

tory to such Federal agency, or otherwise fully satisfied at or prior to the time such cash payment is made. Except in cases of payment as compensation for losses, in the event of foreclosure by mortgagees commenced on or after public announcement of intention to close all or part of the military base or installation the Secretary of Defense may reimburse or pay on account of eligible persons such sums as may be paid or be otherwise due and owing by such persons as the result of such foreclosure, including (without limiting the generality of the foregoing) direct costs of judicial foreclosure, expenses and liabilities enforceable according to the terms of their mortgages or promissory notes, and the amount of debts, if any, established against such persons by a Federal agency in the case of loans made, guaranteed, or insured by such agency following liquidation of the security for such loans."

Subsec. (g). Pub. L. 111-5, §1001(a)(4), struck out subsec. (g). Text read as follows: "The Secretary of Defense is authorized to enter into such agreement with the Secretary of Housing and Urban Development as may be appropriate for the purposes of economy and efficiency of administration of this section. Such agreement may provide authority to the Secretary of Housing and Urban Development and his designee to make any or all of the determinations and take any or all of the actions which the Secretary of Defense is authorized to undertake pursuant to the preceding provisions of this section. Any such determinations shall be entitled to finality to the same extent as if made by the Secretary of Defense, and, in event the Secretaries of Defense and Housing and Urban Development so elect, the fund established pursuant to subsection (d) of this section shall be available to the Secretary of Housing and Urban Development to carry out the purposes thereof."

Subsec. (l). Pub. L. 111-5, §1001(a)(5), substituted "(a)(1)(A)(ii)" for "(a)(2)".

Subsec. (m). Pub. L. 111-5, §1001(a)(6), substituted "subsection (a)(1)" for "this section".

Subsec. (n)(1). Pub. L. 111-5, §1001(a)(7)(A), which directed substitution of "subsection (a)(1)" for "this section", was executed by making the substitution in two places to reflect the probable intent of Congress.

Subsec. (n)(2). Pub. L. 111-5, §1001(a)(7)(B), substituted "subsection (a)(1)" for "this section".

Subsec. (o)(1), (2). Pub. L. 111-5, §1001(a)(8)(A), (B), substituted "subsection (a)(1)" for "this section".

Subsec. (o)(4). Pub. L. 111-5, §1001(a)(8)(C), struck out par. (4) which defined "nonappropriated fund instrumentality employee" and "civilian employee".

Subsec. (p). Pub. L. 111-5, §1001(a)(9), added subsec. (p).

1994—Subsec. (c). Pub. L. 103-337 inserted after first sentence "The Secretary may also pay a person who elects to receive a cash payment under clause (1) of the preceding sentence an amount that the Secretary determines appropriate to reimburse the person for the costs incurred by the person in the sale of the property if the Secretary determines that such payment will benefit the person and is in the best interest of the Federal Government."

1992—Subsec. (a)(1). Pub. L. 102-484 substituted "member of the Armed Forces of the United States" for "serviceman".

1991—Subsec. (a)(1). Pub. L. 102-190, §2823(b)(1)(A), which directed the substitution of "member of the Armed Forces of the United States" for "servicemen" could not be executed because the word "servicemen" did not appear. See 1992 Amendment note above.

Subsec. (a)(2). Pub. L. 102-190, §2823(b)(1)(B), inserted before semicolon "or, in the case of a member of the Armed Forces not assigned to that base or installation at the time of public announcement of such closing, will prevent any reassignment of such member to the base or installation".

Subsec. (b). Pub. L. 102-190, §2823(a), (b)(2), (3), substituted pars. (1) to (3) for former introductory provisions and pars. (1) to (3); designated first proviso of subsec. (b) as par. (4) and substituted "At" for "Provided,

That, at", redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively, and substituted period for colon at end of subpar. (B); and designated second proviso of subsec. (b) as par. (5) and substituted "As" for "Provided further, That as" and redesignated cls. (i) and (ii) as subpars. (A) and (B), respectively. Prior to amendment, former introductory provisions and pars. (1) to (3) read as follows: "In order to be eligible for the benefits of this section such employees or military personnel must be or have been—

"(1) assigned to or employed at or in connection with the installation or activity at the time of public announcement of the closure action, or employed by a nonappropriated fund instrumentality operated in connection with such base or installation.

"(2) transferred from such installation or activity, or terminated as employees as a result of reduction-in-force, within six months prior to public announcement of the closure action, or

"(3) transferred from the installation or activity on an overseas tour unaccompanied by dependents within fifteen months prior to public announcement of the closure action:"

Subsec. (l). Pub. L. 102-190, §2823(b)(4), substituted "subsection (b)(5)" for "the second proviso of subsection (b)".

1990—Subsec. (a)(1). Pub. L. 101-510, §331(1), inserted "a nonappropriated fund instrumentality employee employed at a nonappropriated fund instrumentality operated in connection with such base or installation," after "limitation".

Subsec. (b)(1). Pub. L. 101-510, §331(2), inserted at end "or employed by a nonappropriated fund instrumentality operated in connection with such base or installation,"

Subsec. (k). Pub. L. 101-510, §331(3), substituted "(n), and (o)" for "and (n)".

Subsec. (o). Pub. L. 101-510, §331(4), added subsec. (o).

1988—Subsec. (k). Pub. L. 100-448, §11(1), substituted "(c), and (n)" for "and (c)".

Subsec. (n). Pub. L. 100-448, §11(2), added subsec. (n).

1973—Subsec. (m). Pub. L. 93-166 added subsec. (m).

1972—Subsec. (d). Pub. L. 92-545 inserted "except in connection with compensation for property located on a base or installation pursuant to subsection (j) of this section" to provision prohibiting acquisition of properties in foreign countries under this section.

Subsec. (l). Pub. L. 92-545 added subsec. (l).

1970—Subsec. (a)(3). Pub. L. 91-511 inserted "or if as the result of such action and other similar action in the same area," after "part,"

Subsec. (k). Pub. L. 91-511 added subsec. (k).

1969—Subsec. (c). Pub. L. 91-142, §602(a), struck out "and prior to the one hundred and twentieth day after November 3, 1966," after "installation" in third sentence.

Subsec. (d). Pub. L. 91-142, §602(b), excluded acquisition of foreign properties under this section.

#### EFFECTIVE DATE OF 1970 AMENDMENT

Section 612 of Pub. L. 91-511 provided that the amendment made by that section is effective Oct. 28, 1969.

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

## CHAPTER 42—NARCOTIC ADDICT REHABILITATION

### SUBCHAPTER I—GENERAL PROVISIONS

Sec.

3401. Declaration of policy.

Sec.

3402. State facilities and personnel for care and treatment; encouragement of adequate provision; benefit of experience of Surgeon General and Attorney General.

SUBCHAPTER II—CIVIL COMMITMENT OF PERSONS NOT CHARGED WITH ANY CRIMINAL OFFENSE

3411 to 3426. Repealed.

SUBCHAPTER III—REHABILITATION AND POST-HOSPITALIZATION CARE PROGRAMS AND ASSISTANCE TO STATES AND LOCALITIES

3441, 3442. Repealed.

SUBCHAPTER I—GENERAL PROVISIONS

§ 3401. Declaration of policy

It is the policy of the Congress that certain persons charged with or convicted of violating Federal criminal laws, who are determined to be addicted to narcotic drugs, and likely to be rehabilitated through treatment, should, in lieu of prosecution or sentencing, be civilly committed for confinement and treatment designed to effect their restoration to health, and return to society as useful members.

It is the further policy of the Congress that certain persons addicted to narcotic drugs who are not charged with the commission of any offense should be afforded the opportunity, through civil commitment, for treatment, in order that they may be rehabilitated and returned to society as useful members and in order that society may be protected more effectively from crime and delinquency which result from narcotic addiction.

(Pub. L. 89-793, § 2, Nov. 8, 1966, 80 Stat. 1438.)

CODIFICATION

Section was not enacted as part of the Narcotic Addict Rehabilitation Act of 1966, which is classified to subchapters II and III of this chapter, chapter 314 (section 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (section 2901 et seq.) of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section 605 of Pub. L. 89-793 provided that: "Title I of this Act [enacting chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure] shall take effect three months after the date of its enactment [Nov. 8, 1966], and shall apply to any case pending in a district court of the United States in which an appearance has not been made prior to such effective date. Titles II [enacting chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure] and V of this Act [amending section 7237(d) of Title 26, Internal Revenue Code and enacting provisions set out as note under section 4202 of Title 18] shall take effect three months after the date of its enactment [Nov. 8, 1966] and shall apply to any case pending in any court of the United States in which sentence has not yet been imposed as of such effective date. Title III of this Act [enacting section 3411 et seq. of this title] shall take effect three months after the date of its enactment [Nov. 8, 1966]."

SHORT TITLE OF 1971 AMENDMENT

Pub. L. 92-420, § 1, Sept. 16, 1972, 86 Stat. 677, provided: "That this Act [amending section 3411 of this title, section 4251 of Title 18, Crimes and Criminal Procedure, and section 2901 of Title 28, Judiciary and Judicial Procedure, and enacting provisions set out as a note under section 2901 of Title 28] may be cited as the 'Narcotic Addict Rehabilitation Amendments of 1971'."

SHORT TITLE

Section 1 of Pub. L. 89-793 provided: "That titles I, II, III, and IV of this Act [enacting subchapters II and III of this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure] may be cited as the 'Narcotic Addict Rehabilitation Act of 1966'."

SEPARABILITY

Section 604 of Pub. L. 89-793 provided that: "If any provision of this Act [enacting this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure, amending section 257 of this title and section 7237 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 4202 of Title 18] or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

AUTHORIZATION OF APPROPRIATIONS

Section 607 of Pub. L. 89-793 provided that: "There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act [enacting this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure, amending section 257 of this title and section 7237 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 4202 of Title 18]."

REORGANIZATION PLAN NO. 3 OF 1966

Section 606 of Pub. L. 89-793 provided that: "The provisions of this Act [enacting this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure, amending section 257 of this title and section 7237 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under this section and section 4202 of Title 18] shall be subject to the provisions of Reorganization Plan No. 3 of 1966 [set out as a note under section 202 of this title]."

§ 3402. State facilities and personnel for care and treatment; encouragement of adequate provision; benefit of experience of Surgeon General and Attorney General

The Surgeon General and the Attorney General are authorized to give representatives of States and local subdivisions thereof the benefit of their experience in the care, treatment, and rehabilitation of narcotic addicts so that each State may be encouraged to provide adequate facilities and personnel for the care and treatment of narcotic addicts in its jurisdiction.

(Pub. L. 89-793, title VI, § 602, Nov. 8, 1966, 80 Stat. 1450.)

CODIFICATION

Section was not enacted as part of the Narcotic Addict Rehabilitation Act of 1966, which is classified to subchapters II and III of this chapter, chapter 314 (§ 4251 et seq.) of Title 18, Crimes and Criminal Procedure, and chapter 175 (§ 2901 et seq.) of Title 28, Judiciary and Judicial Procedure.

TRANSFER OF FUNCTIONS

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all