

and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

A. R. De Angelus,
Acting Commissioner of Customs.

Approved: October 16, 1981.

John Walker, Jr.,
Assistant Secretary of the Treasury.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Placement of Alprazolam in Schedule IV

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This is a final rule placing the drug, alprazolam, into Schedule IV of the Controlled Substances Act. As a result of this rule, alprazolam will be subject to the manufacturing, distribution, dispensing, importation and exportation controls of Schedule IV.

EFFECTIVE DATE: November 12, 1981.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: A notice was published in the Federal Register on Wednesday, April 29, 1981 (46 FR 23953-4), proposing that alprazolam be placed into Schedule IV of the Controlled Substances Act (21 U.S.C. 801 *et seq.*). All persons were given until June 29, 1981 to submit any comments or objections in writing regarding this proposal. One comment was received from the American Society for Hospital Pharmacists (ASHP), which supported the placement of alprazolam into Schedule IV. No other comments or objections were received in response to this proposal, nor were there any requests for a hearing.

Relying on the scientific and medical evaluation and recommendation of the Acting Assistant Secretary for Health, and based on his independent evaluation in accordance with the provisions of 21 U.S.C. 811(c), the Acting Administrator of the Drug Enforcement Administration, pursuant to the provisions of 21 U.S.C. 814(a) and 811(b), finds that:

(1) Based on information now available, alprazolam has a low

potential for abuse relative to the drugs or other substances listed in Schedule III;

(2) Alprazolam has a currently accepted medical use in treatment in the United States; and,

(3) Abuse of alprazolam may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

The above findings are consistent with the placement of alprazolam into Schedule IV of the Controlled Substances Act.

This control action involves the initial scheduling of a substance not previously approved for marketing in the United States and is necessary for final marketing approval. In order to avoid delays in the initial marketing of alprazolam which may cause economic problems for the manufacturer, the control of alprazolam will be effective on the date of publication of this final order. Further, all regulations applicable to Schedule IV substances will be effective on the date of publication. In the event this imposes special hardships on any registrant, the Drug Enforcement Administration will entertain any justified requests for an extension of time to comply with the Schedule IV regulations.

1. *Registration.* Any person who manufactures, distributes, imports or exports alprazolam or who engages in research or conducts instructional activities, must be registered to conduct such activities in accordance with Parts 1301 and 1311 of Title 21 of the Code of Federal Regulations.

2. *Security.* Alprazolam must be manufactured, distributed and stored in accordance with §§ 1301.71-1301.76 of Title 21 of the Code of Federal Regulations.

3. *Labeling and Packaging.* All labels and labeling for commercial containers of alprazolam must comply with the requirements of §§ 1302.03-1302.05 and 1302.08 of Title 21 of the Code of Federal Regulations.

4. *Inventory.* Every registrant required to keep records who possesses any quantity of alprazolam must take inventories pursuant to §§ 1304.11-1304.19 of Title 21 of the Code of Federal Regulations, of all stocks of these substances on hand.

5. *Records.* All registrants required to keep records pursuant to §§ 1304.21-1304.27 of Title 21 of the Code of Federal Regulations shall maintain such records on alprazolam.

6. *Prescriptions.* All prescriptions for products containing alprazolam shall comply with §§ 1306.01-1306.06 and

§§ 1306.21-1306.25 of Title 21 of the Code of Federal Regulations.

7. *Importation and Exportation.* All importation and exportation of alprazolam shall be in compliance with Part 1312 of Title 21 of the Code of Federal Regulations.

8. *Criminal Liability.* The Acting Administrator, Drug Enforcement Administration, hereby orders that any activity with respect to alprazolam not authorized by, or in violation of, the Controlled Substances Act or the Controlled Substances Import and Export Act shall be unlawful.

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Under the authority vested in the Attorney General by Section 201(a) of the Act (21 U.S.C. 811(a)) and delegated to the Acting Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR Part 0.100), the Acting Administrator hereby orders that:

(1) 21 CFR 1308.14(c)(1)-(2) is redesignated as 21 CFR 1308.14(c)(2)-(23); and (2) a new § 1308.14(c)(1) is added to read as follows:

§ 1308.14 Schedule IV.

* * * * *

(c) * * *

(1) Alprazolam..... 2802

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The Food and Drug Administration issued a letter on October 16, 1981, notifying The Upjohn Company of the final approval of their New Drug Application for alprazolam. A copy of this letter was received by DEA. The notification further stated that alprazolam may not be legally marketed until a final order placing alprazolam into Schedule IV of the CSA by the Drug Enforcement Administration is published in the Federal Register.

Pursuant to 5 U.S.C. 605(b), the Acting Administrator certifies that the placement of alprazolam into Schedule IV of the Controlled Substances Act will not have a significant impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act (Pub. L. 96-354). This action involves the initial control of a substance not previously approved for marketing in the United States.

In accordance with the provisions of 21 U.S.C. 811(a), this placement of alprazolam into Schedule IV 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).

Dated: November 5, 1981.

Francis M. Mullen, Jr.,
Acting Administrator, Drug Enforcement Administration.

[FR Doc. 81-32535 Filed 11-10-81; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 114

[DoD Instruction 7730.54]¹

Reserve Components Common Personnel Data System

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This rule revises DoD policies and procedures for the Reserve Components Common Personnel Data System (RCCPDS) that have been established to meet statutory requirements. The requirements provide that adequate and current personnel records be maintained to ensure proper management and mobilization readiness of Reserve Components. This rule outlines the process and assigns responsibilities to comply with those requirements, and applies to all male and female officers, warrant officers, and enlisted personnel assigned to the Ready Reserve, the Standby Reserve, and the Retired Reserve.

EFFECTIVE DATE: October 26, 1981.

FOR FURTHER INFORMATION CONTACT: CPT Patrick F. Kelly, USAR, Office of the Deputy Assistant Secretary of Defense (Reserve Affairs), OASD(MRA&L), The Pentagon, Room 3C960, Washington, D.C. 20301, Telephone 202-697-4334.

SUPPLEMENTARY INFORMATION: In FR Doc. 77-29574, appearing in the Federal Register [42 FR 54547] on October 7, 1977, the Office of the Secretary of Defense published Part 114 of this title. In response to mandated program changes, this rule is being revised.

Accordingly, the revised Part 114, now reads as follows:

PART 114—RESERVE COMPONENTS COMMON PERSONNEL DATA SYSTEM

Sec.

114.1 Reissuance and purpose.

¹ Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 301.

Sec.

114.2 Applicability and scope.

114.3 Policy.

114.4 Procedures.

114.5 Responsibilities.

114.6 Information requirements.

Authority: Title 10 U.S.C., secs. 261, 267, 275, 511, 651, 652, 671, 1209, 1331, 3914, 6330 and 8914.

§ 114.1 Reissuance and purpose.

This Part is reissued to establish new policies and procedures for the Reserve Components Common Personnel Data System (RCCPDS).

§ 114.2 Applicability and scope.

(a) The provisions of this Part apply to the Office of the Secretary of Defense (OSD), the Military Departments (and their National Guard and reserve components), the Organization of the Joint Chiefs of Staff, and the Defense Agencies. The Military Services discussed herein refer to the Army, Navy, Air Force, Marine Corps, and the Coast Guard (by agreement with the Department of Transportation).

(b) Its provisions govern all male and female officers, warrant officers, and enlisted personnel assigned to the Ready Reserve, the Standby Reserve, and the Retired Reserve. Included are reservists on active duty for training who continue their assignment with a reserve component.

§ 114.3 Policy.

(a) The statutes cited in Title 10, U.S.C., Sections 261, 267, 275, 511, 651, 652, 671, 1209, 1331, 3914, 6330, and 8914 require the armed forces to maintain adequate and current personnel records of reserve components, which shall include each member's:

- (1) Physical condition.
- (2) Dependency status.
- (3) Military qualifications.
- (4) Civilian occupation skills.
- (5) Availability for service, and such other information as the Secretary of the Military Department concerned may prescribe.

(b) The computerized common data base that has been established to meet the above statutory requirements shall be used to provide statistical tabulations of reserve component's strengths and related data for use throughout the Department of Defense, other government agencies, and the Congress, and for appropriate public release by the Assistant Secretary of Defense (Public Affairs) (ASD(PA)).

(c) The items of personnel data included in this reporting system, for each Reserve category shall be maintained to satisfy the minimum essential data items needed to meet the statutory requirements of 10 U.S.C. Additionally, data falling within the

following categories shall be maintained in individual records (either in a manual or automated mode) to satisfy those statutory requirements:

(1) Retirement points earned (all point-earning reservists).

(2) Retirement authority (all retired reservists).

(3) Professional military education for enlisted members (all point-earning enlisted members).

(4) Servicemen's Group Life Insurance option selected (all point-earning reservists).

(5) Current physical condition (all point-earning reservists).

(6) Mobilization availability (all ready reservists) (32 CFR Part 44).

(d) The Military Departments shall maintain only such additional items of data on a member considered necessary to manage adequately their Guard and Reserve forces, and ensure mobilization readiness.

(e) The requirements and procedures prescribed by 32 CFR Part 286a must be followed to safeguard the personnel data maintained in this reporting system. Individuals having access to identifiable personnel information may be held personally responsible and punishable under the law for making unauthorized disclosures.

§ 114.4 Procedures.

(a) Members who are qualified for Reserve retirement under 10 U.S.C. 1331 and who are eligible to draw benefits at age 60, but who have elected discharge from the Reserve forces rather than transfer to the Retired Reserve should be reported in RCCPDS.

(b) Enlisted members of a regular component who also have a Reserve commission cannot be reported in RCCPDS.

(c) The following categories of full-time support personnel shall be reported in RCCPDS:

(1) *Active Guard/Reserve.* Guardsmen and reservists on active duty solely to provide full-time support to the Ready Reserve and who are paid from the Reserve personnel appropriations of the Military Department concerned.

(2) *Military Technicians.* Federal civilian personnel of a Military Department who occupy technician positions and are members of the reserve component they support.

(d) Members on extended active duty who are part of the active force may not be reported. This does not include members identified in § 114.4(c)(1).

(e) As the official DoD vehicle for reporting Reserve forces manpower strengths, records reported in this system (as prescribed in § 114.2 and