notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-7]

NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS, ET AL.

Notice of Proposed Hearing

On January 15, 1974, the United States Court of Appeals for the District of Columbia Circuit filed an opinion and entered a judgment in No. 72-1854, The National Organization for the Reform of Marijuana Laws (NORML), The Institute for the Study of Health and Society, The American Public Health Association, Petitioners v. John E. Ingersoll, Director Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, Respondent.[1] Notice of the opinion and judgment, which remanded the case for further proceedings, was forwarded by the court to the respondent on February 6, 1974.

Pursuant to the terms of the remand, the Administrator of the Drug Enforcement Administration directed that a letter of inquiry be forwarded to the Department of State. Accordingly on May 23, 1974, the following letter was addressed to Charles I. Bevans, Assistant Legal Adviser, Department of State, by Donald E. Miller, Chief Counsel, Drug Enforcement Administration:

UNITED STATES DEPARTMENT OF JUSTICE

DRUG ENFORCEMENT ADMINISTRATION

Mr. Charles I. Bevans
Assistant Legal Adviser
Room 5420
Department of State
Washington, D.C. 20520

MAY 23, 1974.

Dear Mr. Bevans: On January 15, 1974, the United States Court of Appeals for the District of Columbia Circuit filed an opinion and entered a judgment in The National Organization for the Reform of Marijuana Laws (NORML), The Institute for the Study of Health and Society, The American Public Health Association, Petitioners v. John E. Ingersoll, Director, Bureau of Narcotics & Dangerous Drugs, United States Department of Justice, Respondent. Notice of the opinion and judgment, which remanded the case for further proceedings, were forwarded by the court to the respondent on February 6, 1974. The record of the case shows that on May 18, 1972, the petitioners filed a rule making petition with the Bureau of Narcotics and Dangerous Drugs (a predecessor agency of the Drug Enforcement Administration). That petition requested that respondent remove marihuana from control under the Controlled Substances Act (21 U.S.C. 801 et seq.) or in the alternative transfer marihuana to Schedule V of the Act. The petition was not accepted for filing by the respondent on the principal ground that the United States has agreed to certain international obligations as to marihuana under the Single Convention on Narcotic Drugs, 1961 (18 UST 1407) and that section 201(d) of the Act (21 U.S.C. 811(d) provides:

"* * * If control [of a particular drug] is required by the United States obligations under international treaties, conventions, or protocols * * * the Attorney General shall issue an order controlling such drug under the schedule he deems most appropriate to carry out such obligations, without regard to the findings required by subsection (a) of this section or section 202(b) and without regard to the procedures prescribed by subsections (a) and (b) of this section".

Section 202(b) sets forth the findings which must be made to place a drug, not controlled under an international treaty to which the United States is a party, in one of the five schedules established by the Act. Subsections (a) and (b) of section 201 establish the method by which the Attorney General may add or transfer a drug, not controlled under an international treaty to which the United States is a party, between schedules or remove it altogether if certain findings are made as to the drug and the Secretary of Health, Education, and Welfare concurs.

The decision remanding the case noted, "it would seem appropriate for the court to have the benefit of the views of sources in the State Department and the international organizations involved". The requested views relate to the issue of the correctness of the original placement by Congress of marihuana in Schedule I and the subsequent affirmation of that placement by the Attorney General. In resolving the issue of correctness the court asks that the Department of Justice consider whether the present placement of marihuana is consistent with United States obligations under the Single Convention or whether the Convention permits some lesser control under the Controlled Substances Act, or removal from all control of the Act.

In forwarding the request of the court to the Department of State we note that there has been at all times the closest working relationship between the Department of State and the Drug Enforcement Administration (and its predecessor agencies) in the drafting and implementation of the Single Convention. The former Chief Counsel of the Bureau of Narcotics, Alfred L. Tennyson, worked with you and participated at every stage of the drafting of the Convention until his retirement in 1961. His successor, Carl DeBaggio, was a member of the United States delegation at the Plenipotentiary Conference to Adopt the Single Convention and along with you participated extensively in the discussions leading to its adoption. As an attorney in the Bureau of Narcotics and as Chief Counsel of the Bureau of Narcotics and Dangerous Drugs and later as Chief Counsel of the Drug Enforcement Administration, I have worked with you many times in matters concerning the Single Convention since 1959. Specifically, we participated in drafting Amendments to the Single Convention in 1972, and I was an alternate United States representative to the Plenipotentiary Conference.

The purpose in setting forth in this letter the involvement of the Drug Enforcement Administration and its predecessor agencies in the conception and implementation of the Single Convention is to indicate why we believe we have been aware at all times of the international obligations imposed on the United States by virtue of the Convention and have acted accordingly. I might add that I was the senior supervisory attorney in charge of drafting the Comprehensive Drug Abuse Prevention and Control Act of 1970 and its implementing regulations.

We welcome the opportunity provided by the court to receive the views of the Department of State in this matter. Enclosed is a copy of the court's opinion in The National Organization for the Reform of Marijuana Laws (NCRML) et al, Petitioners v. John E. Ingersoll, Director, Bureau of Narcotics & Dangerous Drugs, United States Department of Justice, Respondent. It is respectfully requested that the Department of State reply directly to me on behalf of the Drug Enforcement Administration so that we may proceed under the remand.

Sincerely,

DONALD E. MILLER,
Chief Counsel.

Enclosure.

Mr. Bevans responded for the Department of State by the following letter dated June 11, 1974:

DEPARTMENT OF STATE,
Washington, D.C. 20520
JUNE 11, 1974.

Mr. Donald E. Miller,
Chief Counsel,
Drug Enforcement Administration,
United States Department of Justice,
Washington, D.C. 20537

Dear Mr. Miller: In your letter of May 23, 1974 you request the views of the Department of State regarding certain matters mentioned in the opinion filed and judgment entered on January 15, 1974 by the United States Court of Appeals for the District of Columbia in The National Organization for the Reform of Marijuana Laws (NORML), The Institute for the Study of Health and Society, The American Public Health Association, Petitioners v. John E. Ingersoll, Director, Bureau of Narcotics & Dangerous Drugs, United States Department of Justice, Respondent.

You state in your letter that notice of the opinion and judgment, which remanded the case for further proceedings, were forwarded

[1] Subsequent to the filing of the petition in this matter, the Bureau of Narcotics and Dangerous Drugs, including the office of Director thereof, was abolished by Reorganization Plan No. 2 of 1973, effective July 1, 1973. The plan created the Drug Enforcement Administration headed by an Administrator within the Department of Justice. The Drug Enforcement Administration assumed all functions and responsibilities previously assigned to the Bureau of Narcotics and Dangerous Drugs (38 FR 15932).

by the court to the respondent on February 6, 1974.

You also state in your letter that:

"The record of the case shows that on May 18, 1972, the petitioners filed a rule making petition with the Bureau of Narcotics & Dangerous Drugs (a predecessor agency of the Drug Enforcement Administration). That petition requested that respondent remove marihuana from control under the Controlled Substances Act (21 U.S.C. 801 et seq.) or in the alternative transfer marihuana to Schedule V of the Act. The petition was not accepted for filing by the respondent on the principal ground that the United States has agreed to certain international obligations as to marihuana under the Single Convention on Narcotic Drugs, 1961 (18 UST 1407) and that section 201(d) of the Act (21 U.S.C. 811(d)) provide 'if control [of a particular drug] is required by the United States obligations under international treaties, conventions, or protocols * * * the Attorney General shall issue an order controlling such drug under the schedule he deems most appropriate to carry out such obligations, without regard to the findings required by subsection (a) of this section or section 202(b) and without regard to the procedures prescribed by subsections (a) and (b) of this section'. Section 202(b) sets forth the findings which must be made to place a drug, not controlled under an international treaty to which the United States is a party, in one of the five schedules established by the Act. Subsections (a) and (b) of Section 201 establish the method by which the Attorney General may add or transfer a drug, not controlled under an international treaty to which the United States is a party, between schedules or remove it although if certain findings are made as to the drug and the Secretary of Health, Education, and Welfare concurs.

"The decision remanding the case noted, 'it would seem appropriate for the court to have the benefit of the views of sources in the State Department and the international organizations involved'. The requested views relate to the issue of the correctness of the original placement by Congress of marihuana in Schedule I and the subsequent affirmation of that placement by the Attorney General. In resolving the issue of correctness the court asks that the Department of Justice consider whether the present placement of marihuana is consistent with United States obligations under the Single Convention or whether the Convention permits some lesser control under the Controlled Substances Act, or removal from all control of the Act."

The Department of State is vitally interested in the effective enforcement of all the international obligations undertaken by the United States under the Single Convention on Narcotic Drugs, to which the United States became a party on June 24, 1967, and continues to be a party. The United States gave its consent to be bound by the Single Convention without any reservations or conditions and, accordingly, undertook to abide by all the obligations of that Convention.

Under United States law the leaves of the marihuana plant, which is a member of the cannabis plant family, are controlled the same as the flowering tops, while under the Convention the flowering tops are subjected to the most rigid controls specified therein but the leaves are subject only to the general requirement of preventing the misuse of, and illicit traffic in, the leaves of the cannabis plant. Another factor that may have some bearing upon the issue involved is the fact that marihuana is a relatively localized expression, confined almost exclusively to the American continent and that many references to it seem to assume that only the leaves are involved.

Under the Controlled Substances Act (21 U.S.C. § 801 *et seq.*) marihuana is defined as follows:

"(15) The term 'marihuana' means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. Such term does not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination." (21 United States Code 803)

Under the Controlled Substances Act, marihuana as defined in that Act is placed in Schedule I therein. It is under that Schedule that the most rigid controls are applied.

In the Single Convention on Narcotic Drugs, cannabis and cannabis resin are subjected to specific rigid controls as drugs in Schedule I annexed to the Convention. These two drugs and the cannabis plant are defined as follows in Article I of the Convention:

"(b) 'Cannabis' means the flowering or fruiting tops of the cannabis plant (excluding the seeds and leaves when not accompanied by the tops) from which the resin has not been extracted, by whatever name they may be designated.

"(c) 'Cannabis plant' means any plant of the genus cannabis.

"(d) 'Cannabis resin' means the separated resin, whether crude or purified, obtained from the cannabis plant."

As the result of these definitions and the inclusion of "cannabis and cannabis resin and extracts and tinctures of cannabis" in Schedule I of the Single Convention, these drugs are subject under paragraph 1 of Article 2 to all measures of control applicable to drugs in that Convention and in particular those prescribed in specified articles: Article 4(c)—to limit exclusively to medical and scientific purposes the production, manufacture, export, import distribution of trade in, use and possession of drugs; Article 19—annual estimates to be furnished to the International Narcotics Control Board (INCB) of quantities to be consumed for medical and scientific purposes, to be utilized for the manufacture of other drugs and preparations, and the stocks of the drugs on December 31 of the year; Article 20—yearly statistical returns to the INCB on production, utilization for manufacturing other drugs, consumption, seizures and stocks on hand, and quarterly returns on import and export; Article 21—limitation of manufacture and importation; Article 29—requirement that manufacture of drugs be under license and other controls; Article 30—measures of control on trade in and distribution; Article 31—international trade, including use of import and export authorizations; Article 32—carriage of drugs in first-aid kits of ships and aircraft engaged in international traffic; Article 33—possession only under legal authority; Article 34—measures of supervision and inspection, and Article 37—seizure and confiscation.

The drug cannabis and cannabis resin are also included in Schedule IV of the Single Convention along with the drugs heroin, desomorphine and ketobemidone and each of those drugs are controlled under Schedule I of the Controlled Substances Act. Paragraph 5 of Article 2 provides that the drugs in Schedule IV shall also be included in Schedule I and subject to all measures of control applicable to drugs in Schedule I, and in addition thereto other special measures which, in the opinion of the party, should be adopted.

On the other hand, cannabis leaves (marihuana leaves), not being included in any of the Schedules to the Single Convention as a drug, are subject only to the requirements of Article 28, particularly paragraph 3, which reads as follows:

"3. The Parties shall adopt such measures as may be necessary to prevent the misuse of, and illicit traffic in, the leaves of the cannabis plant."

The provision regarding measures necessary to prevent the misuse of the leaves is not elaborated upon by any other provision of the convention. It appears to be dependent solely upon a judgment in good faith of the party concerned as to what constitutes misuse. With respect to illicit traffic in the leaves, the Convention does not specify any particular measures that are to be adopted in preventing such traffic. However, the concept of illicit traffic appears to be more specific than the concept of misuse and the obligation is absolute that whatever measures are necessary shall be adopted.

A determination of the measures to be adopted to prevent illicit traffic in the leaves must take into account the fact that leaves are frequently mixed with substances that are controlled under the Convention as drugs, such as the fruiting or flowering tops that contain resin, or resin separately mixed with the leaves. Further, the active ingredient contained in the leaves is Tetrahydrocannabinol which was placed in Schedule I of the Controlled Substances Act by Congress.

Marihuana is in many cases mistakenly understood as meaning only the leaves of the marihuana plant and, in view of an apparent widespread belief that the leaves are relatively harmless, the impression often exists that marihuana is at the bottom of the scale in the potency or harmful effects of the cannabis plant or its products. Hashish is often spoked of as being at the top of the scale in potency when compared with marihuana. This is reflected in the following statement made on page 11 of a report entitled "Cannabis a Report of the Commission of Inquiry into the Non-Medical Use of Drugs", issued by the Government of Canada in 1972:

"*The Identity and History of Cannabis.* Marihuana and hashish come from *Cannabis sativa L.*,[b] an herbaceous annaul plant often called 'Indian Hemp', which readily grows wild or is cultivated in most of the tropical and temperate areas of the world including Canada. Cannabis is one of the man's oldest cultivated non-food plants and is thought to have originated in Asia.[c] Although many varieties with somewhat different physical and chemical characteristics are often distinguished, most botanists consider these to be members of a single species. Some confusion has been caused by the botanically incorrect use of the word *hemp* in referring to the commercial fibres obtained from a variety of other fibre-producing plants.[d] In this report, *hemp* is taken to mean 'true hemp' or *Cannabis sativa*. Cannabis is closely related to *Humulus*, the genus of the hop plant.

"What is commonly referred to as *marijuana* (often called 'grass', 'pot', 'weed(s)', 'buch', 'tea', 'reefer', 'boo', 'Mary Jane' or the more general 'dope' or 'shit') in North America, is usually a mixture of crushed cannabis leaves, flowers, and other small twigs, and may vary considerably in potency from one sample to another. Similar preparations are known as *bhang* (the more potent and carefully prepared flowering tops as *ganja*) in India, *kief* in Morocco, and *dagga* in southern Africa. In Jamaica, *ganja*

may refer generally to marijuana. The plant produces a resin which, in relatively pure form, is called hashish ('hash') in the West and much of the Middle East, and *charas* in India. Hashish is usually prepared by shaking, pressing or scraping the amber resin from the plant, although solvent techniques might be used. In general, hashish is several times as potent on a weight basis as marijuana, although this is not always the case. The label *hashish* has sometimes been applied to special flower and leaf preparations of the plant, as well as to the resin, although this broad use of the term is now uncommon except in parts of Egypt. In addition to these common forms of cannabis, concentrated extract is available in some countries in an alcohol solution (tincture of cannabis) designed for medical or research purposes, and several of the cannabinoid compounds present in the natural plant material and related synthetics are available in relatively pure form for research. Tetrahydrocannabinol (THC), the principal active compound, is rarely, if ever, available on the 'black market'. In this report, the general term *cannabis* will be taken to cover all the various forms of hemp drugs (marijuana, hashish, THC, etc.). * * *

"There are several hypotheses regarding the etymology of the word *marijuana* or *marihuana*. Many believe it derives from the Mexican name for 'Mary Jane', or 'Mary and Jane', (*Maria y Juana*). Others have suggested that it is related to *mariguano* (a Mexican-Spanish work for intoxicant), or its linguistic relative maraguango (a Panamanian provincialism). Numerous other derivations of *marijuana* have also been proposed.[d]

[b] The genus *Cannabis sativa* was initially proposed by the botanist Linnaeus in 1753, although the word *cannabis* derives from far earlier vernacular and scientific usage. The ancient Assyrians, for example, named the plant *Quonoubou Qunnapu*, while the Hebrews called it *Qanneb*, the Arabs *Qannob*, the Persians *Quonnab*, the Celts *Quannab*, and the Greeks *Kannabas*,[cit] all of which are synonymous with the English term *'hemp'*. (See also the following note.)

[c] "True" hemp (*Cannabis sativa*) is sometimes confused with a variety of other commercial fibre-producing plants, among these: manilla hemp (abaca fibre), sisal hemp (agave sisalana), New Zealand hemp (phormium), Mauritius hemp, henequen (agave rigida elongata), all of which are leaf fibres. Fibres obtained from the stalks of plants are called blast fibres and include: "true" hemp, jute, flax, ramie, sunn ('hemp'), kenaf, urena and nettle. Cannabis is also not to be confused with "Canadian Hemp" (*apocynum cannabinum*) or other members of the general families *Cannabaceae* or *Daliscaceae*. Only *Cannabis sativa* contains cannabinoids.

[d] Other hypotheses regarding the etymology of marijuana include the Mexican *mariguana* (referring to the ritual use of an iguana in some traditional cannabis-smoking ceremonies). It is also possible that *marijuana* may have originally referred, in Mexico to a low grade of wild tobacco (*nicotiana glauca*) or is derived from the Indian word *malihua* meaning prisoner, thus expressing the idea that cannabis takes possession of an individual and makes him a prisoner of it. It is certain, however, that the word *marijuana* has been used in North America to describe a cannabis preparation since the drug was first introduced to the United States and Canada.

References

[cit] Schultes, R. E. Random thoughts and queries on the botany of cannabis. In C.R.B. Joyce, and S. H. Curry (Eds.), *The botany and chemistry of cannabis.* London: J. & A. Churchill, 1970. Pp. 11–39.

In the Second Annual Report to Congress from the Secretary of Health, Education and Welfare on the subject of Marihuana and Health, 1972 the following statements are made:

"*Cannabis sativa*, the plant from which all varieties of cannabis from marihuana to hashish are derived, grows and is used throughout much of the world (Page 13)."

"Again it should be emphasized that what is termed marihuana varies greatly in potency from place to place and from time to time even in the same area. That which is sold in the United States is extremely variable ranging from psychoactively inert at the one extreme to hallucinogenic in large doses at the other. The type of marihuana generally available in the United States tends to be considerably less potent than that found in South American countries and in other parts of the world * * *.

"In the past year there has been a greater tendency for lay as well as scientific discussions, to take into account such essential factors as potency, frequency of use and quantity in discussing marihuana effects (Pages 14–15)."

"There seems to be general agreement that the material called marihuana in North America comes from a single species, *'Cannabis sativa L.'* However, analytical studies have revealed so many morphological and chemical differences among plants grown from seeds of different varieties that it is probable that the species has not yet stabilized. Marihuana consists of a dried mixture of crushed leaves and flowering tops (with or without the inclusion of stems and seeds) of the Indian hemp plant (Page 134)."

In the Third Draft, which was the basic working document considered in the formulation of the Single Convention on Narcotic Drugs by the United Nations Conference New York 24 January–25 March 1961 for the adoption of such a convention, the leaves of the cannabis plant were included in a definition of the drug cannabis. An expert *Ad Hoc* Committee appointed by that Conference was requested to recommend a definition of that drug.

The question whether the leaves of the cannabis plant should be included in the definition of the drug cannabis, and the extent of the controls that should be placed upon the cannabis plants and drugs derived from them, were among the most discussed matters in the Conference. In the course of that discussion the representative of Japan stated with respect to the leaves that:

"* * * In its report (E/CONF. 34/11), the technical committee had defined cannabis as the leaves or flowering or fruiting tops of the cannabis plant. That definition had been confirmed in the Australian delegation's paper (E/CONF. 34/L. 14), which stated that it would be difficult to imagine a definition of cannabis which did not mention the leaves of the plant. In the view of the Japanese delegation, the opinion of the Expert Committee should be taken into full account.

"Yet, according to the ad hoc committee's recommendation and to the drafting committee's re-draft, cannabis leaves would be subject to less severe measures of control, since they were no longer mentioned in the definition of cannabis. The leaves which were in the upper part of the plant were so close to the flowering or fruiting tops that they were apt not to be recognized. The tops to which leaves remained attached might be used unlawfully. Moreover, while it was possible to separate the leaves from the tops in a laboratory, such a task was hardly within the scope of the control authorities. Control measures affecting the tops containing leaves would thus be impeded if the leaves were not also subject to effective control." (Official Records, Volume I, Summary Records of Plenary Proceedings. Thirty-fourth plenary meeting, p. 154, United Nations Conference for the Adoption of a Single Convention on Narcotic Drugs, New York—24 January–25 March 1961.)

The foregoing statements regarding the general character of the marihuana and other cannabis plants, particularly with respect to the practice of mixing the flowering or fruiting tops, cannabis resin (sometimes referred to as *hashish*), or a concentrated cannabis extract with the leaves seem to present a serious problem of determining whether one level of control can be applied to the leaves alone and another level of control can be applied to the leaves when other more potent substances are mixed with them, which at the present time seems to be impossible except in a laboratory.

The Department of State accordingly considers that under the Controlled Substances Act marihuana leaves should continue to be treated as controlled substances under that Act in order that the United States will fulfill its international obligations under the Single Convention on Narcotic Drugs, 1961, particularly to prevent illicit traffic in the leaves and especially to avoid violation of the provisions of that Convention where the flowering tops or cannabis resin is mixed with the leaves.

The Court requested the respondent, on remand, to supply findings that will sharpen and clarify the issue whether control under Schedules I and II is required as to the flowers of the marihuana plant. As stated above, the flowers (flowering or fruiting tops) of the cannabis plant from which the resin has not been removed are defined as "cannabis", and "cannabis resin" and "extracts and tinctures of cannabis" are included as drugs in Schedule I of the Single Convention. The inclusion of those substances as drugs in Schedule I of the Convention makes them subject to certain controls which could not be applied to them in the United States under the present law if they were placed in any schedule other than Schedule I or II of the Controlled Substances Act. It would be impossible, for example, for the Attorney General to determine the total quantities and establish production quotas for marihuana under section 306 of the Act if it were placed in Schedule III, IV, or V of the Act, and the United States would be unable to comply with the requirements of Article 19 of the Single Convention with respect to annual estimates to be made to the INCB with respect to marihuana and the requirements of Article 20 regarding statistical returns required to be made yearly.

The seriousness of the international situation with respect to illicit traffic in substances derived from the marihuana plant and other members of the cannabis plant family is reflected in the following statements made in the Report for 1973 of the International Narcotics Control Board (the control organ under the Single Convention) (Summary), to the United Nations Economic and Social Council (E/5456, 22 February 1974):

"11. The Board notes in its report that cannabis continues to be the most prevalent drug in the illicit traffic. While there have been many seizures of substantial quantities of cannabis in 1973, the stream of the drug from countries where it is grown to countries where it is consumed has apparently not significantly diminished. The problem is exacerbated by the appearance of stronger concentrated forms which are easier to transport and are more potentially dangerous to the user. The Board is encouraged by the increase in basic research on cannabis, and calls for further studies on the effects of long-term consumption."

The full text of the statement made by the Board regarding cannabis is enclosed. There is also enclosed a copy of Resolution 1659 (LII) adopted by the United Nations Economic and Social Council on June 1, 1972 regarding the abuse of cannabis and multiple drug abuse, and the need to ensure strict control and to continue medical and social research.

For over 60 years the United States has been the leader in urging international cooperation in the establishment and application of controls for limiting the production, manufacture, distribution and international trade in and use of drugs liable to abuse to medical and scientific purposes. During the past several years the United States has spent millions of dollars and bent every effort in waging an all out war against the illicit traffic in heroin and other drugs subject to abuse. It has received a large measure of cooperation from other countries in this effort, especially from its neighbors Canada and Mexico. The Department of State considers that the United States should apply all measures essential for the effective fulfillment of its international obligations in this field.

Sincerely yours,

CHARLES I. BEVANS,
Assistant Legal Adviser.

Enclosures:

1. Excerpt from Report of the International Narcotics Control Board.
2. Resolution 1659 (LII) adopted by the Economic and Social Council.

(It is noted that Mr. Bevans identified and forwarded two enclosures with his letter. In the interest of space those enclosures are not reprinted in this notice. Copies will be supplied to the court and to counsel for the petitioners and are available to others on request made to the Hearing Clerk, Office of Chief Counsel, Drug Enforcement Administration.)

The court's opinion called for "the views of sources in the State Department and the international organizations involved" on the subject of marihuana and the Single Convention on Narcotic Drugs, 1961. Mr. Bevans' letter sets forth those views. Therefore, should the petitioners or any of them so request, the Drug Enforcement Administration is prepared to hold a hearing, limited to the petitioners or any of them, for the purpose of receiving factual evidence and expert opinion on the issue and by the method described by the court as "whether there is any latitude (on the scheduling of marihuana under the Controlled Substances Act) consistent with treaty obligations, and herein receive expert testimony limited to this treaty issue".

In accordance with the remand of the court, the petitioners, or any of them, if desirous of a hearing, shall on or before July 26, 1974, file with the Administrator of the Drug Enforcement Administration a written request for a hearing in the form prescribed by § 1316.47, Title 21, Code of Federal Regulations.

Dated: June 21, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.74-14559 Filed 6-25-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Craig District; Redelegation of Authority to Area Managers

Under authority of Bureau Order 701, dated July 23, 1964, and as amended April 26, 1966, the Area Managers administering the Kremmling and White River Resource Areas of the Craig District, Colorado are authorized to act on the following matters:

Within his area of responsibility in accordance with existing policies and regulations of the Department, and under direct supervision of the Craig District Manager, he may exercise the functions of the Bureau Director on the matters specified below subject to the limitations of Bureau Order 701, Part III.

AUTHORITY IN SPECIFIC MATTERS

Sec. 3.3 Fiscal affairs, the Area Manager may take action on:

(d) *Trespass*: Determine liability and issue notice on grazing trespass; recommend as to acceptance of settlement offer made.

Sec. 3.7 Range management. The Area Manager may take all action on:

(a) (1) Within grazing districts, the issuance of licenses and permits to graze or trail livestock.

(2) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(3) Expenditure of funds appropriated by Congress or contributed by individuals, associations, advisory boards, or others for the construction, purchase or maintenance of range improvements.

(b) Outside grazing districts, the issuance of grazing leases.

(c) • • •

(d) Soil and moisture conservation; control of halogeton glomeratus.

Sec. 3.8 Forest Management. The Area Manager may take all action on:

(a) Disposition of forest products including sales of timber not exceeding 250 mbf.

Sec. 3.9 Land use. The Area Manager may take all action on:

(g) Disposition of materials other than forest products, not exceeding $100 in value.

The District Manager may at any time temporarily reserve, restrict, or withhold any portion of the above delegated authority through use of Form 1213-1 District Office Authority and Responsibility Guide.

This order will become effective on July 1, 1974.

Dated: June 4, 1974.

MARVIN W. PEARSON,
District Manager.

DALE R. ANDRUS,
State Director.

[FR Doc.74-14545 Filed 6-25-74;8:45 am]

[New Mexico 20111]

NEW MEXICO

Notice of Application

JUNE 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Southern Union Gas Company has applied for a compressor station site right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 18 S., R. 32 E.,
Sec. 4, lot 2, SW¼NE¼. (A tract of land 500' x 500').

The site will occupy 5.739 acres of national resource land in Lea County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operations.

[FR Doc.74-14543 Filed 6-25-74;8:45 am]

[New Mexico 20419]

NEW MEXICO

Notice of Application

JUNE 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 10 S., R. 29 E.,
Sec. 1, lot 1, S½NE¼, NW¼SE¼, NE¼SW¼ and S½SW¼;
Sec. 12, N½NW¼.

This pipeline will convey natural gas across 1.230 miles of national resource land in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of
Lands and Minerals Operation.

[FR Doc.74-14544 Filed 6-25-74;8:45 am]

[New Mexico 21282]

NEW MEXICO

Notice of Application

JUNE 17, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Continental Oil Company has applied for 2-inch and 3-inch salt water pipelines right-of-way across the following land: