

Ronald Reagan Presidential Library  
Digital Library Collections

---

This is a PDF of a folder from our textual collections.

---

**Collection:** Bledsoe, Ralph C.: Files  
**Folder Title:** [Drug Abuse Policy - August 1986] (23)  
**Box:** 23

---

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: [reagan.library@nara.gov](mailto:reagan.library@nara.gov)

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

1 TITLE II--INTERNATIONAL NARCOTICS CONTROL  
2 Subtitle A--Strengthening United States Narcotics Control  
3 Overseas

4 SEC. \*\*01. ADDITIONAL FUNDING FOR INTERNATIONAL NARCOTICS  
5 CONTROL ASSISTANCE AND REGIONAL COOPERATION.

6 Section 482(a)(1) of the Foreign Assistance Act of 1961  
7 (22 U.S.C. 2291a(a)(1); authorizing appropriations for  
8 assistance for international narcotics control) is amended--

9 (1) by striking out ``\$57,529,000 for the fiscal year  
10 1987'' and inserting in lieu thereof ``\$75,445,000 for  
11 the fiscal year 1987''; and

12 (2) by adding at the end the following: ``In addition  
13 to the amounts authorized by the preceding sentence,  
14 there are authorized to be appropriated to the President  
15 \$45,000,000 for the fiscal year 1987 to carry out the  
16 purposes of section 481, except that funds may be  
17 appropriated pursuant to this additional authorization  
18 only if the President has submitted to the Congress a  
19 detailed plan for the expenditure of those funds,  
20 including a description of how regional cooperation on  
21 narcotics control matters would be promoted by the use of  
22 those funds. Of the funds authorized to be appropriated  
23 by the preceding sentence, not less than \$10,000,000  
24 shall be available only to provide helicopters or other  
25 aircraft to countries receiving assistance for fiscal

1 year 1987 under chapter 8 of part I of this Act (22  
2 U.S.C. 2291 et seq.; relating to international narcotics  
3 control). These aircraft shall be used solely for  
4 narcotics control, eradication, and interdiction efforts  
5 and shall be available primarily for use in Latin  
6 America.''.

7 SEC. \*\*02. RESTRICTIONS ON THE PROVISION OF UNITED STATES  
8 ASSISTANCE.

9 (a) Section 481(h) of the Foreign Assistance Act of 1961  
10 is amended to read as follows:

11 '(h)(1) Subject to paragraph (2), for every major  
12 illicit drug producing country or major drug-transit  
13 country--

14 '(A) 50 percent of the amount of United States  
15 assistance justified to the Congress for allocation to  
16 such country for each fiscal year shall be withheld from  
17 obligation and expenditure;

18 '(B) on or after March 1, 1987, and on March 1 of  
19 each succeeding year, the Secretary of the Treasury shall  
20 instruct the United States Executive Director of the  
21 International Bank for Reconstruction and Development,  
22 the United States Executive Director of the International  
23 Development Association, the United States Executive  
24 Director of the Inter-American Development Bank, and the  
25 United States Executive Director of the Asian Development

1 Bank to vote against any loan or other utilization of the  
2 funds of their respective institution to or for such  
3 country; and

4 "(C) on or after March 1, 1987, and March 1 of each  
5 succeeding year, the President shall deny to all products  
6 of such country tariff treatment under title V of the  
7 Trade Act of 1974 (the Generalized System of  
8 Preferences), the Caribbean Basin Economic Recovery Act,  
9 or any other law providing preferential tariff treatment.

10 "(2)(A) The assistance withheld by paragraph (1)(A) may  
11 be obligated and expended and the provisions of clauses (A)  
12 and (B) of paragraph (1) shall not apply if the President  
13 determines, and so certifies to the Congress, at the time of  
14 the submission of the report required by subsection (e),  
15 that--

16 "(1) during the previous year the country has  
17 cooperated fully with the United States, or has taken  
18 adequate steps on its own, in preventing narcotic and  
19 psychotropic drugs and other controlled substances  
20 produced or processed, in whole or in part, in such  
21 country or transported through such country, from being  
22 sold illegally within the jurisdiction of such country to  
23 United States Government personnel or their dependents or  
24 from being transported, directly or indirectly, into the  
25 United States and in preventing and punishing the

1       laundering in that country of drug-related profits or  
2       drug-related monies; or

3           “(ii) the vital national interests of the United  
4       States require the provision of such assistance,  
5       financing, or preferential treatment to such country.

6       “(B) If the President makes a certification pursuant to  
7       clause (A)(ii), he shall include in such certification--

8           “(i) a full and complete description of the vital  
9       national interests placed at risk should assistance,  
10      financing, or preferential tariff treatment not be  
11      provided such country; and

12          “(ii) a statement weighing the risk described in  
13      subclause (i) against the risks posed to the vital  
14      national interests of the United States by the failure of  
15      such country to cooperate fully with the United States in  
16      combatting narcotics or to take adequate steps to combat  
17      narcotics on its own.

18          “(3) In making the certification required by paragraph  
19      (2) of this subsection, the President shall give foremost  
20      consideration to whether the actions of the government of the  
21      country have resulted in the maximum reductions in illicit  
22      drug production which were determined to be achievable  
23      pursuant to subsection (e)(4). The President shall also  
24      consider whether such government--

25          “(A) has taken the legal and law enforcement

1 measures to enforce in its territory, to the maximum  
2 extent possible, the elimination of illicit cultivation  
3 and the suppression of illicit manufacture of and traffic  
4 in narcotic and psychotropic drugs and other controlled  
5 substances, as evidenced by seizures of such drugs and  
6 substances and of illicit laboratories and the arrest and  
7 prosecution of violators involved in the traffic in such  
8 drugs and substances significantly affecting the United  
9 States; and

10 "(B) has taken the legal and law enforcement steps  
11 necessary to eliminate, to the maximum extent possible,  
12 the laundering in that country of drug-related profits or  
13 drug-related monies, as evidence by--

14 "(i) the enactment and enforcement of laws  
15 prohibiting such conduct, and

16 "(ii) the willingness of such government to  
17 enter into mutual legal assistance agreements with  
18 the United States governing (but not limited to)  
19 money laundering, and

20 "(iii) the degree to which such government  
21 otherwise cooperates with United States law  
22 enforcement authorities on anti-money laundering  
23 efforts.

24 "(4)(A) The provisions of paragraph (1) shall apply  
25 without regard to paragraph (2) if the Congress enacts,

1 within 30 days of continuous session after receipt of a  
2 certification under paragraph (2), a joint resolution  
3 disapproving the determination of the President contained in  
4 such certification.

5       “(B)(i) Any such joint resolution shall be considered in  
6 the Senate in accordance with the provisions of section  
7 601(b) of the International Security Assistance and Arms  
8 Export Control Act of 1976.

9       “(ii) For the purpose of expediting the consideration  
10 and enactment of joint resolution under this subsection, a  
11 motion to proceed to the consideration of any such joint  
12 resolution after it has been reported by the appropriate  
13 committee shall be treated as highly privileged in the House  
14 of Representatives.

15       “(5) Any country for which the President has not made a  
16 certification under paragraph (2) or with respect to which  
17 the Congress has enacted a joint resolution disapproving such  
18 certification may not receive the assistance, financing, or  
19 preferential treatment described in subsection (a) unless--

20               “(A) the President makes a certification under  
21 paragraph (2) and the Congress does not enact a joint  
22 resolution of disapproval; or

23               “(B) the President submits at any other time a  
24 certification of the matters described in paragraph (2)  
25 with respect to such country and the Congress enacts, in

1 accordance with the procedures of paragraph (4), a joint  
2 resolution approving such certification.".

3 (b) Section 481(e) of such Act is amended by striking out  
4 "February" and inserting in lieu thereof "March".

5 (c) Section 481(i) of such Act is amended--

6 (1) by striking out "and" at the end of paragraph  
7 (3);

8 (2) by striking out the period at the end of  
9 paragraph (4) and inserting in lieu thereof "; and";  
10 and

11 (3) by adding at the end thereof the following new  
12 paragraph:

13 "(5) the term 'major drug-transit country' means a  
14 country--

15 "(A) that is a significant direct source of  
16 illicit narcotic or psychotropic drugs or other  
17 controlled substances significantly affecting the  
18 United States;

19 "(B) through which are transported such drugs or  
20 substances; or

21 "(C) through which significant sums of drug-  
22 related profits or monies are laundered with the  
23 knowledge and complicity of the government.".

24 (d) The amendments made by this section shall take effect  
25 October 1, 1986.



1 SEC. \*\*03. RETENTION OF TITLE TO AIRCRAFT PROVIDED TO FOREIGN  
2 COUNTRIES FOR NARCOTICS CONTROL PURPOSES.

3 (a) Chapter 8 of part I of the Foreign Assistance Act of  
4 1961 (22 U.S.C. 2291 et seq.; relating to the international  
5 narcotics control assistance program) is amended by adding at  
6 the end the following new section:

7 ``SEC. 484. RETENTION OF TITLE TO AIRCRAFT.

8 ``Any aircraft made available to a foreign country under  
9 this chapter at any time after the date of enactment of this  
10 section (including aircraft made available pursuant to  
11 section 102 of the International Narcotics Control Act of  
12 1986) shall be provided, to the maximum extent practicable,  
13 on a lease or loan basis.'`.

14 (b) The Congress finds that the aircraft provided Mexico  
15 under assistance made available by section 481 of the Foreign  
16 Assistance Act of 1961 have not been used efficiently and  
17 that the fleet of aircraft provided Mexico is plagued by  
18 rapidly rising maintenance costs.

19 SEC. \*\*04. RECORDS OF AIRCRAFT USE.

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

25 ``SEC. 485. RECORDS OF AIRCRAFT USE.

1       “(a) Requirement To Maintain Records.--The Secretary of  
2 State shall maintain detailed records on the use of any  
3 aircraft made available to Mexico under this chapter,  
4 including aircraft made available pursuant to section 102 of  
5 the International Narcotics Control Act of 1986 and aircraft  
6 made available under this chapter before the enactment of  
7 this section.

8       “(b) Congressional Access to Records.--The Secretary of  
9 State shall make the records maintained pursuant to  
10 subsection (a) available to the Congress upon a request of  
11 the Chairman of the Committee on Foreign Affairs of the House  
12 of Representatives or the Chairman of the Committee on  
13 Foreign Relations of the Senate.”.

14 SEC. \*\*05. DEVELOPMENT OF HERBICIDES FOR AERIAL COCA

15 ERADICATION.

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

23 SEC. \*\*06. REVIEW OF EFFECTIVENESS OF INTERNATIONAL NARCOTICS

24 CONTROL ASSISTANCE PROGRAM.

25       (a) Requirement for Investigation.--The Comptroller

1 General shall conduct a thorough and complete investigation  
2 to determine the effectiveness of the assistance provided  
3 pursuant to chapter 8 of part I of the Foreign Assistance Act  
4 of 1961 (22 U.S.C. 2291 et seq.; relating to international  
5 narcotics control).

6 (b) Reports to Congress.--

7 (1) Periodic reports.--The Comptroller General shall  
8 report to the Congress periodically as the various  
9 portions of the investigation conducted pursuant to  
10 subsection (a) are completed.

11 (2) Final report.--Not later than 12 months after the  
12 date of enactment of this Act, the Comptroller General  
13 shall submit a final report to the Congress on the  
14 results of the investigation. This report shall include  
15 such recommendations for administrative or legislative  
16 action as the Comptroller General finds appropriate based  
17 on the investigation.

18 SEC. \*\*07. EXTRADITION TO THE UNITED STATES FOR NARCOTICS-  
19 RELATED OFFENSES.

20 Section 481(e)(3) of the Foreign Assistance Act of 1961  
21 (22 U.S.C. 2291(e)(3); relating to the annual international  
22 narcotics control report) is amended by inserting after  
23 subparagraph (C) the following new subparagraph:

24 "(D) A discussion of the extent to which such  
25 country has cooperated with the United States narcotics

1 control efforts through the extradition or prosecution of  
2 drug traffickers, and, where appropriate, a description  
3 of the status of negotiations with such country to  
4 negotiate a new or updated extradition treaty relating to  
5 narcotics offenses.''. . . .

6 SEC. \*\*08. FOREIGN POLICE ARREST ACTIONS.

7 Section 481(c) of the Foreign Assistance Act of 1961 is  
8 amended--

9 (1) in paragraph (1), by striking out in the first  
10 sentence ``engage or participate in any direct police  
11 arrest action in any foreign country'' and inserting in  
12 lieu thereof ``directly make an arrest in any foreign  
13 country as part of any foreign police action'';

14 (2) by amending paragraph (2) to read as follows:

15 ``(2) Nothing in paragraph (1) prevents such employee or  
16 officer--

17 ``(A) from being present at the scene of an arrest or  
18 otherwise assisting foreign officers in making an arrest;  
19 or

20 ``(B) from taking direct action to protect life or  
21 safety if exigent circumstances arise in the course of an  
22 arrest which are unanticipated and which pose an  
23 immediate threat to United States or foreign officers or  
24 to members of the public.''; and

25 (3) by adding at the end thereof the following new

1 paragraph:

2 "(3) The provisions of this subsection shall apply to  
3 all countries, unless the President certifies to the Congress  
4 a specific country or countries for which it would be against  
5 the national interests of the United States to do so."

6 S0200

7 SEC. \*\*09. INFORMATION-SHARING SO THAT VISAS ARE DENIED TO  
8 DRUG TRAFFICKERS.

9 (a) Need for Comprehensive Information System.--The  
10 Congress is concerned that the executive branch has not  
11 established a comprehensive information system on all drug  
12 arrests of foreign nationals in the United States so that  
13 information may be communicated to the appropriate United  
14 States embassies, even though the establishment of such a  
15 system is required by section 132 of the Foreign Relations  
16 Authorization Act, Fiscal Years 1986 and 1987.

17 (b) Establishment of System.--The executive branch shall  
18 act expeditiously to establish the comprehensive information  
19 system required by section 132 of the Foreign Relations  
20 Authorization Act, Fiscal Years 1986 and 1987, and submit to  
21 the Congress a report that the system has been established.

22 SEC. \*\*10. ASSESSMENT OF NARCOTICS TRAFFICKING FROM AFRICA.

23 The President shall direct that an updated threat  
24 assessment of narcotics trafficking from Africa be prepared.  
25 If it is determined that an increased threat exists, the

1 assessment shall examine the need for the United States to  
2 provide increased narcotics control training for African  
3 countries.

4 SEC. \*\*11. CONDITIONS ON ASSISTANCE FOR BOLIVIA.

5 (a)(1) It is the sense of the Congress that--

6 (A) the Government of Bolivia's recent drug  
7 interdiction operations in cooperation with the United  
8 States (Operation Blast Furnace) evinced a determination  
9 to combat the growing power of the narcotics trade and  
10 narcotics traffickers;

11 (B) the operation has had a dramatic effect on the  
12 coca trade in that country by dropping the price of coca  
13 below the cost of production;

14 (C) as a result of this operation the coca trade has  
15 in the short term been sharply constricted;

16 (D) the restoration of non-coca dependent economic  
17 growth in Bolivia is crucial to the achievement of long-  
18 term progress in controlling illicit narcotics  
19 production; and

20 (E) control of illicit drug production is crucial to  
21 the survival of democratic institutions and democratic  
22 government in Bolivia.

23 (2) The Congress, therefore, applauds the demonstrated  
24 willingness of the Paz Estenssoro government, despite the  
25 risks of severe domestic criticism and disruptive economic

1 consequences, to cooperate with the United States in  
2 Operation Blast Furnace.

3 (b) Section 611(2) of the International Security and  
4 Development Cooperation Act of 1985 is amended to read as  
5 follows:

6 "(2) For fiscal year 1987--

7 "(A) up to 50 percent of the aggregate amount of  
8 such assistance allocated for Bolivia may be provided  
9 at any time after the President certifies to the  
10 Congress that Bolivia has engaged in narcotics  
11 interdiction operations which have significantly  
12 disrupted the illicit coca industry in Bolivia or has  
13 cooperated with the United States in such operations;  
14 and

15 "(B) the remaining amount of such assistance may  
16 be provided at any time after the President certifies  
17 to the Congress that Bolivia has either met in  
18 calendar year 1986 the eradication targets for the  
19 calendar year 1985 contained in its 1983 narcotics  
20 agreements with the United States or has adopted a  
21 plan to eliminate illicit narcotics cultivation,  
22 production, and trafficking countrywide, and has  
23 entered into an agreement of cooperation with the  
24 United States for implementing that plan for 1987 and  
25 beyond, and is making substantial progress towards

1 the plan's objectives, including eradication of  
2 illicit coca crops and effective use of United States  
3 assistance.

4 (c) In the certification required by subsection (b) of  
5 this section, the President shall explain why the 1983  
6 agreement's terms proved unattainable and the reasons why a  
7 new agreement was necessary.

8 (d) Nothing in this section or the amendment made by this  
9 section shall be construed as waiving any provision of  
10 section 481 of the Foreign Assistance Act of 1961.

11 SEC. \*\*12. COMBATING NARCOTERRORISM.

12 (a) Finding.--The Congress finds that the increased  
13 cooperation and collaboration between narcotics traffickers  
14 and terrorist groups constitutes a serious threat to United  
15 States national security interests and to the political  
16 stability of numerous other countries, particularly in Latin  
17 America.

18 (b) Improved Capability for Responding to  
19 Narcoterrorism.--The President shall take concrete steps to  
20 improve the capability of the executive branch--

21 (1) to collect information concerning the links  
22 between narcotics traffickers and acts of terrorism  
23 abroad, and

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



1 Not later than 90 days after the date of enactment of this  
2 subtitle, the President shall report to the Congress on the  
3 steps taken pursuant to this subsection.

4 SEC. \*\*13. INTERDICTION PROCEDURES FOR VESSELS OF FOREIGN  
5 REGISTRY.

6 (a) Findings.--The Congress finds that--

7 (1) the interdiction by the United States Coast Guard  
8 of vessels suspected of carrying illicit narcotics can be  
9 a difficult procedure when the vessel is of foreign  
10 registry and is located beyond the customs waters of the  
11 United States;

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

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

18 (b) Negotiations Concerning Interdiction Procedures.--

19 (1) The Congress urges the Secretary of State, in  
20 consultation with the Secretary of the department in  
21 which the Coast Guard is operating, to increase efforts  
22 to negotiate with relevant countries procedures which  
23 will facilitate interdiction of vessels suspected of  
24 carrying illicit narcotics.

25 (2) If a country refuses to negotiate with respect to

1 interdiction procedures, the President shall take  
2 appropriate actions directed against that country, which  
3 may include the denial of access to United States ports  
4 to vessels registered in that country.

5 (3) The Secretary of State shall submit reports to  
6 the Congress semiannually identifying those countries  
7 which have failed to negotiate with respect to  
8 interdiction procedures.

9 SEC. \*\*14. DEPARTMENT OF DEFENSE ASSISTANCE FOR LAW

10 ENFORCEMENT ACTIVITIES OUTSIDE THE UNITED  
11 STATES.

12 Section 374(c)(1) of title 10, United States Code, is  
13 amended--

14 (1) by inserting ``or foreign`` after ``Federal``;  
15 and

16 (2) in subparagraph (B) by striking out ``and the  
17 Attorney General`` and insert in lieu thereof `` , the  
18 Attorney General, and the Secretary of State``.

19 SEC. \*\*15. INTELLIGENCE SUPPORT TO COMBATTING THE DRUG

20 PROBLEM.

21 (a) It is the sense of the Congress that the Intelligence  
22 Community can play a key role in United States efforts to  
23 prevent the importation of illegal drugs into the United  
24 States. It is also the sense of the Congress that the drug  
25 problem is sufficiently important that monitoring the

1 production of illegal drugs and providing support to efforts  
2 to halt the trafficking in illegal drugs should be a high  
3 priority for the United States intelligence program.

4 (b) In order to improve the strategic international  
5 narcotics control program of the United States and to assist  
6 the reporting requirements of section 481(e) of the Foreign  
7 Assistance Act of 1961, the Congress directs the Director of  
8 Central Intelligence to improve the collection and analysis  
9 of foreign drug production sufficiently to produce highly  
10 reliable data on drug cultivation, harvest, and yields for  
11 each major illicit drug producing country (as defined by  
12 section 481(i) of the Foreign Assistance Act of 1961).

13 (c) The Congress also directs the Director of Central  
14 Intelligence (hereafter in this paragraph referred to as the  
15 "DCI") to make support to anti-drug efforts a Level One  
16 Priority in his National Foreign Intelligence Strategy and to  
17 reflect this priority in the National Foreign Intelligence  
18 Program. The Congress understands that--

19 (1) a copy of the DCI's National Foreign Intelligence  
20 Strategy will be provided to the Permanent Select  
21 Committee on Intelligence of the House of Representatives  
22 and the Select Committee on Intelligence of the Senate,  
23 with the DCI's budget request for fiscal year 1988; and

24 (2) the DCI will address Intelligence Community  
25 support to anti-drug efforts and the coordination of

1 these efforts within the Intelligence Community in his  
2 presentation of the National Foreign Intelligence  
3 Strategy to the Committees.

4 SEC. \*\*16. REPORT ON CERTAIN COUNTRIES; RESTRICTIONS ON  
5 ASSISTANCE.

6 (a) Not later than 6 months after the date of enactment  
7 of this Act, and every 6 months thereafter, the President  
8 shall prepare and transmit to the Congress a report--

9 (1) listing each country--

10 (A) which, as a matter of government policy,  
11 encourages or facilitates the production or  
12 distribution of illegal drugs;

13 (B) in which any senior official of the  
14 government of such country engages in, encourages, or  
15 facilitates the production or distribution of illegal  
16 drugs;

17 (C) in which any member of an agency of the  
18 United States Government engaged in drug enforcement  
19 activities since January 1, 1985, has suffered or  
20 been threatened with violence, inflicted by or with  
21 the complicity of any law enforcement or other  
22 officer of such country or any political subdivision  
23 thereof; or

24 (D) which, having been requested to do so by the  
25 United States Government, fails to provide reasonable

1 cooperation to lawful activities of United States  
2 drug enforcement agents, including the refusal of  
3 permission to such agents engaged in interdiction of  
4 aerial smuggling into the United States to pursue  
5 suspected aerial smugglers a reasonable distance into  
6 the airspace of the requested country; and

7 (2) describing for each country listed under  
8 paragraph (1) the activities and identities of officials  
9 whose activities caused such country to be so listed.

10 (b) No United States assistance may be furnished to any  
11 country listed under subsection (a)(1), and the United States  
12 representative to any multilateral development bank shall  
13 vote to oppose any loan or other use of the funds of such  
14 bank for the benefit of any country listed under subsection  
15 (a)(1), unless the President certifies to the Congress that--

16 (1) overriding vital national interests require the  
17 provision of such assistance;

18 (2) such assistance would improve the prospects for  
19 cooperation with such country in halting the flow of  
20 illegal drugs; and

21 (3) the government of such country has made bona fide  
22 efforts to investigate and prosecute appropriate charges  
23 for any crime described in subsection (a)(1)(C) which may  
24 have been committed in such country.

25 (c) For purposes of this section, the term "United

1 States assistance'' has the same meaning as is given to such  
2 term by section 481(i)(4) of the Foreign Assistance Act of  
3 1961.

4 SEC. \*\*17. POLICY TOWARD MULTILATERAL DEVELOPMENT BANKS.

5 Section 481(a) of the Foreign Assistance Act of 1961 is  
6 amended--

7 (1) by redesignating paragraph (3) as paragraph (4);

8 and

9 (2) by inserting after paragraph (2) the following:

10 ``(3) In order to promote international cooperation in  
11 combatting international trafficking in illicit narcotics, it  
12 shall be the policy of the United States to use its voice and  
13 vote in multilateral development banks to promote the  
14 development and implementation in the major illicit drug  
15 producing countries of programs for the reduction and  
16 eventual eradication of narcotic drugs and other controlled  
17 substances, including appropriate assistance in conjunction  
18 with effective programs of illicit crop eradication.''.  
19 Subtitle B--Strengthening International Narcotics Control and  
20 Intenational Drug Education

21 SEC. \*\*21. DECLARATION; POLICY.

22 The Congress hereby declares that drugs are a national  
23 security problem and urges the President to explore the  
24 possibility of engaging such essentially security-oriented  
25 organizations as the North Atlantic Treaty Organization

1 (NATO) in cooperative drug programs.

2 SEC. \*\*22. FINDINGS.

3 The Congress finds that--

4 (1) in response to the growing narcotics threat to  
5 the international community--

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

10 (B) the United Nations has created various  
11 entities to deal with drug abuse control and  
12 prevention; and

13 (2) a greater international effort is required to  
14 address this threat, such as additional or increased  
15 contributions by other countries to the United Nations  
16 Fund for Drug Abuse and Control and greater coordination  
17 of enforcement and eradication efforts.

18 SEC. \*\*23. INTERNATIONAL CONFERENCE ON DRUG ABUSE AND ILLICIT  
19 TRAFFICKING.

20 (a) Congressional Support.--The Congress hereby declares  
21 its support for United Nations General Assembly Resolution  
22 40/122 adopted on December 13, 1985, in which the General  
23 Assembly decided to convene in 1987 an International  
24 Conference on Drug Abuse and Illicit Trafficking in order to  
25 generate universal action to combat the drug problem in all

1 its forms at the national, regional, and international  
2 levels, and to adopt a comprehensive outline of future  
3 activities.

4 (b) United States Participation.--With respect to  
5 United States participation in the International Conference  
6 on Drug Abuse and Illicit Trafficking, the Congress calls on  
7 the President--

8 (1) to appoint the head of the United States  
9 delegation well in advance of the conference; and

10 (2) to ensure that necessary resources are available  
11 for United States preparation and participation.

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

19 SEC. \*\*24. EFFECTIVENESS OF INTERNATIONAL DRUG PREVENTION AND  
20 CONTROL SYSTEM.

21 (a) Study.--The United States should seek to improve the  
22 program and budget effectiveness of United Nations entities  
23 related to narcotics prevention and control by studying the  
24 capability of existing United Nations drug-related  
25 declarations, conventions, and entities to heighten



1 international awareness and promote the necessary strategies  
2 for international action, to strengthen international  
3 cooperation, and to make effective use of available United  
4 Nations funds.

5 (b) Report to Congress.--Not later than April 30, 1987,  
6 the President shall report to the Congress any  
7 recommendations that may result from this study.

8 SEC. \*\*25. NARCOTICS CONTROL CONVENTIONS.

9 The Congress--

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

17 (2) calls for more effective implementation of  
18 existing conventions relating to narcotics.

19 SEC. \*\*26. MEXICO-UNITED STATES INTERGOVERNMENTAL COMMISSION.

20 (a) Negotiations to Establish.--In accordance with the  
21 resolution adopted by the 26th Mexico-United  
22 Interparliamentary Conference which recommended that the  
23 Government of Mexico and Government of the United States  
24 establish a Mexico-United States Intergovernmental Commission  
25 on Narcotics and Psychotropic Drug Abuse and Control, the

1 President should direct the Secretary of State, in  
2 conjunction with the National Drug Enforcement Policy Board,  
3 to enter into negotiations with the Government of Mexico to  
4 create such a joint intergovernmental commission.

5 (b) Membership.--The commission, which should meet  
6 semiannually, should include members of the Mexican Senate  
7 and Chamber of Deputies and the United States House of  
8 Representatives and Senate, together with members of the  
9 executive departments of each government responsible for drug  
10 abuse, education, prevention, treatment, and law enforcement.

11 (c) Report to Congress.--Not later than 90 days after the  
12 date of enactment of this subtitle, the Secretary of State  
13 shall report to the Congress on the progress being made in  
14 establishing a commission in accordance with subsection (a).

15 SEC. \*\*27. OPIUM PRODUCTION IN PAKISTAN.

16 (a) Findings.--The Congress finds that--

17 (1) the production of opium in Pakistan is expected  
18 to more than double in the 1985-1986 growing season,  
19 posing an increased threat to the health and welfare of  
20 the people of Pakistan and the people of the United  
21 States; and

22 (2) despite past achievements, the current  
23 eradication program in Pakistan, which employs manual  
24 eradication of opium poppies, has proven inadequate to  
25 meet this new challenge.

1 (b) Need for More Effective Drug Control Program.--The  
2 Congress urges that the Government of Pakistan adopt and  
3 implement a comprehensive narcotics control program which  
4 would provide for more effective prosecution of drug  
5 traffickers, increased interdiction, and eradication of opium  
6 poppies.

7 (c) Report to Congress.--The Secretary of State shall  
8 report to the Congress not later than 60 days after the date  
9 of enactment of this subtitle with respect to the adoption  
10 and implementation by the Government of Pakistan of a  
11 comprehensive narcotics control program in accordance with  
12 subsection (b).

13 SEC. \*\*28. OPIUM PRODUCTION IN IRAN, AFGHANISTAN, AND LAOS.

14 The Congress calls on the President to instruct the  
15 United States Ambassador to the United Nations to request  
16 that the United Nations Secretary General raise with  
17 delegations to the International Conference on Drug Abuse and  
18 Illicit Trafficking the problem of illicit drug production in  
19 Iran, Afghanistan, and Laos, the largest opium poppy  
20 producing countries which do not have narcotics control  
21 programs.

22 SEC. \*\*29. INCREASED FUNDING FOR USIA DRUG EDUCATION  
23 PROGRAMS.

24 In addition to amounts otherwise authorized to be  
25 appropriated, there is authorized to be appropriated for the

1 United States Information Agency for fiscal year 1987  
2 \$2,000,000 which shall be available only for increasing drug  
3 education programs abroad. These programs may include--

- 4 (1) the distribution of films and publications which  
5 demonstrate the impact of drugs on crime and health; and  
6 (2) exchange of persons, programs and international  
7 visitor programs involving students, educators, and  
8 scientists.

9 SEC. \*\*30. INCREASED FUNDING FOR AID DRUG EDUCATION PROGRAMS.

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

18 SEC. \*\*31. REPORTS TO CONGRESS ON DRUG EDUCATION PROGRAMS

19 ABROAD.

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

## 1 TITLE III--INTERDICTION

2 Subtitle A--National Drug Interdiction Improvement

3 SEC. 3001. SHORT TITLE.

4 This subtitle may be cited as the ``National Drug  
5 Interdiction Improvement Act of 1986``.

6 SEC. 3002. FINDINGS.

7 The Congress hereby finds that--

8 (1) a balanced, coordinated, multifaceted strategy  
9 for combating the growing drug abuse and drug trafficking  
10 problem in the United States is essential in order to  
11 stop the flow and abuse of drugs within our borders;12 (2) a balanced, coordinated, multifaceted strategy  
13 for combating the narcotics drug abuse and trafficking in  
14 the United States should include--15 (A) increased investigations of large networks of  
16 drug smuggler organizations;

17 (B) source country drug eradication;

18 (C) increased emphasis on stopping narcotics  
19 traffickers in countries through which drugs are  
20 transshipped;21 (D) increased emphasis on drug education programs  
22 in the schools and workplace;23 (E) increased Federal Government assistance to  
24 State and local agencies, civic groups, school  
25 systems, and officials in their efforts to combat the

1 drug abuse and trafficking problem at the local  
2 level; and

3 (F) increased emphasis on the interdiction of  
4 drugs and drug smugglers at the borders of the United  
5 States, in the air, at sea, and on the land;

6 (3) funds to support the interdiction of narcotics  
7 smugglers who threaten the transport of drugs through the  
8 air, on the sea, and across the land borders of the  
9 United States should be emphasized in the Federal  
10 Government budget process to the same extent as the other  
11 elements of a comprehensive antidrug effort are  
12 emphasized;

13 (4) the Department of Defense and the use of its  
14 resources should be an integral part of a comprehensive,  
15 national drug interdiction program;

16 (5) the Federal Government civilian agencies engaged  
17 in drug interdiction, particularly the United States  
18 Customs Service and the Coast Guard, currently lack the  
19 aircraft, ships, radar, command, control, communications,  
20 and intelligence (C3I) systems, and manpower resources  
21 necessary to mount a comprehensive attack on the  
22 narcotics traffickers who threaten the United States;

23 (6) the civilian drug interdiction agencies of the  
24 United States are currently interdicting only a small  
25 percentage of the illegal, drug smuggler penetrations in

1 the United States every year;

2 (7) the budgets for our civilian drug interdiction  
3 agencies, primarily the United States Customs Service and  
4 the Coast Guard, have not kept pace with those of the  
5 traditional investigative law enforcement agencies of the  
6 Department of Justice; and

7 (8) since the amendment of the Posse Comitatus Act  
8 (18 U.S.C. 1385) in 1981, the Department of Defense has  
9 assisted in the effort to interdict drugs, but they can  
10 do more.

11 SEC. 3003. PURPOSES.

12 It is the purpose of this subtitle--

13 (1) to increase the level of funding and resources  
14 available to civilian drug interdiction agencies of the  
15 Federal Government;

16 (2) to increase the level of support from the  
17 Department of Defense as consistent with the Posse  
18 Comitatus Act, for interdiction of the narcotics  
19 traffickers before such traffickers penetrate the borders  
20 of the United States; and

21 (3) to improve other drug interdiction programs of  
22 the Federal Government.

23 SEC. 3004. DEPARTMENT OF DEFENSE NARCOTICS ENFORCEMENT

24 ASSISTANCE.

25 (a) Authorization of Appropriations for Enhanced Drug

1 Interdiction Activities.--Funds are hereby authorized to be  
2 appropriated to the Department of Defense for fiscal year  
3 1987 for enhancement of drug interdiction assistance  
4 activities of the Department as follows:

5 . (1) For procurement of aircraft for the Navy,  
6 \$138,000,000 to be available for refurbishment and  
7 upgrading of four existing E2C Hawkeye surveillance  
8 aircraft for drug interdiction purposes, and the  
9 procurement of four replacement E2C Hawkeye aircraft and  
10 related spares for the Navy.

11 (2) For procurement for the Air Force, \$49,500,000,  
12 to be available for procurement of 3 aerostat radar  
13 systems, 3 aerostat radar spares for such system, and 1  
14 aerostat radar spare for an aerostat radar system  
15 authorized and funded for location in the Bahamas by  
16 section 5(b) of the Urgent Supplemental Appropriations  
17 Act, 1986 (Public Law 99-349; 100 Stat. 723).

18 (3) For operation and maintenance for the Air Force,  
19 \$12,615,000 to be available for the transfer of 6 Air  
20 Force helicopters to Davis-Monthan Air Force Base for use  
21 in carrying out drug interdiction missions.

22 (4) For the Secretary of Defense, \$12,000,000 for  
23 enhanced intelligence collection activities concerning  
24 illegal importation into the United States of  
25 drugs originating in South America.



1           (5) For procurement of twin engine pursuit  
2           helicopters and procurement of four aerostat radar  
3           systems, \$90,000,000. The location of the aerostat radar  
4           systems shall be established at the highest drug threat  
5           sites, as agreed to by the Commissioner of Customs and  
6           the Commandant of the <sup>a</sup>Co~~s~~t Guard.

7           (b) Loans to the United States Customs Service.--The  
8           Secretary of Defense shall make available the refurbished,  
9           upgraded, and modified aircraft; and the twin engine pursuit  
10          helicopters, using funds appropriated pursuant to  
11          authorizations in subsections (a)(1) and (a)(5) to the United  
12          States Customs Service in accordance with chapter 18 of title  
13          10, United States Code, except that the four replacement E2C  
14          Hawkeye aircraft procured using funds appropriated pursuant  
15          to authorizations in subsection (a)(1) shall be delivered to  
16          the Navy.


17          (c) Responsibilities of the United States Customs  
18          Service.--

19                 (1) The United States Customs Service shall have the  
20                 responsibility for operation and maintenance costs  
21                 attributable to the aircraft refurbished, upgraded, or  
22                 modified and the twin engine pursuit helicopters using  
23                 funds appropriated pursuant to authorizations in  
24                 subsections (a)(1) and (a)(5) and the aerostat radar  
25                 systems using funds appropriated pursuant to

1 authorizations in subsections (a)(2) and (a)(5) except  
2 that responsibility for the operation and maintenance  
3 costs by the United States Customs Service shall commence  
4 upon receipt of the modified, refurbished, and upgraded  
5 aircraft, and helicopters authorized in subsections  
6 (a)(1) and (a)(5) and upon completion of the installation  
7 of the aerostat radar systems authorized in subsections  
8 (a)(2) and (a)(5).

9 (2) Upon enactment of this Act, the Commissioner of  
10 Customs shall immediately commence consultations with the  
11 Commandant of the United States Coast Guard regarding  
12 coordination of the deployment of the aircraft authorized  
13 in subsection (a)(1) and on loan to the United States  
14 Customs Service under subsection (b) in order to maximize  
15 the detection, surveillance, and intelligence gathering  
16 capabilities of the drug surveillance aircraft on loan to  
17 the United States Customs Service. The Commissioner of  
18 Customs shall make quarterly reports to the Committees on  
19 Appropriations and the Committees on Armed Services of  
20 the Senate and the House of Representatives regarding  
21 drug interdiction plans developed under this paragraph.

22 (d) Amounts in Addition to Other Amounts.--The amounts  
23 authorized by subsection (a) are in addition to any other  
24 amounts authorized to be appropriated to the Department of  
25 Defense ~~in this Act~~ for fiscal year 1987.



1 (e) Funding of Coast Guard Drug-Interdiction  
2 Activities.--

3 (1) Use of Department of Defense funds for the Coast  
4 Guard.--(A) In addition to any other amounts authorized  
5 to be appropriated to the Department of Defense in fiscal  
6 year 1987, \$45,000,000 shall be authorized to be  
7 appropriated for the installation of 360-degree radar  
8 systems on Coast Guard long-range surveillance aircraft.

9 (B) There are hereby authorized to be appropriated to  
10 the Department of Defense in fiscal year 1987,  
11 \$15,000,000 to be available for transfer to the Secretary  
12 of Transportation and shall be used only for the program  
13 described in section 379 of title 10, United States Code.

14 (2) Enhanced Drug-Interdiction Assistance.--(A)  
15 Chapter 18 of title 10, United States Code, is amended by  
16 adding after section 378 the following new section:

17 ``§379. Assignment of Coast Guard personnel to naval vessels  
18 for drug enforcement purposes

19 ``(a) The Secretary of Defense and the Secretary of  
20 Transportation may, by agreement, provide for the assignment  
21 to duty on board surface naval vessels at sea in a drug-  
22 interdiction area members of the Coast Guard who are trained  
23 in law enforcement and are empowered to arrest, search, and  
24 seize property and persons suspected of violations of law.

25 ``(b) Members of the Coast Guard assigned to duty on

1 board naval vessels under this section shall perform such law  
2 enforcement functions (including drug-interdiction  
3 functions)--

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

6       “(2) as are otherwise within the jurisdiction of the  
7 Coast Guard.

8       “(c) No fewer than 500 active duty personnel of the  
9 Coast Guard shall be assigned each fiscal year to duty as  
10 provided in subsection (a) or for other high priority drug  
11 interdiction activities.

12       “(d) In this section, the term ‘drug-interdiction area’  
13 means an area outside the land area of the United States in  
14 which the Secretary of Defense (in consultation with the  
15 Attorney General) determines that activities involving  
16 smuggling of drugs into the United States are ongoing.”.

17       (B) The table of sections at the beginning of such  
18 chapter is amended by inserting after the item relating  
19 to section 378 the following new item:

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

20 SEC. 3005. COAST GUARD DRUG INTERDICTION ENHANCEMENT.

21       (a) Additional Authorizations for the Coast Guard.--

22       (1) There is authorized to be appropriated for  
23 Acquisition, Construction, and Improvements of the Coast  
24 Guard, \$58,000,000.

1 (2) There is hereby authorized to be appropriated for  
 2 Operating Expenses of the Coast Guard, ~~\$25,000,000;~~ 39  
 3 Provided, That this amount shall be used to increase the  
 4 full-time equivalent strength level for the Coast Guard  
 5 for active duty personnel for fiscal year 1987 to  
 6 \$39,220.

7 (3) Amounts in addition to other amounts.--The  
 8 amounts authorized to be appropriated for the Coast Guard  
 9 by this section are in addition to any amounts otherwise  
 10 authorized by law.

11 SEC. 3006. UNITED STATES CUSTOMS SERVICE DRUG INTERDICTION  
 12 ENHANCEMENT.

13 (a) Authorization of Additional Appropriations for the  
 14 United States Customs Service.--In addition to any other  
 15 funds authorized to be appropriated to the United States  
 16 Customs Service for fiscal year 1987, there are authorized to  
 17 be appropriated the following sums:

18 (1) For an additional amount for Salaries and  
 19 Expenses, \$65,900,000.

20 (2) For an additional amount for Operation and  
 21 Maintenance, Air Interdiction Program, \$50,000,000.

22 SEC. 3007. ESTABLISHMENT OF COMMAND, CONTROL, COMMUNICATIONS,  
 23 AND INTELLIGENCE CENTERS (C-3I).

24 There are authorized to be appropriated \$25,000,000 for  
 25 the establishment of command, control, communications, and

1 intelligence (C-3I) centers, including sector operations  
2 centers and a national command, control, communications, and  
3 intelligence (C-3I) center, in locations within the United  
4 States. The coordination of the establishment and location of  
5 such C-3I centers shall be conducted among the Commissioner  
6 of Customs; the Commandant of the Coast Guard; the Attorney  
7 General of the United States; and the National Narcotics  
8 Border Interdiction System (NNBIS).

9 SEC. 3008. ESTABLISHMENT OF A UNITED STATES-BAHAMAS DRUG  
10 INTERDICTION TASK FORCE.

11 (a) Authorization of Appropriations.--

12 (1) Establishment of a United States-Bahamas Drug  
13 Interdiction Task Force.--(A) There is authorized to be  
14 established a United States-Bahamas Drug Interdiction  
15 Task Force to be operated jointly by the United States  
16 Government and the Government of the Bahamas.

17 (B) The Secretary of State, the Commandant of the  
18 Coast Guard, the Commissioner of Customs, the Attorney  
19 General, and the head of the National Narcotics Border  
20 Interdiction System (NNBIS), shall upon enactment of this  
21 Act, immediately commence negotiations with the  
22 Government of the Bahamas to enter into a detailed  
23 agreement for the establishment and operation of a new  
24 drug interdiction task force, including plans for (i) the  
25 joint operation and maintenance of any drug interdiction

1 assets authorized for the task force in this section and  
2 section 3006, and (ii) any training and personnel  
3 enhancements authorized in this section and section 3006.

4 (C) The Attorney General shall report to the  
5 appropriate committees of Congress on a quarterly basis  
6 regarding the progress of the United States-Bahamas Drug  
7 Interdiction Task Force.

8 (2) Amounts authorized.--There are authorized to be  
9 appropriated, in addition to any other amounts authorized  
10 to be appropriated in this subtitle, \$10,000,000 for the  
11 following:

12 (A) \$9,000,000 for 3 twin engine drug  
13 interdiction pursuit helicopters for use primarily  
14 for operations of the United States-Bahamas Drug  
15 Interdiction Task Force established under this  
16 section; and

17 (B) \$1,000,000 to enhance communications  
18 capabilities for the operation of a United States-  
19 Bahamas Drug Interdiction Task Force established  
20 under this section.

21 (3) Coast Guard-Bahamas drug interdiction docking  
22 facility.--There is authorized to be appropriated for  
23 acquisition, construction, and improvements for the Coast  
24 Guard for fiscal year 1987, \$5,000,000, to be used for  
25 initial design engineering, and other activities for

1 construction of a drug interdiction docking facility in  
2 the Bahamas to facilitate Coast Guard and Bahamian drug  
3 interdiction operations in and through the Bahama  
4 Islands. Of the amounts authorized to be appropriated in  
5 this subsection, such sums as may be necessary shall be  
6 available for necessary communication and air support.

7 (B) The Commandant of the Coast Guard shall use  
8 such amounts appropriated pursuant to the  
9 authorization in this subsection as may be necessary  
10 to establish a repair, maintenance, and boat lift  
11 facility to provide repair and maintenance services  
12 for both Coast Guard and Bahamian marine drug  
13 interdiction equipment, vessels, and related assets.

14 SEC. 3009. ADDITIONAL FUNDS FOR THE DEPARTMENT OF JUSTICE.

15 There are authorized to be appropriated to the Department  
16 of Justice for fiscal year 1987, in addition to any other  
17 amounts authorized to be appropriated to the Department for  
18 such fiscal year, \$7,000,000 for twin engine helicopters with  
19 forward looking infrared radiation detection devices for drug  
20 interdiction operations in Hawaii.

21 Subtitle B--Customs Enforcement

22 SEC. 3101. SHORT TITLE.

23 This subtitle may be cited as the ``Customs Enforcement  
24 Act of 1986``.

25 PART I--TARIFF ACT AMENDMENTS



## 1 SEC. 3111. CONTROLLED SUBSTANCES DEFINED.

2 Section 401 of the Tariff Act of 1930 (19 U.S.C. 1401) is  
3 amended--

4 (1) by striking out the period in subsection (c) and  
5 inserting in lieu thereof ``and monetary instruments as  
6 defined in section 5312 of title 31, United States  
7 Code.'',

8 (2) by striking out the following: ``For the purposes  
9 of sections 432, 433, 434, 448, 585, and 586 of this Act,  
10 any vessel which has visited any hovering vessel shall be  
11 deemed to arrive or have arrived, as the case may be,  
12 from a foreign port or place.'',

13 (3) by striking out ``The term'' in subsection (k)  
14 and inserting in lieu thereof ``(1) The term'',

15 (4) by adding at the end of subsection (k) the  
16 following new paragraph:

17 ``(2) For the purposes of sections 432, 433, 434, 448,  
18 585, and 586, any vessel which--

19 ``(A) has visited any hovering vessel,

20 ``(B) has received merchandise while in the customs  
21 waters beyond the territorial sea, or

22 ``(C) has received merchandise on the high seas,  
23 shall be deemed to arrive or have arrived, as the case may  
24 be, from a foreign port or place.'', and

25 (5) by adding at the end thereof the following:

1       “(m) Controlled Substance.--The term ‘controlled  
2 substance’ has the meaning given to such term by section  
3 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)).  
4 For purposes of this Act, any controlled substance is  
5 merchandise the importation of which into the United States  
6 is prohibited, unless the importation is authorized under--  
7       “(1) an appropriate license or permit; or  
8       “(2) the Controlled Substances Import and Export  
9 Act.”.

10 SEC. 3112. REPORT OF ARRIVAL OF VESSELS, VEHICLES, AND  
11 AIRCRAFT.

12 Section 433 of the Tariff Act of 1930 (19 U.S.C. 1433) is  
13 amended to read as follows:

14 “SEC. 433. REPORT OF ARRIVAL OF VESSELS, VEHICLES, AND  
15 AIRCRAFT.

16 “(a) Vessel Arrival.--

17       “(1) Immediately upon the arrival at any port or  
18 place within the United States or the Virgin Islands of--

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

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

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

24 the master of the vessel shall report the arrival at the  
25 nearest customs facility or such other place as the

1 Secretary may prescribe by regulations.

2 ``(2) The Secretary may by regulation--

3 ``(A) prescribe the manner in which arrivals are  
4 to be reported under paragraph (1); and

5 ``(B) extend the time in which reports of arrival  
6 must be made, but not beyond 24 hours after arrival.

7 ``(b) Vehicle Arrival.--

8 ``(1) Vehicles may arrive in the United States only  
9 at border crossing points designated by the Secretary.

10 ``(2) Except as otherwise authorized by the  
11 Secretary, immediately upon the arrival of any vehicle in  
12 the United States at a border crossing point, the person  
13 in charge of the vehicle shall--

14 ``(A) report the arrival; and

15 ``(B) present the vehicle, and all persons and  
16 merchandise (including baggage) on board, for  
17 inspection;

18 to the customs officer at the customs facility designated  
19 for that crossing point.

20 ``(c) Aircraft Arrival.--The pilot of any aircraft  
21 arriving in the United States from any foreign airport or  
22 place shall comply with such advance notification, arrival  
23 reporting, and landing requirements as the Secretary may by  
24 regulation prescribe.

25 ``(d) Presentation of Documentation.--The master, person

1 in charge of a vehicle, or aircraft pilot shall, present to  
2 customs officers such documents, papers, or manifests as the  
3 Secretary may by regulation prescribe.

4 "(e) Prohibition on Departure<sup>S</sup> and Discharge.--Unless  
5 otherwise authorized by law, a vessel, aircraft, or vehicle  
6 may, after arriving in the United States or the Virgin  
7 Islands--

8 "(1) depart from the port, airport, or place of  
9 arrival, or

10 "(2) discharge any passenger or merchandise,  
11 including baggage,  
12 only in accordance with regulations prescribed by the  
13 Secretary."

14 SEC. 3113. PENALTIES FOR ARRIVAL, REPORTING, ENTRY, AND  
15 DEPARTURE VIOLATIONS.

16 (a) Section 436 of the Tariff Act of 1930 (19 U.S.C.  
17 1436) is amended to read as follows:

18 "SEC. 436. PENALTIES FOR VIOLATIONS OF THE ARRIVAL,  
19 REPORTING, AND ENTRY REQUIREMENTS.

20 "(a) Unlawful Acts.--It is unlawful--

21 "(1) to fail to comply with the provisions of  
22 section 433;

23 "(2) to present any forged, altered, or false  
24 document or paper to a customs officer under section  
25 433(d) without revealing the facts;

1           “(3) to fail to make entry as required by section  
 2           434, 435, or 644 of this Act or section 1109 of the  
 3           Federal Aviation Act (49 U.S.C. App. 1509); ~~or~~  
 4           <sup>“(4) to build section 433(4); or</sup>  
 5           5           “(4) to fail to comply with, or violate, any  
 6           regulation prescribed under any section referred to in  
 7           any of the preceding paragraphs.

8           “(b) Civil Penalty.--Any master, person in charge of a  
 9           vehicle, or aircraft pilot who violates any provision of  
 10           subsection (a) is liable for a civil penalty of \$5,000 for  
 11           the first violation, and \$10,000 for each subsequent  
 12           violation, and any conveyance used in connection with any  
 13           such violation is subject to seizure and forfeiture.

14           “(c) Criminal Penalty.--Any master, person in charge of  
 15           a vehicle, or aircraft pilot who willfully commits any  
 16           violation enumerated in subsection (a) shall be liable for an  
 17           additional fine of not more than \$2,000 or imprisonment for  
 18           not more than 1 year, or both, and if the conveyance has, or  
 19           is discovered to have had, on board--

20           “(1) any merchandise (other than sea stores or the  
 21           equivalent for conveyances other than vessels) the  
 22           importation of which into the United States is  
 23           prohibited, or

24           “(2) any controlled substances, spirits, wines, or  
 25           other alcoholic liquors,  
 such person shall be liable for an additional fine of not

1 more than \$10,000 and imprisonment for not more than 5 years,  
2 or both.

3 `` (d) Additional Civil Penalty.--If any merchandise is  
4 imported or brought into the United States in or aboard a  
5 conveyance which was not properly reported or entered, the  
6 master, person in charge of a vehicle, or aircraft pilot  
7 shall be liable for an additional penalty equal to the value  
8 of the merchandise and the merchandise shall be seized and  
9 forfeited unless properly entered by the importer or  
10 consignee. If the merchandise consists of the controlled  
11 substances listed in section 584 of this Act, the master,  
12 person in charge of a vehicle, or pilot shall be liable for  
13 the penalties prescribed in that section.''.  
14

15 (b) Section 585 of the Tariff Act of 1930 (19 U.S.C.  
1585) is amended--

16 (1) by striking out ``shall be liable to a penalty of  
17 \$5,000,`` after ``vessel``; and

18 (2) by striking out ``\$500`` and inserting in lieu  
19 thereof ``\$5,000 for the first violation, and \$10,000 for  
20 each subsequent violation,``.

21 SEC. 3114. PENALTY FOR UNLOADING OF PASSENGERS.

22 Section 454 of the Tariff Act of 1930 (19 U.S.C. 1454) is  
23 amended by striking out ``\$500 for each`` and inserting in  
24 lieu thereof ``\$1,000 for the first passenger and \$500 for  
25 each additional``.

1 SEC. 3115. REPORTING REQUIREMENTS FOR INDIVIDUALS.

2 (a) Section 459 of the Tariff Act of 1930 (19 U.S.C.  
3 1459) is amended to read as follows:

4 ``SEC. 459. REPORTING REQUIREMENTS FOR INDIVIDUALS.

5 . ``(a) Individuals Arriving Other Than by Conveyance.--

6 Except as otherwise authorized by the Secretary, individuals  
7 arriving in the United States other than by vessel, vehicle,  
8 or aircraft shall--

9 ``(1) enter the United States only at a border  
10 crossing point designated by the Secretary; and

11 ``(2) immediately--

12 ``(A) report the arrival, and

13 ``(B) present themselves, and all articles  
14 accompanying them, for inspection;

15 to the customs officer at the customs facility designated  
16 for that crossing point.

17 ``(b) Individuals Arriving by Reported Conveyance.--

18 Except as otherwise authorized by the Secretary, passengers  
19 and crew members aboard a conveyance the arrival in the  
20 United States of which was made or reported in accordance  
21 with section 433 or 644 of this Act or section 1109 of the  
22 Federal Aviation Act of 1958, or in accordance with  
23 applicable regulations, shall remain aboard the conveyance  
24 until authorized to depart the conveyance by the appropriate  
25 customs officer. Upon departing the conveyance, the

1 passengers and crew members shall immediately report to the  
2 designated customs facility with all articles accompanying  
3 them.

4 `` (c) Individuals Arriving by Unreported Conveyance.--

5 Individuals aboard a conveyance the arrival in the United  
6 States of which was not made or reported in accordance with  
7 the laws or regulations referred to in subsection (b) shall  
8 immediately notify a customs officer and report their  
9 arrival, together with appropriate information concerning the  
10 conveyance on or in which they arrived, and present their  
11 property for customs examination and inspection.

12 `` (d) Departure From Designated Customs Facilities.--Any  
13 person required to report to a designated customs facility  
14 under subsection (a), (b), or (c) may not depart that  
15 facility until authorized to do so by the appropriate customs  
16 officer.

17 `` (e) Unlawful Acts.--It is unlawful--

18 `` (1) to fail to comply with subsection (a), (b), or  
19 (c);

20 `` (2) to present any forged, altered, or false  
21 documents or paper to a customs officer under subsection  
22 (a), (b), or (c) without revealing the facts;

23 `` (3) to violate subsection (d); or

24 `` (4) to fail to comply with, or violate, any  
25 regulation prescribed to carry out subsection (a), (b),



1 (c), or (d).

2 "(f) Civil Penalty.--Any individual who violates any  
3 provision of subsection (e) is liable for a civil penalty of  
4 \$5,000 for the first violation, and \$10,000 for each  
5 subsequent violation.

6 "(g) Criminal Penalty.--In addition to being liable for  
7 a civil penalty under subsection (f), any individual who  
8 intentionally commits any violation described in subsection  
9 (e) is, upon conviction, liable for a fine of not more than  
10 \$5,000, or imprisonment for not more than 1 year, or both."

11 (b) Section 460 of the Tariff Act of 1930 (19 U.S.C.  
12 1460) is repealed.

13 SEC. 3116. PENALTY FOR FAILURE TO DECLARE.

14 Section 497 of the Tariff Act of 1930 (19 U.S.C. 1497) is  
15 amended to read as follows:

16 "SEC. 497. PENALTIES FOR FAILURE TO DECLARE.

17 "(a) In General.--

18 "(1) Any article which--

19 "(A) is not included in the declaration and  
20 entry as made, and

21 "(B) is not mentioned before examination of the  
22 baggage begins--

23 "(i) in writing by such person, if written  
24 declaration and entry was required, or

25 "(ii) orally, if written declaration and

1 entry was not required,  
2 shall be subject to forfeiture and such person shall be  
3 liable for a penalty determined under paragraph (2) with  
4 respect to such article.

5 . "(2) The amount of the penalty imposed under  
6 paragraph (1) with respect to any article is equal to--

7 "(A) if the article is a controlled substance,  
8 200 percent of the value of the article, and

9 "(B) if the article is not a controlled  
10 substance, the value of the article.

11 "(b) Value of Controlled Substances.--

12 "(1) Notwithstanding any other provision of this  
13 Act, the value of any controlled substance shall, for  
14 purposes of this section, be equal to the amount  
15 determined by the Secretary, in consultation with the  
16 Attorney General of the United States, to be equal to the  
17 price at which such controlled substance is likely to be  
18 illegally sold to the consumer of such controlled  
19 substance.

20 "(2) The Secretary and the Attorney General of the  
21 United States shall establish a method of determining the  
22 price at which each controlled substance is likely to be  
23 illegally sold to the consumer of such controlled  
24 substance.''.  
25

SEC. 3117. FALSE MANIFESTS; LACK OF MANIFESTS.

1 Section 584 of the Tariff Act of 1930 (19 U.S.C. 1584) is  
2 amended--

3 (1) by striking out ``\$500`` each place it appears  
4 and inserting in lieu thereof ``\$1,000``,

5 (2) by striking out ``\$50`` in subsection (a)(2) and  
6 inserting in lieu thereof ``\$1,000``,

7 (3) by striking out ``\$25`` in subsection (a)(2) and  
8 inserting in lieu thereof ``\$500``, and

9 (4) by striking out ``\$10`` in subsection (a)(2) and  
10 inserting in lieu thereof ``\$200``.

11 SEC. 3118. UNLAWFUL UNLOADING OF MERCHANDISE.

12 Section 586 of the Tariff Act of 1930 (19 U.S.C. 1586) is  
13 amended--

14 (1) by striking out ``\$1,000`` each place it appears  
15 and inserting in lieu thereof ``\$10,000``,

16 (2) by striking out ``two years`` in subsection (e)  
17 and inserting in lieu thereof ``15 years``, and

18 (3) by striking out ``within one league of the  
19 coast`` in subsection (e) and inserting in lieu thereof  
20 ``within customs waters``.

21 SEC. 3119. AVIATION SMUGGLING.

22 The Tariff Act of 1930 is amended by inserting after  
23 section 589 the following new section:

24 ``SEC. 590. AVIATION SMUGGLING.

25 ``(a) In General.--It shall be unlawful for the pilot of