

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 Repealed.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. 13, 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.

§ 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 Repealed.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and the National Advisory Council for Drug Abuse Prevention were abolished and former subchapter II of this chapter was repealed.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 Repealed.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. 13, 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.

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.

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