

§ 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(b) of this section, effective on September 30, 2010, this chapter and the amendments made to this chapter are repealed.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.

§ 1714. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions

(a) Awards required

The Director shall make competitive awards to fund demonstration programs by eligible partnerships for the purpose of reducing the use of illicit drugs by chronic hard-drug users living in the community while under the supervision of the criminal justice system.

(b) Use of award amounts

Award amounts received under this section shall be used—

(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership;

(2) to develop and field a drug testing and graduated sanctions program for chronic hard-drug users living in the community under criminal justice supervision; and

(3) to assist individuals described in subsection (a) by strengthening rehabilitation efforts through such means as job training, drug treatment, or other services.

(c) Eligible partnership defined

In this section, the term “eligible partnership” means a working group whose application to the Director—

(1) identifies the roles played, and certifies the involvement of, two or more agencies or organizations, which may include—

(A) State, local, or tribal agencies (such as those carrying out police, probation, prosecution, courts, corrections, parole, or treatment functions);

(B) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney offices); and

(C) community-based organizations;

(2) includes a qualified researcher;

(3) includes a plan for using judicial or other criminal justice authority to administer drug tests to individuals described in subsection (a) at least twice a week, and to swiftly and certainly impose a known set of graduated sanctions for non-compliance with community-release provisions relating to drug abstinence (whether imposed as a pre-trial, probation, or parole condition or otherwise);

(4) includes a strategy for responding to a range of substance use and abuse problems and a range of criminal histories;

(5) includes a plan for integrating data infrastructure among the agencies and organizations included in the eligible partnership to enable seamless, real-time tracking of individuals described in subsection (a);

(6) includes a plan to monitor and measure the progress toward reducing the percentage of the population of individuals described in subsection (a) who, upon being summoned for a drug test, either fail to show up or who test positive for drugs.

(d) Reports to Congress

(1) Interim report

Not later than June 1, 2009, the Director shall submit to Congress a report that identi-