

ment 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.)

Editorial Notes

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).

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-181, §1(a), Jan. 2, 1980, 93 Stat. 1309, 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, 300f-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

Pub. L. 92-255, §1, Mar. 21, 1972, 86 Stat. 65, 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

Pub. L. 96-181, §15(b), Jan. 2, 1980, 93 Stat. 1316, 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 assistance 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.)

Editorial Notes

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”.

Statutory Notes and Related Subsidiaries

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. 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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 21, 1989, see section 1012 of Pub. L. 100-690.

Executive Documents

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 Presi-