

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.)

Editorial Notes

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 non-profit 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).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-371, §10(c)(2), July 26, 1976, 90 Stat. 1041, 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.”

§ 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 purpose 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.)

Editorial Notes

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.)

Editorial Notes

REFERENCES IN TEXT

The National Advisory Council for Drug Abuse Prevention, referred to in subsec. (a), was established by section 1151 of this title, which was repealed by Pub. L. 92-255, title I, §104, Mar. 21, 1972, 86 Stat. 67, eff. June 30, 1975.

§ 1180. Transferred**Editorial Notes**

CODIFICATION

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 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.)

Editorial Notes

REFERENCES IN TEXT

Subchapter V, 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 former sections 290aa-2, 290ee, and 290cc, respectively, of Title 42, The Public Health and Welfare. Section 290aa-2 of Title 42 was repealed by Pub. L. 102-321, §101(b). Section 290cc of Title 42 was repealed by Pub. L. 102-321, §123(c). Section 290ee of Title 42 was omitted in the general revision of part D of subchapter III-A of chapter 6A of Title 42 by Pub. L. 102-321. Section 1194 of this title was repealed by Pub. L. 98-24, §2(c)(2).

SUBCHAPTER V—NATIONAL INSTITUTE ON DRUG ABUSE**§§ 1191 to 1193. Transferred****Editorial Notes**

CODIFICATION

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, transferred to section 290aa-2(a)-(d) of Title 42, The Public Health and Welfare, and subsequently repealed.

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