

105TH CONGRESS
2^D SESSION

H. R. 4300

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1998

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To support enhanced drug interdiction efforts in the major transit countries and support a comprehensive supply eradication and crop substitution program in source countries.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Western Hemisphere Drug Elimination Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. Findings and statement of policy.

TITLE I—ENHANCED SOURCE AND TRANSIT COUNTRY
COVERAGE

- Sec. 101. Expansion of aircraft coverage and operation in source and transit
countries.
Sec. 102. Expansion of maritime coverage and operation in source and transit
countries.
Sec. 103. Expansion of radar coverage and operation in source and transit
countries.

TITLE II—ENHANCED ERADICATION AND INTERDICTION
STRATEGY IN SOURCE COUNTRIES

- Sec. 201. Additional eradication resources for Colombia.
Sec. 202. Additional eradication resources for Peru.
Sec. 203. Additional eradication resources for Bolivia.
Sec. 204. Additional eradication resources for Mexico.
Sec. 205. Miscellaneous additional eradication resources.
Sec. 206. Bureau of International Narcotics and Law Enforcement Affairs.
Sec. 207. Report on transferring international narcotics assistance activities to
a United States law enforcement agency.

TITLE III—ENHANCED ALTERNATIVE CROP DEVELOPMENT SUP-
PORT IN SOURCE ZONE AND MYCOHERBICIDE RESEARCH AND
DEVELOPMENT

- Sec. 301. Alternative crop development support.
Sec. 302. Authorization of appropriations for Agricultural Research Service
counterdrug research and development activities.
Sec. 303. Master plan for mycoherbicides to control narcotic crops.

TITLE IV—ENHANCED INTERNATIONAL LAW ENFORCEMENT
TRAINING

- Sec. 401. Enhanced international law enforcement academy training.
Sec. 402. Enhanced United States drug enforcement international training.
Sec. 403. Provision of nonlethal equipment to foreign law enforcement organi-
zations for cooperative illicit narcotics control activities.

TITLE V—ENHANCED DRUG TRANSIT AND SOURCE ZONE LAW
ENFORCEMENT OPERATIONS AND EQUIPMENT

- Sec. 501. Increased funding for operations and equipment.

Sec. 502. Sense of the Congress regarding priority of drug interdiction and counterdrug activities.

Sec. 503. Provision of assistance by the Armed Forces to the Immigration and Naturalization Service and Customs Service.

TITLE VI—RELATIONSHIP TO OTHER LAWS

Sec. 601. Authorizations of appropriations.

TITLE VII—CRIMINAL BACKGROUND CHECKS ON PORT EMPLOYEES

Sec. 701. Background checks.

Sec. 702. Definition.

1 **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) Teenage drug use in the United States has
5 doubled since 1993.

6 (2) The drug crisis facing the United States is
7 a top national security threat.

8 (3) The spread of illicit drugs through United
9 States borders cannot be halted without an effective
10 drug interdiction strategy.

11 (4) Effective drug interdiction efforts have been
12 shown to limit the availability of illicit narcotics,
13 drive up the street price, support demand reduction
14 efforts, and decrease overall drug trafficking and
15 use.

16 (5) A prerequisite for reducing youth drug use
17 is increasing the price of drugs. To increase price
18 substantially, at least 60 percent of drugs must be
19 interdicted.

1 (6) In 1987, the national drug control budget
2 maintained a significant balance between demand
3 and supply reduction efforts, illustrated as follows:

4 (A) 29 percent of the total drug control
5 budget expenditures for demand reduction pro-
6 grams.

7 (B) 38 percent of the total drug control
8 budget expenditures for domestic law enforce-
9 ment.

10 (C) 33 percent of the total drug control
11 budget expenditures for international drug
12 interdiction efforts.

13 (7) In the late 1980's and early 1990's,
14 counternarcotic efforts were successful, specifically
15 in protecting the borders of the United States from
16 penetration by illegal narcotics through increased
17 seizures by the United States Coast Guard and
18 other agencies, including a 302 percent increase in
19 pounds of cocaine seized between 1987 and 1991.

20 (8) Limiting the availability of narcotics to
21 drug traffickers in the United States had a promis-
22 ing effect as illustrated by the decline of illicit drug
23 use between 1988 and 1991, through a—

24 (A) 13 percent reduction in total drug use;

25 (B) 35 percent drop in cocaine use; and

1 (C) 16 percent decrease in marijuana use.

2 (9) In 1993, drug interdiction efforts in the
3 transit zones were reduced due to an imbalance in
4 the national drug control strategy. This trend has
5 continued through 1995 as shown by the following
6 figures:

7 (A) 35 percent for demand reduction pro-
8 grams.

9 (B) 53 percent for domestic law enforce-
10 ment.

11 (C) 12 percent for international drug inter-
12 diction efforts.

13 (10) Supply reduction efforts became a lower
14 priority for the Administration and the seizures by
15 the United States Coast Guard and other agencies
16 decreased as shown by a 68 percent decrease in the
17 pounds of cocaine seized between 1991 and 1996.

18 (11) Reductions in funding for comprehensive
19 interdiction operations like OPERATION GATE-
20 WAY and OPERATION STEELWEB, initiatives
21 that encompassed all areas of interdiction and at-
22 tempted to disrupt the operating methods of drug
23 smugglers along the entire United States border,
24 have created unprotected United States border areas

1 which smugglers exploit to move their product into
2 the United States.

3 (12) The result of this new imbalance in the
4 national drug control strategy caused the drug situa-
5 tion in the United States to become a crisis with se-
6 rious consequences including—

7 (A) doubling of drug-abuse-related arrests
8 for minors between 1992 and 1996;

9 (B) 70 percent increase in overall drug use
10 among children aged 12 to 17;

11 (C) 80 percent increase in drug use for
12 graduating seniors since 1992;

13 (D) a sharp drop in the price of 1 pure
14 gram of heroin from \$1,647 in 1992 to \$966 in
15 February 1996; and

16 (E) a reduction in the street price of 1
17 gram of cocaine from \$123 to \$104 between
18 1993 and 1994.

19 (13) The percentage change in drug use since
20 1992, among graduating high school students who
21 used drugs in the past 12 months, has substantially
22 increased—marijuana use is up 80 percent, cocaine
23 use is up 80 percent, and heroin use is up 100 per-
24 cent.

1 (14) The Department of Defense has been
2 called upon to support counter-drug efforts of Fed-
3 eral law enforcement agencies that are carried out in
4 source countries and through transit zone interdic-
5 tion, but in recent years Department of Defense as-
6 sets critical to those counter-drug activities have
7 been consistently diverted to missions that the Sec-
8 retary of Defense and the Chairman of the Joint
9 Chiefs of Staff consider a higher priority.

10 (15) The Secretary of Defense and the Chair-
11 man of the Joint Chiefs of Staff, through the De-
12 partment of Defense policy referred to as the Global
13 Military Force Policy, has established the priorities
14 for the allocation of military assets in the following
15 order: (1) war; (2) military operations other than
16 war that might involve contact with hostile forces
17 (such as peacekeeping operations and noncombatant
18 evacuations); (3) exercises and training; and (4)
19 operational tasking other than those involving hos-
20 tilities (including counter-drug activities and human-
21 itarian assistance).

22 (16) Use of Department of Defense assets is
23 critical to the success of efforts to stem the flow of
24 illegal drugs from source countries and through
25 transit zones to the United States.

1 (17) The placement of counter-drug activities in
2 the fourth and last priority of the Global Military
3 Force Policy list of priorities for the allocation of
4 military assets has resulted in a serious deficiency in
5 assets vital to the success of source country and
6 transit zone efforts to stop the flow of illegal drugs
7 into the United States.

8 (18) At present the United States faces few, if
9 any, threats from abroad greater than the threat
10 posed to the Nation's youth by illegal and dangerous
11 drugs.

12 (19) The conduct of counter-drug activities has
13 the potential for contact with hostile forces.

14 (20) The Department of Defense counter-drug
15 activities mission should be near the top, not among
16 the last, of the priorities for the allocation of De-
17 partment of Defense assets after the first priority
18 for those assets for the war-fighting mission of the
19 Department of Defense.

20 (b) STATEMENT OF POLICY.—It is the policy of the
21 United States to—

22 (1) reduce the supply of drugs and drug use
23 through an enhanced drug interdiction effort in the
24 major drug transit countries, as well support a com-
25 prehensive supply country eradication and crop sub-

1 stitution program, because a commitment of in-
2 creased resources in international drug interdiction
3 efforts will create a balanced national drug control
4 strategy among demand reduction, law enforcement,
5 and international drug interdiction efforts; and

6 (2) support policies and dedicate the resources
7 necessary to reduce the flow of illegal drugs into the
8 United States by not less than 80 percent by De-
9 cember 31, 2001.

10 **TITLE I—ENHANCED SOURCE**
11 **AND TRANSIT COUNTRY COV-**
12 **ERAGE**

13 **SEC. 101. EXPANSION OF AIRCRAFT COVERAGE AND OPER-**
14 **ATION IN SOURCE AND TRANSIT COUNTRIES.**

15 (a) DEPARTMENT OF THE TREASURY.—Funds are
16 authorized to be appropriated for the Department of the
17 Treasury for fiscal years 1999, 2000, and 2001 for the
18 enhancement of air coverage and operation for drug source
19 and transit countries, as follows:

20 (1) For procurement of 10 P–3B Early Warn-
21 ing aircraft for the United States Customs Service
22 to enhance overhead air coverage of drug source
23 zone countries, the total amount of \$430,000,000.

24 (2) For the procurement and deployment of 10
25 P–3B Slick airplanes for the United States Customs

1 Service to enhance overhead air coverage of the drug
2 source zone, the total amount of \$150,000,000.

3 (3) For each of fiscal years 2000 and 2001 for
4 operation and maintenance of 10 P-3B Early Warn-
5 ing aircraft for the United States Customs Service
6 to enhance overhead air coverage of drug source
7 zone countries, \$23,500,000.

8 (4) For each of fiscal years 1999, 2000, and
9 2001 for personnel for the 10 P-3B Early Warning
10 aircraft for the United States Customs Service to
11 enhance overhead air coverage of drug source zone
12 countries, \$12,500,000.

13 (5) For each of fiscal years 2000 and 2001 for
14 operation and maintenance of 10 P-3B Slick air-
15 planes for the United States Customs Service to en-
16 hance overhead coverage of the drug source zone,
17 \$23,500,000.

18 (6) For each of fiscal years 1999, 2000, and
19 2001 for personnel for the 10 P-3B Slick airplanes
20 for the United States Customs Service to enhance
21 overhead air coverage of drug source zone countries,
22 \$12,500,000.

23 (7) For construction and furnishing of an addi-
24 tional facility for the P-3B aircraft, 6,000,000.

1 (8) For each of fiscal years 1999, 2000, and
2 2001 for operation and maintenance for overhead air
3 coverage for Colombia, \$6,000,000.

4 (9) For each of fiscal years 1999, 2000, and
5 2001 for operation and maintenance for overhead air
6 coverage for Bolivia, \$2,000,000.

7 (10) For each of fiscal years 1999, 2000, and
8 2001 for operation and maintenance for overhead air
9 coverage for Peru, \$6,000,000.

10 (11) For each of fiscal years 1999, 2000, and
11 2001 for operation and maintenance for overhead
12 coverage for the Caribbean and Eastern Pacific re-
13 gions, \$25,000,000.

14 (12) For purchase and for operation and main-
15 tenance of 3 Schweizer RU-38A observation aircraft
16 (to be piloted by pilots under contract with the
17 United States), the total amount of \$16,500,000, of
18 which—

19 (A) \$13,500,000 is for procurement; and

20 (B) \$1,000,000 for each such fiscal year is
21 for operation and maintenance.

22 (b) REPORT.—Not later than January 31, 1999, the
23 Secretary of Defense, in consultation with the Secretary
24 of State and the Director of Central Intelligence, shall
25 submit to the Committee on National Security, the Com-

1 mittee on International Relations, and the Permanent Se-
2 lect Committee on Intelligence of the House of Represent-
3 atives and to the Committee on Armed Services, the Com-
4 mittee on Foreign Relations, and the Select Committee on
5 Intelligence of the Senate a report examining the options
6 available in the source and transit zones to replace How-
7 ard Air Force Base in Panama and specifying the require-
8 ments of the United States to establish an airbase or air-
9 bases for use in support of counternarcotics operations to
10 optimize operational effectiveness in the source and transit
11 zones. The report shall identify the following:

12 (1) The specific requirements necessary to sup-
13 port the national drug control policy of the United
14 States.

15 (2) The estimated construction, operation, and
16 maintenance costs for a replacement counterdrug
17 airbase or airbases in the source and transit zones.

18 (3) Possible interagency cost sharing arrange-
19 ments for a replacement airbase or airbases.

20 (4) Any legal or treaty-related issues regarding
21 the replacement airbase or airbases.

22 (5) A summary of completed alternative site
23 surveys for the airbase or airbases.

1 (c) TRANSFER OF AIRCRAFT.—The Secretary of the
2 Navy shall transfer to the United States Customs Serv-
3 ice—

4 (1) ten currently retired and previously identi-
5 fied heavyweight P-3B aircraft for modification into
6 P-3 AEW&C aircraft; and

7 (2) ten currently retired and previously identi-
8 fied heavyweight P-3B aircraft for modification into
9 P-3 Slick aircraft.

10 **SEC. 102. EXPANSION OF COAST GUARD DRUG INTERDIC-**
11 **TION.**

12 (a) OPERATING EXPENSES.—For operating expenses
13 of the Coast Guard associated with expansion of drug
14 interdiction activities around Puerto Rico, the United
15 States Virgin Islands, and other transit zone areas of op-
16 eration, there are authorized to be appropriated to the
17 Secretary of Transportation \$129,000,000 for each of fis-
18 cal years 1999, 2000, and 2001. Such amounts shall in-
19 clude (but are not limited to) amounts for the following:

20 (1) For deployment of intelligent acoustic detec-
21 tion buoys in the Florida Straits and Bahamas.

22 (2) For a nonlethal technology program to en-
23 hance countermeasures against the threat of trans-
24 portation of drugs by so-called Go-Fast boats.

1 (b) ACQUISITION, CONSTRUCTION, AND IMPROVE-
2 MENT.—

3 (1) IN GENERAL.—For acquisition, construc-
4 tion, and improvement of facilities and equipment to
5 be used for expansion of Coast Guard drug interdic-
6 tion activities, there are authorized to be appro-
7 priated to the Secretary of Transportation for fiscal
8 year 1999 the following:

9 (A) For maritime patrol aircraft,
10 \$66,000,000.

11 (B) For acquisition of deployable pursuit
12 boats, \$3,500,000.

13 (C) For the acquisition and construction of
14 15 United States Coast Guard 87-foot Coastal
15 Patrol Boats, \$71,000,000.

16 (D) For the reactivation of 3 United
17 States Coast Guard HU-25 Falcon jets,
18 \$7,500,000.

19 (E) For acquisition of installed or
20 deployable electronic sensors and communica-
21 tions systems for Coast Guard Cutters,
22 \$16,300,000.

23 (F) For acquisition and construction of fa-
24 cilities and equipment to support regional and
25 international law enforcement training and sup-

1 port in Puerto Rico, the United States Virgin
2 Islands, and Caribbean Basin, \$4,000,000.

3 (G) For acquisition or conversion of mari-
4 time patrol aircraft, \$17,000,000.

5 (H) For acquisition or conversion of 2 ves-
6 sels to be used as Coast Guard Medium or
7 High Endurance Cutters, \$36,000,000.

8 (I) For acquisition or conversion of 2 ves-
9 sels to be used as Coast Guard Cutters as sup-
10 port, command, and control platforms for drug
11 interdiction operations, \$20,000,000.

12 (J) For construction of 6 United States
13 Code Coast Guard medium endurance cutters,
14 \$289,000,000.

15 (2) CONTINUED AVAILABILITY.—Amounts ap-
16 propriated under this subsection may remain avail-
17 able until expended.

18 (c) REQUIREMENT TO ACCEPT PATROL CRAFT FROM
19 DEPARTMENT OF DEFENSE.—The Secretary of Transpor-
20 tation shall accept, for use by the Coast Guard for ex-
21 panded drug interdiction activities, 7 PC–170 patrol craft
22 offered by the Department of Defense.

1 **SEC. 103. EXPANSION OF RADAR COVERAGE AND OPER-**
2 **ATION IN SOURCE AND TRANSIT COUNTRIES.**

3 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
4 are authorized to be appropriated for the Department of
5 the Treasury for fiscal years 1999, 2000, and 2001 for
6 the enhancement of radar coverage in drug source and
7 transit countries, as follows:

8 (1) For restoration of radar in the Bahamas,
9 the total amount of \$13,500,000, of which—

10 (A) the total amount of \$4,500,000 is for
11 procurement; and

12 (B) \$3,000,000 for each such fiscal year is
13 for operation and maintenance.

14 (2) For each such fiscal year for operation and
15 maintenance, for establishment of ground-based
16 radar coverage at Guantanamo Bay Naval Base,
17 Cuba, \$300,000.

18 (b) **REPORT.**—Not later than January 31, 1999, the
19 Secretary of Defense, in conjunction with the Director of
20 Central Intelligence, shall submit to the Committee on Na-
21 tional Security and the Permanent Select Committee on
22 Intelligence of the House of Representatives and the Com-
23 mittee on Armed Services and the Select Committee on
24 Intelligence of the Senate a report examining the options
25 available to the United States for improving Relocatable
26 Over the Horizon (ROTHR) capability to provide en-

1 hanced radar coverage of narcotics source zone countries
2 in South America and transit zones in the Eastern Pacific.

3 The report shall include—

4 (1) a discussion of the need and costs associ-
5 ated with the establishment of a proposed fourth
6 ROTHF site located in the source or transit zones;
7 and

8 (2) an assessment of the intelligence specific
9 issues raised if such a ROTHF facility were to be
10 established in conjunction with a foreign govern-
11 ment.

12 **TITLE II—ENHANCED ERADI-**
13 **CATION AND INTERDICTION**
14 **STRATEGY IN SOURCE COUN-**
15 **TRIES**

16 **SEC. 201. ADDITIONAL ERADICATION RESOURCES FOR CO-**
17 **LOMBIA.**

18 (a) DEPARTMENT OF STATE.—Funds are authorized
19 to be appropriated for the Department of State for fiscal
20 years 1999, 2000, and 2001 for the enhancement of drug-
21 related eradication efforts in Colombia, as follows:

22 (1) For each such fiscal year for sustaining
23 support of the helicopters and fixed wing fleet of the
24 national police of Colombia, \$6,000,000.

1 (2) For the purchase of DC-3 transport air-
2 craft for the national police of Colombia, the total
3 amount of \$2,000,000.

4 (3) For acquisition of concertina wire and tun-
5 neling detection systems at the La Picota prison of
6 the national police of Colombia, the total amount of
7 \$1,250,000.

8 (4) For the purchase of minigun systems for
9 the national police of Colombia, the total amount of
10 \$6,000,000.

11 (5) For the purchase of 6 UH-60L Black
12 Hawk utility helicopters for the national police of
13 Colombia, the total amount of \$60,000,000 for pro-
14 curement and an additional amount of \$12,000,000
15 for each such fiscal year for operation, maintenance,
16 and training.

17 (6) For procurement, for upgrade of 50 UH-
18 1H helicopters to the Huey II configuration
19 equipped with miniguns for the use of the national
20 police of Colombia, the total amount of \$70,000,000.

21 (7) For the repair and rebuilding of the
22 antinarcootics base at Miraflores, \$2,000,000.

23 (8) For providing sufficient and adequate base
24 and force security for any rebuilt facility at
25 Miraflores, and the other forward operating

1 antinarcotics bases of the Colombian National Police
2 antinarcotics unit, \$6,000,000.

3 (b) COUNTERNARCOTICS ASSISTANCE.—United
4 States counternarcotics assistance may not be provided for
5 the Government of Colombia under this Act or under any
6 other provision of law on or after the date of the enact-
7 ment of this Act if the Government of Colombia negotiates
8 or permits the establishment of any demilitarized zone in
9 which the eradication and interdiction of drug production
10 by the security forces of Colombia, including the Colom-
11 bian National Police antinarcotics unit, is prohibited.

12 **SEC. 202. ADDITIONAL ERADICATION RESOURCES FOR**
13 **PERU.**

14 (a) DEPARTMENT OF STATE.—Funds are authorized
15 to be appropriated for the Department of State for fiscal
16 years 1999, 2000, and 2001 for the establishment of a
17 third drug interdiction site at Puerto Maldonado, Peru,
18 to support air bridge and riverine missions for enhance-
19 ment of drug-related eradication efforts in Peru, the total
20 amount of \$3,000,000, and an additional amount of
21 \$1,000,000 for each of fiscal years 2000 and 2001 for
22 operation and maintenance.

23 (b) DEPARTMENT OF DEFENSE STUDY.—The Sec-
24 retary of Defense shall conduct a study of Peruvian coun-
25 ternarcotics air interdiction requirements and, not later

1 than 90 days after the date of enactment of this Act, sub-
2 mit to Congress a report on the results of the study. The
3 study shall include a review of the Peruvian Air Force's
4 current and future requirements for counternarcotics air
5 interdiction to complement the Peruvian Air Force's A-
6 37 capability.

7 **SEC. 203. ADDITIONAL ERADICATION RESOURCES FOR BO-**
8 **LIVIA.**

9 Funds are authorized to be appropriated for the De-
10 partment of State for fiscal years 1999, 2000, and 2001
11 for enhancement of drug-related eradication efforts in Bo-
12 livia, as follows:

13 (1) For each such fiscal year for support of air
14 operations of the Red Devils of Bolivia, \$1,000,000.

15 (2) For each such fiscal year for support of
16 riverine operations of the Blue Devils of Bolivia,
17 \$1,000,000.

18 (3) For each such fiscal year for support of
19 coca eradication programs, \$1,000,000.

20 (4) For the procurement of 2 mobile x-ray ma-
21 chines with maintenance support for placement
22 along the Chapare highway, the total amount of
23 \$5,000,000 and an additional amount of \$1,000,000
24 for each such fiscal year for operation and mainte-
25 nance.

1 **SEC. 204. ADDITIONAL ERADICATION RESOURCES FOR**
2 **MEXICO.**

3 (a) IN GENERAL.—

4 (1) AUTHORITY TO PURCHASE HELICOPTERS.—

5 Contingent on the agreement of the Government of
6 Mexico to approve full diplomatic immunity for Drug
7 Enforcement Administration personnel serving in
8 Mexico with privileges granted to United States Gov-
9 ernment officials to carry weapons necessary for the
10 performance of their duties, the Secretary of State,
11 subject to the availability of appropriations, shall
12 purchase 6 Bell 212 high altitude helicopters des-
13 ignated for opium eradication programs in the Mexi-
14 can states of Guerrero, Jalisco, and Sinaloa, for en-
15 hancement of drug-related eradication efforts in
16 Mexico.

17 (2) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated to the Sec-
19 retary of State during the period beginning on Octo-
20 ber 1, 1998, and on ending September 30, 2001,
21 \$18,000,000 to carry out paragraph (1).

22 (b) SENSE OF THE CONGRESS.—It is the sense of
23 the Congress that—

24 (1) all United States law enforcement personnel
25 serving in Mexico should be accredited the same sta-
26 tus under the Vienna Convention on Diplomatic Im-

1 munity as other diplomatic personnel serving at
2 United States posts in Mexico; and

3 (2) all Mexican narcotics law enforcement per-
4 sonnel serving in the United States should be ac-
5 corded the same diplomatic status as Drug Enforce-
6 ment Administration personnel serving in Mexico.

7 **SEC. 205. MISCELLANEOUS ADDITIONAL ERADICATION RE-**
8 **SOURCES.**

9 Funds are authorized to be appropriated for the De-
10 partment of State for fiscal years 1999, 2000, and 2001
11 for enhanced precursor chemical control projects, in the
12 total amount of \$500,000.

13 **SEC. 206. BUREAU OF INTERNATIONAL NARCOTICS AND**
14 **LAW ENFORCEMENT AFFAIRS.**

15 (a) **QUALIFICATIONS FOR SERVICE.**—Notwithstand-
16 ing any other provision of law, any individual serving in
17 the position of assistant secretary in any department or
18 agency of the Federal Government who has primary re-
19 sponsibility for international narcotics control and law en-
20 forcement, and the principal deputy of any such assistant
21 secretary, shall have substantial professional qualifications
22 in the fields of—

23 (1) management; and

24 (2) Federal law enforcement, or intelligence.

25 (b) **FOREIGN MILITARY SALES.**—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, upon the receipt by the Department
3 of State of a formal letter of request for any foreign
4 military sales counternarcotics-related assistance
5 from the head of any police, military, or other ap-
6 propriate security agency official, the implementa-
7 tion and processing of the counternarcotics foreign
8 military sales request shall be the sole responsibility
9 of the Department of Defense, which is the tradi-
10 tional lead agency in providing military equipment
11 and supplies abroad.

12 (2) ROLE OF STATE DEPARTMENT.—The De-
13 partment of State shall continue to have a consult-
14 ative role with the Department of Defense in the
15 processing of the request described in paragraph (1),
16 after receipt of the letter of request, for all
17 counternarcotics-related foreign military sales assist-
18 ance.

19 **SEC. 207. REPORT ON TRANSFERRING INTERNATIONAL**
20 **NARCOTICS ASSISTANCE ACTIVITIES TO A**
21 **UNITED STATES LAW ENFORCEMENT AGEN-**
22 **CY.**

23 (a) SENSE OF THE CONGRESS.—It is the sense of the
24 Congress that the responsiveness and effectiveness of
25 international narcotics assistance activities under the De-

1 partment of State have been severely hampered due, in
2 part, to the lack of law enforcement expertise by respon-
3 sible personnel in the Department of State.

4 (b) REPORT REQUIREMENT.—

5 (1) IN GENERAL.—Not later than 3 months
6 after the date of enactment of this Act, the Director
7 of National Drug Control Policy shall prepare and
8 submit to the appropriate committees a report,
9 which shall evaluate the responsiveness and effective-
10 ness of international narcotics assistance activities
11 under the Department of State during the preceding
12 4 fiscal years.

13 (2) RECOMMENDATION AND EXPLANATION.—

14 The study submitted under paragraph (1) shall in-
15 clude the recommendation of the Director and de-
16 tailed explanatory statement regarding whether the
17 overseas activities of the Bureau of International
18 Narcotics and Law Enforcement Affairs of the De-
19 partment of State should be transferred to the De-
20 partment of Justice.

21 (3) AUTHORIZATION OF APPROPRIATIONS.—

22 There is authorized to be appropriated to the Office
23 on National Drug Control Policy \$100,000 to carry
24 out the study under this section.

1 (c) DEFINITIONS.—In this section, the term “appro-
2 priate committees” means—

3 (1) the Committees on Appropriations, Armed
4 Services, Foreign Relations, and the Judiciary of the
5 Senate;

6 (2) the Committees on Appropriations, Inter-
7 national Relations, National Security, and the Judi-
8 ciary of the House of Representatives; and

9 (3) the Select Committees on Intelligence of the
10 House of Representatives and the Senate.

11 **TITLE III—ENHANCED ALTER-**
12 **NATIVE CROP DEVELOPMENT**
13 **SUPPORT IN SOURCE ZONE**

14 **SEC. 301. ALTERNATIVE CROP DEVELOPMENT SUPPORT.**

15 Funds are authorized to be appropriated for the
16 United States Agency for International Development for
17 fiscal years 1999, 2000, and 2001 for alternative develop-
18 ment programs, as follows:

19 (1) For startup costs of programs in the
20 Guaviare, Putumayo, and Caqueta regions in Colom-
21 bia, the total amount of \$5,000,000 and an addi-
22 tional amount of \$5,000,000 for each of fiscal years
23 2000 and 2001 for operation and maintenance costs.

24 (2) For each of fiscal years 1999, 2000, and
25 2001 for enhanced programs in the Ucayali,

1 Apurimac, and Huallaga Valley regions in Peru,
2 \$50,000,000.

3 (3) For each of fiscal years 1999, 2000, and
4 2001 for enhanced programs in the Chapare and
5 Yungas regions in Bolivia, \$5,000,000.

6 **SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR AGRI-**
7 **CULTURAL RESEARCH SERVICE**
8 **COUNTERDRUG RESEARCH AND DEVELOP-**
9 **MENT ACTIVITIES.**

10 (a) IN GENERAL.—There is authorized to be appro-
11 priated to the Secretary of Agriculture for each of fiscal
12 years 1999, 2000, and 2001, \$23,000,000 to support the
13 counternarcotics research efforts of the Agricultural Re-
14 search Service of the Department of Agriculture. Of that
15 amount, funds are authorized as follows:

16 (1) \$5,000,000 shall be used for crop eradi-
17 cation technologies.

18 (2) \$2,000,000 shall be used for narcotics plant
19 identification, chemistry, and biotechnology.

20 (3) \$1,000,000 shall be used for worldwide crop
21 identification, detection tagging, and production esti-
22 mation technology.

23 (4) \$5,000,000 shall be used for improving the
24 disease resistance, yield, and economic competitive-

1 plan for the use of mycoherbicides to control narcotic
2 crops (including coca, poppy, and cannabis) in the United
3 States and internationally.

4 (b) COORDINATION.—The Director shall develop the
5 plan in coordination with—

6 (1) the Department of Agriculture;

7 (2) the Drug Enforcement Administration of
8 the Department of Justice;

9 (3) the Department of Defense;

10 (4) the Environmental Protection Agency;

11 (5) the Bureau for International Narcotics and
12 Law Enforcement Activities of the Department of
13 State;

14 (6) the United States Information Agency; and

15 (7) other appropriate agencies.

16 (c) REPORT.—Not later than March 1, 1999, the Di-
17 rector of the Office of National Drug Control Policy shall
18 submit to Congress a report describing the activities un-
19 dertaken to carry out this section.

1 **TITLE IV—ENHANCED INTER-**
2 **NATIONAL LAW ENFORCE-**
3 **MENT TRAINING**

4 **SEC. 401. ENHANCED INTERNATIONAL LAW ENFORCEMENT**
5 **ACADEMY TRAINING.**

6 (a) ENHANCED INTERNATIONAL LAW ENFORCE-
7 MENT ACADEMY TRAINING.—Funds are authorized to be
8 appropriated for the Department of Justice for fiscal years
9 1999, 2000, and 2001 for the establishment and operation
10 of international law enforcement academies to carry out
11 law enforcement training activities, as follows:

12 (1) For the establishment and operation of an
13 academy, which shall serve Latin America and the
14 Caribbean, the total amount of \$3,000,000 and an
15 additional amount of \$1,200,000 for each of fiscal
16 years 2000 and 2001 for operation and maintenance
17 costs.

18 (2) For the establishment and operation of an
19 academy in Bangkok, Thailand, which shall serve
20 Asia, the total amount of \$2,000,000 and an addi-
21 tional amount of \$1,200,000 for each of fiscal years
22 2000 and 2001 for operation and maintenance costs.

23 (3) For each such fiscal year for the establish-
24 ment and operation of an academy in South Africa,
25 which shall serve Africa, \$1,200,000.

1 (b) MARITIME LAW ENFORCEMENT TRAINING CEN-
2 TER.—Funds are authorized to be appropriated for the
3 Department of Transportation and the Department of the
4 Treasury for fiscal years 1999, 2000, and 2001 for the
5 joint establishment, operation, and maintenance in San
6 Juan, Puerto Rico, of a center for training law enforce-
7 ment personnel of countries located in the Latin American
8 and Caribbean regions in matters relating to maritime law
9 enforcement, including customs-related ports management
10 matters, as follows:

11 (1) For each such fiscal year for funding by the
12 Department of Transportation, \$1,500,000.

13 (2) For each such fiscal year for funding by the
14 Department of the Treasury, \$1,500,000.

15 (c) UNITED STATES COAST GUARD INTERNATIONAL
16 MARITIME TRAINING VESSEL.—Funds are authorized to
17 be appropriated for the Department of Transportation for
18 fiscal years 1999, 2000, and 2001 for the establishment,
19 operation, and maintenance of maritime training vessels,
20 as follows:

21 (1) For a vessel for international maritime
22 training, which shall visit participating Latin Amer-
23 ican and Caribbean nations on a rotating schedule
24 in order to provide law enforcement training and to

1 perform maintenance on participating national as-
2 sets, the total amount of \$7,500,000.

3 (2) For each such fiscal year for support of the
4 United States Coast Guard Balsam Class Buoy Ten-
5 der training vessel, \$2,500,000.

6 **SEC. 402. ENHANCED UNITED STATES DRUG ENFORCE-**
7 **MENT INTERNATIONAL TRAINING.**

8 (a) MEXICO.—Funds are authorized to be appro-
9 priated for the Department of Justice for fiscal years
10 1999, 2000, and 2001 for substantial exchanges for Mexi-
11 can judges, prosecutors, and police, in the total amount
12 of \$2,000,000 for each such fiscal year.

13 (b) BRAZIL.—Funds are authorized to be appro-
14 priated for the Department of Justice for fiscal years
15 1999, 2000, and 2001 for enhanced support for the Bra-
16 zilian Federal Police Training Center, in the total amount
17 of \$1,000,000 for each such fiscal year.

18 (c) PANAMA.—

19 (1) IN GENERAL.—Funds are authorized to be
20 appropriated for the Department of Transportation
21 for fiscal years 1999, 2000, and 2001 for operation
22 and maintenance, for locating and operating Coast
23 Guard assets so as to strengthen the capability of
24 the Coast Guard of Panama to patrol the Atlantic
25 and Pacific coasts of Panama for drug enforcement

1 and interdiction activities, in the total amount of
2 \$1,000,000 for each such fiscal year.

3 (2) ELIGIBILITY TO RECEIVE TRAINING.—Not-
4 withstanding any other provision of law, members of
5 the national police of Panama shall be eligible to re-
6 ceive training through the International Military
7 Education Training program.

8 (d) VENEZUELA.—There are authorized to be appro-
9 priated for the Department of Justice for each of fiscal
10 years 1999, 2000, and 2001, \$1,000,000 for operation
11 and maintenance, for support for the Venezuelan Judicial
12 Technical Police Counterdrug Intelligence Center.

13 (e) ECUADOR.—Funds are authorized to be appro-
14 priated for the Department of Transportation and the De-
15 partment of the Treasury for each of fiscal years 1999,
16 2000, and 2001 for the buildup of local coast guard and
17 port control in Guayaquil and Esmeraldas, Ecuador, as
18 follows:

19 (1) For each such fiscal year for the Depart-
20 ment of Transportation, \$500,000.

21 (2) For each such fiscal year for the Depart-
22 ment of the Treasury, \$500,000.

23 (f) HAITI AND THE DOMINICAN REPUBLIC.—Funds
24 are authorized to be appropriated for the Department of
25 the Treasury for each of fiscal years 1999, 2000, and

1 2001, \$500,000 for the buildup of local coast guard and
2 port control in Haiti and the Dominican Republic.

3 (g) CENTRAL AMERICA.—There are authorized to be
4 appropriated for the Department of the Treasury for each
5 of fiscal years 1999, 2000, and 2001, \$12,000,000 for the
6 buildup of local coast guard and port control in Belize,
7 Costa Rica, El Salvador, Guatemala, Honduras, and Nica-
8 ragua.

9 **SEC. 403. PROVISION OF NONLETHAL EQUIPMENT TO FOR-**
10 **EIGN LAW ENFORCEMENT ORGANIZATIONS**
11 **FOR COOPERATIVE ILLICIT NARCOTICS CON-**
12 **TROL ACTIVITIES.**

13 (a) IN GENERAL.—The Administrator of the Drug
14 Enforcement Administration, in consultation with the Sec-
15 retary of State, may transfer or lease each year nonlethal
16 equipment, of which each piece of equipment may be val-
17 ued at not more than \$100,000, to foreign law enforce-
18 ment organizations for the purpose of establishing and
19 carrying out cooperative illicit narcotics control activities.

20 (b) ADDITIONAL REQUIREMENT.—The Adminis-
21 trator shall provide for the maintenance and repair of any
22 equipment transferred or leased under subsection (a).

1 **TITLE V—ENHANCED DRUG**
2 **TRANSIT AND SOURCE ZONE**
3 **LAW ENFORCEMENT OPER-**
4 **ATIONS AND EQUIPMENT**

5 **SEC. 501. INCREASED FUNDING FOR OPERATIONS AND**
6 **EQUIPMENT; REPORT.**

7 (a) DRUG ENFORCEMENT ADMINISTRATION.—Funds
8 are authorized to be appropriated for the Drug Enforce-
9 ment Administration for fiscal years 1999, 2000, and
10 2001 for enhancement of counternarcotic operations in
11 drug transit and source countries, as follows:

12 (1) For support of the Merlin program, the
13 total amount of \$8,272,000.

14 (2) For support of the intercept program, the
15 total amount of \$4,500,000.

16 (3) For support of the Narcotics Enforcement
17 Data Retrieval System, the total amount of
18 \$2,400,000.

19 (4) For support of the Caribbean Initiative, the
20 total amount of \$3,515,000.

21 (5) For the hire of special agents, administra-
22 tive and investigative support personnel, and intel-
23 ligence analysts for overseas assignments in foreign
24 posts, the total amount of \$40,213,000.

1 (b) DEPARTMENT OF STATE.—Funds are authorized
2 to be appropriated for the Department of State for fiscal
3 year 1999, 2000, and 2001 for the deployment of commer-
4 cial unclassified intelligence and imaging data and a Pas-
5 sive Coherent Location System for counternarcotics and
6 interdiction purposes in the Western Hemisphere, the
7 total amount of \$20,000,000.

8 (c) DEPARTMENT OF THE TREASURY.—Funds are
9 authorized to be appropriated for the United States Cus-
10 toms Service for fiscal years 1999, 2000, and 2001 for
11 enhancement of counternarcotic operations in drug transit
12 and source countries, as follows:

13 (1) For refurbishment of 30 interceptor and
14 Blue Water Platform vessels in the Caribbean mari-
15 time fleet, the total amount of \$3,500,000.

16 (2) For purchase of 9 new interceptor vessels in
17 the Caribbean maritime fleet, the total amount of
18 \$2,000,000.

19 (3) For the hire and training of 25 special
20 agents for maritime operations in the Caribbean, the
21 total amount of \$2,500,000.

22 (4) For purchase of 60 automotive vehicles for
23 ground use in South Florida, \$1,500,000.

24 (5) For each such fiscal year for operation and
25 maintenance support for 10 United States Customs

1 Service Citations Aircraft to be dedicated for the
2 source and transit zone, the total amount of
3 \$10,000,000.

4 (6) For purchase of 5 CTX-5000 x-ray ma-
5 chines to enhance detection capabilities with respect
6 to narcotics, explosives, and currency, the total
7 amount of \$7,000,000.

8 (d) DEPARTMENT OF DEFENSE REPORT.—Not later
9 than January 31, 1999, the Secretary of Defense, in con-
10 sultation with the Director of the Office of National Drug
11 Control Policy, shall submit to the Committee on National
12 Security and the Permanent Select Committee on Intel-
13 ligence of the House of Representatives and the Commit-
14 tee on Armed Services and the Select Committee on Intel-
15 ligence of the Senate a report examining and proposing
16 recommendations regarding any organizational changes to
17 optimize counterdrug activities, including alternative cost-
18 sharing arrangements regarding the following facilities:

19 (1) The Joint Inter-Agency Task Force, East,
20 Key West, Florida.

21 (2) The Joint Inter-Agency Task Force, West,
22 Alameda, California.

23 (3) The Joint Inter-Agency Task Force, South,
24 Panama City, Panama.

25 (4) The Joint Task Force 6, El Paso, Texas.

1 **SEC. 502. SENSE OF THE CONGRESS REGARDING PRIORITY**
2 **OF DRUG INTERDICTION AND COUNTERDRUG**
3 **ACTIVITIES.**

4 It is the sense of the Congress that the Secretary of
5 Defense should revise the Global Military Force Policy of
6 the Department of Defense in order—

7 (1) to treat the international drug interdiction
8 and counter-drug activities of the Department as a
9 military operation other than war, thereby elevating
10 the priority given such activities under the Policy to
11 the next priority below the priority given to war
12 under the Policy and to the same priority as is given
13 to peacekeeping operations under the Policy; and

14 (2) to allocate the assets of the Department to
15 drug interdiction and counter-drug activities in ac-
16 cordance with the priority given those activities.

17 **SEC. 503. PROVISION OF ASSISTANCE BY THE ARMED**
18 **FORCES TO THE IMMIGRATION AND NATU-**
19 **RALIZATION SERVICE AND CUSTOMS SERV-**
20 **ICE.**

21 The Secretary of Defense shall assist in keeping ille-
22 gal drugs out of the United States by assigning members
23 of the Armed Forces to assist—

24 (1) the Immigration and Naturalization Service
25 in preventing the entry of drug traffickers and nar-
26 cotics into the United States; and

1 (2) the United States Customs Service in the
2 inspection of cargo, vehicles, and aircraft at points
3 of entry into the United States.

4 **TITLE VI—RELATIONSHIP TO**
5 **OTHER LAWS**

6 **SEC. 601. AUTHORIZATIONS OF APPROPRIATIONS.**

7 The funds authorized to be appropriated for any de-
8 partment or agency of the Federal Government for fiscal
9 years 1999, 2000, or 2001 by this Act are in addition to
10 funds authorized to be appropriated for that department
11 or agency for fiscal year 1999, 2000, or 2001 by any other
12 provision of law.

13 **TITLE VII—CRIMINAL BACK-**
14 **GROUND CHECKS ON PORT**
15 **EMPLOYEES**

16 **SEC. 701. BACKGROUND CHECKS.**

17 Upon the request of any State, county, port author-
18 ity, or other local jurisdiction of a State, the Attorney
19 General shall grant to such State, county, port authority,
20 or other local jurisdiction access to information collected
21 by the Attorney General pursuant to section 534 of title
22 28, United States Code, for the purpose of allowing such
23 State, county, port authority, or other local jurisdiction
24 to conduct criminal background checks on employees, or
25 applicants for employment, at any port under the jurisdic-

1 tion of such State, county, port authority, or other local
2 jurisdiction.

3 **SEC. 702. DEFINITION.**

4 As used in this title, the term “port” means any place
5 at which vessels may resort to load or unload cargo.

Passed the House of Representatives September 16,
1998.

Attest:

ROBIN H. CARLE,

Clerk.