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# WITHDRAWAL SHEET

## Ronald Reagan Library

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DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. list	re ideas for a task force to work on, 2p	n.d.	B1

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THE WHITE HOUSE

Office of the Press Secretary

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*Drug f. 4*

THE CRUSADE FOR A DRUG-FREE AMERICA

FACT SHEET

The President today proposed a bipartisan, "emergency Executive-Legislative task force" to review every area of the drug problem, from blocking supplies to curtailing demand, and report to him with solutions within 45 days. The President asked the task force to consider:

- o Capital punishment when a death results from narcotics trafficking, or when a law enforcement official is murdered under any circumstances;
- o Tougher mandatory sentences for drug dealers, especially for those who sell drugs to minors;
- o Tougher laws on asset seizures and new education and prevention programs to reduce demand for drugs;
- o Greater use of U.S. military assets in drug surveillance and interdiction, and greater use of the U.S. National Guard in drug eradication and enforcement;
- o Expansion of the Coast Guard anti-drug mandate to air space above the high seas; and
- o More international cooperation in areas such as eradication and crop substitution.

*3*  
*already law!*

The Administration is also on record in favor of "good faith" exceptions to the exclusionary rule, which prohibits introduction of illegally seized evidence in criminal cases; increased assistance for state and local law enforcement; rewards for individuals providing information leading to the arrest and conviction of a drug trafficker; a system for reporting on the manufacture and sale of raw chemicals used in drug production; and military assistance for anti-narcotics forces in cooperating foreign countries.

In his remarks at the U.S. Coast Guard Academy graduation ceremonies, the President also called for restoration of Coast Guard operating funds which Congress cut late last year.

The Reagan Record on Drug Interdiction

Interdiction focuses on detecting, intercepting, and apprehending shipments of illegal drugs as they move into the U.S. by air, land or sea. The task is difficult because ours is an open society with open borders. Nonetheless, the U.S. Coast Guard, the Customs Service, and the Immigration and Naturalization Service annually seize millions of pounds of illegal drugs.

In FY 1987 alone, Federal agents interdicted and seized at least 639 million pounds of heroin; a record 92,000 pounds of cocaine; and an estimated three million pounds of marijuana.



- o The U.S. Coast Guard has played a central role in the Administration's unprecedented efforts to stop illegal drugs at our borders.
  - In the past 10 years, the Coast Guard has arrested more than 8,500 drug smugglers.
  - In 1987, U.S. Navy ships, with Coast Guard enforcement officers aboard, helped seize 27 drug-laden vessels and arrest 129 drug smugglers.
  - Last year the Coast Guard and the agencies it assists seized nearly 26,000 pounds of cocaine.
  
- o To improve our ability to detect drug smugglers, Federal outlays for interdiction activities have increased 185 percent under this Administration -- from \$350 million in FY 1981 to \$1 billion in FY 1988. With these interdiction funds:
  - New radar sites have been completed in Arizona and the Bahamas to operate with existing sites in Florida to detect airborne drug smugglers.
  - The U.S. Customs Service established an interdiction base in the Bahamas, using interceptor boats with Bahamian and American crews. Since its establishment in April 1987, the base has been responsible for the seizure of two and a half tons of marijuana and one and a half tons of cocaine.
  - Four new Command, Control, and Communications and Intelligence Centers will be developed, including centers in Florida and California to be completed this year.

For FY 1989, the President has requested \$1.13 billion for Federal interdiction. This represents an increase of \$130 million over the FY 1988 level, with much of the additional funds going for Coast Guard interdiction activities.

- o Under the Reagan Administration, the U.S. military has entered the drug interdiction effort. All of the armed services are now involved, providing airborne surveillance, ships, sensors, communications equipment, and other support such as planning and training, whenever it does not interfere with combat readiness.
  - More than 16,000 flight hours were logged by military aircraft last year in surveillance missions, photo reconnaissance, and transportation of law enforcement personnel.
  - National Guard units provided more than 3,000 aerial surveillance flight hours and 9,000 man-days in support of drug eradication.
  - Some \$400 million in military aircraft equipment is on loan to drug agencies.

These resources have been used in dramatic international operations such as Operation Blast Furnace, in which the U.S. sent military equipment and personnel to Bolivia to destroy 20 clandestine cocaine laboratories, virtually halting the coca leaf traffic there.



Interdiction is only one aspect of the President's overall drug policy. As he has said, the ultimate answer to the drug problem lies in "taking the customers away from the drugs, not necessarily the other way around."

The President has asked the National Drug Policy Board to report to him by May 26 with additional recommendations for reducing both the supply of and demand for illegal drugs.

The Coast Guard Budget

- o The 100th Congress cut \$72 million from the President's FY 1988 request for Coast Guard operating expenses. This took place in the continuing resolution Congress sent to President Reagan late last year, just as funding for the Federal government was about to expire.

Coast Guard Operating Expenses, FY 1988  
(\$ millions)

President's request	\$1,964
Congressional response	1,892

- o The Coast Guard estimates a shortfall of \$103 million for the current fiscal year. This includes the \$72 million cut by the Congress; \$17 million in increased costs due to exchange rate changes; and \$14 million in increased costs due to military and civilian automatic pay raises.
- o The shortfall has already forced the Coast Guard to reduce operations such as routine patrols, and to defer such things as routine maintenance, training, and restocking of spare parts.
- o Actions already forced on the Coast Guard by the FY 1988 shortfall will yield savings estimated at \$43 million. The Administration has proposed a redistribution of \$60 million in FY 1988 funds within the Department of Transportation to ensure the continuation of critical Coast Guard services.
- o From FY 1981 to FY 1988, funding for Coast Guard operating expenses has grown about 42 percent (about one and a half times the rate of inflation).

Funding for Coast Guard Operating Expenses  
(\$ millions)

FY 1981	1,337
FY 1982	1,482
FY 1983	1,604
FY 1984	1,691
FY 1985	1,754
FY 1986	1,748
FY 1987	1,907
FY 1988	1,892

- o For FY 1989, the President has requested approximately \$2.1 billion for Coast Guard operating expenses, an increase of 11 percent over the enacted FY 1988 level. The Administration's request of \$3 billion in total FY 1989 budget authority for all Coast Guard activities represents an increase of 17.5 percent over the enacted FY 1988 level.

(Klugmann/ARD)  
May 16, 1988  
8:30 p.m.

*DMG file*

PRESIDENTIAL ADDRESS: COAST GUARD ACADEMY GRADUATION  
NEW LONDON, CONNECTICUT  
WEDNESDAY, MAY 18, 1988

Secretary Burnley, Admiral Yost, Admiral Cueroni, Senator Weicker, Senator Dodd, thank you. Thank you all.

It is an honor to be able to participate in the commencement exercises of the United States Coast Guard Academy. I am especially delighted to be here with the class of 1988; you see, in certain ways I envy you. For one thing, all of you know what you'll be doing next year.

The fact is many young people have trouble choosing their life's work. I was an exception. After college, I knew exactly where my future lay: I became a radio sports announcer. It was just a lucky guess.

But I know what I would say to any young people who told me they were torn between different careers: If they said they wanted to help people in distress, guard our borders, conserve fisheries, battle drug smugglers, enforce maritime law, test their courage against stormy seas, defend America in times of war, and wear proudly each day the uniform of this great country -- then I would tell them just one thing: I would tell them, "Join the Coast Guard."

I know a lot has happened since you started here as Swabs, were presented with a copy of "Running Light," and first rode the wind on America's mighty square-rigger, The Eagle. Soon, it will be time for you to receive your commissions and bid farewell to the Academy. It's been said that graduation day is a time of



sentimental good-byes -- coupled with extreme relief. One student, departing his alma mater, wrote inside the cover of his yearbook: "All things must pass... though I almost didn't." Now, I don't imagine that any of you wrote anything like that inside your copy of "Tide Rips."

You know, as President, I have a military aide from each of the five services. My Coast Guard aides have been excellent, they taught me that "the Coast Guard is that hard nucleus about which the Navy forms in time of war." But there is one thing I haven't been able to get a straight answer on. Can anyone here tell me: How long is a piece of string? [ritual Cadet response is "No, sir."] That's okay, I didn't think so.

Well, graduation day belongs to the graduates, but I want to take just a moment to speak to some special people here today, your mothers and fathers. You know, I have often said that there is nothing that makes me prouder than America's young men and women in uniform. I want to ask the parents: Are you as proud of these soon-to-be officers as I am? During World War II, one General said that America's secret weapon was "just the best darn kids in the world." Now that may not have been the exact word that he used, but when I look at your sons and daughters today, I know exactly what he meant.

And cadets, let me ask you something. For your parents or that special teacher or friend who helped you to be here today, can we give them a very loud salute?

Since your service was founded by the first Congress nearly 200 years ago, it has served with courage and honor in every war

our Nation has fought. The first Coast Guard casualty of World War II came the day after Pearl Harbor, when a transport evacuating American families out of Singapore came under attack.

On D-Day, when our soldiers hit the beaches at Normandy, there were Coast Guardsmen piloting the landing craft. Some 1,500 soldiers whose craft were sunk by enemy fire were rescued by the Coast Guard on that fateful day.

Back when Washington bureaucrats were not as sophisticated or numerous as they are today, we named things more nearly for what they were. One of my favorite examples is that one of the predecessors of today's Coast Guard was known simply as the Life Saving Service. And though the Coast Guard does many jobs, I suspect seafarers in distress will always think of you that way.

In March of last year, some 200 miles off our New Jersey coast, in stormy Atlantic waters, a Soviet freighter sent out a desperate S.O.S. The ship was listing 26 degrees to port in seas that were running 20 feet. Gale force winds were gusting up to 55 knots, and the skies were dark with rain and sleet. The Soviet ship was sinking. Then, three Coast Guard helicopters came to the rescue. Their fuel was low and there was little time. Despite screaming winds and pitching seas, each helicopter in turn managed to hover above the ship's heaving deck. The helicopter crews, with infinite care, lowered a wire basket, and lifted up to safety, one-by-one, each of the 37 people on board. It was one of the most dramatic rescues in Coast Guard history, and a heroic demonstration of what we mean when we say the Coast Guard is "an armed service and more."



Today, one of the Coast Guard's most important missions is to fight the importation of illegal drugs. In the last 10 years you have arrested more than 8,500 drug smugglers. For that, America salutes you. It is time to make illegal drugs "public enemy number one." It is time to say America's tolerance for illegal drugs is zero.

The Congress made a serious mistake when our Fiscal Year 1988 budget request for the Coast Guard was reduced by \$72 million and forced a curtailment in the drug interdiction effort. I hope the Congress will restore the funds necessary for you to accomplish your vital mission.

While that is one thing, it is not the only thing that all of us as a Nation must do. But before I talk about what remains to be done, let's take stock of what already has occurred.

Yes, it's true, that across the breadth of the Federal Government, we have assembled a strong anti-drug team and enacted tough anti-drug policies.

In 1982, we set up the South Florida Task Force, which was headed by Vice President Bush. Hundreds of additional drug agents were sent to Florida, along with extra judges and prosecutors. More Coast Guard cutters were deployed, and the other military services provided surveillance assistance for the first time. We made record drug seizures -- and major crime in South Florida decreased nearly 20-percent.

Because of that success, the next year we formed the National Narcotics Border Interdiction System, also led by the Vice President, to coordinate Federal, State, and local law

enforcement efforts against drug smuggling nationwide. Since the formation of the border interdiction system, in 1983, annual cocaine seizures are up more than 20-fold.

In 1987, I established the National Drug Policy Board in order to coordinate all of the Administration's efforts in this crusade. This Board, chaired by Attorney General Meese, has developed a series of comprehensive strategies to reduce both the supply and demand for illicit drugs.

And let me stress, the Coast Guard and the other Armed Services have played a major role in this unprecedented campaign. Last year, the Pentagon provided over 2,500 ship days of maritime support and more than 16,000 hours of air surveillance.

The Coast Guard and the Department of Defense gained important new resources for their drug-fighting efforts from the Anti-Drug Abuse Act of 1986. And last year, the Coast Guard and agencies with which it works seized nearly 26,000 pounds of cocaine -- 26,000 pounds of a drug that has a street value of \$1,000 an ounce. And by keeping deadly drugs from reaching our communities, I think the Coast Guard earned yet another good reason to be known as "the life saving service."

Another key part of the war on drugs has been the appointment of no-nonsense Federal judges. Not only have drug convictions doubled since 1979, but prison sentences are 40 percent longer. And last year, new, tougher sentencing guidelines were issued.



The Comprehensive Crime Control Act, passed in 1984 helps put drug dealers out of business. Last year alone, over \$500 million in drug-related assets were seized.

Drug eradication programs are now underway in 23 countries, up from just 2 in 1981.

More funds than ever before are being spent on drug education and public awareness, and more funds still have been requested.

Since 1981, we have tripled the anti-drug law enforcement budget, and I am asking for another 13-percent increase. That would give the Federal Government a total of \$3.9 billion next Fiscal Year to fight this menace.

All told, it is an extraordinary demonstration of our commitment and a remarkable record of achievement. And that having been said, you know what else: Extraordinary as it is, remarkable as it is, as much a testimony as it is to those in law enforcement and the Coast Guard -- more has to be done.

There is an additional step we must take, and without it, I don't know if we can succeed.

I want to use this opportunity today to call for a special initiative. One of America's greatest strengths is our unique capacity for coming together during times of national emergency. We set aside those differences that divide us and unite as one people, one Government, one Nation. We have done this before, we must do it now.

Illegal drug use is the foremost concern in our country. And, frankly, as I finish my final year in office and look ahead,

I worry that excessive drug politics might undermine effective drug policy. If America's anti-drug effort gets tripped-up in partisanship, if we permit politics to determine policy, it will mean a disaster for our future and that of our children.

That is why today I am calling on both houses of the Congress, both sides of the aisle, to join with my representatives in a special Executive-Legislative task force to advance America's unified response to the problem of illegal drug use. Because if we cannot remove the politics from drugs, how can we hope to remove the drugs from our communities, workplaces, and schools?

Our task force should agree on solutions for every area of the drug problem: From blocking supplies to curtailing demand, from treatment to education to prosecution, from interdiction and confiscation to eradication -- nothing should be overlooked or ruled out. Our policy is one of "zero tolerance" for illegal drugs, and we are looking for solutions, not just a restatement of the problem. And no later than 45 days from now there should be a report to me and to the bipartisan leadership of Congress, laying out our proposals.

Let me take a minute to spell out some specific items that need to be considered.

First, to deter violent crime and narcotics trafficking, we have to deal with the drug syndicates on our terms. That means when a death results from narcotics trafficking, or when a law enforcement officer is killed in the battle, the law must provide for swift, certain, and just punishment -- including capital



punishment. We've got to send a loud, clear message to drug kingpins and cop-killers. And that also means appointing more tough Federal judges who take drug crimes seriously.

The drug interdiction mission of the Coast Guard should be formally specified to include law enforcement in the air over the high seas, as well as on and under the sea.

Our military assets can be used for greater command and control functions in surveillance and drug interdiction. And we should consider allowing our Governors greater use of the National Guard in this effort. But one thing must be clear: When it comes to the military, let's give them a clear mission for specific situations.

To assist in this effort I have also today directed Secretary of Defense Carlucci to tap the best minds both inside and outside of Government to come up with creative solutions on how we can better use military resources and technologies to detect and interdict drugs coming into this country.

We need stepped-up international eradication programs to reduce the supply of drugs, and additional education and prevention programs to reduce demand, including the use of civil sanctions such as fines and loss of eligibility for Federal programs. Our encouragement, our goal, should be for those who have never tried drugs to remain drug-free.

I'm especially proud of the anti-drug work that Nancy has done, which has changed the way we talk and think about drugs.

You see, at the root of the drug crisis is a crisis of values and a spiritual hunger. I believe that as a society we

are still paying for the permissiveness of the 1960's and 1970's when restrictions on personal behavior came under attack by a cultural establishment whose slogan was "just say yes."

There were numerous calls for repealing our prohibitions on drugs; those who favored tougher drug laws, or even just keeping the ones we had, were labeled conservative, moralistic, reactionary, and old-fashioned -- and that was back before those words were meant as compliments. The none too subtle message to young people was that they had to use drugs if they wanted to be "cool." What greater shame can there be than that many of our young people began to use drugs, not to rebel, but to fit in?

So, in the crusade for a drug-free America, the next step is to enforce a policy of "zero tolerance" of illegal drug use. So when we say "no" to drugs, it will be clear that we mean absolutely none -- no exceptions.

This concern with values goes beyond just the issue of drugs, of course. We worked hard in the early 80's on our national recovery so that we might be able to recognize, indeed, deal with social problems that had been too long ignored and sometimes obscured in the past. Today America is facing head-on social problems like drugs and crime. And this, as I say, stems from the renewal of our fundamental beliefs and values as a Nation.

And this renewal goes beyond just our own borders. In 10 days, I arrive in Moscow for my first visit to the Soviet Union and for my fourth meeting with General Secretary Gorbachev.



Our goals there are something that I have been discussing for the last several months in detail. But let me summarize.

There are four main agenda items in the U.S.-Soviet relationship: Human rights, regional conflicts, arms reduction, and bilateral exchanges. With regard to human rights, though we note some improvements, we will continue to press for full respect for the freedom of expression, travel, religion, and other rights contained in the Helsinki Accords, and for institutional reforms that would guarantee such rights and the rule of law.

We will discuss a number of regional conflicts in which the United States supports the forces of freedom against brutal communist dictatorships. In particular, we will note the progress of the Soviet withdrawal from Afghanistan. We will reaffirm America's support for the brave Mujahidin freedom fighters, and the goal of an independent, non-aligned, and undivided Afghanistan, free to determine its own future.

In the area of arms control, General Secretary Gorbachev and I will continue our dialogue on the reduction of nuclear weapons, focusing in particular on strategic offensive systems.

And with respect to bilateral exchanges, I especially want to encourage more student exchanges between our two countries. I hope that more Soviet young people can view firsthand America's democratic system and way of life.

I should also mention that part of our meetings will focus on the U.S.-Soviet Maritime Search and Rescue Agreement that has just been concluded. Other maritime issues we are currently

discussing include the issue of fisheries and plans for dealing with emergency pollution spills. So, yes, the Coast Guard's concerns are on the Moscow agenda.

It has been a great honor to be here with you. You can be sure that when I am in Moscow I will think of all of you here today. You represent the best of America and carry in your hearts the values that are the source of our liberty and our spiritual strength. This is reflected in the path of service that you have chosen. We are a Nation of free men and women, who use our God-given liberty to serve our country because we love her and all that she represents. It is our earnest prayer to serve America in peace, it is our solemn commitment to defend her in time of war. I believe that America is standing before the brightest future the world has ever known. And that future is yours. And properly so, because you have chosen to wear the uniform of your country and risk all that you have and all that you are in her defense. I wish not only to congratulate you on your graduation, but as your Commander-in-Chief, I salute you.  
[salutes audience.]

Thank you and God bless you.



THE WHITE HOUSE  
WASHINGTON

Drug file

May 6, 1988

MEMORANDUM FOR ALAN M. KRANOWITZ

THROUGH:

PAMELA TURNER  
JIM DYER

FROM:

NANCY KENNEDY  
NANCY DORN

SUBJECT:

Anti-Drug Abuse Hill Update

Drug Bill

Senate

Senators D'Amato and DeConcini, members of the Senate Caucus on International Narcotics Control, introduced S. 2205, the Anti-Drug Abuse bill (the Caucus wrote the bill), and it was referred to the Judiciary Committee. The bill has 71 co-sponsors, including most of the Committee members. Senator D'Amato has been assured by the Committee that hearings and markup will be completed by the July 4th recess. Senator D'Amato's staff has indicated that they realize the bill is all encompassing and will probably require changes. They indicate that D'Amato and DeConcini will be amenable to changes in the bill and aren't going to stand on pride of authorship.

House

Several drug bills have been introduced in the House, but the major Republican and Democrat omnibus packages are still being formulated. Mickey Edwards and Jerry Lewis, in conjunction with Bill McCollum, hope to have a final package together by May 28. The package will likely include increased use of the military to interdict drugs, tougher sentencing for dealers and users, including the death penalty, tying Federal aid to state and local governments to drug free workplaces, schools, etc., and emphasis on law enforcement efforts. While the Republican bill will not be without cost, they are conscious of budget constraints. There has been some interest on the part of Senator Dole's staff to join with the House Republicans on a bicameral drug bill, but they have not been actively engaged in the drafting process.

The Democrats, in contrast, are expected to focus on expensive interdiction efforts (increases in Coast Guard, Border Patrol, DEA personnel and equipment), multi-billion dollar law enforcement and rehabilitation grants to states and expensive and duplicative education programs. Word has circulated that the Speaker would like committees to complete action by early to mid-June so that a bill could be passed in the House prior to the July convention.

As you know, the Speaker suggested a bipartisan approach to Bob Michel several days ago. Michel assented, but has since followed up with a letter articulating his concerns and demands regarding formulation of a drug bill. In short, Republicans were not full partners in the formulation of the 1986 bipartisan bill and Michel is concerned that the ground rules be fully understood beforehand.

### Supplemental

#### Senate

If the House keeps the Supplemental clean, the chances are it will stay clean. Appropriations Committee staff feels that if the House amends the bill, the Leadership will be hard pressed to tell their members they can't offer any. With 71 cosponsors on the Senate drug abuse bill, unless someone like Phil Gramm threatens a filibuster, it could be impossible to stop.

#### House

The House Appropriations Committee is scheduled to markup the FY 1988 supplemental Tuesday at 10 a.m. Neal Smith, Chairman of the Commerce, State and Justice Subcommittee, has included a \$498.6 million drug package in his section of the bill in direct violation of the budget summit agreement. He is supported by the Speaker in this effort, although it is not clear what the positions of the other subcommittee chairman who lived within the budget agreement are. Conte will oppose the bill on budgetary grounds but it is uncertain what kind of support he will receive even from the Republicans. The Republicans on the subcommittee led by Hal Rogers supported Smith's efforts. All but \$160 million of the roughly half billion dollar package is essentially the Justice Department's FY 1989 request for criminal justice programs.

- \$317.9 million for drug law enforcement programs including funds for the FBI, DEA, INS, the U.S. Attorneys Office, the U.S. marshals service, cooperative prisoner housing, etc;



- \$137.6 million prison related programs including salaries and expenses and prison construction;
- \$43.1 million for the judiciary to process additional caseloads;
- \$160 million for law enforcement grants to states and localities (this has not been requested by the Administration, but is a perennial Rangel add-on).

### Department Of Defense Authorization

#### Senate

Chairman Nunn is on record as opposing the use of the Armed Forces in the war on drugs for two basic reasons: 1) He doesn't believe we have adequate forces, they would be spread too thin and, 2) he doesn't feel it is the proper role for the military to be given arrest and seizure powers, as they are not trained in law enforcement. He backed down somewhat last week, however, by indicating he'd favor putting Coast Guard personnel aboard Naval ships to assist in interdiction. Nunn's staff feels he wants to do something on this issue, and hopes it will be a bipartisan effort "with White House involvement." Republican staff on the Armed Services Committee feels that Nunn might be open to some sort of compromise, since the whole issue has become political and "no one wants to stand in front of a moving train."

The Committee is not happy that the House chose to take the funds from SDI. Although the Senate number is higher, it was set at that level for purposes of the conference.

#### House

Aspin did not support the Dickenson amendment on military involvement on the war on drugs and has privately expressed his desire to get rid of it in conference. Not only does he believe it is unsound from a policy perspective, he is under pressure to drop it from those who think that the Republicans have now gotten credit for an idea that was sure to be included in the Democrats' drug bill. Dickenson, himself, is unenthusiastic about the amendment, telling DOD that he was under pressure from the conservative Republicans to put it in.

**DRAFT**

LEGISLATIVE INITIATIVES FOR  
THE CRUSADE FOR A DRUG-FREE AMERICA:  
THE NEXT STEP - ZERO TOLERANCE

*file  
drugs*

**THEME: BOLD INTERNATIONAL OPERATIONS AND CONTROL**

1. Weapons and military assistance for anti-narcotics forces in cooperating foreign countries.
2. Increased international eradication/crop substitution funding in conjunction with UNFDAC and through bilateral agreements.
3. Increased intelligence capabilities with authority for DCI to provide intelligence information for law enforcement investigations against American citizens engaged in narcotics trafficking.
4. Revise certification procedures/process to make it more workable.

**THEME: STRONG DOMESTIC LAW ENFORCEMENT**

1. Drug Free America Act of 1986 (transmitted Sept.15, 1986).
  - Language permitting the death penalty against a person who intentionally kills another while engaged in a continuing drug enterprise;
  - Establishment of "good faith" exceptions to the exclusionary rule, which prohibits introduction of illegally seized evidence in criminal cases;
  - Language modernizing and clarifying the statutory basis for the Marshals Service to permit it to carry out its law enforcement responsibilities more effectively;
  - Establishment of a system for reporting on the manufacture and sale of precursor and essential chemicals;
  - Language exempting certain drug abuse related Government contracts from the procurement laws and permitting domestic dissemination of USIA materials warning against the dangers of illegal drug use; and
  - Amendments to the Civil Service Reform Act and Rehabilitation Act to clarify that they do not bar Federal agencies from taking disciplinary action against Federal employees found to be using illegal drugs.



2. Criminal Justice Reform Act (transmitted Oct. 16, 1987).
  - ° Establishment of constitutional procedures for imposition of the death penalty in appropriate Federal cases;
  - ° Establishment of a "good faith" exception to the exclusionary rule; and
  - ° Language reforming Federal habeas corpus procedures to give greater finality to the judgement of State courts.
3. Increased Assistance to State/Local Law Enforcement for Zero Tolerance Programs, particularly:
  - ° Amend law enforcement grant program funding and Forfeiture Fund statutes to permit law enforcement agencies to use funds provided for demand reduction activities.
  - ° Increased street level enforcement with additional support for joint DEA/Local Crack Task Forces;
  - ° Participation in federal law enforcement operations, like Operation Alliance, Operation Hat Trick, Organized Crime Drug Enforcement Task Forces (OCDETF);
  - ° Payment of overtime compensation for participation in joint Federal operations; and
  - ° Domestic eradication programs.
4. Rewards for individuals providing information leading to the arrest and conviction of drug traffickers, similar to the reward program for terrorism (18 U.S.C. 3071).
5. Increased Law Enforcement Assistance for Public Housing with mandatory drug testing for security personnel.
6. Investigations.
  - ° Allow disclosure of IRS Form 8300 (Report of \$10,000 Received in Trade or Business). Also transfer 26 U.S.C. 6050 to Title 31. Also amend Non-Disclosure Statute;

- Remove restrictions on the use of Federal Reserve data;
  - Amend 18 U.S.C. 1856 (Money Laundering) to include customs violations, such as fraud and copyright violations as predicate offenses; define "gross proceeds" to mean receipts and not merely profits; and include a minimum mandatory sentence;
  - Add CTR exemption list to financial data base;
  - Grant Customs Foreign Bank Account Report (FBAR) investigative jurisdiction;
  - Strengthen 18 U.S.C. 981 forfeiture through "facilitation" clause; and
7. Mandatory Minimum Sentences For:
- Drug traffickers;
  - Drug traffickers using youth in distribution; and
  - Drug traffickers selling to youth.

**THEME: INCREASED INTERDICTION EFFORTS**

1. Increase military contribution by providing additional resources (as requested by law enforcement agencies); use of reserve training periods for anti-drug operations; use of National Guard, Reserves, and active military for domestic eradication; no arrest authority for military personnel.
2. Increase research and development for technological methods to detect narcotics in containers; designate national labs with law enforcement mission.
3. Provide civil and criminal penalties against financial institutions for violations of the recordkeeping provisions of the Bank Secrecy Act (similar to penalties for violations of reporting provisions).
4. Specify the mission of the Coast Guard in 14 U.S.C., "Roles and Missions" to address Coast Guard law enforcement over the high seas, i.e. interdiction in the air environment, as well as interdiction on and under the sea.



5. Grant explicit authority to Coast Guard and Customs over aircraft -- to order a landing, inspect aircraft, compel compliance with landing request, etc.
6. Require all civil aircraft operating into, within or out of a coastal Air Defense Identification Zone (ADIZ) to be equipped with an operating transponder.
7. Require all general aviation aircraft entering U.S. airspace to fly established "air corridors" enroute to international airports of arrival.
8. Clarify that Navy and U.S.C.G. Taclet personnel conducting operations under Posse Comitatus exception, have similar immunity from civil liability in the use of force to compel compliance with orders to allow boarding, as do Coast Guard personnel.
9. Provide explicit extraterritorial application of 19 U.S.C. 844 (simple possession), in order to allow for the inclusion of possession as a lesser-included offense in drug trafficking cases.
10. Remove the words "drug interdiction area" from 10 U.S.C. 379, the codification of Coast Guard conducting law enforcement from Navy vessels as a Posse Comitatus exception.
11. Provide an exception to Federal Procurement Regulations authorizing sole source procurement for law enforcement agencies, similar to the exception for defense purposes.

**THEME: USER ACCOUNTABILITY AND DEMAND REDUCTION**

1. Drug Free Communities: Establishment of the National Drug Prevention Agency as independent agency to promote, direct, coordinate anti-drug campaign. Member of National Drug Policy Board. Serve as focal point for developing and implementing a national drug prevention public awareness campaign. The Director of the NDPA would serve as member of the National Drug Policy Board.
2. Treatment of Illegal Drug Users: Encourage State and Local governments to establish a new "system" which would facilitate work with both the health and law enforcement/judicial officials to track and monitor drug users to maximize effective incentives and sanctions to ensure compliance with a drug free model. Increase resources for drug treatment programs under which the Federal Government, the State Government, and the Local Community Government sharing the funding on a 1/3 - 1/3 - 1/3 basis. Treatment provided under these funds must provide

the requirement for drug-free accountability in program and mandatory drug testing of treatment recipients.

2. Zero Tolerance Incentives and User Sanctions for Drug-Free Workplaces, Schools, Transportation, Prisons, and Public Housing:
  - a. Establish civil penalties for drug use/possession as alternative to criminal prosecution with the following provisions:
    - ° Fines bases on personal assets or percentage of income;
    - ° No student loans;
    - ° No FHA loans;
    - ° No small business loans;
    - ° Restrict passport issuance for period of time; and
    - ° Loss of federal drivers license; encourage states to restrict drivers license.
  - b. Require individual drug tests using federal guidelines for:
    - ° Federal arrestees and parolees; and
    - ° All applicants for federal licenses to operate public conveyances, aircraft, or vessels.
  - c. Require proof of drug-free programs.
    - ° As condition for federal contracts or grants; and,
    - ° As condition for university/education grants.
3. Amend existing federal legislation for drug abuse education and prevention programs to assure accountability for results, with provisions to tie in continued funding to a measurable decrease in drug and alcohol abuse in given schools, counties.
4. Require all federal drug funds to state/local governments are expended on programs that are tied to policy of zero tolerance with sanctions against drug users. For example:



**DRAFT**

- 6 -

- ° Highway grants conditioned on the passage of state legislation restricting drivers licenses of convicted drug users





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

April 7, 1988

MEMORANDUM FOR HOWARD BAKER

THROUGH: JIM MILLER

FROM: JOE WRIGHT *JW*

SUBJECT: Further Information on the Anti-Drug Abuse Act of 1988

You asked for more information on a major new drug bill introduced in both the Senate and the House (Senators DeConcini and D'Amato -- and Congressman English) last March 23rd. That information is attached.

The bill has over 30 bipartisan co-sponsors and is expected to move sometime in the next month. The bill adds \$2.4 billion for Anti-Drug Abuse spending on top of the \$3.9 billion already contained in the President's FY 1989 budget. It is allegedly offset by an estimated \$3.2 billion in a mandated debt collection -- thereby resulting in budget savings of \$800 million. We question these numbers.

We have not had time to fully review the bill for it's substantive merit -- but we know some parts cause problems, such as moving the Coast Guard and Border Patrol to the Treasury Department. Title IX allows the bipartisan budget agreement to be amended to accommodate any additional funding authorizations.

OMB is continuing to review the bill and will work with the agencies to develop an Administration position next week. We may need an LSG on this. If you need anything else while you are in California, don't hesitate to let us know.

cc: Carol Crawford  
Jay Plager  
Gordon Wheeler



TITLE I: DRUG ENFORCEMENT AND PERSONNEL ENHANCEMENT

Subtitle A: Asset Forfeiture Fund Amendments Act of 1988.

- o Takes both the Department of Justice and the Customs Service Asset Forfeiture funds "off-budget" (i.e., excludes them from budget totals and exempts them from any statutes that seek to limit expenditures, such as Gramm/Rudman or appropriations acts).
- o Requires that any monies remaining in the DOJ Asset Forfeiture Fund at the end of each fiscal year after all program related expenses have been made, are to be used for Federal prison construction and for costs associated with constructing, renovating or acquiring additional bedspaces for Federal detainees in State and local jails.
- o Exempts DOJ and Customs funds from contract and procurement statutes when necessary to maintain security and confidentiality.
- o Requires the Attorney General to ensure the equitable sharing of forfeited property with State and local law enforcement agencies, according to the extent of their participation in the seizure or forfeiture.

Subtitle B: State and Local Narcotics Control Assistance Act of 1988.

- o Establishes the Bureau of Justice Assistance as a separate bureau within the Justice Department with a Director appointed by the President with the advice and consent of the Senate.
- o Authorizes a State and local formula grant program and a discretionary grant program (80 percent and 20 percent of the appropriation, respectively). Authorized level: fiscal year 1989 -- \$250 million; fiscal year 1990 -- \$500 million; and fiscal year 1991 -- \$750 million. Funds could be used for personnel, equipment, facilities, training and supplies.
- o Authorizes \$5 million and 96 positions for the Bureau of Justice Assistance to carry out the provisions of this subtitle.

Subtitle C: Chemical Diversion and Trafficking Act of 1988.

- o Tightens reporting requirements and export/import restrictions on specified precursor chemicals (chemicals used to manufacture illicit drugs).
- o Restricts the sale of tableting or encapsulating machines, as these machines are used in the manufacture of illicit drugs.
- o Makes it unlawful to possess or manufacture any precursor

chemical if the individual knows it will be used to produce illicit drugs.

Subtitle D: Comprehensive Federal Law Enforcement Officer Improvements Act of 1988.

- o Modifies (eases) retirement qualifications for Federal law enforcement officers by requiring only 3 years of street-level service, rather than the 10 years required by current law.
- o Increases death benefits for all Federal, State and local public safety officers from \$50,000 to \$100,000.
- o Establishes a temporary National Commission on Law Enforcement, the mandate of which would be to study and make recommendations for improving compensation and other benefits of Federal law enforcement personnel.

Subtitle E: Deportation of Convicted Foreign Drug Inmates.

- o Provides for the deportation of "violent criminal aliens" who have been convicted of an aggravated violent felony by any court in the United States.

Subtitle F: Customs Enforcement Amendments Act of 1988.

- o Provides for the inspection of vessels by Customs officers under certain conditions on the high seas.
- o Clarifies current law regarding transfer of assets seized by Customs to State and local law enforcement agencies and foreign governments assisting in the seizure. Requires cooperation with the Customs Service rather than direct participation in the seizure and forfeiture of the property.
- o Authorizes the Secretary of State to revoke the passport of any individual convicted of a felony narcotics violation. Such persons shall not be eligible for a passport for 10 years from the date of the conviction. Lesser offenses can lead to revocation for 5 years or an indication on the passport of the violation of the Controlled Substances Act.



Subtitle G: Authorization of Additional Appropriations, Fiscal Year 1989.

- o Authorizes appropriations in the following amounts (authorizations are expressed in amounts (deltas) above the President's Budget for FY 1989):

Coast Guard	\$45 million and 800 FTE
Customs Service	\$30 million and 600 FTE
INS	\$39 million and 725 FTE
BATF	\$ 8 million and 140 FTE
DEA	\$60 million and 224 FTE
FBI	\$38 million and 400 FTE
U.S. Marshals	\$74 million and 741 FTE
U.S. Prisons	\$200 million and 0 FTE
U.S. Attorneys	\$10 million and 200 FTE

Subtitle H: Miscellaneous Law Enforcement Provisions.

- o Authorizes a \$10,000 reward to any individual assisting in the capture of a Federal fugitive.
- o Makes it unlawful to possess any dangerous weapon or explosive in a Federal courthouse.
- o Authorizes \$1 million a year for fiscal years 1989 through 1991 for the President's Media Commission on Alcohol and Drug Abuse Prevention.

Title II: INTERNATIONAL NARCOTICS CONTROL AND ASSISTANCE TO FOREIGN COUNTRIES

- o Establishes an International Special Operations Drug Eradication Squadron within the State Department to be deployed in source countries and authorizes an additional \$12 million for the procurement of aircraft, equipment, operation and maintenance, and salaries and expenses for the Squadron.
- o Establishes a three-year economic assistance grant program under AID for source countries which meet specific eradication goals (15 percent verifiable in the 1st year, 40 percent by the 3rd year, to be verified by DEA) and authorizes \$200 million for the program for each of the three years.
- o Authorizes appropriations of \$138 million in fiscal year 1989 and \$150 million in fiscal year 1990 for State's International Narcotics Matters (INM) account, including:
  - \$500,000 to be used for coca eradiction research;
  - \$900,000 to provide protective equipment for aircraft used in narcotics eradication and interdiction efforts in source countries or in countries through which drugs are shipped;
  - \$2 million to be used for training in foreign countries relating to narcotics control;
  - allows funds withheld from non-cooperating countries to be used for narcotics control in cooperating countries; and
  - provides certain assistance for Bolivia; limits and conditions amount of funds which can be made available to Mexico by, for example, requiring a thorough investigation by Mexico of the murder of DEA agent Enrique Camarena Salazar.
- o Creates within the State Department an Ambassador at Large and Coordinator for Western Hemisphere Anti-Drug Efforts.
- o Directs the Joint Chiefs of Staff to develop a plan for a Latin American strike force involving Latin American personnel using U.S.-provided resources to eradicate and interdict narcotics in the Western Hemisphere (outside the U.S. and its territories); and requires the President to submit a fiscal year 1989 supplemental to Congress covering the operation and maintenance costs of this strike force.



Title III: DRUG INTERDICTION ASSET IMPROVEMENT AND ENHANCEMENT

- o Authorizes, in addition to the President's request for fiscal year 1989, \$533 million for the acquisition and operation of interdiction and intelligence gathering equipment.
- o Of this amount, \$507 million would be appropriated to Federal agencies, \$14 million to States and territories, and \$12 million to foreign governments.
- o The \$507 million for Federal agencies provides:
  - \$186 million to Coast Guard for surveillance aircraft and marine assets;
  - \$125 million to Customs for helicopters, interceptor aircraft, marine vessels, and intelligence center upgrades;
  - \$100 million to Defense for four radar aerostats and other surveillance aircraft;
  - \$48 million to the DEA for a Helicopter Task Force to be used in foreign operations, and for enhancements to the El Paso Intelligence Center;
  - \$20 million to the INS for helicopters, and land vehicles and electronic sensors;
  - \$15 million to establish a joint Treasury-Justice Mobile Southwest Border Task Force, staffed by INS, DEA, and Customs, that would augment current interdiction efforts along the U.S. Mexican border; and
  - \$13 million to a U.S.-Bahamas task force for vessels, intelligence equipment, and training for Bahamian officials.
- o The \$14 million for States and territories would be granted to Puerto Rico (\$7 million) and Hawaii (\$7 million) for the purchase of aircraft and marine vessels, including radar.
- o The \$12 million to foreign governments would be granted to Jamaica (\$7 million) and the Dominican Republic (\$5 million) for air and marine vessels and radar.

Title IV: DEMAND REDUCTION

Subtitle A: Treatment and Rehabilitation.

- o Authorizes \$20 million annually for fiscal years 1989-1991 for new drug abuse treatment demonstrations emphasizing community-based residential treatment services such as halfway houses; includes the purchase of land and the construction of facilities.

Subtitle B: Alcohol and Drug Abuse Treatment and Rehabilitation.

- o Reauthorizes funding for the Alcohol, Drug Abuse and Mental Health Block Grant for fiscal year 1989 (\$558.9 million), fiscal year 1990 (\$583 million) and fiscal 1991 (\$608 million). Provides that no less than 49 percent of these funds shall be made available for alcohol and drug abuse treatment and rehabilitation programs.
- o Authorizes funding for a new Substance Abuse Emergency Treatment program for fiscal year 1989 (\$600 million), fiscal year 1990 (\$625 million) and fiscal year 1991 (\$650 million). These funds will be targetted to States and communities within States, with the most acute substance abuse problems based on the best available HHS data for the most recent calendar year.
- o Authorizes States to spend up to 1.5 percent of these funds to develop required statewide substance abuse treatment facilities plans and allows up to 40 percent of the funds to be used for construction or renovation of substance abuse treatment facilities.

Subtitle C: Amendments to the Drug-Free Schools and Communities Act of 1986.

- o Amends portions of the Drug-Free Schools and Communities Act of 1986 which authorizes a variety of Education Department programs to assist elementary, secondary, and postsecondary schools in efforts to prevent drug use among students.
- o Increases the current authorization for fiscal year 1989, the final year of the program, from \$250 million to \$300 million and extends the authorization into 1990 and 1991 at \$350 million annually.
- o Makes several amendments intended to improve program administration and increase State and local accountability, such as:
  - increases State and local reporting on program activities and results;



- authorizes States to withhold third-year grant funds from local school districts that fail to demonstrate progress in meeting program objectives; and
- places a 2.5 percent cap on the amount of State funds available for administrative activities.

# # # # #

TITLE V: NATIONAL BORDER COORDINATION AND REORGANIZATION ACT OF 1988

- o Establishes within the Treasury Department an Office of Enforcement and Border Affairs, combining the responsibilities of the Assistant Secretary for Enforcement and the Coast Guard.
- o Transfers the entire Coast Guard from the Department of Transportation to the Office of Enforcement and Border Affairs within the Department of the Treasury.
- o Within the new Office of Enforcement and Border Affairs, establishes the Office of Border Management Affairs, and the Office of Narcotics Interdiction. The Office of Narcotics Interdiction is responsible for oversight of all drug interdiction efforts. The Office of Border Affairs is responsible for all other oversight functions.
- o The Coast Guard will be included in Function 750 (Administration of Justice) beginning in fiscal year 1990 for the President's Budget and fiscal year 1989 for any concurrent resolution on the budget.
- o Establishes within the Office of the Assistant Secretary of Defense for International Security Affairs a Deputy Assistant Secretary of Defense for International Drug Interdiction and Enforcement. This office, headed by a Presidential appointee, will be responsible for supervision of all DOD drug enforcement activities.
- o Establishes a Senate Select Committee on Narcotics Abuse and Control to study and investigate issues related to drug trafficking, drug abuse prevention and related issues. Appropriations of \$400,000 for fiscal year 1989, \$500,000 for fiscal year 1990 and \$600,000 for fiscal year 1991 are provided for use by the Committee.

TITLE VI: RESEARCH AND DEVELOPMENT FOR LAW ENFORCEMENT AGENCIES

- o Establishes a permanent Research and Technology Group to review the various Federal research and development (R&D) programs to assess their applicability to Federal law enforcement agencies.
- o Establishes eight National Technology Development Centers from existing U.S. Government R&D facilities (mostly DOD) which would be given the added mission of developing technologies for application to Federal law enforcement.
- o Directs that no less than 0.2 percent of the DOD research and development budget be made available to support the research conducted at the above Centers for law enforcement agencies.
- o Authorizes \$5 million for the Customs Service to develop X-ray and other technologies to aid in the detection of illegal drugs in cargo containers entering the United States.

# # # # #

TITLE VII: DRUG ENFORCEMENT TRAINING IMPROVEMENT

- o Authorizes \$10 million above the President's fiscal year 1989 request for the Federal Law Enforcement Training Center (FLETC) to increase the level of drug enforcement training for Federal, State and local offices.
- o Authorizes FLETC to expand its advanced training programs at its Arizona satellite facility.
- o Authorizes \$10 million above the President's fiscal year 1989 request for existing Justice Department law enforcement training facilities and \$10 million for the further expansion and acquisition of new facilities.
- o Authorizes \$5 million each for Customs and DEA and \$1 million for INS to send agents to the Defense Language Institute or the State Department's Foreign Service Institute for foreign language training.
- o Authorizes \$8 million for the Bureau of Justice Assistance for the establishment of a national training center in Oklahoma for the training of Federal, State, and local prison officials in drug rehabilitation programs, and authorizes \$2 million for a community based residential drug-free program to be affiliated with the national training center.



TITLE VIII: DRUG TESTING IN THE PRIVATE SECTOR

- o Requires that laboratories performing drug testing for the private sector meet certain minimum standards, and that no action be taken against an employee or applicant for employment based on a test performed by a laboratory which does not:
  - meet the mandatory guidelines established by HHS;
  - require a confirmatory test when an initial screening is positive; and
  - provide guidance to employers on the procedures for the collection of specimens to be tested.
- o An employer who takes an adverse action against an employee or applicant on the basis of the results of a drug test conducted by a laboratory which does not meet these minimum standards shall be subject to a civil penalty of \$10,000.

# # # # #

TITLE IX: CONGRESSIONAL POLICY REGARDING ADDITIONAL FUNDING FOR FISCAL YEAR 1989 FOR ANTI-DRUG ABUSE PROGRAMS.

- o States Congressional willingness to amend, if necessary, the Bipartisan Budget Agreement to accommodate the new budget authority and outlays needed to fund fully the bill.
- o Prohibits paying for the bill through transfers from, or reductions in, any amounts appropriated for other purposes.
- o Requires the President to direct OMB to include sufficient funding in fiscal years 1990 and 1991 to "fully annualize the entire cost of the programs, projects, activities, initiatives, and personnel levels authorized" in the bill.
- o Directs that the necessary budget authority and outlays to fund the bill be accommodated in the concurrent resolution for fiscal year 1989.

TITLE X: FUNDING; ACCOUNTS

- o Provides for offsetting revenues to cover the cost of the bill as follows:
  - o IRS Revenue Initiatives
    - Authorizes \$287 million and 6,842 FTE above the President's request for fiscal year 1989 for the IRS for revenue initiatives that would yield \$1.12 billion in fiscal year 1989 and \$2.22 billion in fiscal year 1990.
  - o BATF Tax Collections
    - Authorizes \$4 million and 40 FTE above the President's 1989 request for the Bureau of Alcohol, Tobacco, and Firearms for additional special occupational tax enforcement and collection activities that would yield \$130 million in fiscal year 1989 and \$140 million in fiscal year 1990.
  - o Additional Debt Collection
    - Requires intensified efforts to collect Federal debts, yielding an additional \$2 billion per year in fiscal years 1989 and 1990. Debt is defined as money owed to executive agencies (other than debts arising under the Internal Revenue Code of 1986).

(Dollars in Millions)

<u>Revenue Measures</u>	<u>1989</u>	
	<u>Cost</u>	<u>Yield</u>
IRS revenue initiatives	\$287	\$1,120
BATF tax collections	4	130
Additional debt collection	<u>0</u>	<u>2,000</u>
Total	\$291	\$3,250



SUMMARY OF COSTS: DRUG BILL

TITLE I	\$769,900,000	
TITLE II	253,000,000	
TITLE III	533,000,000	
TITLE IV	555,000,000	
TITLE V	500,000	
TITLE VI	5,000,000	
TITLE VII	51,000,000	
TITLE VIII	000	
TITLE IX	000	
TITLE X	<u>290,613,000</u>	
TOTAL	\$2,458,013,000	
	-3,250,000,000	Additional revenues projected to be available to offset the cost of the bill
NET COST	-\$791,987,000	

\*NOTE: The figures are Congressional estimates and are largely expressed in terms of deltas over the President's 1989 Budget.

DRAFT

MEMORANDUM FOR HOWARD BAKER  
Chief of Staff

THROUGH: James C. Miller III  
Director

FROM: Joseph R. Wright, Jr.  
Deputy Director

SUBJECT: Legislation to Permit Imposition of the Death  
Penalty in Certain Drug Cases

This memorandum supplements the memorandum provided you earlier concerning the "Omnibus Anti-Drug Abuse Act of 1988," which was introduced on March 23, 1988, as S. 2205. Also introduced on March 23rd was S. 2206, which would permit the imposition of the death penalty in certain drug-related cases. (We assume this latter bill was introduced separately to avoid encumbering the drug bill with what-many-view-as a highly controversial proposal.)

S. 2206 would permit the imposition of the death penalty if: (1) a defendant, in the course of engaging in a continuing criminal enterprise (involving certain serious ongoing drug crimes) intentionally or with "reckless indifference to human life" kills, or "participates substantially in the killing of any individual;" or (2) if a defendant, while participating in an organized ongoing drug crime intentionally kills a Federal, State, or local law enforcement officer.

Other major provisions of S. 2206 would:

- o Require the Government to notify a defendant of its intention to seek the death penalty in a particular case;
- o Require a separate hearing before a jury on whether to impose the death penalty, after a defendant has been convicted of a qualifying offense;
- o Require the jury to consider, where appropriate, mitigating factors (e.g., that a defendant was under the age of 18) or aggravating factors (e.g., that a defendant intentionally killed the victim); and
- o Permit a jury to impose the death penalty only by unanimous vote.

The President's "Drug Free America Act of 1986," transmitted



to the Congress in September 1986, contained similar provisions. These death penalty provisions, however, were dropped during congressional deliberations on omnibus anti-drug legislation, which was later enacted. (In a related vein, in October 1987, the President proposed the "Criminal Justice Reform Act of 1987." Title III of that legislation would establish constitutional procedures for the imposition of the death penalty in serious Federal criminal cases for which the death penalty is already authorized (e.g., treason) and would permit the imposition of the death penalty for other offenses, as well (e.g., certain explosives offenses). This proposal is intended to remedy deficiencies in existing law identified by the Supreme Court in its 1972 Furman v. Georgia decision.)



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

MAR 28 1988

MEMORANDUM FOR HOWARD BAKER

THROUGH: James C. Miller III  
Director

FROM: Joseph R. Wright  
Deputy Director

SUBJECT: The Anti-Drug Abuse Act of 1988

A major new drug bill was introduced in both the Senate and the House on March 23rd. The bill has over 30 bipartisan co-sponsors and can be expected to move quickly this spring. The bill would add \$2.4 billion for drugs on top of the \$3.9 billion requested in the President's 1989 Budget, and would make several substantive changes to current law.

The bill's sponsors, principally Senators DeConcini (D-AZ) and D'Amato (R-NY) and Congressman English (D-OK), allege the 1989 cost of the bill would be offset by an estimated \$3.2 billion in debt collection mandated by the bill. Hence, they claim a 1988 budget savings of \$0.8 billion.

We have not yet had time to review the bill for its substantive merit, but we know some parts will be problematic, e.g., moving Coast Guard and Border Patrol to the Treasury Department. In addition, there is the obvious problem caused by the funding levels in the bill. Further, Title IX of the bill allows the Bipartisan Budget Agreement to be amended, if necessary, to accommodate the additional funding authorizations. Below is a brief summary of the ten titles and the amount each would add to the President's Budget:

o Title I: Anti-Drug Enforcement + \$770 million

Provides for additional drug enforcement personnel, prison construction and various law enforcement personnel-related reforms. Also authorizes the Justice Department's drug grants to State and local governments for three more years, increasing the funding level from \$250 million in 1989 to \$750 million in the 1991.

o Title II: International Narcotics Control + \$253 million

Creates a new State Department eradication grant program, and increases the authorized funding level for the Bureau of International Narcotics Matters at State.



- o Title III: Drug Interdiction Asset Improvement + \$523 million  
Provides additional funding and personnel for the Coast Guard, Customs, Defense, the Drug Enforcement Administration, and the Immigration and Naturalization Service (INS). Anti-drug funding is also included for the Bahamas, Jamaica, Puerto Rico, Hawaii and the Dominican Republic.
- o Title IV: Demand Reduction + \$555 million  
Continues and expands programs authorized in the 1986 drug bill for Drug-Free Schools and Communities, and treatment and rehabilitation programs.
- o Title V: Anti-Drug Reorganization and Coordination + \$0.5 million  
Moves the Coast Guard and Border Patrol (INS) to the Treasury Department and establishes a Senate Select Committee on Narcotics and Drug Abuse Control.
- o Title VI: R&D for Drug Enforcement Agencies + \$5 million  
Establishes new research and development programs to assist Federal law enforcement agencies.
- o Title VII: Drug Enforcement Training + \$51 million  
Expands Federal, State and local training programs, creating at least two new training centers.
- o Title VIII: Drug Testing in the Private Workplace (No cost)  
Establishes Federal standards for private laboratories performing drug testing.
- o Title IX: Congressional Policy regarding Additional Funding for Fiscal Year 1989 for Anti-Drug Abuse Programs  
States Congressional willingness to amend, if necessary, the Bipartisan Budget Agreement to accommodate the new budget authority and outlays to fund fully the bill, directs that the necessary budget authority and outlays be accommodated in the concurrent resolution for fiscal year 1989, prohibits paying for the bill through transfers from, or reductions in, any amounts appropriated for other purposes, and directs the President to direct OMB to include sufficient funding in fiscal years 1990 and 1991 to "fully annualize the entire cost of the programs, projects, activities, initiatives and personnel levels authorized" in the bill.

- o Title X: Funding Accounts + \$291 million (for additional FTEs)

Assumes the Government can collect an additional \$1.25 billion in tax revenues and \$2 billion in non-tax delinquent debt. Seven thousand FTEs are provided to the Internal Revenue Service and the Bureau of Alcohol, Tobacco, and Firearms for this purpose. The bill would also create a new Anti-Drug Abuse Trust Fund into which these collections would be deposited and from which the fiscal year 1989 costs would be paid.

OMB will begin reviewing the bill next week and work with the agencies to develop an Administration position on its many provisions.



THE WHITE HOUSE  
WASHINGTON

5-2-88

Jack

Make sure, pls, that

HHB sees this.

He & I have discussed.

fer D.



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

April 28, 1988

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

I am writing this immediately upon getting back to my office after the meeting of the Drug Policy Board.

As I said, I think we are losing the war on drugs, and are perceived to be losing the war. We are going to take a lot of criticism on this. You and the First Lady and the Vice President deserve much better than this. To turn this around, we need to do more and to be more aggressive.

Let me talk about one specific area in connection with drug supply. We need to make greater use of the military. You heard several people say today that we are making effective use of the military. You then heard about how the military is helping with balloons, binoculars and supplies, paying amortization on some planes, and the like.

Well, sir, this is not what people have in mind when they say that we need to make greater use of the military. What they have in mind, and what we should consider, is much greater use of the military for purposes such as wiping out cocaine processing plants and coca fields. This work has been done effectively before in operation "Blast Furnance," and can be done again -- and more of it can be done, and in my view more of it should be done. I do not fault the Defense Department for this. They will not do what they are not asked to do or told to do, but I think they need to be told to do it. They need to be asked to come up with concrete plans for getting at the supply.

I support efforts on the demand side too -- to get tough on users, to have tough school policies, stronger efforts in education, etc. But in order to reach the moral threshold at which the American people will feel it is right to support tough actions on the domestic side, we have to be much tougher on the supply side. In the end, it would be better for our critics to say that we are being too aggressive against the drug traffickers, than for our critics to say that we are not being aggressive enough. We ought to prefer this not for mere political purposes, but for the sake of our children.



Page 2 - The President

The fundamental point is that the war against drugs is a matter of our national well-being. I believe we can and must do more, and do it soon, or risk having the conclusion that the problem got worse on our watch.

Sincerely,



William J. Bennett

cc: The Vice President  
Senator Howard H. Baker, Jr.  
The Attorney General

file

April 29, 1988

NOTE TO TOM GRISCOM  
JOHN TUCK ✓

FROM: ALAN M. KRANOWITZ *AMK*

SUBJECT: Drugs

The Speaker has approached Bob Michel about putting together a bipartisan drug package. Dole's staff has approached Michel's staff about a bicameral package. The Hill is coming together. We ought to start to play, me thinks.

Let's visit.



April 21, 1988

*FJR*

9

Dear Mr. Lerner:

Thank you for your letter inviting the President to attend the National Conference on Corporate Initiatives for a Drug Free Workplace to be held at The Grand Hyatt Washington.

I am pleased to let you know that the President is looking forward to attending the event and we have set aside June 9, 1988 on his schedule. Mr. James Hooley, Deputy Assistant to the President and Director of Presidential Advance, will contact you concerning the specific details of this event.

Best wishes for a most successful conference.

Sincerely,

FREDERICK J. RYAN, JR.  
Director of Presidential Appointments  
and Scheduling  
Director of Private Sector Initiatives

Mr. Irwin Lerner  
President and Chief Executive Officer  
Hoffman-La Roche Inc.  
Nutley, NJ 07110

FJR:SW:EMP

bcc: Tom Griscom, John Tuck, Marlin Fitzwater, Jim Hooley, Speechwriters, Marylou Skidmore, Sandy Warfield, Edita Piedra, Mary Rawlins, Helen Donaldson with incoming for the June 9, 1988 schedule

bcc: Ian Macdonald

THE WHITE HOUSE

WASHINGTON

May 6, 1988

MEMORANDUM FOR JOHN TUCK

FROM:

ANDY CARD 

SUBJECT:

Suggestions re. Anti-drug Campaign

---

Frank tells me that you have been accepting ideas regarding the anti-drug campaign and suggested that I pass on the following:

- o Presidential Declaration of War filed with Congress.

This is not an original idea, but one whose time may have come. The President has been declaring war on drugs for years. Congress has not taken the Administration's direction so the war has not been as effective as it might have been. At the same time, members of Congress have been declaring war on drugs, but only with rhetoric or legislative proposals.

If the President formally sought a declaration of war, he would put the political burden directly on Congress. With a true declaration the President would be in a position to exercise his authority as Comander-in-Chief to mobilize whatever resources were needed to fight the drug problem no matter where the battleground. National Guard troop could also be mobilized to assist in the effort.

- o Federal appropriation to send buyers into countries that grow cocaine to purchase raw cocaine at significantly higher prices than those being offered by drug-lords.

Because of the climatic conditions required to grow cocaine, it can only be grown in a very few countries. I suspect that the farmers get paid poorly for their crop. If higher prices were paid for the cash crop than dealers could afford and the crop was then destroyed, cocaine might be kept from the distribution network and street prices would rise significantly. I suspect that the cost of at-the-source purchase of cocaine would be cheaper and more effective than some of the drug interdiction efforts.

- o Dedicated contribution add-on as part of the federal income tax. The money would be designation for use in a revolving fund anti-drug campaign.
- o Permit Governors to use National Guard troops for drug interdiction efforts.



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