

To exercise this power, however, the Attorney General must have the concurrence of the Secretary that the contemplated action is medically and scientifically correct. The law states that the recommendations of the Secretary on medical and scientific matters are "binding" on the Attorney General and if the Secretary recommends that a drug not be controlled the Attorney General cannot control it.

As the subcommittee has requested, I will briefly outline how that partnership has worked in the area of stimulant drugs.

The Controlled Substances Act, as it related to the stimulants, represented a Congressional compromise under which Congress originally placed liquid injectable methamphetamine ("speed") in Schedule II and the amphetamines and methamphetamine in Schedule III. However, it was clearly understood by the managers of the legislation for the House and the Senate that "proceedings will be initiated (by the Attorney General) involving a number of drugs containing amphetamines after the legislation has become law."