7/27/84

and to comment on the current methodology. Comments on other aspects of the temporary alien labor certification program are outside the scope of this invitation for comments.

Signed at Washington, D.C., this 20th day of July, 1984.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 84-19923 Filed 7-26-84; 8:45 am]
BILLING CODE 4510-30-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances Proposed Placement of 3,4-Methylenedioxymethamphetamine Into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice of proposed rulemaking is issued by the Administrator of the Drug Enforcement Administration (DEA) to place the substance, 3,4-methylenedioxymethamphetamine, into Schedule I of the Controlled Substances Act (CSA) (21 U.S.C. 801 *et seq.*). This proposed action follows DEA's review of the abuse and illicit trafficking of 3,4-methylenedioxymethamphetamine, which was found by the Assistant Secretary for Health, Department of Health and Human Services, to support DEA's position that this substance be placed into Schedule I of the CSA. The effect of this proposed action would be to impose the regulatory control mechanisms and criminal sanctions of Schedule I on the manufacturing, distribution and possession of 3,4-methylenedioxymethamphetamine.

DATES: Comments must be submitted on or before August 27, 1984.

ADDRESS: Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, Washington, D.C. 20537, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION:

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

On March 13, 1984, the Administrator of the Drug Enforcement Administration, submitted information relevant to the abuse potential and illicit trafficking of 3,4-methylenedioxyamphetamine (MDMA) to the Assistant Secretary for Health, Department of Health and Human Services. Briefly, the information documented that 3,4-methylenedioxymethamphetamine, trafficked on the street as MDMA or ecstasy: (1) Is an analogue of the Schedule I Substance, 3,4-methylenedioxyamphetamine (MDA), (2) has no legitimate medical use or manufacturer in the United States, (3) has been clandestinely synthesized and encountered in the illicit drug traffic, (4) produces stimulant and psychotomimetic effects in humans similar to those produced by MDA, and (5) has been associated with medical emergencies as reported by the Drug Abuse Warning Network (DAWN).

In accordance with the provisions of 21 U.S.C. 811(b), the DEA Administrator requested a scientific and medical evaluation of the relevant information and a scheduling recommendation for 3,4-methylenedioxymethamphetamine from the Assistant Secretary for Health. On June 6, 1984, the Administrator of the Drug Enforcement Administration received a letter from the Assistant Secretary for Health, acting on behalf of the Secretary of the Department of Health and Human Services, stating that 3,4-methylenedioxymethamphetamine (MDMA) has a high potential for abuse and presents a significant risk to the public health, and recommending that it should be placed into Schedule I of the Controlled Substances Act.

Based upon the investigations and review of the Drug Enforcement Administration and relying on the scientific and medical evaluation and the recommendation of the Secretary of Health and Human Services in accordance with 21 U.S.C. 811(c), the Administrator of the Drug Enforcement Administration, pursuant to the provisions of 21 U.S.C. 811(a), finds that:

1. Based on information now available, 3,4-methylenedioxymethamphetamine (MDMA) has a high potential for abuse;

2. 3,4-methylenedioxymethamphetamine has no currently accepted medical use in treatment in the United States; and,

3. There is a lack of accepted safety for use of 3,4-methylenedioxymethamphetamine under medical supervision.

Under the authority vested in the Attorney General by section 201(a) of the CSA (21 U.S.C. 811(a)), and delegated to the Administrator by Department of Justice regulations (28 CFR 0.100), the Administrator hereby proposes that 21 CFR 1308.11(d) (7)–(24) be redesignated as (d) (8)–(25), respectively, and that a new (d)(7) be added to read as follows:

§ 1308.11 Schedule I

* * * * *

(d) * * *

(7) 3,4-methylenedioxymethamphetamine	7405

Some trade or other names: 3,4-methylenedioxy-N-methylphenylisopropylamine; MDMA

* * * * *

Interested persons are invited to submit their comments, objections or requests for hearing in writing with regard to this proposal. Requests for hearing should state with particularity the issues concerning which the person desires to be heard. All correspondence regarding this matter should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, DC 20537, Attention: DEA Federal Register Representative.

In the event that comments, objections or requests for hearing raise one or more issues which the Administrator finds warrant a hearing, the Administrator shall order a public hearing by notice in the Federal Register, summarizing the issues to be heard and setting the time for the hearing which will not be less than 30 days after the date of the notice.

Pursuant to Title 5, United States Code, section 605(b), the Administrator certifies that the proposed placement of 3,4-methylenedioxymethamphetamine into Schedule I of the Controlled Substances Act will have no impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act (Pub. L. 96-354). The substance, 3,4-methylenedioxymethamphetamine, proposed for control in this notice, has no legitimate use or manufacturer in the United States. In accordance with the provisions of Title 21, United States Code, section 811(a), this proposal to place 3,4-methylenedioxymethamphetamine into Schedule I, is a formal rulemaking "on the record after opportunity for a hearing." Such proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557, and as such, have been exempted from the consultation requirements of Executive Order 12291 (46 FR 13193).

MISSING PAGE 30211
WHICH STATES:

DATED: JULY 20, 1984.
FRANCIS M. MULLEN, JR.,
MAILED: DRUG ENFORCEMENT ADMINISTRATION
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