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1 (1) Funds available to a State under this part
2 shall be used for—

3 (A) the development, dissemination, imple-
4 mentation, and evaluation of drug abuse education
5 curricula and teaching materials for elementary
6 and secondary schools throughout the State;

7 (B) demonstration projects of drug abuse
8 education;

9 (C) drug abuse education training;

10 (D) technical assistance to local educational
11 agencies; and

12 (E) State administrative costs.

13 (2) Not more than 10 percent of the funds avail-
14 able to a State under this part may be used under
15 paragraph (1)(E).

16 (b) **AUTHORIZED ACTIVITIES FOR LOCAL EDUCATION-**
17 **AL AGENCIES.**—Funds available to a local educational
18 agency under this part shall be used for—

19 (1) the development and implementation of drug
20 abuse education curricula for elementary and secondary
21 schools;

22 (2) drug abuse prevention counseling programs in-
23 cluding peer and professional counseling;

24 (3) programs of drug abuse treatment referral;

1 (4) programs of in-service and pre-service training
2 in drug abuse prevention for teachers, counselors, and
3 other educational personnel, public service personnel
4 (including law enforcement officials), and community
5 leaders;

6 (5) programs in primary prevention and early
7 intervention, such as the interdisciplinary school-team
8 approach development by the Department of Educa-
9 tion;

10 (6) community education programs on drug abuse
11 prevention, particularly programs for parents;

12 (7) public education programs on drug abuse, in-
13 cluding programs utilizing professionals, and former
14 drug abusers and drug dependent individuals; or

15 (8) other programs of drug abuse education and
16 prevention consistent with the purposes of this part.

17 **SEC. 225. ALLOTMENTS TO STATES.**

18 (a) **FORMULA.**—(1) From the sums appropriated to
19 carry out this part in any fiscal year, the Secretary shall—

20 (A) reserve 1 percent for payments to Guam,
21 American Samoa, the Virgin Islands, the Trust Terri-
22 tory of the Pacific Islands, and the Northern Mariana
23 Islands, to be allotted in accordance with their respec-
24 tive needs; and

1 (B) allocate \$200,000 to each of the participating
2 States.

3 (2) From the remainder of such sums after the allocation
4 made under paragraph (1) the Secretary shall allot to each
5 State an amount which bears the same ratio to the amount of
6 such remainder as the school-age population of the State
7 bears to the school-age population of all States.

8 (b) REALLOTMENT.—The Secretary is authorized to
9 reallocate any amount of any allotment to a State to the extent
10 that the Secretary determines that the State will not be able
11 to obligate such amount within two years of allotment. Any
12 such reallocation shall be made on the same basis as an allot-
13 ment under subsection (a).

14 (c) DEFINITIONS.—The purposes of this section:

15 (1) The term “school-age population” means the
16 population aged five through seventeen.

17 (2) The term “States” includes the fifty States,
18 the District of Columbia, and Puerto Rico.

19 **SEC. 226. STATE APPLICATIONS.**

20 In order to receive grants under this part a State shall
21 submit an application with the Secretary which—

22 (1) provides assurances that the State has a
23 Statewide requirement that each local education
24 agency in the State establish a drug abuse education

1 curriculum or that the State will use funds available
2 under this part to implement such a requirement;

3 (2) designates the State educational agency as the
4 State agency responsible for the administration and su-
5 pervision of programs assisted under this part;

6 (3) describes how the State will coordinate its ef-
7 forts with appropriate State health, law enforcement,
8 and drug abuse prevention agencies;

9 (4) identifies the student populations and areas of
10 the State known to be most at risk for drug abuse and
11 describes the method used to identify such populations
12 and areas;

13 (5) describes a plan for allocating funds under the
14 part that will target the highest risk students and areas
15 identified in clause (4);

16 (6) provides for an annual evaluation of the effec-
17 tiveness of programs assisted under this part;

18 (7) provides that the State educational agency will
19 keep such records and provide such information to the
20 Secretary as may be required for fiscal audit and pro-
21 gram evaluation; and

22 (8) contains assurances that there is compliance
23 with the specific requirements of this part.

1 SEC. 227. ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

2 (a) FORMULA.—From the sum made available each
3 year under section 224, the State educational agency shall
4 reserve not more than 20 percent for State activities under
5 section 223(a). The State educational agency shall reserve an
6 additional amount, consistent with the number of children en-
7 rolled in private schools in the State, for the purposes of sec-
8 tion 228. From the remainder of such sum the State educa-
9 tional agency shall allocate to each local educational agency
10 an amount which bears the same ratio to the amount of such
11 remainder as the school-age population of the local educa-
12 tional agency bears to the school-age population of the State
13 not served by programs under section 228.

14 (b) PAYMENT.—From the funds paid to it pursuant to
15 section 224 during each fiscal year, the State educational
16 agency shall distribute to each local educational agency
17 which has submitted an application as required under section
18 227 the amount of its allocation as determined under subsec-
19 tion (a).

20 (c) REALLOCATION.—The State educational agency is
21 authorized to reallocate any amount of any allocation to a
22 local educational agency to the extent that the State educa-
23 tional agency determines that the local educational agency
24 will not be able to obligate such amount within two years of
25 allocation. Any such reallocation shall be made on the same
26 basis as an allocation under subsection (a).

1 SEC. 228. LOCAL APPLICATIONS.

2 A local educational agency may receive its allocation of
3 funds under this Act for any fiscal year for which its applica-
4 tion to the State educational agency has been certified to
5 meet the requirements of this subsection. The State educa-
6 tional agency shall certify any such application if such
7 application—

8 (1) provides assurances of compliance with the
9 provisions of this part;

10 (2) provides for an annual evaluation of the effec-
11 tiveness of programs assisted under this part;

12 (3) provides assurances that the local educational
13 agency will coordinate its efforts with appropriate
14 State and local drug abuse agencies; and

15 (4) agrees to keep such records and provide such
16 information to the State educational agency as reason-
17 ably may be required for fiscal audit and program eval-
18 uation, consistent with the responsibilities of the State
19 agency under this part.

20 SEC. 229. PARTICIPATION OF CHILDREN ENROLLED IN PRI-
21 VATE SCHOOLS.

22 (a) **EQUITABLE PARTICIPATION.**—To the extent con-
23 sistent with the number of children in a State who are en-
24 rolled in private nonprofit elementary and secondary schools,
25 the State educational agency (from funds reserved under sec-
26 tion 226 and after consultation with appropriate private

1 school officials) shall provide for such services and programs
2 as will provide such children equitable participation under
3 this part.

4 (b) **AUTHORITY OF SECRETARY.**—If a State is unable
5 or unwilling to provide for the participation under subsection
6 (a), the Secretary shall withhold from the allocation of the
7 affected State the amount necessary to provide such services
8 and shall arrange for the provision of services and programs
9 to such children.

10 **SEC. 230. FEDERAL COORDINATION AND TECHNICAL ASSIST-**
11 **ANCE.**

12 (a) **FEDERAL ASSISTANCE.**—The Secretary of Educa-
13 tion and the Secretary of Health and Human Services shall
14 through cooperative efforts—

15 (1) collect and disseminate information to State
16 and local educational agencies on effective drug educa-
17 tion curricula and other proven student drug abuse
18 education and prevention approaches;

19 (2) provide technical assistance to State and local
20 educational agencies in the selection and implementa-
21 tion of drug abuse education curricula and programs to
22 most effectively address the needs of the elementary
23 and secondary schools served by such agencies; and

1 (3) identify research and development priorities
2 with regard to student drug abuse education and
3 prevention.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There are
5 authorized to be appropriated such sums as may be necessary
6 to carry out this section.

7 **SEC. 231. GENERAL PROVISIONS.**

8 (a) DEFINITIONS.—(1) Except as otherwise provided,
9 the terms used in this part shall have the meaning provided
10 under section 595 of the Education Consolidation and
11 Improvement Act of 1981.

12 (2) For purposes of this part, the term “drug abuse”
13 includes abuse of—

14 (1) any substance listed in section 102(17) of the
15 Controlled Substances Act; and

16 (2) alcohol.

17 (b) USE OF FEDERAL FUNDS.—Federal funds made
18 available under this Act shall be used to supplement and, to
19 the extent practical, to increase the level of funds that would,
20 in the absence of such Federal funds, be made available by
21 the recipient for the purposes described in this part, and in no
22 case supplant such funds.

23 **SEC. 232. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—There are
25 authorized to be appropriated \$50,000,000 for each of the

1 fiscal years 1987, 1988, 1989, 1990, and 1991 to carry out
2 the purposes of this part.

3 (b) AVAILABILITY OF APPROPRIATIONS ON SCHOOL-
4 YEAR BASIS.—Appropriations for any fiscal year for pay-
5 ments under this part, in accordance with regulations of the
6 Secretary, may be made available for obligation or expendi-
7 ture by the agency or institution concerned on the basis of an
8 academic or school year differing from such fiscal year.

9 (c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
10 propriated for any fiscal year under this part shall remain
11 available for obligation and expenditure until the end of the
12 fiscal year succeeding the fiscal year for which such funds
13 were appropriated.

14 **SEC. 233. EFFECTIVE DATE.**

15 This part shall take effect October 1, 1986.

16 **TITLE III—PREVENTION**

17 **SEC. 301. SECRETARY OF HEALTH AND HUMAN SERVICES**

18 **REPORT ON CRACK.**

19 (a) FINDINGS.—The Congress finds that—

20 (1) the abuse of cocaine freebase, commonly re-
21 ferred to as “crack”, has reached epidemic proportions
22 in large metropolitan areas, and has the potential of
23 becoming a major threat to the Nation’s health;

1 (2) there are particular population subgroups that
2 appear to be at high risk of exposure and abuse, nota-
3 bly mid level and high school age children;

4 (3) cocaine freebase abuse and addiction are
5 health phenomenon that are poorly understood at this
6 time and there is evidence that cocaine freebase is in-
7 tensely addictive, and that existing programs are inef-
8 fective in treating cocaine freebase abusers and addicts;

9 (4) while various Federal and State agencies have
10 compiled limited statistical data on cocaine freebase
11 abuse, the exact extent of cocaine freebase abuse is
12 relatively unknown and generally not distinguished
13 from cocaine hydrochloride and thus a comprehensive
14 and reliable national data base on cocaine freebase
15 abuse is not available;

16- (5) the efforts of Federal, State, and local law en-
17 forcement agencies to stem cocaine freebase distribu-
18 tion and availability have been seriously challenged and
19 strained by the increasing availability of crack and its
20 direct impact on significant increases in crime, particu-
21 larly robbery, grand larceny, burglary, and assault; and

22 (6) it is clear that the only effective solution to
23 the cocaine freebase epidemic must involve a compre-
24 hensive strategy, based on a thorough and reliable data
25 base, and must further involve rigorous law enforce-

1 ment, effective treatment programs, and credible edu-
2 cation and prevention programs and can assist medical
3 examiners, crime lab technicians, health personnel in
4 emergency rooms, drug clinics, and drug rehabilitation
5 programs in a better understanding of the particular
6 characteristics, symptoms, side effects, and treatment
7 for freebase;

8 (7) the Centers for Disease Control—

9 (A) has the experience, expertise, and re-
10 sources to respond to health crises, particularly in
11 response to the outbreak of diseases;

12 (B) has unique experience in the area of epi-
13 demiological analysis, and can make a significant
14 contribution to the Government's current data
15 base on cocaine freebase abuse;

16 (C) has experience in the area of drug abuse,
17 particularly in the area of Controlled Substances
18 Analogs or "designer drugs", and is conducting
19 ongoing research to identify and educate persons
20 who are at a high risk of exposure and abuse,
21 which may prove valuable in responding to the
22 cocaine freebase epidemic;

23 (D) has experience, expertise, and resources
24 to develop effective and timely education, preven-
25 tion, and treatment programs, which are desper-

1 ately needed in the area of cocaine freebase
2 abuse; and

3 (E) is the only Federal agency capable of re-
4 sponding in a timely, effective, and comprehensive
5 manner to the rapidly increasing cocaine freebase
6 epidemic; and

7 (8) the National Institute of Drug Abuse—

8 (A) is the primary agency responsible for
9 drug abuse health issues including treatment, bio-
10 medical technology, and applied and epidemiologi-
11 cal research; and

12 (B) is the primary agency responsible for de-
13 veloping and disseminating drug abuse prevention
14 information.

15 (b) REPORT.—The Secretary of Health and Human
16 Services, in consultation with the Director of the Centers for
17 Disease Control and the Director of the National Institute of
18 Drug Abuse, and appropriate State agencies, shall prepare
19 an emergency report and feasibility study of intervention by
20 the Centers for Disease Control and the National Institute of
21 Drug Abuse to reduce the epidemic of cocaine freebase use in
22 the United States. This report shall serve as a plan of action,
23 including specific recommendations, for an immediate and ef-
24 fective response to the cocaine freebase abuse problem.

1 (c) CONTENTS OF REPORT.—The report required by
2 this section shall include a detailed analysis of the following:

3 (1) DATA BASE AND INFORMATION SHARING.—

4 (A) The adequacy of the existing data collec-
5 tion and distribution system for statistics and in-
6 formation relating to drug abuse generally, and to
7 cocaine freebase specifically. Of particular impor-
8 tance is the timeliness of data provided by the
9 current system.

10 (B) The feasibility and necessity of providing
11 additional coordination for information sharing be-
12 tween law enforcement and health agencies.

13 (C) The role the Centers for Disease Control
14 and the National Institute of Drug Abuse could
15 play in coordinating any efforts necessary to es-
16 tablish an accurate and timely data base on co-
17 caine freebase abuse, and to make recommenda-
18 tions for developing a timely and long term strate-
19 gy to implement such a system to more effectively
20 respond to future crises.

21 (2) TREATMENT.—

22 (A) The effectiveness of the existing treat-
23 ment and rehabilitation programs for cocaine free-
24 base addiction and the adequacy of the current
25 body of knowledge on cocaine freebase addiction.

1 (B) The role they could play in developing
2 new treatment and rehabilitation strategies.

3 (3) EDUCATION AND PREVENTION.—

4 (A) The adequacy of any existing educational
5 and prevention programs relating specifically to
6 crack.

7 (B) The role of the Centers for Disease Con-
8 trol and the National Institute of Drug Abuse in
9 developing new educational and prevention strate-
10 gies and programs to warn persons at high risk of
11 exposure of the hazards of cocaine freebase use.

12 (4) EMERGENCY INTERVENTION TEAMS.—

13 (A) The availability of existing personnel and
14 resources to provide emergency intervention
15 teams from the Center for Disease Control to
16 State and local governments and agencies which
17 request assistance in responding to the cocaine
18 freebase abuse.

19 (B) A plan, including specific recommenda-
20 tions, for establishing such teams.

21 (5) FUNDING AND TIMELINE.—

22 (A) The level of funding necessary to imple-
23 ment each of the programs the report and feasibil-
24 ity study recommends for the Centers for Disease
25 Control and the National Institute of Drug Abuse.

1 (B) A realistic timetable for the implementa-
2 tion of any programs deemed feasible and
3 desirable.

4 (d) SUBMISSION OF REPORT TO CONGRESS.—The
5 report required by this section shall be submitted to the ap-
6 propriate Committees of Congress no later than 30 days after
7 the date of enactment of this title. The Director of the Secre-
8 tary of Health and Human Services shall notify the appropri-
9 ate committees in Congress if 30 days is an insufficient
10 amount of time to prepare the report in which case the report
11 shall be due no later than 60 days after the date of enactment
12 of this title.

○

[COMMITTEE PRINT]

COMMITTEE ON RULES

AUGUST 21, 1986

NOTICE: This Committee Print contains the text of the Omnibus Drug Bill which will be introduced when Congress returns from the August recess. Amendments to be submitted to the Committee on Rules should be drafted to the page and line numbers as they appear in the following text.

99TH CONGRESS
2D SESSION

H. R.

To strengthen Federal efforts to encourage foreign cooperation in eradicating illicit drug crops and in halting international drug traffic, to improve enforcement of Federal drug laws and enhance interdiction of illicit drug shipments, to provide strong Federal leadership in establishing effective drug abuse prevention and education programs, to expand Federal support for drug abuse treatment and rehabilitation efforts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER , 1986

Mr. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To strengthen Federal efforts to encourage foreign cooperation in eradicating illicit drug crops and in halting international

drug traffic, to improve enforcement of Federal drug laws and enhance interdiction of illicit drug shipments, to provide strong Federal leadership in establishing effective drug abuse prevention and education programs, to expand Federal support for drug abuse treatment and rehabilitation efforts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Omnibus Drug Enforcement,
5 Education, and Control Act of 1986”.

6 **TITLE I—COMMITTEE ON**
7 **FOREIGN AFFAIRS**

8 **SEC. 101. SHORT TITLE.**

9 This title may be cited as the “International Narcotics
10 Control Act of 1986”.

11 **SEC. 102. STATEMENT OF POLICY.**

12 The Congress finds that—

13 (1) inadequate enforcement and eradication efforts
14 have contributed to the rampant production of and traf-
15 ficking in illicit narcotic drugs;

16 (2) such drug production and trafficking consti-
17 tutes a clear and present danger to the international
18 community;

1 (3) illegal narcotics production and trafficking op-
2 erations seriously threaten national and regional politi-
3 cal stability;

4 (4) it should be United States policy to assist the
5 major drug producing and trafficking countries effec-
6 tively to carry out their own enforcement and eradica-
7 tion efforts; and

8 (5) United States narcotics control assistance
9 should be designed to facilitate the formation of region-
10 al solutions for combating the threats posed by illegal
11 cultivation, production, and trafficking of narcotic
12 drugs.

13 **SEC. 103. STATEMENT OF PURPOSE.**

14 (a) **PURPOSE.**—The purpose of this title is to promote,
15 through international and regional cooperation, the eventual
16 elimination of narcotics production and trafficking (with as-
17 sistance from the United States where appropriate) in order
18 that all countries meet their international obligations with re-
19 spect to narcotics control efforts.

20 (b) **RELATION OF UNITED STATES ASSISTANCE PRO-**
21 **GRAMS TO IMPLEMENTATION OF NARCOTICS CONTROL**
22 **EFFORTS.**—In recognition of the threat posed by the inter-
23 national narcotics trade, the Congress declares that frustra-
24 tion of the purpose of this title by lack of cooperation from
25 another country would provide a basis for promptly imple-

1 menting section 481(h) of the Foreign Assistance Act of
2 1961 (22 U.S.C. 2291(h); relating to suspension of United
3 States assistance).

4 **PART A—INTERNATIONAL NARCOTICS CONTROL**
5 **ASSISTANCE PROGRAM**

6 **SEC. 111. ADDITIONAL FUNDING FOR INTERNATIONAL NAR-**
7 **COTICS CONTROL ASSISTANCE AND REGIONAL**
8 **COOPERATION.**

9 Section 482(a)(1) of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2291a(a)(1); authorizing appropriations for assist-
11 ance for international narcotics control) is amended—

12 (1) by striking out “\$57,529,000 for the fiscal
13 year 1987” and inserting in lieu thereof “\$65,445,000
14 for the fiscal year 1987”; and

15 (2) by adding at the end the following: “In addi-
16 tion to the amounts authorized by the preceding sen-
17 tence, there are authorized to be appropriated to the
18 President \$35,000,000 for the fiscal year 1987 to
19 carry out the purposes of section 481, except that
20 funds may be appropriated pursuant to this additional
21 authorization only if the President has submitted to the
22 Congress (A) a budget request for the appropriation of
23 those funds, and (B) a plan showing how the requested
24 funds will be used, including a description of how re-

1 gional cooperation on narcotics control matters would
2 be promoted by the use of those funds.”.

3 **SEC. 112. ADDITIONAL AIRCRAFT FOR DRUG CONTROL ERADI-**
4 **CATION AND INTERDICTIONS EFFORTS BY FOR-**
5 **EIGN COUNTRIES.**

6 (a) **AUTHORIZATION OF ADDITIONAL FUNDS.**—Not
7 less than \$10,000,000 of the funds available for fiscal year
8 1987 to carry out chapter 2 of part II of the Foreign Assist-
9 ance Act of 1961 (22 U.S.C. 2311 et seq.; relating to grant
10 military assistance) shall be available only to provide helicop-
11 ters or other aircraft to countries receiving assistance for
12 fiscal year 1987 under chapter 8 of part I of that Act (22
13 U.S.C. 2291 et seq.; relating to international narcotics con-
14 trol). These aircraft shall be used solely for the purpose of
15 and solely in narcotics control eradication and interdiction
16 efforts.

17 (b) **EAERMARKING FOR AIRCRAFT FOR REGIONAL**
18 **USE.**—Not less than half of the funds used pursuant to sub-
19 section (a) shall be used for aircraft which will be based in
20 Latin America and will be available for eradication and inter-
21 diction efforts throughout the region.

22 (c) **RELATIONSHIP TO INTERNATIONAL NARCOTICS**
23 **CONTROL ASSISTANCE PROGRAM.**—The aircraft made
24 available pursuant to subsection (a) are in addition to any
25 aircraft made available under chapter 8 of part I of the For-

1 eign Assistance Act of 1961. Assistance pursuant to subsec-
2 tion (a) shall be administered and provided in accordance with
3 the authorities of that chapter, rather than the authorities of
4 chapter 2 of part II of that Act.

5 **SEC. 113. RETENTION OF TITLE TO AIRCRAFT PROVIDED TO**
6 **FOREIGN COUNTRIES FOR NARCOTICS CON-**
7 **TROL PURPOSES.**

8 Chapter 8 of part I of the Foreign Assistance Act of
9 1961 (22 U.S.C. 2291 et seq.; relating to the international
10 narcotics control assistance program) is amended by adding
11 at the end the following new section:

12 **“SEC. 484. RETENTION OF TITLE TO AIRCRAFT.**

13 “Any aircraft made available to a foreign country under
14 this chapter at any time after the enactment of this section
15 (including aircraft made available pursuant to section 102 of
16 the International Narcotics Control Act of 1986) shall be
17 provided only on a lease or loan basis.”.

18 **SEC. 114. RECORDS OF AIRCRAFT USE.**

19 Chapter 8 of part I of the Foreign Assistance Act of
20 1961 (22 U.S.C. 2291 et seq.; relating to the international
21 narcotics control assistance program), as amended by the pre-
22 ceding section of this title, is further amended by adding at
23 the end the following new section:

1 **"SEC. 485. RECORDS OF AIRCRAFT USE.**

2 “(a) **REQUIREMENT TO MAINTAIN RECORDS.**—The
3 Secretary of State shall maintain detailed records on the use
4 of any aircraft made available to a foreign country under this
5 chapter, including aircraft made available pursuant to section
6 102 of the International Narcotics Control Act of 1986 and
7 aircraft made available under this chapter before the enact-
8 ment of this section.

9 “(b) **CONGRESSIONAL ACCESS TO RECORDS.**—The
10 Secretary of State shall make the records maintained pursu-
11 ant to subsection (a) available to the Congress upon a request
12 of the Chairman of the Committee on Foreign Affairs of the
13 House of Representatives or the Chairman of the Committee
14 on Foreign Relations of the Senate.”.

15 **SEC. 115. PILOT AND AIRCRAFT MAINTENANCE TRAINING FOR**
16 **NARCOTICS CONTROL ACTIVITIES.**

17 (a) **EARMARKING OF FUNDS.**—Not less than
18 \$2,000,000 of the funds made available for fiscal year 1987
19 to carry out chapter 5 of part II of the Foreign Assistance
20 Act of 1961 (22 U.S.C. 2347 et seq.; relating to international
21 military education and training) shall be available only for
22 education and training in the operation and maintenance of
23 aircraft used in narcotics control interdiction and eradication
24 efforts.

25 (b) **RELATIONSHIP TO INTERNATIONAL NARCOTICS**
26 **CONTROL ASSISTANCE PROGRAM.**—Assistance under this

1 section shall be coordinated with assistance provided under
2 chapter 8 of part I of that Act (22 U.S.C. 2291 et seq.;
3 relating to international narcotics control).

4 (c) **WAIVER OF SECTION 660.**—Assistance may be pro-
5 vided pursuant to this section notwithstanding the prohibition
6 contained in section 660 of the Foreign Assistance Act of
7 1961 (22 U.S.C. 2420; relating to police training).

8 **SEC. 116. DEVELOPMENT OF HERBICIDES FOR AERIAL COCA**
9 **ERADICATION.**

10 The Secretary of State shall use not less than
11 \$1,000,000 of the funds made available for fiscal year 1987
12 to carry out chapter 8 of part I of the Foreign Assistance Act
13 of 1961 (22 U.S.C. 2291 et seq.; relating to international
14 narcotics control) to finance research on and the development
15 and testing of safe and effective herbicides for use in the
16 aerial eradication of coca.

17 **SEC. 117. REVIEW OF EFFECTIVENESS OF INTERNATIONAL**
18 **NARCOTICS CONTROL ASSISTANCE PROGRAM.**

19 (a) **REQUIREMENT FOR INVESTIGATION.**—The Comp-
20 troller General shall conduct a thorough and complete inves-
21 tigation to determine the effectiveness of the assistance pro-
22 vided pursuant to chapter 8 of part I of the Foreign Assist-
23 ance Act of 1961 (22 U.S.C. 2291 et seq.; relating to inter-
24 national narcotics control).

25 (b) **REPORTS TO CONGRESS.**—

1 (1) PERIODIC REPORTS.—The Comptroller Gen-
2 eral shall report to the Congress periodically as the
3 various portions of the investigation conducted pursu-
4 ant to subsection (a) are completed.

5 (2) FINAL REPORT.—Upon completion of the in-
6 vestigation, the Comptroller General shall submit a
7 final report to the Congress on the results of the inves-
8 tigation. This report shall include such recommenda-
9 tions for administrative or legislative action as the
10 Comptroller General finds appropriate based on the
11 investigation.

12 **PART B—IMPROVING LAW ENFORCEMENT AND**
13 **OTHER NARCOTICS CONTROL ACTIVITIES**
14 **ABROAD**

15 **SEC. 121. EXTRADITION TO THE UNITED STATES FOR**
16 **NARCOTICS-RELATED OFFENSES.**

17 Section 481(e)(3) of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2291(e)(3); relating to the annual international
19 narcotics control report) is amended by inserting after sub-
20 paragraph (C) the following new subparagraph:

21 “(D) A discussion of the extent to which such
22 country has cooperated with the United States narcot-
23 ics control efforts through the extradition or prose-
24 cution of drug traffickers, and a description of the
25 status of negotiations with such country to negotiate a

1 new or updated extradition treaty relating to narcotics
2 offenses.”.

3 **SEC. 122. ISSUANCE OF DIPLOMATIC PASSPORTS FOR DRUG**
4 **ENFORCEMENT ADMINISTRATION AGENTS**
5 **ABROAD.**

6 The Congress commends the decision of the Secretary
7 of State to issue diplomatic passports, rather than official
8 passports, to officials and employees of the Drug Enforce-
9 ment Administration who are assigned abroad. The Secretary
10 shall report to the Congress before making any change in this
11 policy.

12 **SEC. 123. RESTRICTIONS ON PARTICIPATION OF UNITED**
13 **STATES PERSONNEL IN ARREST ACTIONS IN**
14 **NARCOTICS CONTROL EFFORTS ABROAD.**

15 Section 481(c) of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2291(c); commonly known as the Mansfield
17 amendment) is amended to read as follows:

18 “(c)(1) Notwithstanding any other provision of law, no
19 officer or employee of the United States may engage or par-
20 ticipate in any direct police arrest action in any foreign coun-
21 try with respect to narcotics control efforts, except that this
22 paragraph does not apply in the case of a foreign country
23 with respect to which the Secretary of State has made the
24 determinations described in paragraph (2).

1 “(2) Paragraph (1) shall not apply, and paragraph (3)
2 shall apply, with respect to a foreign country if the Secretary
3 of State determines that the application of the prohibition in
4 paragraph (3) rather than the prohibition in paragraph (1)
5 with respect to that country—

6 “(A) would be in the United States national inter-
7 est, and

8 “(B) would not harm United States relations with
9 that country.

10 The Secretary shall keep the Congress fully informed of de-
11 terminations made under this paragraph and of the activities
12 carried out by officers and employees of the United States
13 pursuant to those determinations.

14 “(3) In the case of a foreign country with respect to
15 which the Secretary of State has made the determinations
16 described in paragraph (2), an officer or employee of the
17 United States may not directly effect an arrest in that coun-
18 try as part of any foreign police action with respect to narcot-
19 ics control efforts, notwithstanding any other provision of
20 law. This paragraph does not prohibit an officer or employee
21 from assisting foreign officers who are effecting an arrest.

22 “(4) Paragraphs (1) and (3) do not prohibit an officer or
23 employee from taking direct action to protect life or safety if
24 exigent circumstances arise which are unanticipated and
25 which pose an immediate threat to United States officers or

1 employees, officers or employees of a foreign government, or
2 members of the public.

3 “(5) No officer or employee of the United States may
4 interrogate or be present during the interrogation of any
5 United States person arrested in any foreign country with
6 respect to narcotics control efforts without the written con-
7 sent of such person.

8 “(6) This subsection shall not apply to the activities of
9 the United States Armed Forces in carrying out their respon-
10 sibilities under applicable Status of Forces arrangements.”.

11 **SEC. 124. INFORMATION-SHARING SO THAT VISAS ARE**

12 **DENIED TO DRUG TRAFFICKERS.**

13 (a) **NEED FOR COMPREHENSIVE INFORMATION**
14 **SYSTEM.**—The Congress is concerned that the executive
15 branch has not established a comprehensive information
16 system on all drug arrests of foreign nationals in the United
17 States so that information may be communicated to the ap-
18 propriate United States embassies, even though the establish-
19 ment of such a system is required by section 132 of the For-
20 eign Relations Authorization Act, Fiscal Years 1986 and
21 1987.

22 (b) **ESTABLISHMENT OF SYSTEM.**—The executive
23 branch shall act expeditiously to establish the comprehensive
24 information system required by section 132 of the Foreign
25 Relations Authorization Act, Fiscal Years 1986 and 1987,

1 and submit to the Congress a report that the system has been
2 established.

3 **SEC. 125. INFORMATION RELATING TO ILLICIT NARCOTICS**
4 **ACTIVITIES ABROAD.**

5 (a) **NEED FOR INCREASED PRIORITY.**—The Congress
6 urges the President to direct the appropriate Federal officials
7 to give greater priority to the collection and sharing of infor-
8 mation concerning narcotics-related activities abroad, includ-
9 ing information relevant to estimating illicit drug production
10 and information relevant to narcotics-related money
11 laundering.

12 (b) **ASSESSMENT OF NARCOTICS TRAFFICKING FROM**
13 **AFRICA.**—In particular, the President shall direct that an
14 updated threat assessment of narcotics trafficking from Africa
15 be prepared. If it is determined that an increased threat
16 exists, the assessment shall examine the need for the United
17 States to provide increased narcotics control training for Afri-
18 can countries.

19 **SEC. 126. COMBATING NARCOTERRORISM.**

20 (a) **FINDING.**—The Congress finds that the increased
21 cooperation and collaboration between narcotics traffickers
22 and terrorist groups constitutes a serious threat to United
23 States national security interests and to the political stability
24 of numerous other countries, particularly in Latin America.

1 (b) IMPROVED CAPABILITY FOR RESPONDING TO NAR-
2 COTERRORISM.—The President shall take concrete steps to
3 improve the capability of the executive branch—

4 (1) to collect information concerning the links be-
5 tween narcotics traffickers and acts of terrorism
6 abroad, and

7 (2) to develop an effective and coordinated means
8 for responding to the threat which those links pose.

9 Not later than 90 days after the date of enactment of this
10 title, the President shall report to the Congress on the steps
11 taken pursuant to this subsection.

12 (c) ADMINISTRATION OF JUSTICE PROGRAM.—Of the
13 amounts made available for fiscal year 1987 to carry out sec-
14 tion 534 of the Foreign Assistance Act of 1961 (22 U.S.C.
15 2346c; relating to the administration of justice program), up
16 to \$2,000,000 is authorized to be used to provide to Colom-
17 bia or other countries in the region such assistance as they
18 may request for protection of judicial or other officials who
19 are targets of narcoterrorist attacks. Such assistance may in-
20 clude assistance to increase the investigative, judicial, or
21 prosecutorial capabilities of those countries with respect to
22 narcoterrorist attacks.

23 SEC. 127. INTERDICTION PROCEDURES FOR VESSELS OF
24 FOREIGN REGISTRY.

25 (a) FINDINGS.—The Congress finds that—

1 (1) the interdiction by the United States Coast
2 Guard of vessels suspected of carrying illicit narcotics
3 can be a difficult procedure when the vessel is of for-
4 eign registry and is located beyond the customs waters
5 of the United States;

6 (2) before boarding and inspecting such a vessel,
7 the Coast Guard must obtain consent from either the
8 master of the vessel or the country of registry; and

9 (3) this process, and obtaining the consent of the
10 country of registry to further law enforcement action,
11 may delay the interdiction of the vessel by 3 or 4 days.

12 (b) **NEGOTIATIONS CONCERNING INTERDICTION PRO-**
13 **CEDURES.—**

14 (1) The Congress urges the Secretary of State, in
15 consultation with the Secretary of the department in
16 which the Coast Guard is operating, to increase efforts
17 to negotiate with relevant countries procedures which
18 will facilitate interdiction of vessels suspected of carry-
19 ing illicit narcotics.

20 (2) If a country refuses to negotiate with respect
21 to interdiction procedures, the President shall take ap-
22 appropriate actions directed against that country, which
23 may include the denial of access to United States ports
24 to vessels registered in that country.

1 (3) The Secretary of State shall submit reports to
2 the Congress semiannually identifying those countries
3 which have failed to negotiate with respect to interdiction
4 procedures.

5 **SEC. 128. ARMED FORCES ASSISTANCE FOR LAW ENFORCE-**
6 **MENT ACTIVITIES ABROAD—CONCURRENCE OF**
7 **SECRETARY OF STATE.**

8 Section 374(c)(1)(B) of title 10, United States Code, is
9 amended by striking out “and the Attorney General” and
10 insert in lieu thereof “; the Attorney General, and the Secre-
11 tary of State”.

12 **PART C—DEVELOPMENT AND NARCOTICS**
13 **PRODUCTION AND TRAFFICKING**

14 **SEC. 131. FINDINGS.**

15 The Congress finds that—

16 (1) increased narcotics cultivation and trafficking
17 in developing countries is associated with declining
18 economic opportunities in those countries, and particu-
19 larly with decreasing youth employment opportunities
20 and migration of small farmers to narcotics-producing
21 areas to take advantage of economic opportunities that
22 are not available in legitimate agriculture; and

23 (2) priority in United States development assist-
24 ance policy should be given to employment-generation
25 and to increasing the incentives for people to remain

1 engaged in legitimate agriculture by increasing the re-
 2 sources available to them and enhancing their ability to
 3 make an adequate living.

4 **SEC. 132. ANNUAL REPORTS ON DEVELOPMENT EFFORTS**
 5 **TO REDUCE NARCOTICS PRODUCTION AND**
 6 **TRAFFICKING.**

7 Section 634(a) of the Foreign Assistance Act of 1961
 8 (22 U.S.C. 2394(a); relating to the annual report on foreign
 9 assistance programs) is amended—

10 (1) by redesignating paragraphs (11) and (12) as
 11 paragraphs (12) and (13), respectively; and

12 (2) by inserting the following new paragraph (11)
 13 after paragraph (10):

14 “(11) a detailed description of the programs and
 15 activities carried out under part I (other than chapter
 16 8) with respect to illicit narcotics production (such as
 17 crop substitution programs), and an assessment of the
 18 effectiveness of those programs and activities in reduc-
 19 ing illicit narcotics production;”.

20 **PART D—DRUG EDUCATION PROGRAMS ABROAD**

21 **SEC. 141. INCREASED FUNDING FOR USIA DRUG EDUCATION**
 22 **PROGRAMS.**

23 In addition to amounts otherwise authorized to be ap-
 24 propriated, there is authorized to be appropriated for the
 25 United States Information Agency for fiscal year 1987

1 \$2,000,000 which shall be available only for increasing drug
2 education programs abroad. These programs may include—

3 (1) the distribution of films and publications which
4 demonstrate the impact of drugs on crime and health;
5 and

6 (2) exchange of persons programs and internation-
7 al visitor programs involving students, educators, and
8 scientists.

9 **SEC. 142. INCREASED FUNDING FOR AID DRUG EDUCATION**
10 **PROGRAMS.**

11 In addition to amounts otherwise authorized to be ap-
12 propriated, there are authorized to be appropriated to the
13 President for fiscal year 1987 \$3,000,000 to carry out chap-
14 ter 1 of part I of the Foreign Assistance Act of 1961, which
15 amount shall be used pursuant to section 126(b)(2) of that
16 Act for additional activities aimed at increasing awareness of
17 the effects of production and trafficking of illicit narcotics on
18 source and transit countries.

19 **SEC. 143. REPORTS TO CONGRESS ON DRUG EDUCATION**
20 **PROGRAMS ABROAD.**

21 The Director of the United States Information Agency
22 and the Administrator of the Agency for International Devel-
23 opment shall include in their annual reports to the Congress
24 a description of the drug education programs carried out by
25 their respective agencies.

1 **PART E—UNITED NATIONS ACTIVITIES RELATING**
2 **TO DRUG NARCOTICS CONTROL**

3 **SEC. 151. FINDINGS.**

4 The Congress finds that—

5 (1) in response to the growing narcotics threat to
6 the international community—

7 (A) the Single Convention on Narcotic
8 Drugs, 1961, the 1972 Protocol amending that
9 Convention, and the Convention on Psychotropic
10 Substances were adopted under United Nations
11 auspices, and

12 (B) the United Nations has created various
13 entities to deal with drug abuse control and pre-
14 vention; and

15 (2) a greater international effort is required to ad-
16 dress this threat, such as additional or increased contri-
17 butions by other countries to the United Nations Fund
18 for Drug Abuse and Control and greater coordination
19 of enforcement and eradication efforts.

20 **SEC. 152. INTERNATIONAL CONFERENCE ON DRUG ABUSE AND**
21 **ILLICIT TRAFFICKING.**

22 (a) **CONGRESSIONAL SUPPORT.**—The Congress hereby
23 declares its support for United Nations General Assembly
24 Resolution 40/122 adopted on December 13, 1985, in which
25 the General Assembly decided to convene in 1987 an Inter-
26 national Conference on Drug Abuse and Illicit Trafficking in

1 order to generate universal action to combat the drug prob-
2 lem in all its forms at the national, regional, and international
3 levels, and to adopt a comprehensive outline of future
4 activities.

5 (b) UNITED STATES PARTICIPATION.—With respect
6 to United States participation in the International Conference
7 on Drug Abuse and Illicit Trafficking, the Congress calls on
8 the President—

9 (1) to appoint the head of the United States dele-
10 gation well in advance of the conference; and

11 (2) to ensure that necessary resources are avail-
12 able for United States preparation and participation.

13 (c) REPORT TO CONGRESS.—Not later than April 30,
14 1987, the President shall report to the Congress on the
15 status of United States preparations for the International
16 Conference on Drug Abuse and Illicit Trafficking, including
17 the status of naming the delegation, the issues expected to
18 arise, and United States policy initiatives to be taken at the
19 conference.

20 **SEC. 153. EFFECTIVENESS OF INTERNATIONAL DRUG PREVEN-**
21 **TION AND CONTROL SYSTEM.**

22 (a) STUDY.—The United States should seek to improve
23 the program and budget effectiveness of United Nations enti-
24 ties related to narcotics prevention and control by studying
25 the capability of existing United Nations drug-related decla-

1 rations, conventions, and entities to heighten international
2 awareness and promote the necessary strategies for interna-
3 tional action, to strengthen international cooperation, and to
4 make effective use of available United Nations funds.

5 (b) REPORT TO CONGRESS.—Not later than April 30,
6 1987, the President shall report to the Congress any recom-
7 mendations that may result from this study, including the
8 possibility of consolidating existing United Nations entities
9 which engage in narcotics-related activities.

10 **SEC. 154. NARCOTICS CONTROL CONVENTIONS.**

11 The Congress—

12 (1) urges that the United Nations Commission on
13 Narcotic Drugs complete work as quickly as possible,
14 consistent with the objective of obtaining an effective
15 agreement, on a new draft convention against illicit
16 traffic in narcotic drugs and psychotropic substances, in
17 accordance with the mandate given the Commission by
18 United Nations General Assembly Resolution 39/141;
19 and

20 (2) calls for more effective implementation of ex-
21 isting conventions relating to narcotics.

1 **PART F—PROVISIONS RELATING TO SPECIFIC**
2 **COUNTRIES**

3 **SEC. 161. NARCOTICS CONTROL EFFORTS IN MEXICO.**

4 (a) **PROSECUTION OF THOSE RESPONSIBLE FOR THE**
5 **MURDER OF DEA AGENT CAMARENA.**—Of the funds allo-
6 cated for assistance for Mexico for fiscal year 1987 under
7 chapter 8 of part I of the Foreign Assistance Act of 1961 (22
8 U.S.C. 2291 et seq.; relating to international narcotics con-
9 trol), \$1,000,000 shall be withheld from expenditure until the
10 President reports to the Congress that the Government of
11 Mexico—

12 (1) has fully investigated the 1985 murders of
13 Drug Enforcement Administration agent Enrique Ca-
14 marena Salazar and his pilot Alfredo Zavala Avelar,
15 and

16 (2) has brought to trial and is effectively prosecut-
17 ing those responsible for those murders.

18 (b) **REPORTS ON ERADICATION EFFORTS.**—The Secre-
19 tary of State shall report to the Congress on a monthly basis
20 with respect to the illicit drug eradication program in Mexico.

21 **SEC. 162. MEXICO-UNITED STATES INTERGOVERNMENTAL**
22 **COMMISSION.**

23 (a) **NEGOTIATIONS TO ESTABLISH.**—In accordance
24 with the resolution adopted by the 26th Mexico-United Inter-
25 parliamentary Conference which recommended that the Gov-
26 ernment of Mexico and Government of the United States es-

1 tablish a Mexico-United States Intergovernmental Commis-
2 sion on Narcotics and Psychotropic Drug Abuse and Control,
3 the President should direct the Secretary of State to enter
4 into negotiations with the Government of Mexico to create
5 such a joint intergovernmental commission.

6 (b) **MEMBERSHIP.**—The commission, which should
7 meet semiannually, should include members of the Mexican
8 Senate and Chamber of Deputies and the United States
9 House of Representatives and Senate, together with mem-
10 bers of the executive departments of each government re-
11 sponsible for drug abuse, education, prevention, treatment,
12 and law enforcement.

13 (c) **REPORT TO CONGRESS.**—Not later than 90 days
14 after the date of enactment of this title, the Secretary of
15 State shall report to the Congress on the progress being
16 made in establishing a commission in accordance with subsec-
17 tion (a).

18 **SEC. 163. OPIUM PRODUCTION IN PAKISTAN.**

19 (a) **FINDINGS.**—The Congress finds that—

20 (1) the production of opium in Pakistan is expect-
21 ed to triple in the 1985–1986 growing season, posing
22 an increased threat to the health and welfare of the
23 people of Pakistan and the people of the United States;
24 and

1 (2) the current eradication program in Pakistan,
2 which employs manual eradication of opium poppies,
3 has faltered.

4 (b) **NEED FOR MORE EFFECTIVE DRUG CONTROL**
5 **PROGRAM.**—The Congress urges that the Government of
6 Pakistan adopt and implement a comprehensive narcotics
7 control program which would provide for more effective pros-
8 ecution of drug traffickers, increased interdiction, and aerial
9 eradication of opium poppies.

10 (c) **REPORT TO CONGRESS.**—The Secretary of State
11 shall report to the Congress not later than 60 days after the
12 date of enactment of this title with respect to the adoption
13 and implementation by the Government of Pakistan of a com-
14 prehensive narcotics control program in accordance with sub-
15 section (b).

16 **SEC. 164. OPIUM PRODUCTION IN IRAN, AFGHANISTAN, AND**
17 **LAOS.**

18 The Congress calls on the President to instruct the
19 United States Ambassador to the United Nations to request
20 that the United Nations Secretary General raise with delega-
21 tions to the International Conference on Drug Abuse and
22 **Illicit Trafficking** the problem of illicit drug production in
23 Iran, Afghanistan, and Laos, the largest opium poppy pro-
24 ducing countries which do not have narcotics control
25 programs.

1 **TITLE II—COMMITTEE ON ARMED**
2 **SERVICES**

3 **SEC. 201. SHORT TITLE.**

4 This title may be cited as the “Defense Narcotics Act of
5 1986”.

6 **SEC. 202. POLICY.**

7 It is the sense of Congress that the President should—

8 (1) apply the full measure of the executive power
9 of the President against the introduction of controlled
10 substances into the United States; and

11 (2) to that end, should take such steps as may be
12 necessary and appropriate (including the deployment of
13 radar, aircraft, and military personnel) to expand the
14 role of the Armed Forces in the war on illegal drugs.

15 **SEC. 203. DRUG ENFORCEMENT EQUIPMENT.**

16 (a) **AMOUNTS AUTHORIZED.**—The Secretary of De-
17 fense shall acquire aircraft and equipment as follows for en-
18 hancement of authorized drug enforcement assistance activi-
19 ties of the Department:

20 (1) Blackhawk helicopters in the amount of
21 \$40,000,000.

22 (2) Four aircraft configured with the AN/APS-
23 138 radar in the amount of \$83,000,000.

24 (3) Seven radar aerostats in the amount of
25 \$90,000,000.

1 (b) SOURCE OF FUNDS.—Funds for the purpose of sub-
2 section (a) shall be derived as the Secretary determines
3 from—

4 (1) amounts appropriated or otherwise made avail-
5 able to the Department of Defense for fiscal year
6 1987; and

7 (2) amounts appropriated or otherwise made avail-
8 able to the Department of Defense for any prior fiscal
9 year and which remain available for obligation.

10 (c) LOAN OF EQUIPMENT TO LAW ENFORCEMENT
11 AGENCIES.—The Secretary of Defense shall make the air-
12 craft and radar aerostats acquired under subsection (a) avail-
13 able to agencies of the United States designated by the
14 Chairman of the National Drug Enforcement Policy Board
15 established by the National Narcotics Act of 1984. Such air-
16 craft and radar aerostats shall be made available subject to
17 the provisions of chapter 18 of title 10, United States Code.

18 (d) LIMITATION ON PROCUREMENT.—Amounts appro-
19 priated or otherwise made available to the Department of
20 Defense for procurement for fiscal year 1987 or any prior
21 fiscal year may be obligated for equipment for enhancement
22 of authorized drug enforcement activities of the Department
23 of Defense under subsection (a) or any other provision of law
24 only if the equipment—

1 (1) is fully supportable within the existing service
2 support system of the Department of Defense; and

3 (2) reasonably relates to an existing military, war
4 reserve, or mobilization requirement.

5 **SEC. 204. COAST GUARD ACTIVITIES.**

6 (a) **FUNDING FOR PERSONNEL ON NAVAL VESSELS.—**

7 (1) Of the funds appropriated for operation and maintenance
8 for the Navy for fiscal year 1987, the sum of \$15,000,000
9 shall be transferred to the Secretary of Transportation and
10 shall be available only for members of the Coast Guard as-
11 signed to duty as provided in section 379 of title 10, United
12 States Code (as added by subsection (b)).

13 (2) The active duty military strength level for the Coast
14 Guard for fiscal year 1987 is hereby increased by 500 above
15 any number otherwise provided by law.

16 (b) **ENHANCED DRUG INTERDICTION ASSISTANCE.—**

17 (1) Chapter 18 of title 10, United States Code, is amended by
18 adding at the end the following new section:

19 **“§ 379. Assignment of Coast Guard personnel to naval ves-**
20 **sels for law enforcement purposes**

21 **“(a) The Secretary of Defense and the Secretary of**
22 **Transportation shall provide that there be assigned on board**
23 **appropriate surface naval vessels at sea in a drug-interdiction**
24 **area members of the Coast Guard who are trained in law**
25 **enforcement and have powers of the Coast Guard under title**

1 14, including the power to make arrests and to carry out
2 searches and seizures.

3 “(b) Members of the Coast Guard assigned to duty on
4 board naval vessels under this section shall perform such law
5 enforcement functions (including drug-interdiction func-
6 tions)—

7 “(1) as may be agreed upon by the Secretary of
8 Defense and the Secretary of Transportation; and

9 “(2) as are otherwise within the jurisdiction of the
10 Coast Guard.

11 “(c) No fewer than 500 active duty personnel of the
12 Coast Guard shall be assigned each fiscal year to duty under
13 this section. However, if at any time the Secretary of Trans-
14 portation, after consultation with the Secretary of Defense,
15 determines that there are insufficient naval vessels available
16 for purposes of this section, such personnel may be assigned
17 other duty involving enforcement of laws listed in section
18 374(a)(1) of this title.

19 “(d) In this section, the term ‘drug-interdiction area’
20 means an area outside the land area of the United States in
21 which the Secretary of Defense and the Attorney General
22 jointly determine that activities involving smuggling of drugs
23 into the United States are ongoing.”.

24 (2) The table of sections at the beginning of such chap-
25 ter is amended by adding at the end the following new item:

“379. Assignment of Coast Guard personnel to naval vessels for law enforcement purposes.”

1 (3) Effective on October 1, 1986, section 1421 of the
2 Department of Defense Authorization Act, 1986 (Public Law
3 99-145; 99 Stat. 750), is repealed.

4 **SEC. 205. DRUG INTERDICTION ASSISTANCE TO CIVILIAN LAW**
5 **ENFORCEMENT OFFICIALS.**

6 Section 374(a) of title 10, United States Code, is
7 amended by striking out the period at the end and inserting
8 in lieu thereof “or with respect to any assistance that such an
9 agency may be authorized to provide to officials of foreign
10 nations who are involved in the enforcement of similar
11 laws.”

12 **SEC. 206. MILITARY PERSONNEL.**

13 (a) **STUDY OF APPROPRIATE ROLE OF MILITARY PER-**
14 **SONNEL.**—Not later than March 1, 1987, the President shall
15 submit to Congress a report describing the appropriate role of
16 members of the Armed Forces under the jurisdiction of the
17 Secretary of Defense in interdicting illegal drugs and other-
18 wise participating in the national effort to control and reduce
19 drug abuse.

20 (b) **COAST GUARD RESERVE.**—The Selected Reserve
21 of the Coast Guard Reserve shall be programmed to attain a
22 strength as of September 30, 1987, of not less than 14,500.
23 Of such number, 1,500 shall be used principally for drug
24 interdiction missions.

1 (c) HEALTH PROMOTION PROGRAM.—(1) The Secre-
 2 tary of Defense shall establish a comprehensive anti-drug
 3 abuse health promotion program for members of the Armed
 4 Forces and civilian personnel of the Department of Defense
 5 and their families. Such program shall include education pro-
 6 grams concerning controlled substances as a major compo-
 7 nent of basic training.

8 (2) The Secretary shall direct that the Department of
 9 Defense Dependents Schools System establish a drug abuse
 10 education curriculum and programs to be provided through-
 11 out elementary and secondary school.

12 (d) DRIVING UNDER INFLUENCE OF DRUGS.—Section
 13 911 of title 10, United States Code, is amended by inserting
 14 “or while under the influence of a substance described in sec-
 15 tion 912a(b) of this title (article 112a(b))” after “manner,”.

16 **TITLE III—COMMITTEE ON WAYS**
 17 **AND MEANS**

18 **Subtitle A—Amendments to the Tariff**
 19 **Act of 1930**

20 **PART I—GENERAL PROVISIONS**

21 **SEC. 301. REFERENCE.**

22 Unless otherwise provided, whenever in this subtitle an
 23 amendment or repeal is expressed in terms of an amendment
 24 to, or repeal of, a title, part, section, subsection, or other
 25 provision, the reference shall be considered to be made to a

1 title, part, section, subsection, or other provision of the Tariff
2 Act of 1930 (19 U.S.C. 1401 et seq.).

3 **SEC. 302. PROHIBITION ON IMPORTATION OF DRUG PARA-**
4 **PHERNALIA.**

5 Part 1 of title III (19 U.S.C. 1301 et seq.) is amended
6 by inserting after section 306 the following new section:

7 **"SEC. 306A. DRUG PARAPHERNALIA: IMPORTATION**
8 **PROHIBITED.**

9 "(a) **PROHIBITION.**—The importation into the United
10 States of any drug paraphernalia is prohibited; except that
11 drug paraphernalia may be imported into the United States
12 for medical or scientific needs under such regulations as the
13 Attorney General may prescribe.

14 "(b) **DEFINITION.**—As used in subsection (a), the term
15 'drug paraphernalia' means any of the following articles,
16 whether assembled or disassembled, and parts thereof:

17 "(1) Bongs, bong bowls, cocaine free base kits,
18 miniature spoons with level capacities of one-tenth
19 cubic centimeter or less, cocaine straws or snorters, co-
20 caine screens or strainers, marijuana isomerization de-
21 vices, marijuana separation gins, marijuana growing
22 kits, chillums, ice or chiller pipes, air-driven pipes,
23 electric pipes, chamber pipes, carburetor pipes, water
24 pipes, pipes with glass, pyrex, metal, or stone bowls

1 (except meerschaum), wired cigarette rolling papers,
2 smoking masks, and smoking screens.

3 “(2) Any equipment, product, or material of any
4 kind that is specifically designed for use in planting,
5 propagating, cultivating, growing, harvesting, manufac-
6 turing, compounding, converting, producing, process-
7 ing, preparing, cutting, testing, analyzing, packaging,
8 repacking, storing, containing, concealing, or injecting,
9 ingesting, inhaling or otherwise introducing into the
10 human body, marijuana, hashish, hashish oil, or
11 cocaine.”.

12 **SEC. 303. DEFINITIONS.**

13 Section 401 (19 U.S.C. 1401) is amended—

14 (1) by inserting “, and monetary instruments as
15 defined in section 5312 of title 31, United States
16 Code” before the period in subsection (c); and

17 (2) by adding at the end thereof the following:

18 “(m) **CONTROLLED SUBSTANCE.**—The term ‘controlled
19 substance’ has the meaning given that term in section 102(6)
20 of the Controlled Substances Act (21 U.S.C. 802(6)). For
21 purposes of this Act, any controlled substance is merchandise
22 the importation of which into the United States is prohibited,
23 unless the importation is authorized under—

24 “(1) an appropriate license or permit; or

1 “(2) the Controlled Substances Import and Export
2 Act.”.

3 **SEC. 304. REPORT OF ARRIVAL OF VESSELS, VEHICLES, AND**
4 **AIRCRAFT.**

5 Section 433 (19 U.S.C. 1433) is amended to read as
6 follows:

7 **“SEC. 433. REPORT OF ARRIVAL OF VESSELS, VEHICLES, AND**
8 **AIRCRAFT.**

9 “(a) **VESSEL ARRIVAL.**—(1) Immediately upon the ar-
10 rival at any port or place, within the United States or the
11 Virgin Islands of—

12 “(A) any vessel from a foreign port or place;

13 “(B) any foreign vessel from a domestic port; or

14 “(C) any vessel of the United States carrying
15 bonded merchandise, or foreign merchandise for which
16 entry has not been made;

17 the master of the vessel shall report the arrival at the nearest
18 customs facility or such other place as the Secretary may
19 designate.

20 “(2) The Secretary may by regulation—

21 “(A) prescribe the manner in which arrivals are to
22 be reported under paragraph (1); and

23 “(B) extend the time in which reports of arrival
24 must be made, but not later than 24 hours after
25 arrival.

1 “(b) VEHICLE ARRIVAL.—(1) Vehicles may arrive in
2 the United States only at border crossing points designated
3 by the Secretary.

4 “(2) Except as otherwise authorized by the Secretary,
5 immediately upon the arrival of any vehicle in the United
6 States at a border crossing point, the person in charge of the
7 vehicle shall—

8 “(A) report the arrival; and

9 “(B) present the vehicle, and all persons and mer-
10 chandise (including baggage) on board, for inspection;
11 to the customs officer at the customs facility designated for
12 that crossing point.

13 “(c) AIRCRAFT ARRIVAL.—The pilot of any aircraft ar-
14 riving in the United States or the Virgin Islands from any
15 foreign airport or place shall comply with such advance noti-
16 fication, arrival reporting, and landing requirements as the
17 Secretary may by regulation prescribe.

18 “(d) PRESENTATION OF DOCUMENTATION.—The
19 master, person in charge of a vehicle, or aircraft pilot shall,
20 incident to the reporting of arrival under this section, present
21 to customs officers such documents, papers, or manifests as
22 the Secretary may by regulation prescribe.

23 “(e) PROHIBITION ON DEPARTURES AND DIS-
24 CHARGE.—Unless otherwise authorized by law, after arriv-
25 ing in the United States or the Virgin Islands a vessel or

1 aircraft may not, and after arriving in the United States a
2 vehicle may not—

3 “(1) depart from the port, place, or airport of ar-
4 rival; or

5 “(2) discharge any passenger or merchandise (in-
6 cluding baggage);

7 except in accordance with regulations prescribed by the
8 Secretary.”.

9 **SEC. 305. PENALTIES FOR ARRIVAL, REPORTING, ENTRY, AND**
10 **DEPARTURE VIOLATIONS.**

11 (a) **FOR VIOLATIONS OF ARRIVAL, REPORTING, AND**
12 **ENTRY REQUIREMENTS.**—Section 436 (19 U.S.C. 1436) is
13 amended to read as follows:

14 **“SEC. 436. PENALTIES FOR VIOLATIONS OF THE ARRIVAL, RE-**
15 **PORTING, AND ENTRY REQUIREMENTS.**

16 “(a) **UNLAWFUL ACTS.**—It is unlawful—

17 “(1) to fail to comply with section 433 (a), (b), or
18 (c);

19 “(2) to present any forged, altered, or false docu-
20 ment, paper, or manifest to a customs officer under
21 section 433(d) without revealing the facts;

22 “(3) to violate section 433(e);

23 “(4) to fail to make entry as required by section
24 434, 435, or 644 of this Act or section 1109 of the
25 Federal Aviation Act (49 U.S.C. App. 1509); or