control agency.

**(c) Budget process**

**(1) Information to Director**

Based on the report submitted under subsection (b) of this section, each Federal drug control agency shall submit to the Director, at the same time as each annual drug control budget request is submitted by the Federal drug control agency to the Director under section 1703(c)(1) of this title, a description of the specific personnel, equipment, funding, and other resources that would be required for the Federal drug control agency to meet or exceed the highest level of interdiction success for that agency identified in the report submitted under subsection (b) of this section.

**(2) Information to Congress**

The Director shall include each submission under paragraph (1) in each annual consolidated National Drug Control Program budget proposal submitted by the Director to Congress under section 1703(c)(2) of this title, which submission shall be accompanied by a description of any additional resources that would be required by the Federal drug control agencies to meet the highest level of interdiction success identified in the report submitted under subsection (b) of this section.

(Pub. L. 105-277, div. C, title VII, § 711, Oct. 21, 1998, 112 Stat. 2681-691.)

REPEAL OF SECTION

*For repeal of section on Sept. 30, 2003, see section 1712 of this title.*

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relat-

<sup>1</sup> So in original. Probably should be followed by “to”.