Public Law 728 CHAPTER 629

AN ACT

July 18, 1956
[H. R. 11619]

To amend the Internal Revenue Code of 1954 and the Narcotic Drugs Import and Export Act to provide for a more effective control of narcotic drugs and marihuana, and for other related purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Narcotic Control Act of 1956."

Narcotic Control Act of 1956.

TITLE I—AMENDMENTS TO THE 1954 CODE, THE NARCOTIC DRUGS IMPORT AND EXPORT ACT, ETC.

SEC. 101. UNLAWFUL ACQUISITION, ETC., OF MARIHUANA.

Subsection (a) of section 4744 of the Internal Revenue Code of 1954 (unlawful acquisition of marihuana) is amended to read as follows:

68A Stat. 562.
26 USC 4744.

"(a) PERSONS IN GENERAL.—It shall be unlawful for any person who is a transferee required to pay the transfer tax imposed by section 4741 (a)—

26 USC 4741.

"(1) to acquire or otherwise obtain any marihuana without having paid such tax, or

"(2) to transport or conceal, or in any manner facilitate the transportation or concealment of, any marihuana so acquired or obtained.

Proof that any person shall have had in his possession any marihuana and shall have failed, after reasonable notice and demand by the Secretary or his delegate, to produce the order form required by section 4742 to be retained by him shall be presumptive evidence of guilt under this subsection and of liability for the tax imposed by section 4741 (a)."

26 USC 4742.

SEC. 102. UNLAWFUL TRANSPORTATION OF MARIHUANA.

Subsection (b) of section 4755 of the Internal Revenue Code of 1954 (unlawful transportation of marihuana) is amended to read as follows:

68A Stat. 565.
26 USC 4755.

"(b) Transportation—Except as otherwise provided in this subsection, it shall be unlawful for any person to send, ship, carry, transport, or deliver any marihuana within any Territory, the District of Columbia, or any insular possession of the United States, or from any State, Territory, the District of Columbia, or any insular possession of the United States into any other State, Territory, the District of Columbia, or insular possession of the United States. Nothing contained in this subsection shall apply—

"(1) to any person who shall have registered and paid the special tax as required by sections 4751 to 4753, inclusive;

26 USC 4751-4753.

"(2) to any common carrier engaged in transporting marihuana;

"(3) to any employee acting within the scope of his employment for any person who shall have registered and paid the special tax as required by sections 4751 to 4753, inclusive, or to any contract carrier or other agent acting within the scope of his agency for such registered person;

"(4) to any person who shall deliver marihuana which has been prescribed or dispensed by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4753 and employed to prescribe for the particular patient receiving such marihuana;

"(5) to any person carrying marihuana which has been obtained by the person from a registered dealer in pursuance of a written prescription referred to in section 4742 (b) (2), issued for legitimate medical uses by a physician, dentist, veterinary

26 USC 4742.

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surgeon, or other practitioner registered under section 4753, if the bottle or other container in which such marihuana is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription;

"(6) to any person carrying marihuana which has been obtained by the person as a patient from a registered physician, dentist, or other practitioner in the course of his professional practice if such marihuana is dispensed to the patient for legitimate medical purposes; or

"(7) to any United States, State, county, municipal, District, Territorial, or insular officer or official acting within the scope of his official duties."

SEC. 103. VIOLATIONS OF NARCOTIC DRUG AND MARIHUANA LAWS.

68A Stat. 860. 26 USC 7237.

Section 7237 of the Internal Revenue Code of 1954 (violations of laws relating to narcotic drugs and marihuana) is amended to read as follows:

"SEC. 7237. VIOLATION OF LAWS RELATING TO NARCOTIC DRUGS AND TO MARIHUANA.

"(a) WHERE NO SPECIFIC PENALTY IS OTHERWISE PROVIDED.—Whoever commits an offense, or conspires to commit an offense, described in part I or part II of subchapter A of chapter 39 for which no specific penalty is otherwise provided, shall be imprisoned not less than 2 or more than 10 years and, in addition, may be fined not more than $20,000. For a second offense, the offender shall be imprisoned not less than 5 or more than 20 years and, in addition, may be fined not more than $20,000. For a third or subsequent offense, the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000.

68A Stat. 549, 560. 26 USC 4701-4762.

"(b) SALE OR OTHER TRANSFER WITHOUT WRITTEN ORDER.—Whoever commits an offense, or conspires to commit an offense, described in section 4705 (a) or section 4742 (a) shall be imprisoned not less than 5 or more than 20 years and, in addition, may be fined not more than $20,000. For a second or subsequent offense, the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000. If the offender attained the age of 18 before the offense and—

26 USC 4705, 4742.

"(1) the offense consisted of the sale, barter, exchange, giving away, or transfer of any narcotic drug or marihuana to a person who had not attained the age of 18 at the time of such offense, or

"(2) the offense consisted of a conspiracy to commit an offense described in paragraph (1),

the offender shall be imprisoned not less than 10 or more than 40 years and, in addition, may be fined not more than $20,000.

"(c) CONVICTION OF SECOND OR SUBSEQUENT OFFENSE.—

"(1) PRIOR OFFENSES COUNTED.—For purposes of subsections (a), (b), and (d) of this section, subsections (c) and (h) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), and the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a), an offender shall be considered a second or subsequent offender, as the case may be, if he previously has been convicted of any offense the penalty for which was provided in subsection (a) or (b) of this section or in—

65 Stat. 767. *Post*, p. 570. 55 Stat. 584. *Post*, p. 571.

"(A) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act (21 U. S. C., sec. 174);

Post, pp. 570, 571.

"(B) the Act of July 11, 1941 (21 U. S. C., sec. 184a);

Post, p. 571.

"(C) section 9 of the Act of December 17, 1914 (38 Stat. 789);

21 USC 174 note.

"(D) section 1 of the Act of May 26, 1922 (42 Stat. 596); 21 USC 171, 173, 174, 176, 177.

"(E) section 12 of the Marihuana Tax Act of 1937 (50 Stat. 556); or

"(F) section 2557 (b) (1) or 2596 of the Internal Revenue Code of 1939. 53 Stat. 274, 282.

For purposes of determining prior offenses under the preceding sentence, a reference to any subsection, section, or Act providing a penalty for an offense shall be considered as a reference to such subsection, section, or Act as in effect (as originally enacted or as amended, as the case may be) with respect to the offense for which the offender previously has been convicted.

"(2) PROCEDURE.—After conviction (but before pronouncement of sentence) of any offense the penalty for which is provided in subsection (a) or (b) of this section, subsection (c) or (h) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, the court shall be advised by the United States attorney whether the conviction is the offender's first or a subsequent offense. If it is not a first offense, the United States attorney shall file an information setting forth the prior convictions. The offender shall have the opportunity in open court to affirm or deny that he is identical with the person previously convicted. If he denies the identity, sentence shall be postponed for such time as to permit a trial before a jury on the sole issue of the offender's identity with the person previously convicted. If the offender is found by the jury to be the person previously convicted, or if he acknowledges that he is such person, he shall be sentenced as prescribed in subsection (a) or (b) of this section, subsection (c) or (h) of such section 2, or such Act of July 11, 1941, as amended, as the case may be.

Post, p. 570. 21 USC 184a. Post, p. 571.

"(d) NO SUSPENSION OF SENTENCE; NO PROBATION; ETC.—Upon conviction—

"(1) of any offense the penalty for which is provided in subsection (b) of this section, subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended, or such Act of July 11, 1941, as amended, or

Post, pp. 570, 571. 21 USC 184a. Post, p. 571.

"(2) of any offense the penalty for which is provided in subsection (a) of this section, if it is the offender's second or subsequent offense,

the imposition or execution of sentence shall not be suspended, probation shall not be granted, section 4202 of title 18 of the United States Code shall not apply, and the Act of July 15, 1932 (47 Stat. 696; D. C. Code 24-201 and following), as amended, shall not apply.

62 Stat. 854. 61 Stat. 379.

"(e) UNLAWFUL DISCLOSURE OF INFORMATION ON RETURNS AND ORDER FORMS.—Any person who shall disclose the information contained in the statements or returns required under section 4732 (b) or 4754 (a), in the duplicate order forms required under section 4705 (e), or in the order forms or copies thereof referred to in section 4742 (d), except—

26 USC 4732, 4754, 4705, 4742.

"(1) as expressly provided in section 4773,

26 USC 4773.

"(2) for the purpose of enforcing any law of the United States relating to narcotic drugs or marihuana, or

"(3) for the purpose of enforcing any law of any State or Territory or the District of Columbia, or any insular possession of the United States, or ordinance of any organized municipality therein, regulating the sale, prescribing, dispensing, dealing in, or distribution of narcotic drugs or marihuana,

shall be fined not more than $2,000 or imprisoned not more than 5 years or both."

SEC. 104. ADDITIONAL AUTHORITY FOR BUREAU OF NARCOTICS AND BUREAU OF CUSTOMS.

(a) IN GENERAL.—Subchapter A of chapter 78 of the Internal Revenue Code of 1954 (discovery of liability and enforcement of title) is amended by renumbering section 7607 as section 7608 and by inserting after section 7606 the following new section:

68A Stat. 903. 26 USC 7607.

"SEC. 7607. ADDITIONAL AUTHORITY FOR BUREAU OF NARCOTICS AND BUREAU OF CUSTOMS.

"The Commissioner, Deputy Commissioner, Assistant to the Commissioner, and agents, of the Bureau of Narcotics of the Department of the Treasury, and officers of the customs (as defined in section 401 (1) of the Tariff Act of 1930, as amended; 19 U. S. C., sec. 1401 (1)), may—

49 Stat. 521.

"(1) carry firearms, execute and serve search warrants and arrest warrants, and serve subpenas and summonses issued under the authority of the United States, and

"(2) make arrests without warrant for violations of any law of the United States relating to narcotic drugs (as defined in section 4731) or marihuana (as defined in section 4761) where the violation is committed in the presence of the person making the arrest or where such person has reasonable grounds to believe that the person to be arrested has committed or is committing such violation."

26 USC 4731, 4761.

(b) AMENDMENT OF TABLE OF SECTIONS.—The table of sections for subchapter A of chapter 78 is amended by striking out

"Sec. 7607. Cross references."

and inserting in lieu thereof

"Sec. 7607. Additional authority for Bureau of Narcotics and Bureau of Customs.
"Sec. 7608. Cross references."

SEC. 105. IMPORTATION, ETC., OF NARCOTIC DRUGS.

Section 2 (c) of the Narcotic Drugs Import and Export Act, as amended (U. S. C., title 21, sec. 174), is amended to read as follows:

65 Stat. 767.

"(c) Whoever fraudulently or knowingly imports or brings any narcotic drug into the United States or any territory under its control or jurisdiction, contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of any such narcotic drug after being imported or brought in, knowing the same to have been imported or brought into the United States contrary to law, or conspires to commit any of such acts in violation of the laws of the United States, shall be imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned not less than ten or more than forty years and, in addition, may be fined not more than $20,000.

Ante, p. 568.

"Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of the narcotic drug, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains the possession to the satisfaction of the jury.

"For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954."

SEC. 106. SMUGGLING OF MARIHUANA.

Supra; post p. 571.

Section 2 of the Narcotic Drugs Import and Export Act, as amended, is amended by adding at the end thereof the following:

"(h) Notwithstanding any other provision of law, whoever, knowingly, with intent to defraud the United States, imports or brings into

the United States marihuana contrary to law, or smuggles or clandestinely introduces into the United States marihuana which should have been invoiced, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such marihuana after being imported or brought in, knowing the same to have been imported or brought into the United States contrary to law, or whoever conspires to do any of the foregoing acts, shall be imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned for not less than ten or more than forty years and, in addition, may be fined not more than $20,000.

Ante, p. 568.

"Whenever on trial for a violation of this subsection, the defendant is shown to have or to have had the marihuana in his possession, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains his possession to the satisfaction of the jury.

"As used in this subsection, the term 'marihuana' has the meaning given to such term by section 4761 of the Internal Revenue Code of 1954.

26 USC 4761.

"For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954."

Ante, p. 569.

SEC. 107. SALE OF HEROIN TO JUVENILES—PENALTIES.

Section 2 of the Narcotic Drugs Import and Export Act, as amended, is further amended by adding at the end thereof the following:

Ante, p. 570.

"(i) Notwithstanding any other provision of law, whoever, having attained the age of eighteen years, knowingly sells, gives away, furnishes, or dispenses, facilitates the sale, giving, furnishing, or dispensing, or conspires to sell, give away, furnish, or dispense, any heroin unlawfully imported or otherwise brought into the United States, to any person who has not attained the age of eighteen years, may be fined not more than $20,000, and shall be imprisoned for life, or for not less than ten years, except that the offender shall suffer death if the jury in its discretion shall so direct.

"Whenever on trial for a violation of this subsection the defendant is shown to have had heroin in his possession, such possession shall be sufficient proof that the heroin was unlawfully imported or otherwise brought into the United States unless the defendant explains his possession to the satisfaction of the jury.

"For the purposes of this subsection, the term 'heroin' means any substance identified chemically as diacetylmorphine or any salt thereof. For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954."

Ante, p. 569.

SEC. 108. UNLAWFUL POSSESSION OF NARCOTIC DRUGS AND MARIHUANA ON VESSELS.

(a) IN GENERAL.—Subsection (a) of the first section of the Act of July 11, 1941 (21 U. S. C., sec. 184a), is amended by striking out "fined not more than $5,000 or be imprisoned for not more than five years, or both," and inserting in lieu thereof "imprisoned not less than five or more than twenty years and, in addition, may be fined not more than $20,000. For a second or subsequent offense (as determined under section 7237 (c) of the Internal Revenue Code of 1954), the offender shall be imprisoned not less than ten or more than forty years and, in addition, may be fined not more than $20,000. For provision relating to sentencing, probation, etc., see section 7237 (d) of the Internal Revenue Code of 1954."

55 Stat. 584.

Ante, p. 568.

Ante, p. 569.

(b) CORRECTION OF REFERENCE.—Subsection (b) of such section is amended by striking out "chapter 23 of the Internal Revenue Code, as amended," and inserting in lieu thereof "subchapter A of chapter 39 of the Internal Revenue Code of 1954,".

SEC. 109. TERRITORIAL EXTENT OF LAW.

26 USC 4774.

Section 4774 of the Internal Revenue Code of 1954 (territorial extent of certain laws relating to narcotic drugs and marihuana) is amended by adding at the end thereof the following: "On and after the effective date of the Narcotic Control Act of 1956, the provisions referred to in the preceding sentence shall not apply to the Commonwealth of Puerto Rico unless the Legislative Assembly of the Commonwealth of Puerto Rico expressly consents thereto in the manner prescribed in the constitution of the Commonwealth of Puerto Rico for the enactment of a law.".

TITLE II—AMENDMENTS TO TITLE 18 OF THE UNITED STATES CODE

SEC. 201. ADDITION OF NEW CHAPTER—NARCOTICS.

62 Stat. 764.

Part I of title 18 of the United States Code is amended by inserting after chapter 67 the following new chapter:

"CHAPTER 68—NARCOTICS

"Sec.
"1401. Definitions.
"1402. Surrender of heroin—procedure.
"1403. Use of communications facilities—penalties.
"1404. Motion to suppress—appeal by the United States.
"1405. Issuance of search warrants—procedure.
"1406. Immunity of witnesses.
"1407. Border crossings—narcotic addicts and violators.

"§ 1401. Definitions

"As used in this chapter—

"The term 'heroin' shall mean any substance identified chemically as diacetylmorphine or any salt thereof.

"The term 'United States' shall include the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the Commonwealth of Puerto Rico, the insular possessions of the United States, the Trust Territory of the Pacific, and the Canal Zone.

"§ 1402. Surrender of heroin—procedure

Any heroin lawfully possessed prior to the effective date of this Act shall be surrendered to the Secretary of the Treasury, or his designated representative, within one hundred and twenty days after the effective date of the Act, and each person making such surrender shall be fairly and justly compensated therefor. The Secretary of the Treasury, or his designated representative, shall formulate regulations for such procedure. All quantities of heroin not surrendered in accordance with this section and the regulations promulgated thereunder by the Secretary of the Treasury, or his designated representative, shall by him be declared contraband, seized, and forfeited to the United States without compensation. All quantities of heroin received pursuant to the provisions of this section, or otherwise, shall be disposed of in the manner provided in section 4733 of the Internal Revenue Code of 1954, except that no heroin shall be distributed or used for other than scientific research purposes approved by the Secretary of the Treasury, or his designated representative.

26 USC 4733.

"§ 1403. Use of communications facilities—penalties

"(a) Whoever uses any communication facility in committing or in causing or facilitating the commission of, or in attempting to commit, any act or acts constituting an offense or a conspiracy to commit an offense the penalty for which is provided in—

"(1) subsection (a) or (b) of section 7237 of the Internal Revenue Code of 1954, *Ante*, p. 568.

"(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. sec. 174), or 65 Stat. 767. *Ante*, pp. 570, 571.

"(3) the Act of July 11, 1941, as amended (21 U. S. C. sec. 184a), 55 Stat. 584. *Ante*, p. 571.

shall be imprisoned not less than two and not more than five years, and, in addition, may be fined not more than $5,000. Each separate use of a communication facility shall be a separate offense under this section.

"(b) For purposes of this section, the term 'communication facility' means any and all public and private instrumentalities used or useful in the transmission of writings, signs, signals, pictures, and sounds of all kinds by mail, telephone, wire, radio, or other means of communication.

"§ 1404. Motion to suppress—appeal by the United States

"In addition to any other right to appeal, the United States shall have the right to appeal from an order granting a motion for the return of seized property and to suppress evidence made before the trial of a person charged with a violation of—

"(1) any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code, *Ante*, p. 568.

"(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or 65 Stat. 767; *Ante*, pp. 570, 571.

"(3) the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a). 55 Stat. 584. *Ante*, p. 571.

This section shall not apply with respect to any such motion unless the United States attorney shall certify, to the judge granting such motion, that the appeal is not taken for purposes of delay. Any appeal under this section shall be taken within 30 days after the date the order was entered and shall be diligently prosecuted.

"§ 1405. Issuance of search warrants—procedure

"In any case involving a violation of any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code, a violation of subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or a violation of the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a)— 26 USC 4701-4762. *Ante*, p. 568. 65 Stat. 767; 55 Stat. 584; *Ante*, pp. 570, 571.

"(1) a search warrant may be served at any time of the day or night if the judge or the United States Commissioner issuing the warrant is satisfied that there is probable cause to believe that the grounds for the application exist, and

"(2) a search warrant may be directed to any officer of the Metropolitan Police of the District of Columbia authorized to enforce or assist in enforcing a violation of any of such provisions.

"§ 1406. Immunity of witnesses

"Whenever in the judgment of a United States attorney the testimony of any witness, or the production of books, papers, or other evidence by any witness, in any case or proceeding before any grand jury or court of the United States involving any violation of—

26 USC 4701-4762.
Ante, p. 568.

"(1) any provision of part I or part II of subchapter A of chapter 39 of the Internal Revenue Code of 1954 the penalty for which is provided in subsection (a) or (b) of section 7237 of such Code,

Ante, pp. 570, 571.

"(2) subsection (c), (h), or (i) of section 2 of the Narcotic Drugs Import and Export Act, as amended (21 U. S. C., sec. 174), or

55 Stat. 584.
Ante, p. 571.

"(3) the Act of July 11, 1941, as amended (21 U. S. C., sec. 184a),

is necessary to the public interest, he, upon the approval of the Attorney General, shall make application to the court that the witness shall be instructed to testify or produce evidence subject to the provisions of this section, and upon order of the court such witness shall not be excused from testifying or from producing books, papers, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no such witness shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, nor shall testimony so compelled be used as evidence in any criminal proceeding (except prosecution described in the next sentence) against him in any court. No witness shall be exempt under this section from prosecution for perjury or contempt committed while giving testimony or producing evidence under compulsion as provided in this section.

"§ 1407. Border crossings—narcotic addicts and violators

"(a) In order further to give effect to the obligations of the United States pursuant to the Hague convention of 1912, proclaimed as a treaty on March 3, 1915 (38 Stat. 1912), and the limitation convention of 1931, proclaimed as a treaty on July 10, 1933 (48 Stat. 1571), and in order to facilitate more effective control of the international traffic in narcotic drugs, and to prevent the spread of drug addiction, no citizen of the United States who is addicted to or uses narcotic drugs, as defined in section 4731 of the Internal Revenue Code of 1954, as amended (except a person using such narcotic drugs as a result of sickness or accident or injury and to whom such narcotic drug is being furnished, prescribed, or administered in good faith by a duly licensed physician in attendance upon such person, in the course of his professional practice) or who has been convicted of a violation of any of the narcotic or marihuana laws of the United States, or of any State thereof, the penalty for which is imprisonment for more than one year, shall depart from or enter into or attempt to depart from or enter into the United States, unless such person registers, under such rules and regulations as may be prescribed by the Secretary of the Treasury with a customs official, agent, or employee at a point of entry or a border customs station. Unless otherwise prohibited by law or Federal regulation such customs official, agent, or employee shall issue a certificate to any such person departing from the United States; and such person shall, upon returning to the United States, surrender such certificate to the customs official, agent, or employee present at the port of entry or border customs station.

48 Stat. 1543.

26 USC 4731.

"(b) Whoever violates any of the provisions of this section shall be punished for each such violation by a fine of not more than $1,000 or imprisonment for not less than one nor more than three years, or both."

SEC. 202. TECHNICAL AMENDMENT.

The analysis of part 1 of title 18 of the United States Code, immediately preceding chapter 1 of such title, is amended by adding

"68. Narcotics"

after

"67. Military and Navy".

TITLE III—AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT, ETC.

SEC. 301. AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.

(a) Section 212 (a) (23) of the Immigration and Nationality Act is amended to read as follows: 66 Stat. 184. 8 USC 1182.

"(23) Any alien who has been convicted of a violation of, or a conspiracy to violate, any law or regulation relating to the illicit possession of or traffic in narcotic drugs, or who has been convicted of a violation of, or a conspiracy to violate, any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin, marihuana, or any salt derivative or preparation of opium or coca leaves, or isonipecaine or any addiction-forming or addiction-sustaining opiate; or any alien who the consular officer or immigration officers know or have reason to believe is or has been an illicit trafficker in any of the aforementioned drugs;".

(b) Section 241 (a) (11) of such Act is amended to read as follows: 66 Stat. 206. 8 USC 1251.

"(11) is, or hereafter at any time after entry has been, a narcotic drug addict, or who at any time has been convicted of a violation of, or a conspiracy to violate, any law or regulation relating to the illicit possession of or traffic in narcotic drugs, or who has been convicted of a violation of, or a conspiracy to violate, any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of the manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, or exportation of opium, coca leaves, heroin, marihuana, any salt derivative or preparation of opium or coca leaves or isonipecaine or any addiction-forming or addiction-sustaining opiate;".

(c) Section 241 (b) of such Act is amended by adding at the end thereof the following additional new sentence: "The provisions of this subsection shall not apply in the case of any alien who is charged with being deportable from the United States under subsection (a) (11) of this section." 66 Stat. 208. 8 USC 1251.

SEC. 302. AMENDMENT TO ACT OF JUNE 14, 1930.

Section 8 of the Act entitled "An Act to create in the Treasury Department the Bureau of Narcotics, and for other purposes", approved June 14, 1930 (46 Stat. 587), as amended, is amended to read as follows: 21 USC 198.

"SEC. 8. (a) The Secretary of the Treasury shall cooperate with the several States in the suppression of the abuse of narcotic drugs in their respective jurisdictions, and to that end he is authorized (1) to cooperate in the drafting of such legislation as may be needed, if any, to effect

the end named, (2) to arrange for the exchange of information concerning the use and abuse of narcotic drugs in said States and for cooperation in the institution and prosecution of cases in the courts of the United States and before the licensing boards and courts of the several States, (3) to conduct narcotic training programs, as an integral part of narcotic law enforcement for the training of such local and State narcotic enforcement personnel as may be arranged with the respective local and State agencies, and (4) to maintain in the Bureau of Narcotics a 'Division of Statistics and Records' to accept, catalog, file, and otherwise utilize narcotic information and statistics, including complete records on drug addicts and other narcotic law offenders which may be received from Federal, State, and local agencies, and make such information available for Federal, State, and local law enforcement purposes. Federal agencies of the United States may make available to the Bureau of Narcotics the names, identification, and any other pertinent information which may be specified by the Secretary of the Treasury, or his designated representative, of all persons who are known by them to be drug addicts or convicted violators of any of the narcotic laws of the United States, or any State thereof. The Commissioner of Narcotics shall request and encourage all heads of State and local agencies to make such information available to the Bureau of Narcotics.

"Federal agencies".

"(b) As used in this section, the term 'Federal agencies' shall include (1) the executive departments, (2) the Departments of the Army, Navy, and the Air Force, (3) the independent establishments and agencies in the executive branch, including corporations wholly owned by the United States, and (4) the municipal government of the District of Columbia.

Regulations.

"The Secretary of the Treasury is hereby authorized to make such regulations as may be necessary to carry this section into effect."

IV—EFFECTIVE DATE; SEPARABILITY OF PROVISIONS

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the day following the date of enactment of this Act.

SEC. 402. SEPARABILITY.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this Act, or the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved July 18, 1956.

Public Law 729 CHAPTER 630

July 18, 1956
[H. R. 2452]

AN ACT

To provide for the conveyance of certain lands by the United States to the State of Wisconsin.

La Crosse, Wis.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to convey to the State of Wisconsin all the right, title, and interest of the United States in and to the real property described in section 2 of this Act, the property to be used for the training and maintaining of units of the Wisconsin National Guard, and the conveyance to be made without monetary consideration therefor, but upon condition that it shall be used for the aforesaid purposes and that if such real property shall ever cease