§ 1054. Annual report to Congressional committees

Not later than March 1 of each year following December 29, 1970, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a comprehensive and detailed written report with respect to—

(1) the processing, storage, handling, and distribution of eggs and egg products subject to the provisions of this chapter; the inspection of establishments operated in connection therewith; the effectiveness of the operations of the inspection, including the effectiveness of the operations of State egg inspection programs; and recommendations for legislation to improve such program; and

(2) the administration of section 1046 of this title (relating to imports) during the immediately preceding calendar year, including but not limited to—

(A) a certification by the Secretary that foreign plants exporting eggs or egg products to the United States have complied with requirements of this chapter and regulations issued thereunder;

(B) the names and locations of plants authorized or permitted to export eggs or egg products to the United States;

(C) the number of inspectors employed by the Department of Agriculture in the calendar year concerned who were assigned to inspect plants referred to in paragraph (B) hereof and the frequency with which each such plant was inspected by such inspectors;

(D) the number of inspectors that were licensed by each country from which any imports were received and that were assigned, during the calendar year concerned, to inspect such imports and the facilities in which such imports were handled; and the frequency and effectiveness of such inspections;

(E) the total volume of eggs and egg products which was imported into the United States during the calendar year concerned from each country, including a separate itemization of the volume of each major category of such imports from each country during such year, and a detailed report of rejections of plants and products because of failure to meet appropriate standards prescribed by this chapter; and

(F) recommendations for legislation to improve such program.

(Pub. L. 91–597, § 26, Dec. 29, 1970, 84 Stat. 1634; Pub. L. 103–437, § 8(4), Nov. 2, 1994, 108 Stat. 4588.)

AMENDMENTS

1994—Pub. L. 103–437 substituted ''Agriculture, Nutrition, and Forestry'' for ''Agriculture and Forestry'' in introductory provisions.

§ 1055. Authorization of appropriations

Such sums as are necessary to carry out the provisions of this chapter are hereby authorized to be appropriated.

(Pub. L. 91–597, § 27, Dec. 29, 1970, 84 Stat. 1635.)

§ 1056. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 91–597, § 28, Dec. 29, 1970, 84 Stat. 1635.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original ''this Act'', meaning Pub. L. 91–597, Dec. 29, 1970, 84 Stat. 1620, as amended, which enacted this chapter, amended sections 633 and 636 of Title 15, Commerce and Trade, and enacted provisions set out as notes under section 1031 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1031 of this title and Tables.

CHAPTER 16—DRUG ABUSE PREVENTION, TREATMENT, AND REHABILITATION

SUBCHAPTER I—GENERAL PROVISIONS

Sec.
1101. Congressional findings.
1102. Congressional declaration of national policy.
1103, 1104. Repealed.

SUBCHAPTER II—DRUG ABUSE POLICY COORDINATION

1111 to 1114. Repealed.
1115. Notice relating to the control of dangerous drugs.
1116 to 1155. Repealed or Omitted.

SUBCHAPTER III—NATIONAL DRUG ABUSE STRATEGY

1161 to 1165. Repealed.

SUBCHAPTER IV—OTHER FEDERAL PROGRAMS

1171. Drug abuse prevention function appropriations.
1172 to 1176. Repealed, Transferred, or Omitted.
1177. Special project grants and contracts.
(a) Scope of programs; priority.
(b) Authorization of appropriations.
(c) Coordination of applications for programs in a State; precedence restriction; project evaluation; application approval; criteria; proposed performance standards or research protocol.
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(a) Assistance records; contents.
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(c) Persons eligible for services and facilities.
(d) Authorization of appropriations; fiscal year availability.
1180. Transferred.
1181. Contract authority.

SUBCHAPTER V—NATIONAL INSTITUTE ON DRUG ABUSE

1191 to 1194. Transferred or Repealed.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 38 section 7334.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1101. Congressional findings

The Congress makes the following findings:

(1) Drug abuse is rapidly increasing in the United States and now afflicts urban, suburban, and rural areas of the Nation.

(2) Drug abuse seriously impairs individual, as well as societal, health and well-being.

(3) Drug abuse, especially heroin addiction, substantially contributes to crime.

(4) The adverse impact of drug abuse inflicts increasing pain and hardship on individuals, families, and communities and undermines our institutions.

(5) Too little is known about drug abuse, especially the causes, and ways to treat and prevent drug abuse.

(6) The success of Federal drug abuse programs and activities requires a recognition that education, treatment, rehabilitation, research, training, and law enforcement efforts are interrelated.

(7) The effectiveness of efforts by State and local governments and by the Federal Government to control and treat drug abuse in the United States has been hampered by a lack of coordination among the States, between States and localities, among the Federal Government, States and localities, and throughout the Federal establishment.

(8) Control of drug abuse requires the development of a comprehensive, coordinated long-term Federal strategy that encompasses both effective law enforcement against illegal drug traffic and effective health programs to rehabilitate victims of drug abuse.

(9) The increasing rate of drug abuse constitutes a serious and continuing threat to national health and welfare, requiring an immediate and effective response on the part of the Federal Government.

(10) Although the Congress observed a significant apparent reduction in the rate of increase of drug abuse during the three-year period subsequent to March 21, 1972, and in certain areas of the country apparent temporary reductions in its incidence, the increase and spread of heroin consumption since 1974, and the continuing abuse of other dangerous drugs, clearly indicate the need for effective, ongoing, and highly visible Federal leadership in the formation and execution of a comprehensive, coordinated drug abuse policy.

(11) Shifts in the usage of various drugs and in the Nation's demographic composition require a Federal strategy to adjust the focus of drug abuse programs to meet new needs and priorities on a cost-effective basis.

(12) The growing extent of drug abuse indicates an urgent need for prevention and intervention programs designed to reach the general population and members of high risk populations such as youth, women, and the elderly.

(13) Effective control of drug abuse requires high-level coordination of Federal international and domestic activities relating to both supply of, and demand for, commonly abused drugs.

(14) Local governments with high concentrations of drug abuse should be actively involved in the planning and coordination of efforts to combat drug abuse.

(Pub. L. 92–255, title I, § 101, Mar. 21, 1972, 86 Stat. 66; Pub. L. 94–237, § 1, Mar. 19, 1976, 90 Stat. 241; Pub. L. 96–181, § 2, Jan. 2, 1980, 93 Stat. 1309.)

AMENDMENTS

1980—Pars. (11) to (14). Pub. L. 96–181 added pars. (11) to (14).

1976—Par. (10). Pub. L. 94–237 added par. (10).

SHORT TITLE OF 1980 AMENDMENT

Section 1(a) of Pub. L. 96–181 provided that: ''This Act [enacting sections 1111 to 1117 and 1181 of this title, amending this section, sections 1102, 1162, 1164, 1176, 1177, 1180, and 1191 to 1193 of this title, and sections 218, 300*l*–2, 300m–3, and 3733 of Title 42, The Public Health and Welfare, omitting sections 1118 to 1120 and 1131 to 1133 of this title, enacting provisions set out as notes under this section and section 1193 of this title, and amending provisions set out as a note below] may be cited as the 'Drug Abuse Prevention, Treatment, and Rehabilitation Amendments of 1979'.''

SHORT TITLE OF 1978 AMENDMENT

Pub. L. 95–461, § 1, Oct. 14, 1978, 92 Stat. 1268, provided that: ''This Act [enacting section 1194 of this title, amending sections 1172, 1176, 1177, 1192, and 1193 of this title, enacting a provision set out as a note under section 1172 of this title and amending a provision set out as a note under section 242 of Title 42, The Public Health and Welfare] may be cited as the 'Drug Abuse Prevention and Treatment Amendments of 1978'.''

SHORT TITLE

Section 1 of Pub. L. 92–255, as amended by Pub. L. 96–181, § 15(a), Jan. 2, 1980, 93 Stat. 1316, provided that: ''This Act [enacting this chapter, and amending sections 5313, 5315, and 5316 of Title 5, Government Organization and Employees, and sections 218, 246, 257, 2684, 2688a, 2688k, 2688n–1, and 2688t of Title 42, The Public Health and Welfare] may be cited as the 'Drug Abuse Prevention, Treatment, and Rehabilitation Act'.''

REFERENCES TO DRUG ABUSE OFFICE AND TREATMENT ACT OF 1972

Section 15(b) of Pub. L. 96–181 provided in part that: ''Whenever reference is made in any other Federal law, regulation, ruling, or order to the Drug Abuse Office and Treatment Act of 1972, the reference shall be considered to be made to the Drug Abuse Prevention, Treatment, and Rehabilitation Act.''

§ 1102. Congressional declaration of national policy

The Congress declares that it is the policy of the United States and the purpose of this chapter to focus the comprehensive resources of the Federal Government and bring them to bear on drug abuse with the objective of significantly reducing the incidence, as well as the social and personal costs, of drug abuse in the United States, and to develop and assure the implementation of a comprehensive, coordinated long-term Federal strategy to combat drug abuse. To reach these goals, the Congress further declares that it is the policy of the United States and the purpose of this chapter to meet the problems of drug abuse through—

(1) comprehensive Federal, State, and local planning for, and effective use of, Federal as-

sistance to States and to community-based programs to meet the urgent needs of special populations, in coordination with all other governmental and nongovernmental sources of assistance;

(2) the development and support of community-based prevention programs;

(3) the development and encouragement of effective occupational prevention and treatment programs within the Government and in cooperation with the private sector; and

(4) increased Federal commitment to research into the behavioral and biomedical etiology of, the treatment of, and the mental and physical health and social and economic consequences of, drug abuse.

(Pub. L. 92–255, title I, § 102, Mar. 21, 1972, 86 Stat. 66; Pub. L. 94–237, § 2, Mar. 19, 1976, 90 Stat. 241; Pub. L. 96–181, § 3, Jan. 2, 1980, 93 Stat. 1309.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original ''this Act'', meaning Pub. L. 92–255, Mar. 21, 1972, 86 Stat. 65, as amended, known as the Drug Abuse Prevention, Treatment, and Rehabilitation Act, which comprises this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

AMENDMENTS

1980—Pub. L. 96–181 inserted additional declarations of policy prescribing methods and programs by which the goals are to be reached.

1976—Pub. L. 94–237 substituted ''objective of significantly reducing the incidence, as well as the social and personal costs, of drug abuse in the United States, and to develop and assure the implementation of'' for ''immediate objective of significantly reducing the incidence of drug abuse in the United States within the shortest possible period of time, and to develop''.

§ 1103. Repealed. Pub. L. 100–690, title I, § 1007(c)(1), Nov. 18, 1988, 102 Stat. 4187

Section, Pub. L. 92–255, title I, § 103, Mar. 21, 1972, 86 Stat. 67; Pub. L. 94–237, §§ 3, 4(a), Mar. 19, 1976, 90 Stat. 241, defined ''drug abuse prevention function'', ''drug traffic prevention function'', and ''drug abuse function''.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 21, 1989, see section 1012 of Pub. L. 100–690, set out as an Effective Date note under section 1501 of this title.

§ 1104. Repealed. Pub. L. 94–237, § 4(c)(1), Mar. 19, 1976, 90 Stat. 244

Section, Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, provided, effective June 30, 1975, that the Special Action Office for Drug Abuse Prevention, each of the positions in the Office of Director, Deputy Director, and Assistant Director, and the National Advisory Council for Drug Abuse Prevention were abolished and former subchapter II of this chapter was repealed.

SUBCHAPTER II—DRUG ABUSE POLICY COORDINATION

§§ 1111 to 1114. Repealed. Pub. L. 100–690, title I, § 1007(c)(1), Nov. 18, 1988, 102 Stat. 4187

Section 1111, Pub. L. 92–255, title II, § 201, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1310; amended Pub. L. 98–473, title II, § 1306, Oct. 12, 1984, 98 Stat. 2170, related to concentration of Federal effort in drug abuse prevention.

A prior section 1111, Pub. L. 92–255, title II, § 201, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242, which provided for the establishment of the Office of Drug Abuse Policy, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. Previously, the Office of Drug Abuse Policy was abolished and the functions of the Office and its Director were transferred to the President by sections 3 and 5 of Reorg. Plan No. 1 of 1977, effective Mar. 27, 1978, as provided by Ex. Ord. No. 12045, Mar. 27, 1978, 43 F.R. 13347, set out as notes preceding section 101 of Title 3, The President.

Another prior section 1111, Pub. L. 92–255, title II, § 201, Mar. 21, 1972, 86 Stat. 67, which provided for the establishment of the Special Action Office for Drug Abuse Prevention, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1112, Pub. L. 92–255, title II, § 202, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1310, related to designation of a representative to direct activities required by this subchapter.

A prior section 1112, Pub. L. 92–255, title II, § 202, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242; amended Pub. L. 95–83, title III, § 311(d), Aug. 1, 1977, 91 Stat. 398, which provided for the appointment of the Director of the Office of Drug Abuse Policy, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1112, Pub. L. 92–255, title II, § 202, Mar. 21, 1972, 86 Stat. 68, which provided for the appointment of a Director of the Special Action Office for Drug Abuse Prevention, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1113, Pub. L. 92–255, title II, § 203, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1310, related to employment of officers and employees.

A prior section 1113, Pub. L. 92–255, title II, § 203, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242, which provided for the appointment and functions of Deputy Director of the Office of Drug Abuse Policy, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1113, Pub. L. 92–255, title II, § 203, Mar. 21, 1972, 86 Stat. 68, which provided for the appointment of a Deputy Director of the Special Office for Drug Abuse Prevention, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1114, Pub. L. 92–255, title II, § 204, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1310, related to acceptance of uncompensated services.

A prior section 1114, Pub. L. 92–255, title II, § 204, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242, which provided for the delegation of functions by the Director of the Office of Drug Abuse Policy, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1114, Pub. L. 92–255, title II, § 204, Mar. 21, 1972, 86 Stat. 68, which provided for the appointment of six Assistant Directors, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Provisions similar to this section were contained in section 1117 of this title prior to the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 21, 1989, see section 1012 of Pub. L. 100–690, set out as an Effective Date note under section 1501 of this title.

EXECUTIVE ORDER NO. 12368

Ex. Ord. No. 12368, June 24, 1982, 47 F.R. 27843, as amended by Ex. Ord. No. 12590, Mar. 26, 1987, 52 F.R. 10021, related to assignment of drug abuse policy functions.

§ 1115. Notice relating to the control of dangerous drugs

Whenever the Attorney General determines that there is evidence that—

(1) a drug or other substance, which is not a controlled substance (as defined in section 802(6) of this title), has a potential for abuse, or

(2) a controlled substance should be transferred or removed from a schedule under section 812 of this title,

he shall, prior to initiating any proceeding under section 811(a) of this title, give the President timely notice of such determination. Information forwarded to the Attorney General pursuant to section 811(f) of this title shall also be forwarded by the Secretary of Health and Human Services to the President.

(Pub. L. 92–255, title II, § 201, formerly § 205, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1311; amended Pub. L. 97–35, title IX, § 973(a), Aug. 13, 1981, 95 Stat. 598; renumbered § 201, Pub. L. 100–690, title I, § 1007(c)(1), Nov. 18, 1988, 102 Stat. 4187.)

PRIOR PROVISIONS

A prior section 201 of Pub. L. 92–255, title II, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1310; amended Pub. L. 98–473, title II, § 1306, Oct. 12, 1984, 98 Stat. 2170, related to concentration of Federal effort in drug abuse prevention, prior to repeal by Pub. L. 100–690, title I, § 1007(c)(1), Nov. 18, 1988, 102 Stat. 4187.

A prior section 1115, Pub. L. 92–255, title II, § 205, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242, which provided for employment, functions, and travel expenses of employees, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1115, Pub. L. 92–255, title II, § 205, Mar. 21, 1972, 86 Stat. 68, provided for the delegation of functions by the Director, prior to repeal by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Provisions similar to this section were contained in section 1118 of this title prior to the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

AMENDMENTS

1981—Pub. L. 97–35 substituted ''Health and Human Services'' for ''Health, Education, and Welfare''.

§ 1116. Repealed. Pub. L. 100–690, title I, § 1007(c)(1), Nov. 18, 1988, 102 Stat. 4187

Section, Pub. L. 92–255, title II, § 206, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1311, provided that this subchapter not be construed as limiting the statutory authority of the Secretary of Defense or the Administrator of Veterans' Affairs.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 21, 1989, see section 1012 of Pub. L. 100–690, set out as an Effective Date note under section 1501 of this title.

A prior section 1116, Pub. L. 92–255, title II, § 206, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 242, which provided for the employment and compensation of experts and consultants, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1116, Pub. L. 92–255, title II, § 206, Mar. 21, 1972, 86 Stat. 68, which provided for the employment and prescription of functions for officers and employees by the Director, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Provisions similar to this section were contained in section 1119 of this title prior to the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

§ 1117. Repealed. Pub. L. 98–24, § 4(b), Apr. 26, 1983, 97 Stat. 183

Section, Pub. L. 92–255, title II, § 207, as added Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1311, required the President to make annual reports to the Congress on the drug abuse prevention activities under this subchapter. See section 290aa–4 of Title 42, The Public Health and Welfare.

A prior section 1117, Pub. L. 92–255, title II, § 207, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which provided for acceptance of uncompensated services, was omitted in the general revision of this subchapter by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

Another prior section 1117, Pub. L. 92–255, title II, § 207, Mar. 21, 1972, 86 Stat. 68, which provided for the procurement of experts and consultants by the Director, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

§§ 1118 to 1120. Omitted

CODIFICATION

Section 1118, Pub. L. 92–255, title II, § 208, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which related to giving of notice to Director prior to initiation of a section 811(a) proceeding, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. See section 1115 of this title.

A prior section 1118, Pub. L. 92–255, title II, § 208, Mar. 21, 1972, 86 Stat. 68, which provided for acceptance of uncompensated services by Director, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1119, Pub. L. 92–255, title II, § 210, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which related to effect of this subchapter on statutory requirements and authorities, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. See section 1116 of this title.

A prior section 1119, Pub. L. 92–255, title II, § 209, Mar. 21, 1972, 86 Stat. 68, which provided for notice by Attorney General to Director with respect to control of dangerous drugs, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

A prior section 210 of Pub. L. 92–255, title II, Mar. 21, 1972, 86 Stat. 69, which provided for authority of Director to make grants and enter into contract, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1120, Pub. L. 92–255, title II, § 211, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which related to authorization of appropriations with regard to this subchapter, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309.

A prior section 1120, Pub. L. 92–255, title II, § 210, Mar. 21, 1972, 86 Stat. 69, which provided for authority of Director to make grants and enter into contracts, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

A prior section 211 of Pub. L. 92–255, title II, Mar. 21, 1972, 86 Stat. 69, which provided for appointment of an acting Director until position was initially filled, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

§§ 1121 to 1123. Repealed. Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67

Section 1121, Pub. L. 92–255, title II, § 211, Mar. 21, 1972, 86 Stat. 69, provided for appointment of an acting Director until position was initially filled.

Section 1122, Pub. L. 92–255, title II, § 213, Mar. 21, 1972, 86 Stat. 69, prohibited Director or any other Federal officer from waiving or disregarding any limitation or requirement prescribed by law with respect to any Federal program or activity.

Section 1123, Pub. L. 92–255, title II, § 214, Mar. 21, 1972, 86 Stat. 70, provided for authorization of appropriations, and fiscal year availability of such appropriations.

EFFECTIVE DATE OF REPEAL

Section 1104 of this title, prior to repeal by section 4(c)(1) of Pub. L. 94–237, provided for repeal of sections effective June 30, 1975.

§§ 1131 to 1133. Omitted

CODIFICATION

Section 1131, Pub. L. 92–255, title II, § 221, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which related to functions of Director concerning planning and policies, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. See section 1111 of this title.

A prior section 1131, Pub. L. 92–255, title II, § 221, Mar. 21, 1972, 86 Stat. 70, which provided for establishment of overall planning and policy and the criteria to achieve objectives and priorities for all Federal drug abuse prevention functions, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1132, Pub. L. 92–255, title II, § 222, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 243, which authorized President to designate Director to represent United States in negotiations concerning drug abuse functions, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. See section 1112 of this title.

A prior section 1132, Pub. L. 92–255, title II, § 222, Mar. 21, 1972, 86 Stat. 71, which provided for review and modification of implementation plans and budget requests, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

Section 1133, Pub. L. 92–255, title II, § 223, as added Pub. L. 94–237, § 4(b), Mar. 19, 1976, 90 Stat. 244, which related to an annual report to President and Congress on activities of Office of Drug Abuse Policy, was omitted in the general revision of title II of Pub. L. 92–255 by Pub. L. 96–181, § 4, Jan. 2, 1980, 93 Stat. 1309. See section 1117 of this title.

A prior section 1133, Pub. L. 92–255, title II, § 223, Mar. 21, 1972, 86 Stat. 71, which provided for establishment and the objectives of a Special Fund, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

§§ 1134 to 1143. Repealed. Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67

Section 1134, Pub. L. 92–255, title II, § 224, Mar. 21, 1972, 86 Stat. 71, provided for establishment of research and development programs by Director.

Section 1135, Pub. L. 92–255, title II, § 225, Mar. 21, 1972, 86 Stat. 72, provided for establishment of a single non-Federal share requirement.

Section 1136, Pub. L. 92–255, title II, § 226, Mar. 21, 1972, 86 Stat. 72, provided for Director to make drug prevention function recommendations to President and to consult with responsible agencies with respect to drug prevention functions.

Section 1137, Pub. L. 92–255, title II, § 227, Mar. 21, 1972, 86 Stat. 72, provided for resolution of agency conflicts with regard to drug prevention functions.

Section 1138, Pub. L. 92–255, title II, § 228, Mar. 21, 1972, 86 Stat. 72, provided for communications and liaison with respect to drug prevention functions by one of Assistant Directors.

Section 1139, Pub. L. 92–255, title II, § 229, Mar. 21, 1972, 86 Stat. 72, provided, with respect to drug prevention functions, coordination of State and local governments, availability of information and other services and activities.

Section 1140, Pub. L. 92–255, title II, § 230, Mar. 21, 1972, 86 Stat. 73, provided for a management oversight review by a Federal officer.

Section 1141, Pub. L. 92–255, title II, § 231, Mar. 21, 1972, 86 Stat. 73, provided for convening of a council of officials of Federal agencies responsible for drug prevention functions by Director.

Section 1142, Pub. L. 92–255, title II, § 232, Mar. 21, 1972, 86 Stat. 73, provided for designation of the Director to represent Government in international negotiations related to drug prevention functions.

Section 1143, Pub. L. 92–255, title II, § 233, Mar. 21, 1972, 86 Stat. 73, provided for an annual written report to the President by the Director.

EFFECTIVE DATE OF REPEAL

Section 1104 of this title, prior to repeal by section 4(c)(1) of Pub. L. 94–237, provided for repeal of sections effective June 30, 1975.

§§ 1151 to 1155. Repealed. Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67

Section 1151, Pub. L. 92–255, title II, § 251, Mar. 21, 1972, 86 Stat. 74, provided for establishment of a National Advisory Council for Drug Abuse Prevention.

Section 1152, Pub. L. 92–255, title II, § 252, Mar. 21, 1972, 86 Stat. 74, provided for membership of National Advisory Council for Drug Abuse Prevention.

Section 1153, Pub. L. 92–255, title II, § 253, Mar. 21, 1972, 86 Stat. 74, provided for designation of chairman of National Advisory Council for Drug Abuse Prevention.

Section 1154, Pub. L. 92–255, title II, § 254, Mar. 21, 1972, 86 Stat. 74, provided for compensation and expenses for members of National Advisory Council for Drug Abuse Prevention.

Section 1155, Pub. L. 92–255, title II, § 255, Mar. 21, 1972, 86 Stat. 74, set forth functions of National Advisory Council for Drug Abuse Prevention.

EFFECTIVE DATE OF REPEAL

Section 1104 of this title, prior to repeal by section 4(c)(1) of Pub. L. 94–237, provided for repeal of sections effective June 30, 1975.

SUBCHAPTER III—NATIONAL DRUG ABUSE STRATEGY

§§ 1161 to 1165. Repealed. Pub. L. 98–509, title III, § 301(d), Oct. 19, 1984, 98 Stat. 2364

Section 1161, Pub. L. 92–255, title III, § 301, Mar. 21, 1972, 86 Stat. 74, related to development, and initial promulgation no later than nine months after Mar. 21, 1972, by the President, of a national drug abuse strategy.

Section 1162, Pub. L. 92–255, title III, § 302, Mar. 21, 1972, 86 Stat. 75; Pub. L. 94–237, § 4(c)(2), (3), (5)(A), Mar. 19, 1976, 90 Stat. 244; Pub. L. 96–181, § 5(a), (b), Jan. 2, 1980, 93 Stat. 1311; Pub. L. 97–35, title IX, § 973(b), Aug. 13, 1981, 95 Stat. 598, related to establishment and membership of a Strategy Council, interim provision of services by the Director, and review and commentary on the national drug abuse strategy by those Federal officials participating in its preparation.

Section 1163, Pub. L. 92–255, title III, § 303, Mar. 21, 1972, 86 Stat. 75, related to contents of the national drug abuse strategy.

Section 1164, Pub. L. 92–255, title III, § 304, Mar. 21, 1972, 86 Stat. 75; Pub. L. 94–237, § 4(c)(4), Mar. 19, 1976, 90 Stat. 244; Pub. L. 96–181, § 5(c), Jan. 2, 1980, 93 Stat. 1311, related to preparation of the national drug abuse strategy.

Section 1165, Pub. L. 92–255, title III, § 305, Mar. 21, 1972, 86 Stat. 75; Pub. L. 94–237, § 5, Mar. 19, 1976, 90 Stat. 244; Pub. L. 98–24, § 4(a), Apr. 26, 1983, 97 Stat. 183, related to submission by the President to the Congress, on

or before Aug. 1, 1984, and every two years thereafter, of a written report describing the national drug abuse strategy, and prescribed the contents of the report.

SUBCHAPTER IV—OTHER FEDERAL PROGRAMS

§ 1171. Drug abuse prevention function appropriations

Any request for appropriations by a department or agency of the Government submitted after March 21, 1972, shall specify (1) on a line item basis, that part of the appropriations which the department or agency is requesting to carry out its drug abuse prevention functions, and (2) the authorization of the appropriations requested to carry out each of its drug abuse prevention functions.

(Pub. L. 92–255, title IV, § 404, Mar. 21, 1972, 86 Stat. 77.)

§ 1172. Repealed. Pub. L. 98–24, § 2(c)(2), Apr. 26, 1983, 97 Stat. 182

Section, Pub. L. 92–255, title IV, § 405, Mar. 21, 1972, 86 Stat. 77; Pub. L. 95–461, § 3(b), Oct. 14, 1978, 92 Stat. 1268; Pub. L. 97–35, title IX, § 973(c)(1), Aug. 13, 1981, 95 Stat. 598, required that the Secretary of Health and Human Services make periodic reports to the Congress and to the President on drug abuse in the United States. See section 290aa–4 of Title 42, The Public Health and Welfare.

§ 1173. Transferred and Omitted

Section, Pub. L. 92–255, title IV, § 406, Mar. 21, 1972, 86 Stat. 78; Pub. L. 97–35, title IX, § 968(a), Aug. 13, 1981, 95 Stat. 595, established additional drug abuse prevention functions of the Secretary of Health and Human Services.

Subsec. (a) was redesignated as section 503(e) of the Public Health Service Act by Pub. L. 98–24, § 2(b)(5), Apr. 26, 1983, 97 Stat. 177, and is classified to section 290aa–2(e) of Title 42, The Public Health and Welfare.

Subsec. (b), which directed that the Secretary carry out his functions under subsec. (a) of this section through the National Institute on Drug Abuse, was omitted.

§§ 1174, 1175. Transferred

Section 1174, Pub. L. 92–255, title IV, § 407, Mar. 21, 1972, 86 Stat. 78; Pub. L. 94–237, § 6(a), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94–581, title I, § 111(c)(2), Oct. 21, 1976, 90 Stat. 2852, which prohibited discrimination against drug abusers by general hospitals, was redesignated section 526 of the Public Health Service Act by Pub. L. 98–24, § 2(b)(16)(B), Apr. 26, 1983, 97 Stat. 182, and is classified to section 290ee–2 of Title 42, The Public Health and Welfare.

Section 1175, Pub. L. 92–255, title IV, § 408, Mar. 21, 1972, 86 Stat. 79; Pub. L. 93–282, title III, § 303(a), (b), May 14, 1974, 88 Stat. 137, 138; Pub. L. 94–237, § 4(c)(5)(A), (B), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94–581, title I, § 111(c)(3), Oct. 21, 1976, 90 Stat. 2852; Pub. L. 97–35, title IX, § 973(d), Aug. 13, 1981, 95 Stat. 598, which related to confidentiality of patients' records, was redesignated section 527 of the Public Health Service Act by Pub. L. 98–24, § 2(b)(16)(B), Apr. 26, 1983, 97 Stat. 182, and is classified to section 290ee–3 of Title 42.

§ 1176. Repealed. Pub. L. 97–35, title IX, § 969(a), Aug. 13, 1981, 95 Stat. 595

Section, Pub. L. 92–255, title IV, § 409, Mar. 21, 1972, 86 Stat. 80; Pub. L. 94–237, §§ 7, 8(a), 9(a)(1), (b)(1), Mar. 19, 1976, 90 Stat. 245–247; Pub. L. 94–371, § 10(a)(1), (b)(1), July 26, 1976, 90 Stat. 1040; Pub. L. 95–83, title III, § 311(a)(3), Aug. 1, 1977, 91 Stat. 397; Pub. L. 95–461, §§ 2(a), 4, Oct. 14, 1978, 92 Stat. 1268, 1269; Pub. L. 96–79, title I, § 115(j)(2), Oct. 4, 1979, 93 Stat. 610; Pub. L. 96–181, § 6, Jan. 2, 1980, 93 Stat. 1311, provided for creation and funding through the fiscal year ending Sept. 30, 1981, of a program of formula grants to States to operate State plans for the establishment, conduct, and coordination of projects for the development of more effective drug abuse prevention functions in the States and for the evaluation of such programs.

§ 1177. Special project grants and contracts

(a) Scope of programs; priority

The Secretary[1] acting through the National Institute on Drug Abuse, may make grants to and enter into contracts with individuals and public and private nonprofit entities—

(1) to provide training seminars, educational programs, and technical assistance for the development, demonstration, and evaluation of drug abuse prevention, treatment, and rehabilitation programs; and

(2) to conduct demonstration and evaluation projects, with a high priority on prevention and early intervention projects and on identifying new and more effective drug abuse prevention, treatment, and rehabilitation programs.

In the implementation of his authority under this section, the Secretary shall accord a high priority to applications for grants or contracts for primary prevention programs. For purposes of the preceding sentence, primary prevention programs include programs designed to discourage persons from beginning drug abuse. To the extent that appropriations authorized under this section are used to fund treatment services, the Secretary shall not limit such funding to treatment for opiate abuse, but shall also provide support for treatment for non-opiate drug abuse including polydrug abuse. Furthermore, nothing shall prevent the use of funds provided under this section for programs and projects aimed at the prevention, treatment, and rehabilitation of alcohol abuse and alcoholism as well as drug abuse.

(b) Authorization of appropriations

There are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1972; $65,000,000 for the fiscal year ending June 30, 1973; $100,000,000 for the fiscal year ending June 30, 1974; $160,000,000 for each of the fiscal years ending June 30, 1975 and June 30, 1976; $40,000,000 for the period July 1, 1976, through September 30, 1976; and $160,000,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978, to carry out this section. For the fiscal year ending September 30, 1979, there is authorized to be appropriated (1) $153,000,000 for grants and contracts under paragraphs (3) and (6) of subsection (a) of this section for drug abuse treatment programs, and (2) $24,000,000 for grants and contracts under such subsection for other programs and activities. For grants and contracts under paragraphs (3) and (6) of subsection (a) of this section for drug abuse treatment programs there is authorized to be appropriated $149,000,000 for the fiscal year ending

[1] So in original. Probably should be followed by a comma.

September 30, 1980, and $155,000,000 for the fiscal year ending September 30, 1981; and for grants and contracts under such subsection for other programs and activities there is authorized to be appropriated $20,000,000 for the fiscal year ending September 30, 1980, and $30,000,000 for the fiscal year ending September 30, 1981. Of the funds appropriated under the preceding sentence for the fiscal year ending September 30, 1980, at least 7 percent of the funds shall be obligated for grants and contracts for primary prevention and intervention programs designed to discourage individuals, particularly those in high risk populations, from abusing drugs; and of the funds appropriated under the preceding sentence for the next fiscal year, at least 10 percent of the funds shall be obligated for such grants and contracts. For carrying out the purposes of this section, there are authorized to be appropriated $15,000,000 for the fiscal year ending September 30, 1982. Of the funds appropriated under the preceding sentence, at least 25 per centum of the funds shall be obligated for grants and contracts for primary prevention and intervention programs designed to discourage individuals, particularly individuals in high risk populations, from abusing drugs.

(c) Coordination of applications for programs in a State; precedence restriction; project evaluation; application approval; criteria; proposed performance standards or research protocol

(1) In carrying out this section, the Secretary shall require coordination of all applications for programs in a State and shall not give precedence to public agencies over private agencies, institutions, and organizations, or to State agencies over local agencies.

(2) Each applicant within a State, upon filing its application with the Secretary for a grant or contract under this section, shall submit a copy of its application for review by the State agency (if any) responsible for the administration of drug abuse prevention activities. Such State agency shall be given not more than thirty days from the date of receipt of the application to submit to the Secretary, in writing, an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the project to other projects pending and approved and to any State comprehensive plan for treatment and prevention of drug abuse. The State shall furnish the applicant a copy of any such evaluation. A State if it so desires may, in writing, waive its rights under this paragraph.

(3) Approval of any application for a grant or contract under this section by the Secretary, including the earmarking of financial assistance for a program or project, may be granted only if the application substantially meets a set of criteria that—

(A) provide that the activities and services for which assistance under this section is sought will be substantially administered by or under the supervision of the applicant;

(B) provide for such methods of administration as are necessary for the proper and efficient operation of such programs or projects; and

(C) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant.

(4) Each applicant within a State, upon filing its application with the Secretary for a grant or contract to provide treatment or rehabilitation services shall provide a proposed performance standard or standards, to measure, or research protocol to determine, the effectiveness of such treatment or rehabilitation program or project.

(d) Programs and projects aimed at underserved groups; encouragement and special consideration given to applications

The Secretary shall encourage the submission of and give special consideration to applications under this section to programs and projects aimed at underserved populations such as racial and ethnic minorities, Native Americans (including Native Hawaiians and Native American Pacific Islanders), youth, the elderly, women, handicapped individuals, and families of drug abusers.

(e) Payments; advances; reimbursement; installments

Payment under grants or contracts under this section may be made in advance or by way of reimbursement and in such installments as the Secretary may determine.

(f) Prevention and treatment services

Projects and programs for which grants and contracts are made or entered into under this section shall, in the case of prevention and treatment services, seek to (1) be responsive to special requirements of handicapped individuals in receiving such services; (2) whenever possible, be community based, insure care of good quality in general community care facilities and under health insurance plans, and be integrated with, and provide for the active participation of, a wide range of public and nongovernmental agencies, organizations, institutions, and individuals; (3) where a substantial number of the individuals in the population served by the project or program are of limited English-speaking ability (A) utilize the services of outreach workers fluent in the language spoken by a predominant number of such individuals and develop a plan and make arrangements responsive to the needs of such population for providing services to the extent practicable in the language and cultural context most appropriate to such individuals, and (B) identify an individual who is fluent both in that language and English and whose responsibilities shall include providing guidance to the individuals of limited English-speaking ability and to appropriate staff members with respect to cultural sensitivities and bridging linguistic and cultural differences; and (4) where appropriate, utilize existing community resources (including community mental health centers).

(g) Authorization by chief executive officer of State required; maximum amount and duration of grants

(1) No grant may be made under this section to a State or to any entity within the government of a State unless the grant application has been duly authorized by the chief executive officer of such State.

(2) No grant or contract may be made under this section for a period in excess of five years.

(3)(A) The amount of any grant or contract under this section may not exceed 100 per centum of the cost of carrying out the grant or contract in the first fiscal year for which the grant or contract is made under this section, 80 per centum of such cost in the second fiscal year for which the grant or contract is made under this section, 70 per centum of such cost in the third fiscal year for which the grant or contract is made under this section, and 60 per centum of such cost in each of the fourth and fifth fiscal years for which the grant or contract is made under this section.

(B) For purposes of this paragraph, no grant or contract shall be considered to have been made under this section for a fiscal year ending before September 30, 1981.

(Pub. L. 92–255, title IV, § 410, Mar. 21, 1972, 86 Stat. 82; Pub. L. 94–237, §§ 10, 11, Mar. 19, 1976, 90 Stat. 247; Pub. L. 94–371, § 10(c)(1), July 26, 1976, 90 Stat. 1040; Pub. L. 95–461, §§ 2(b), 6(a), Oct. 14, 1978, 92 Stat. 1268, 1270; Pub. L. 96–181, § 7, Jan. 2, 1980, 93 Stat. 1312; Pub. L. 97–35, title IX, § 970(b)–(f), Aug. 13, 1981, 95 Stat. 596, 597; Pub. L. 98–24, § 5(a)(3), Apr. 26, 1983, 97 Stat. 183.)

AMENDMENTS

1983—Subsec. (d). Pub. L. 98–24 substituted ''Native Americans (including Native Hawaiians and Native American Pacific Islanders)'' for ''native Americans''.

1981—Subsec. (a). Pub. L. 97–35, § 970(b), substituted ''The Secretary acting through the National Institute on Drug Abuse, may make grants to and enter into contracts with individuals, and public and private nonprofit entities'' for ''The Secretary shall'' in introductory provision preceding par. (1), reduced the enumeration of authorized activities of the Secretary from six paragraphs to two paragraphs thereby eliminating provisions relating to the recruitment, training, and employment of participants in treatment programs, the establishment, conduct, and evaluation of drug abuse prevention, treatment, and rehabilitation programs, the development of methods to deal with drug abuse in particular areas, the improvement of drug maintenance techniques or programs, and the establishment, conduct, and evaluation of drug abuse prevention and treatment programs, and inserted provision that nothing shall prevent the use of funds provided under this section for programs and projects aimed at the prevention, treatment, and rehabilitation of alcohol abuse and alcoholism as well as drug abuse.

Subsec. (b). Pub. L. 97–35, § 970(c), inserted provisions relating to fiscal year ending Sept. 30, 1982.

Subsec. (c)(2). Pub. L. 97–35, § 970(d)(1), substituted ''responsible for the administration of drug abuse prevention activities'' for ''designated or established under section 1176 of this title'' and ''any State'' for ''the State'' and struck out reference to drug abuse under section 1176 of this title.

Subsec. (c)(3)(D). Pub. L. 97–35, § 970(d)(2), struck out subpar. (D) which had provided that approval of a grant or contract could be granted only if the application provided for reasonable assurances that Federal funds made available under this section would be used to supplement and increase the level of State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this section and would not supplant State or local funds.

Subsec. (d). Pub. L. 97–35, § 970(e), inserted applicability to racial and ethnic minorities, handicapped, native Americans, and families of drug abusers.

Subsec. (g). Pub. L. 97–35, § 970(f), added subsec. (g).

1980—Subsec. (a)(1). Pub. L. 96–181, § 7(a)(1), substituted ''development, demonstration and evaluation of drug abuse'' for ''development of drug abuse''.

Subsec. (a)(5). Pub. L. 96–181, § 7(a)(2), substituted ''drug maintenance and detoxification techniques'' for ''drug maintenance techniques''.

Subsec. (a)(6). Pub. L. 96–181, § 7(a)(3), in provisions relating to evaluation of drug abuse prevention and treatment programs, inserted provision that such evaluation be with particular emphasis on replicating effective prevention and treatment programs.

Subsec. (b). Pub. L. 96–181, § 7(b), inserted authorization of appropriations for grants and contracts under pars. (3) and (6) of subsec. (a) and for other programs and activities for fiscal years ending Sept. 30, 1980, and Sept. 30, 1981, and required certain percentage of appropriated funds to be obligated for grants and contracts for primary prevention and intervention programs designed to discourage individuals from abusing drugs.

Subsec. (d). Pub. L. 96–181, § 7(c), inserted provisions for special consideration to applications for programs and projects for prevention and treatment of drug abuse and drug dependence by elderly.

Subsec. (f). Pub. L. 96–181, § 7(d), added subsec. (f).

1978—Subsec. (a). Pub. L. 95–461, § 6(a), inserted provision requiring Secretary to act through National Institute on Drug Abuse in making special project grants.

Subsec. (b). Pub. L. 95–461, § 2(b), inserted provisions authorizing appropriations for fiscal year ending Sept. 30, 1979.

1976—Subsec. (a). Pub. L. 94–237, § 10(a), inserted provisions which authorized Secretary to give a high priority to applications for grants and contracts for primary prevention programs, and set forth programs included within primary prevention programs and scope of Secretary's funding authority.

Subsec. (b). Pub. L. 94–237, § 11, substituted ''$160,000,000 for each of the fiscal years ending June 30, 1975 and June 30, 1976; $40,000,000 for the period July 1, 1976, through September 30, 1976; and $160,000,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978,'' for ''and $160,000,000 for the fiscal year ending June 30, 1975,''.

Subsec. (c)(4). Pub. L. 94–237, § 10(b), added par. (4).

Subsecs. (d), (e). Pub. L. 94–371 added subsec. (d) and redesignated former subsec. (d) as (e).

EFFECTIVE DATE OF 1976 AMENDMENT

Section 10(c)(2) of Pub. L. 94–371 provided that: ''The amendment made by paragraph (1) [amending this section] shall apply with respect to applications submitted for grants or contracts under section 410 of the Drug Abuse Office and Treatment Act of 1972 [this section] after June 30, 1976.''

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1178 of this title.

§ 1178. Records and audit

(a) Assistance records; contents

Each recipient of assistance under section 1177 of this title pursuant to grants or contracts entered into under other than competitive bidding procedures shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant or contract, the total cost of the project or undertaking in connection with which such grant or contract is given or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) Access to pertinent information for audit and examination

The Secretary and Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the pur-

pose of audit and examination to any books, documents, papers, and records of such recipients that are pertinent to such grants or contracts.

(Pub. L. 92–255, title IV, § 411, Mar. 21, 1972, 86 Stat. 83; Pub. L. 97–35, title IX, § 971, Aug. 13, 1981, 95 Stat. 597.)

AMENDMENTS

1981—Subsec. (a). Pub. L. 97–35 struck out reference to section 1176 of this title.

§ 1179. National Drug Abuse Training Center

(a) Establishment; functions; general policies; transfer of supervision

The Director shall establish a National Drug Abuse Training Center (hereinafter in this section referred to as the ''Center'') to develop, conduct, and support a full range of training programs relating to drug abuse prevention functions. The Director shall consult with the National Advisory Council for Drug Abuse Prevention regarding the general policies of the Center. The Director may supervise the operation of the Center initially, but shall transfer the supervision of the operation of the Center to the National Institute on Drug Abuse not later than December 31, 1974.

(b) Activities and material

The Center shall conduct or arrange for training programs, seminars, meetings, conferences, and other related activities, including the furnishing of training and educational materials for use by others.

(c) Persons eligible for services and facilities

The services and facilities of the Center shall, in accordance with regulations prescribed by the Director, be available to (1) Federal, State, and local governmental officials, and their respective staffs, (2) medical and paramedical personnel, and educators, and (3) other persons, including drug dependent persons, requiring training or education in drug abuse prevention.

(d) Authorization of appropriations; fiscal year availability

(1) For the purpose of carrying out this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1972, $3,000,000 for the fiscal year ending June 30, 1973, $5,000,000 for the fiscal year ending June 30, 1974, and $6,000,000 for the fiscal year ending June 30, 1975.

(2) Sums appropriated under this subsection shall remain available for obligation or expenditure in the fiscal year for which appropriated and in the fiscal year next following.

(Pub. L. 92–255, title IV, § 412, Mar. 21, 1972, 86 Stat. 84.)

NATIONAL ADVISORY COUNCIL FOR DRUG ABUSE PREVENTION

Section 1151 of this title, which established the National Advisory Council for Drug Abuse Prevention, was repealed by Pub. L. 92–255, title I, § 104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

§ 1180. Transferred

Section, Pub. L. 92–255, title IV, § 413, Mar. 21, 1972, 86 Stat. 84; Pub. L. 96–181, § 8(a), (b)(1), Jan. 2, 1980, 93 Stat. 1313, 1314; Pub. L. 97–35, title IX, § 973(e), Aug. 13, 1981, 95 Stat. 598, which related to drug abuse among government and other employees, was redesignated section 525 of the Public Health Service Act by Pub. L. 98–24, § 2(b)(16)(A), Apr. 26, 1983, 97 Stat. 182, and is classified to section 290ee–1 of Title 42, The Public Health and Welfare.

§ 1181. Contract authority

The authority of the Secretary to enter into contracts under this subchapter and subchapter V of this chapter shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance by appropriation Acts.

(Pub. L. 92–255, title IV, § 414, as added Pub. L. 96–181, § 9(a), Jan. 2, 1980, 93 Stat. 1314.)

REFERENCES IN TEXT

Subchapter V of this chapter, referred to in text, consisted of sections 501 to 504 of title V of Pub. L. 92–255, Mar. 21, 1972, 86 Stat. 85, which were classified to sections 1191 to 1194 of this title, respectively. Sections 501 to 503 were made part of the Public Health Service Act by Pub. L. 98–24, § 2(b)(4), (11), (15), Apr. 26, 1983, 97 Stat. 177, 180, 181, and were transferred to sections 290aa–2, 290ee, and 290cc, respectively, of Title 42, The Public Health and Welfare. Section 504 was repealed by Pub. L. 98–24, § 2(c)(2).

SUBCHAPTER V—NATIONAL INSTITUTE ON DRUG ABUSE

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 1181 of this title.

§§ 1191 to 1193. Transferred

Section 1191, Pub. L. 92–255, title V, § 501, Mar. 21, 1972, 86 Stat. 85; Pub. L. 93–282, title II, § 204, May 14, 1974, 88 Stat. 136; Pub. L. 94–237, § 12(a), Mar. 19, 1976, 90 Stat. 247; Pub. L. 96–181, § 10, Jan. 2, 1980, 93 Stat. 1314; Pub. L. 97–35, title IX, § 973(f), Aug. 13, 1981, 95 Stat. 598, which established the National Institute on Drug Abuse, was redesignated section 503(a)–(d) of the Public Health Service Act by Pub. L. 98–24, § 2(b)(4), Apr. 26, 1983, 97 Stat. 177, and is classified to section 290aa–2(a)–(d) of Title 42, The Public Health and Welfare.

Section 1192, Pub. L. 92–255, title V, § 502, as added Pub. L. 94–237, § 12(b)(1), Mar. 19, 1976, 90 Stat. 247; amended Pub. L. 95–461, § 5, Oct. 14, 1978, 92 Stat. 1269; Pub. L. 96–181, § 11, Jan. 2, 1980, 93 Stat. 1315, which related to the coordination, information, assistance, and assignment activities and services, was redesignated section 524 of the Public Health Service Act by Pub. L. 98–24, § 2(b)(15), Apr. 26, 1983, 97 Stat. 181, and is classified to section 290ee of Title 42.

Section 1193, Pub. L. 92–255, title V, § 503, as added Pub. L. 94–237, § 13(a), Mar. 19, 1976, 90 Stat. 248; amended Pub. L. 95–461, § 2(c), Oct. 14, 1978, 92 Stat. 1268; Pub. L. 96–181, § 12, Jan. 2, 1980, 93 Stat. 1315; Pub. L. 97–35, title IX, § 972(a), (b), Aug. 13, 1981, 95 Stat. 597, which related to research and development functions, was redesignated section 515 of the Public Health Service Act by Pub. L. 98–24, § 2(b)(11), Apr. 26, 1983, 97 Stat. 180, and is classified to section 290cc of Title 42.

PRIOR PROVISIONS

A prior section 502 of Pub. L. 92–255, Mar. 21, 1972, 86 Stat. 85, amended section 217 of the Public Health Service Act by adding subsec. (e) [section 218(e) of Title 42, The Public Health and Welfare], and amended section 266 of the Community Mental Health Centers Act [former section 2688t of Title 42].

§ 1194. Repealed. Pub. L. 98–24, § 2(c)(2), Apr. 26, 1983, 97 Stat. 182

Section, Pub. L. 92–255, title V, § 504, as added Pub. L. 95–461, § 6(b)(1), Oct. 14, 1978, 92 Stat. 1270, related to review by the Secretary of programs and activities. See section 290aa–5 of Title 42, The Public Health and Welfare.

CHAPTER 17—NATIONAL DRUG ENFORCEMENT POLICY

§§ 1201 to 1204. Repealed. Pub. L. 100–690, title I, § 1007(a)(3), Nov. 18, 1988, 102 Stat. 4187

Section 1201, Pub. L. 98–473, title II, § 1302, Oct. 12, 1984, 98 Stat. 2168, set forth Congressional findings and declaration of purpose relating to illegal flow of narcotics into United States.

Section 1202, Pub. L. 98–473, title II, § 1303, Oct. 12, 1984, 98 Stat. 2168, established National Drug Enforcement Policy Board.

Section 1203, Pub. L. 98–473, title II, § 1304, Oct. 12, 1984, 98 Stat. 2169, delineated responsibilities and functions of National Drug Enforcement Policy Board.

Section 1204, Pub. L. 98–473, title II, § 1305, Oct. 12, 1984, 98 Stat. 2170, related to reports to Congress.

EFFECTIVE DATE OF REPEAL

Section 1007(a)(3) of Pub. L. 100–690 provided that the repeal of this chapter is effective on 30th day after first Director of National Drug Control Policy is confirmed by the Senate. See section 1501 et seq. of this title.

SHORT TITLE

Pub. L. 98–473, title II, § 1301, Oct. 12, 1984, 98 Stat. 2168, which provided that chapter XIII (§§ 1301 to 1307) of title II of Pub. L. 98–473 was to be cited as the National Narcotics Act of 1984, was repealed by Pub. L. 100–690, title I, § 1007(a)(3), Nov. 18, 1988, 102 Stat. 4187.

EXECUTIVE ORDER NO. 12590

Ex. Ord. No. 12590, Mar. 26, 1987, 52 F.R. 10021, provided for the establishment of a National Drug Policy Board, designated its membership and functions, and authorized coordinating groups.

CHAPTER 18—PRESIDENT'S MEDIA COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION

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1308. Termination.

§ 1301. Establishment

There is established a commission to be known as the President's Media Commission on Alcohol and Drug Abuse Prevention (hereinafter in this chapter referred to as the ''Commission'').

(Pub. L. 99–570, title VIII, § 8002, Oct. 27, 1986, 100 Stat. 3207–161.)

SHORT TITLE

Section 8001 of title VIII of Pub. L. 99–570 provided that: ''This title [enacting this chapter] may be cited as the 'President's Media Commission on Alcohol and Drug Abuse Prevention Act'.''

§ 1302. Duties of Commission

The Commission shall—

(1) examine public education programs in effect on October 27, 1986, which are—

(A) implemented through various segments of mass media; and

(B) intended to prevent alcohol and drug abuse;

(2) act as an administrative and coordinating body for the voluntary donation of resources from—

(A) television, radio, motion picture, cable communications, and print media;

(B) the recording industry;

(C) the advertising industry;

(D) the business sector of the United States; and

(E) professional sports organizations and associations;

to assist the implementation of new programs and national strategies for dissemination of information intended to prevent alcohol and drug abuse;

(3) encourage media outlets throughout the country to provide information aimed at preventing alcohol and drug abuse, including public service announcements, documentary films, and advertisements; and

(4) evaluate the effectiveness and assist in the update of programs and national strategies formulated with the assistance of the Commission.

(Pub. L. 99–570, title VIII, § 8003, Oct. 27, 1986, 100 Stat. 3207–161.)

§ 1303. Membership

(a) Number and appointment

The Commission shall be composed of 12 members appointed by the President within 30 days after October 27, 1986, and should include representatives of—

(1) advertising agencies;

(2) motion picture, television, radio, cable communications, and print media;

(3) the recording industry;

(4) other segments of the business sector of the United States;

(5) experts in the prevention of alcohol and drug abuse;

(6) professional sports organizations and associations; and

(7) other Federal agencies, as designated by the President, including the Director of the Agency for Substance Abuse Prevention of the Department of Health and Human Services.

(b) Terms

(1) Except as provided in paragraphs (2) and (3), members shall be appointed for terms of 3 years.