

§ 873. Cooperative arrangements

(a) Cooperation of Attorney General with local, State, and Federal agencies

The Attorney General shall cooperate with local, State, and Federal agencies concerning traffic in controlled substances and in suppressing the abuse of controlled substances. To this end, he is authorized to--

- (1) arrange for the exchange of information between governmental officials concerning the use and abuse of controlled substances;
- (2) cooperate in the institution and prosecution of cases in the courts of the United States and before the licensing boards and courts of the several States;
- (3) conduct training programs on controlled substance law enforcement for local, State, and Federal personnel;
- (4) maintain in the Department of Justice a unit which will accept, catalog, file, and otherwise utilize all information and statistics, including records of controlled substance abusers and other controlled substance law offenders, which may be received from Federal, State, and local agencies, and make such information available for Federal, State, and local law enforcement purposes;
- (5) conduct programs of eradication aimed at destroying wild or illicit growth of plant species from which controlled substances may be extracted;
- (6) assist State and local governments in suppressing the diversion of controlled substances from legitimate medical, scientific, and commercial channels by--
 - (A) making periodic assessments of the capabilities of State and local governments to adequately control the diversion of controlled substances;
 - (B) providing advice and counsel to State and local governments on the methods by which such governments may strengthen their controls against diversion; and
 - (C) establishing cooperative investigative efforts to control diversion; and
- (7) notwithstanding any other provision of law, enter into contractual agreements with State and local law enforcement agencies to provide for cooperative enforcement and regulatory activities under this chapter.

(b) Requests by Attorney General for assistance from Federal agencies or instrumentalities

When requested by the Attorney General, it shall be the duty of any agency or instrumentality of the Federal Government to furnish assistance, including technical advice, to him for carrying out his functions under this subchapter; except that no such agency or instrumentality shall be required to furnish the name of, or other identifying information about, a patient or research subject whose identity it has undertaken to keep confidential.

(c) Descriptive and analytic reports by Attorney General to State agencies of distribution patterns of schedule II substances having highest rates of abuse

The Attorney General shall annually (1) select the controlled substance (or controlled substances) contained in schedule II which, in the Attorney General's discretion, is determined to have the highest rate of abuse, and (2) prepare and make available to regulatory, licensing, and law enforcement agencies of States descriptive and analytic reports on the actual distribution patterns in such States of each such controlled substance.

(d) Grants by Attorney General

(1) The Attorney General may make grants, in accordance with paragraph (2), to State and local governments to assist in meeting the costs of--

(A) collecting and analyzing data on the diversion of controlled substances,

(B) conducting investigations and prosecutions of such diversions,

(C) improving regulatory controls and other authorities to control such diversions,

(D) programs to prevent such diversions,

(E) preventing and detecting forged prescriptions, and

(F) training law enforcement and regulatory personnel to improve the control of such diversions.

(2) No grant may be made under paragraph (1) unless an application therefor is submitted to the Attorney General in such form and manner as the Attorney General may prescribe. No grant may exceed 80 per centum of the costs for which the grant is made, and no grant may be made unless the recipient of the grant provides assurances satisfactory to the Attorney General that it will obligate funds to meet the remaining 20 per centum of such costs. The Attorney General shall review the activities carried out with grants under paragraph (1) and shall report annually to Congress on such activities.

(3) To carry out this subsection there is authorized to be appropriated \$6,000,000 for fiscal year 1985 and \$6,000,000 for fiscal year 1986.

CREDIT(S)

(Pub.L. 91-513, Title II, § 503, Oct. 27, 1970, 84 Stat. 1271; [Pub.L. 96-359](#), § 8(a), Sept. 26, 1980, 94 Stat. 1194; [Pub.L. 98-473, Title II, § 517](#), Oct. 12, 1984, 98 Stat. 2074; [Pub.L. 99-570, Title I, § 1868](#), Oct. 27, 1986, 100 Stat. 3207-55; [Pub.L. 99-646](#), § 85, Nov. 10, 1986, 100 Stat. 3620.)

HISTORICAL AND STATUTORY NOTES

Revision Notes and Legislative Reports

1970 Acts. House Report No. 91-1444 and Conference Report No. 91-1603, see 1970 U.S. Code Cong. and Adm. News, p. 4566.

1980 Acts. Senate Report No. 96-916, see 1980 U.S. Code Cong. and Adm. News, p. 2858.

1984 Acts. House Report No. 98-1030 and [House Conference Report No. 98-1159](#), see 1984 U.S. Code Cong. and Adm. News, p. 3182.

1986 Acts. Statement by President, see 1986 U.S. Code Cong. and Adm. News, p. 5393.

[House Report No. 99-797](#), see 1986 U.S. Code Cong. and Adm. News, p. 6138.

References in Text

This chapter, referred to in subsec. (a)(7), was in the original as added by Pub.L. 99-646 “this act”, meaning Pub.L. 91-513, Oct. 27, 1970, 84 Stat. 1236, as amended. In the subsec. (a)(7) added by Pub.L. 99-570, the reference was “this title”, meaning title II of Pub.L. 91-513 which is popularly known as the “Controlled Substances Act” and is classified principally to this subchapter. For complete classification of this Act and title II to the Code, see Short Title note set out under section 801 of this title and Tables.

Schedule II, referred to in subsec. (c), is set out in section 812(c) of this title.

Codifications

Pub.L. 99-570 and Pub.L. 99-646 made similar amendments by adding a new par. (7) to subsec. (a). As originally enacted, Pub.L. 99-646 referred to “this Act” and Pub.L. 99-570 referred to “this title” and both have been editorially translated as “this Subchapter” in view of prior editorial treatment of references to the Controlled Substances Act.

Amendments

1986 Amendments. Subsec. (a)(7). Pub.L. 99-570, § 1868, added par. (7).

Subsec. (a)(7). Pub.L. 99-646 added par. (7).

1984 Amendments. Subsec. (a)(6). Pub.L. 98-473, added subsec. (a)(6).

Subsec. (d). Pub.L. 98-473 added subsec. (d).

1980 Amendments. Subsec. (c). Pub.L. 96-359 added subsec. (c).

Effective and Applicability Provisions

1970 Acts. Section effective Oct. 27, 1970, see § 704(b) of Pub.L. 91-513, set out as a note under § 801 of this title.

Annual Report on Counterdrug Intelligence Matters

Pub.L. 107-306, Title VIII, § 826, Nov. 27, 2002, 116 Stat. 2429, provided that:

“(a) Annual report.--The Counterdrug Intelligence Coordinating Group shall submit to the appropriate committees of Congress each year a report on current counterdrug intelligence matters. The report shall include the recommendations of the Counterdrug Intelligence Coordinating Group on the appropriate number of permanent staff, and of detailed personnel, for the staff of the Counterdrug Intelligence Executive Secretariat.

“(b) Submittal date.--The date of the submittal each year of the report required by subsection (a) shall be the date provided in section 507 of the National Security Act of 1947 [[50 U.S.C.A. § 415b](#)], as added by section 811 of this Act.

“(c) Appropriate committees of Congress defined.--In this section [this note], the term ‘appropriate committees of Congress’ means--

“(1) the Committees on Appropriations of the Senate and House of Representatives; and

“(2) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 ([50 U.S.C. § 401a](#))).”

National Drug Intelligence Center

Pub.L. 108-487, Title I, § 104(e), Dec. 23, 2004, 118 Stat. 3942, provided that:

“(1) In general.--Of the amount authorized to be appropriated in subsection (a) [Pub.L. 108-487, Title I, § 104(a), Dec. 23, 2004, 118 Stat. 3941, which is not classified to the Code], \$42,322,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, testing, and evaluation purposes shall remain available until September 30, 2006, and funds provided for procurement purposes shall remain available until September 30, 2007.

“(2) Transfer of funds.--The Director of National Intelligence shall transfer to the Attorney General funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

“(3) Limitation.--Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 ([50 U.S.C. 403-3\(d\)\(1\)](#)).

“(4) Authority.--Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.”

[Except as otherwise expressly provided, amendments made by Pub.L. 108-487 to this note to take effect on Dec. 23, 2004, see Pub.L. 108-487, § 801, set out as a note under [22 U.S.C.A. § 2656f](#).]

[Except as otherwise provided, any reference in the Intelligence Authorization Act for Fiscal Year 2005, Pub.L. 108-487, Dec. 23, 2004, 118 Stat. 3939, to Director of Central Intelligence deemed to be a reference to Director of Central Intelligence as head of the intelligence community, see Pub.L. 108-487, § 802, set out as a note under [50 U.S.C.A. § 401](#).]

Similar provisions were contained in the following prior appropriations Acts:

Pub.L. 108-177, Title I, § 104(e), Dec. 13, 2003, 117 Stat. 2602.

Pub.L. 107-306, Title I, § 104(e), Nov. 27, 2002, 116 Stat. 2387.

Pub.L. 107-108, Title I, § 104(e), Dec. 28, 2001, 115 Stat. 1396.

Pub.L. 106-567, Title I, § 104(e), Dec. 27, 2000, 114 Stat. 2834.

Pub.L. 106-120, Title I, § 104(e), Dec. 3, 1999, 113 Stat. 1609.

Pub.L. 105-272, Title I, § 104(e), Oct. 20, 1998, 112 Stat. 2398.

Pub.L. 105-107, Title I, § 104(e), Nov. 20, 1997, 111 Stat. 2250

Pub.L. 104-293, Title I, § 104(d), Oct. 11, 1996, 110 Stat. 3464

Pub.L. 103-139, Title VIII, § 8056, Nov. 11, 1993, 107 Stat. 1452, provided that: “During the current fiscal year and thereafter, there is established, under the direction and control of the Attorney General, the National Drug Intelligence Center, whose mission it shall be to coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations: *Provided*, That funding for the operation of the National Drug Intelligence Center, including personnel costs associated therewith, shall be provided from the funds appropriated to the Department of Defense.”

Similar provisions were contained in the following prior appropriations Act:

Pub.L. 102-396, Title IX, § 9078, Oct. 6, 1992, 106 Stat. 1919.

Combating Amphetamine and Methamphetamine Manufacturing and Trafficking

Pub.L. 106-310, Div. B, Title XXXVI, § 3625, Oct. 17, 2000, 114 Stat. 1233, provided that:

“(a) Activities.--In order to combat the illegal manufacturing and trafficking in amphetamine and methamphetamine, the Administrator of the Drug Enforcement Administration may--

“(1) assist State and local law enforcement in small and mid- sized communities in all phases of investigations related to such manufacturing and trafficking, including assistance with foreign-language interpretation;

“(2) staff additional regional enforcement and mobile enforcement teams related to such manufacturing and trafficking;

“(3) establish additional resident offices and posts of duty to assist State and local law enforcement in rural areas in combating such manufacturing and trafficking;

“(4) provide the Special Operations Division of the Administration with additional agents and staff to collect, evaluate, interpret, and disseminate critical intelligence targeting the command and control operations of major amphetamine and methamphetamine manufacturing and trafficking organizations;

“(5) enhance the investigative and related functions of the Chemical Control Program of the Administration to implement more fully the provisions of the Comprehensive Methamphetamine Control Act of 1996 (Public Law 104-237);

“(6) design an effective means of requiring an accurate accounting of the import and export of list I chemicals, and coordinate investigations relating to the diversion of such chemicals;

“(7) develop a computer infrastructure sufficient to receive, process, analyze, and redistribute time-sensitive enforcement information from suspicious order reporting to field offices of the Administration and other law enforcement and regulatory agencies, including the continuing development of the Suspicious Order Reporting and Tracking System (SORTS) and the Chemical Transaction Database (CTRANS) of the Administration;

“(8) establish an education, training, and communication process in order to alert the industry to current trends and emerging patterns in the illegal manufacturing of amphetamine and methamphetamine; and

“(9) carry out such other activities as the Administrator considers appropriate.

“(b) Additional positions and personnel.--

“(1) **In general.**--In carrying out activities under subsection (a), the Administrator may establish in the Administration not more than 50 full-time positions, including not more than 31 special-agent positions, and may appoint personnel to such positions.

“(2) **Particular positions.**--In carrying out activities under paragraphs (5) through (8) of subsection (a), the Administrator may establish in the Administration not more than 15 full-time positions, including not more than 10 diversion investigator positions, and may appoint personnel to such positions. Any positions established under this paragraph are in addition to any positions established under paragraph (1).

“(c) **Authorization of appropriations.**--There are authorized to be appropriated for the Drug Enforcement Administration for each fiscal year after fiscal year 1999, \$9,500,000 for purposes of carrying out the activities authorized by subsection (a) and employing personnel in positions established under subsection (b), of which \$3,000,000 shall be available for activities under paragraphs (5) through (8) of subsection (a) and for employing personnel in positions established under subsection (b)(2).”

CROSS REFERENCES

Rural crime and drug enforcement task force membership, see [42 USCA § 14081](#).

LIBRARY REFERENCES

American Digest System

[States](#)  [4.19](#).

Key Number System Topic No. [360](#).

21 U.S.C.A. § 873, 21 USCA § 873

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