

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 Repealed.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 Repealed.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

CODIFICATION

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 was classified to former section 290aa-2(e) of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 102-321, title I, §101(b), July 10, 1992, 106 Stat. 331.

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

CODIFICATION

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 Secretary¹ 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) 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) for drug abuse treatment programs there is authorized to be appropriated \$149,000,000 for the fiscal

year ending 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

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