

105TH CONGRESS
2D SESSION

S. 2522

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 1998

Mr. DEWINE (for himself, Mr. COVERDELL, Mr. GRAHAM, Mr. FAIRCLOTH, Mr. BOND, Mr. D'AMATO, Mr. BREAUX, Mr. HELMS, Mrs. FEINSTEIN, Mr. MACK, Mr. HATCH, Mr. CRAIG, Mr. ABRAHAM, Mr. HUTCHINSON, Mr. ALLARD, Mr. FRIST, Mr. MURKOWSKI, Mrs. HUTCHISON, Ms. LANDRIEU, Mr. BROWNBACK, Mr. BURNS, Mr. BENNETT, Mr. ASHCROFT, Mr. COCHRAN, Mr. BAUCUS, Mr. SMITH of Oregon, Mr. ROBERTS, Mr. CLELAND, and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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,*

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

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

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 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 radar coverage and operation in source and transit countries.
 Sec. 102. Expansion of Coast Guard drug interdiction.
 Sec. 103. Expansion of aircraft 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. Miscellaneous additional eradication resources.
 Sec. 205. Bureau of International Narcotics and Law Enforcement Affairs.

TITLE III—ENHANCED ALTERNATIVE CROP DEVELOPMENT
 SUPPORT IN SOURCE ZONE

- 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 organizations 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; report.
 Sec. 502. Funding for computer software and hardware to facilitate direct communication between drug enforcement agencies.
 Sec. 503. Sense of Congress regarding priority of drug interdiction and counterdrug activities.

TITLE VI—RELATIONSHIP TO OTHER LAWS

- Sec. 601. Authorizations of appropriations.

TITLE VII—CRIMINAL BACKGROUND CHECKS ON PORT
 EMPLOYEES

- Sec. 701. Background checks.

TITLE VIII—DRUG CURRENCY FORFEITURES

Sec. 801. Short title.

Sec. 802. Drug currency forfeitures.

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.

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

1 (A) 29 percent of the total drug control
2 budget expenditures for demand reduction pro-
3 grams.

4 (B) 38 percent of the total drug control
5 budget expenditures for domestic law enforce-
6 ment.

7 (C) 33 percent of the total drug control
8 budget expenditures for international drug
9 interdiction efforts.

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

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

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

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

23 (C) 16 percent decrease in marijuana use.

24 (9) In 1993, drug interdiction efforts in the
25 transit zones were reduced due to an imbalance in

1 the national drug control strategy. This trend has
2 continued through 1995 as shown by the following
3 figures:

4 (A) 35 percent for demand reduction pro-
5 grams.

6 (B) 53 percent for domestic law enforce-
7 ment.

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

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

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

24 (12) The result of this new imbalance in the
25 national drug control strategy caused the drug situa-

1 tion in the United States to become a crisis with se-
2 rious consequences including—

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

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

7 (C) 80 percent increase in drug use for
8 graduating seniors since 1992;

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

12 (E) a reduction in the street price of 1
13 gram of cocaine from \$123 to \$104 between
14 1993 and 1994.

15 (13) The percentage change in drug use since
16 1992, among graduating high school students who
17 used drugs in the past 12 months, has substantially
18 increased—marijuana use is up 80 percent, cocaine
19 use is up 80 percent, and heroin use is up 100 per-
20 cent.

21 (14) The Department of Defense has been
22 called upon to support counter-drug efforts of Fed-
23 eral law enforcement agencies that are carried out in
24 source countries and through transit zone interdic-
25 tion, but in recent years Department of Defense as-

1 sets critical to those counter-drug activities have
2 been consistently diverted to missions that the Sec-
3 retary of Defense and the Chairman of the Joint
4 Chiefs of Staff consider a higher priority.

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

17 (16) Use of Department of Defense assets is
18 critical to the success of efforts to stem the flow of
19 illegal drugs from source countries and through
20 transit zones to the United States.

21 (17) The placement of counter-drug activities in
22 the fourth and last priority of the Global Military
23 Force Policy list of priorities for the allocation of
24 military assets has resulted in a serious deficiency in
25 assets vital to the success of source country and

1 transit zone efforts to stop the flow of illegal drugs
2 into the United States.

3 (18) At present the United States faces few, if
4 any, threats from abroad greater than the threat
5 posed to the Nation's youth by illegal and dangerous
6 drugs.

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

9 (20) The Department of Defense counter-drug
10 activities mission should be near the top, not among
11 the last, of the priorities for the allocation of De-
12 partment of Defense assets after the first priority
13 for those assets for the war-fighting mission of the
14 Department of Defense.

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

17 (1) reduce the supply of drugs and drug use
18 through an enhanced drug interdiction effort in the
19 major drug transit countries, as well support a com-
20 prehensive supply country eradication and crop sub-
21 stitution program, because a commitment of in-
22 creased resources in international drug interdiction
23 efforts will create a balanced national drug control
24 strategy among demand reduction, law enforcement,
25 and international drug interdiction efforts; and

1 (2) develop and establish comprehensive drug
2 interdiction and drug eradication strategies, and
3 dedicate the required resources, to achieve the goal
4 of reducing the flow of illegal drugs into the United
5 States by 80 percent by as early as December 31,
6 2001.

7 **TITLE I—ENHANCED SOURCE**
8 **AND TRANSIT COUNTRY COV-**
9 **ERAGE**

10 **SEC. 101. EXPANSION OF RADAR COVERAGE AND OPER-**
11 **ATION IN SOURCE AND TRANSIT COUNTRIES.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are authorized to be appropriated for the Department of
14 the Treasury for fiscal years 1999, 2000, and 2001 for
15 the enhancement of radar coverage in drug source and
16 transit countries in the total amount of \$14,300,000
17 which shall be available for the following purposes:

18 (1) For restoration of radar, and operation and
19 maintenance of radar, in the Bahamas.

20 (2) For operation and maintenance of ground-
21 based radar at Guantanamo Bay Naval Base, Cuba.

22 (b) REPORT.—Not later than January 31, 1999, the
23 Secretary of Defense, in conjunction with the Director of
24 Central Intelligence, shall submit to the Committee on Na-
25 tional Security and the Permanent Select Committee on

1 Intelligence of the House of Representatives and the Com-
2 mittee on Armed Services and the Select Committee on
3 Intelligence of the Senate a report examining the options
4 available to the United States for improving Relocatable
5 Over the Horizon (ROTHR) capability to provide en-
6 hanced radar coverage of narcotics source zone countries
7 in South America and transit zones in the Eastern Pacific.
8 The report shall include—

9 (1) a discussion of the need and costs associ-
10 ated with the establishment of a proposed fourth
11 ROTHR site located in the source or transit zones;
12 and

13 (2) an assessment of the intelligence specific
14 issues raised if such a ROTHR facility were to be
15 established in conjunction with a foreign govern-
16 ment.

17 **SEC. 102. EXPANSION OF COAST GUARD DRUG INTERDIC-**
18 **TION.**

19 (a) OPERATING EXPENSES.—For operating expenses
20 of the Coast Guard associated with expansion of drug
21 interdiction activities around Puerto Rico, the United
22 States Virgin Islands, and other transit zone areas of op-
23 eration, there is authorized to be appropriated to the Sec-
24 retary of Transportation \$151,500,000 for each of fiscal

1 years 1999, 2000, and 2001. Such amounts shall include
2 (but are not limited to) amounts for the following:

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

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

8 (b) ACQUISITION, CONSTRUCTION, AND IMPROVE-
9 MENT.—

10 (1) IN GENERAL.—For acquisition, construc-
11 tion, and improvement of facilities and equipment to
12 be used for expansion of Coast Guard drug interdic-
13 tion activities, there is authorized to be appropriated
14 to the Secretary of Transportation for fiscal year
15 1999 the total amount of \$630,300,000 which shall
16 be available for the following purposes:

17 (A) For maritime patrol aircraft sensors.

18 (B) For acquisition of deployable pursuit
19 boats.

20 (C) For the acquisition and construction of
21 up to 15 United States Coast Guard 87-foot
22 Coastal Patrol Boats.

23 (D) For—

24 (i) the reactivation of up to 3 United
25 States Coast Guard HU-25 Falcon jets;

1 (ii) the procurement of up to 3 C-37A
2 aircraft; or

3 (iii) the procurement of up to 3 C-
4 20H aircraft.

5 (E) For acquisition of installed or
6 deployable electronic sensors and communica-
7 tions systems for Coast Guard Cutters.

8 (F) For acquisition and construction of fa-
9 cilities and equipment to support regional and
10 international law enforcement training and sup-
11 port in Puerto Rico, the United States Virgin
12 Islands, and the Caribbean Basin.

13 (G) For acquisition or conversion of mari-
14 time patrol aircraft.

15 (H) For acquisition or conversion of up to
16 2 vessels to be used as Coast Guard Medium or
17 High Endurance Cutters.

18 (I) For acquisition or conversion of up to
19 2 vessels to be used as Coast Guard Cutters as
20 support, command, and control platforms for
21 drug interdiction operations.

22 (J) For acquisition of up to 6 Coast Guard
23 Medium Endurance Cutters.

24 (K) For acquisition of up to 6 HC-130J
25 aircraft.

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

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

9 **SEC. 103. EXPANSION OF AIRCRAFT COVERAGE AND OPER-**
10 **ATION IN SOURCE AND TRANSIT COUNTRIES.**

11 (a) DEPARTMENT OF THE TREASURY.—Funds are
12 authorized to be appropriated for the Department of the
13 Treasury for fiscal years 1999, 2000, and 2001 for the
14 enhancement of air coverage and operation for drug source
15 and transit countries in the total amount of \$886,500,000
16 which shall be available for the following purposes:

17 (1) For procurement of 10 P-3B Early Warn-
18 ing aircraft for the United States Customs Service
19 to enhance overhead air coverage of drug source
20 zone countries.

21 (2) For the procurement and deployment of 10
22 P-3B Slick airplanes for the United States Customs
23 Service to enhance overhead air coverage of the drug
24 source zone.

1 (3) In fiscal years 2000 and 2001, for operation
2 and maintenance of 10 P-3B Early Warning air-
3 craft for the United States Customs Service to en-
4 hance overhead air coverage of drug source zone
5 countries.

6 (4) For personnel for the 10 P-3B Early
7 Warning aircraft for the United States Customs
8 Service to enhance overhead air coverage of drug
9 source zone countries.

10 (5) In fiscal years 2000 and 2001, for operation
11 and maintenance of 10 P-3B Slick airplanes for the
12 United States Customs Service to enhance overhead
13 coverage of the drug source zone.

14 (6) For personnel for the 10 P-3B Slick air-
15 planes for the United States Customs Service to en-
16 hance overhead air coverage of drug source zone
17 countries.

18 (7) For construction and furnishing of an addi-
19 tional facility for the P-3B aircraft.

20 (8) For operation and maintenance for over-
21 head air coverage for source countries.

22 (9) For operation and maintenance for over-
23 head coverage for the Caribbean and Eastern Pacific
24 regions.

1 (10) For purchase and for operation and main-
2 tenance of 3 RU-38A observation aircraft (to be pi-
3 loted by pilots under contract with the United
4 States).

5 (b) REPORT.—Not later than January 31, 1999, the
6 Secretary of Defense, in consultation with the Secretary
7 of State and the Director of Central Intelligence, shall
8 submit to the Committee on National Security, the Com-
9 mittee on International Relations, and the Permanent Se-
10 lect Committee on Intelligence of the House of Represent-
11 atives and to the Committee on Armed Services, the Com-
12 mittee on Foreign Relations, and the Select Committee on
13 Intelligence of the Senate a report examining the options
14 available in the source and transit zones to replace How-
15 ard Air Force Base in Panama and specifying the require-
16 ments of the United States to establish an airbase or air-
17 bases for use in support of counternarcotics operations to
18 optimize operational effectiveness in the source and transit
19 zones. The report shall identify the following:

20 (1) The specific requirements necessary to sup-
21 port the national drug control policy of the United
22 States.

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

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

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

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

7 (c) TRANSFER OF AIRCRAFT.—The Secretary of the
8 Navy shall transfer to the United States Customs Serv-
9 ice—

10 (1) ten currently retired and previously identi-
11 fied heavyweight P-3B aircraft for modification into
12 P-3 AEW&C aircraft; and

13 (2) ten currently retired and previously identi-
14 fied heavyweight P-3B aircraft for modification into
15 P-3 Slick aircraft.

16 **TITLE II—ENHANCED ERADI-**
17 **CATION AND INTERDICTION**
18 **STRATEGY IN SOURCE COUN-**
19 **TRIES**

20 **SEC. 201. ADDITIONAL ERADICATION RESOURCES FOR CO-**
21 **LOMBIA.**

22 (a) DEPARTMENT OF STATE.—Funds are authorized
23 to be appropriated for the Department of State for fiscal
24 years 1999, 2000, and 2001 for the enhancement of drug-
25 related eradication efforts in Colombia in the total amount

1 of \$201,250,000 which shall be available for the following
2 purposes:

3 (1) For each such fiscal year for sustaining
4 support of the helicopters and fixed wing fleet of the
5 national police of Colombia.

6 (2) For the purchase of DC-3 transport air-
7 craft for the national police of Colombia.

8 (3) For acquisition of resources needed for pris-
9 on security in Colombia.

10 (4) For the purchase of minigun systems for
11 the national police of Colombia.

12 (5) For the purchase of 6 UH-60L Black
13 Hawk utility helicopters for the national police of
14 Colombia and for operation, maintenance, and train-
15 ing relating to such helicopters.

16 (6) For procurement, for upgrade of 50 UH-
17 1H helicopters to the Huey II configuration
18 equipped with miniguns for the use of the national
19 police of Colombia.

20 (7) For the repair and rebuilding of the
21 antinarcotics base in southern Colombia.

22 (8) For providing sufficient and adequate base
23 and force security for any rebuilt facility in southern
24 Colombia, and the other forward operating

1 antinarcotics bases of the Colombian National Police
2 antinarcotics unit.

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 enactment
7 of this Act if the Government of Colombia negotiates or
8 permits the establishment of any demilitarized zone in
9 which the eradication of drug production by the security
10 forces of Colombia, including the Colombian National Po-
11 lice 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 in Peru to support air bridge
18 and riverine missions for enhancement of drug-related
19 eradication efforts in Peru, in the total amount of
20 \$3,000,000, and an additional amount of \$1,000,000 for
21 each of fiscal years 2000 and 2001 for operation and
22 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 in the total amount of \$17,000,000 which shall be
13 available for the following purposes:

- 14 (1) For support of air operations in Bolivia.
15 (2) For support of riverine operations in Bo-
16 livia.
17 (3) For support of coca eradication programs.
18 (4) For procurement of 2 mobile x-ray ma-
19 chines, with operation and maintenance support.

20 **SEC. 204. MISCELLANEOUS ADDITIONAL ERADICATION RE-**
21 **SOURCES.**

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

1 **SEC. 205. BUREAU OF INTERNATIONAL NARCOTICS AND**
2 **LAW ENFORCEMENT AFFAIRS.**

3 (a) SENSE OF CONGRESS RELATING TO PROFES-
4 SIONAL QUALIFICATIONS OF OFFICIALS RESPONSIBLE
5 FOR INTERNATIONAL NARCOTICS CONTROL.—It is the
6 sense of Congress that any individual serving in the posi-
7 tion of assistant secretary in any department or agency
8 of the Federal Government who has primary responsibility
9 for international narcotics control and law enforcement,
10 and the principal deputy of any such assistant secretary,
11 shall have substantial professional qualifications in the
12 fields of—

- 13 (1) management; and
14 (2) Federal law enforcement or intelligence.

15 (b) FOREIGN MILITARY SALES.—

16 (1) IN GENERAL.—Notwithstanding any other
17 provision of law, upon the receipt by the Department
18 of State of a formal letter of request for any foreign
19 military sales counternarcotics-related assistance
20 from the head of any police, military, or other ap-
21 propriate security agency official, the principle agen-
22 cy responsible for the implementation and processing
23 of the counternarcotics foreign military sales request
24 shall be the Department of Defense.

25 (2) ROLE OF STATE DEPARTMENT.—The De-
26 partment of State shall continue to have a consult-

1 ative role with the Department of Defense in the
 2 processing of the request described in paragraph (1),
 3 after receipt of the letter of request, for all counter-
 4 narcotics-related foreign military sales assistance.

5 (c) SENSE OF CONGRESS RELATING TO DEFICI-
 6 CIENCIES IN INTERNATIONAL NARCOTICS ASSISTANCE
 7 ACTIVITIES.—It is the sense of Congress that the respon-
 8 siveness and effectiveness of international narcotics assist-
 9 ance activities under the Department of State have been
 10 severely hampered due, in part, to the lack of law enforce-
 11 ment expertise by responsible personnel in the Department
 12 of State.

13 **TITLE III—ENHANCED ALTERNATIVE CROP DEVELOPMENT**
 14 **SUPPORT IN SOURCE ZONE**

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

17 Funds are authorized to be appropriated for the
 18 United States Agency for International Development for
 19 fiscal years 1999, 2000, and 2001 for alternative develop-
 20 ment programs in the total amount of \$180,000,000
 21 which shall be available as follows:

22 (1) In the Guaviare, Putumayo, and Caqueta
 23 regions in Colombia.

24 (2) In the Ucayali, Apurimac, and Huallaga
 25 Valley regions in Peru.

1 (3) In the Chapare and Yungas regions in Bo-
2 livia.

3 **SEC. 302. AUTHORIZATION OF APPROPRIATIONS FOR AGRI-**
4 **CULTURAL RESEARCH SERVICE**
5 **COUNTERDRUG RESEARCH AND DEVELOP-**
6 **MENT ACTIVITIES.**

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

13 (1) \$5,000,000 shall be used for crop eradi-
14 cation technologies.

15 (2) \$2,000,000 shall be used for narcotics plant
16 identification, chemistry, and biotechnology.

17 (3) \$1,000,000 shall be used for worldwide crop
18 identification, detection tagging, and production esti-
19 mation technology.

20 (4) \$5,000,000 shall be used for improving the
21 disease resistance, yield, and economic competitive-
22 ness of commercial crops that can be promoted as
23 alternatives to the production of narcotics plants.

24 (5) \$10,000,000 to contract with entities meet-
25 ing the criteria described in subsection (b) for the

1 product development, environmental testing, reg-
2 istration, production, aerial distribution system de-
3 velopment, product effectiveness monitoring, and
4 modification of multiple mycoherbicides to control
5 narcotic crops (including coca, poppy, and cannabis)
6 in the United States and internationally.

7 (b) CRITERIA FOR ELIGIBLE ENTITIES.—An entity
8 under this subsection is an entity which possesses—

- 9 (1) experience in diseases of narcotic crops;
- 10 (2) intellectual property involving seed-borne
11 dispersal formulations;
- 12 (3) the availability of state-of-the-art contain-
13 ment or quarantine facilities;
- 14 (4) country-specific mycoherbicide formulations;
- 15 (5) specialized fungicide resistant formulations;
- 16 or
- 17 (6) special security arrangements.

18 **SEC. 303. MASTER PLAN FOR MYCOHERBICIDES TO CON-**
19 **TROL NARCOTIC CROPS.**

20 (a) IN GENERAL.—The Director of the Office of Na-
21 tional Drug Control Policy shall develop a 10-year master
22 plan for the use of mycoherbicides to control narcotic
23 crops (including coca, poppy, and cannabis) in the United
24 States and internationally.

1 (b) COORDINATION.—The Director shall develop the
2 plan in coordination with—

3 (1) the Department of Agriculture;

4 (2) the Drug Enforcement Administration of
5 the Department of Justice;

6 (3) the Department of Defense;

7 (4) the Environmental Protection Agency;

8 (5) the Bureau for International Narcotics and
9 Law Enforcement Activities of the Department of
10 State;

11 (6) the United States Information Agency; and

12 (7) other appropriate agencies.

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

17 **TITLE IV—ENHANCED INTER-**
18 **NATIONAL LAW ENFORCE-**
19 **MENT TRAINING**

20 **SEC. 401. ENHANCED INTERNATIONAL LAW ENFORCEMENT**
21 **ACADEMY TRAINING.**

22 (a) ENHANCED INTERNATIONAL LAW ENFORCE-
23 MENT ACADEMY TRAINING.—Funds are authorized to be
24 appropriated for the Department of Justice for fiscal years
25 1999, 2000, and 2001 for the establishment and operation

1 of international law enforcement academies to carry out
2 law enforcement training activities in the total amount of
3 \$13,400,000 which shall be available for the following pur-
4 poses:

5 (1) For the establishment and operation of an
6 academy which shall serve Latin America and the
7 Caribbean.

8 (2) For the establishment and operation of an
9 academy in Bangkok, Thailand, which shall serve
10 Asia.

11 (3) For the establishment and operation of an
12 academy in South Africa which shall serve Africa.

13 (b) MARITIME LAW ENFORCEMENT TRAINING CEN-
14 TER.—Funds are authorized to be appropriated for the
15 Department of Transportation and the Department of the
16 Treasury for fiscal years 1999, 2000, and 2001 for the
17 joint establishment, operation, and maintenance in San
18 Juan, Puerto Rico, of a center for training law enforce-
19 ment personnel of countries located in the Latin American
20 and Caribbean regions in matters relating to maritime law
21 enforcement, including customs-related ports management
22 matters, as follows:

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

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

3 (c) UNITED STATES COAST GUARD INTERNATIONAL
4 MARITIME TRAINING VESSEL.—Funds are authorized to
5 be appropriated for the Department of Transportation for
6 fiscal years 1999, 2000, and 2001 for the establishment,
7 operation, and maintenance of maritime training vessels
8 in the total amount of \$15,000,000 which shall be avail-
9 able for the following purposes:

10 (1) For a vessel for international maritime
11 training, which shall visit participating Latin Amer-
12 ican and Caribbean nations on a rotating schedule
13 in order to provide law enforcement training and to
14 perform maintenance on participating national as-
15 sets.

16 (2) For support of the United States Coast
17 Guard Balsam Class Buoy Tender training vessel.

18 **SEC. 402. ENHANCED UNITED STATES DRUG ENFORCE-**
19 **MENT INTERNATIONAL TRAINING.**

20 (a) MEXICO.—Funds are authorized to be appro-
21 priated for the Department of Justice for fiscal years
22 1999, 2000, and 2001 for substantial exchanges for Mexi-
23 can judges, prosecutors, and police, in the total amount
24 of \$2,000,000 for each such fiscal year.

1 (b) BRAZIL.—Funds are authorized to be appro-
2 priated for the Department of Justice for fiscal years
3 1999, 2000, and 2001 for enhanced support for the Bra-
4 zilian Federal Police Training Center, in the total amount
5 of \$1,000,000 for each such fiscal year.

6 (c) PANAMA.—

7 (1) IN GENERAL.—Funds are authorized to be
8 appropriated for the Department of Transportation
9 for fiscal years 1999, 2000, and 2001 for operation
10 and maintenance, for locating and operating Coast
11 Guard assets so as to strengthen the capability of
12 the Coast Guard of Panama to patrol the Atlantic
13 and Pacific coasts of Panama for drug enforcement
14 and interdiction activities, in the total amount of
15 \$1,000,000 for each such fiscal year.

16 (2) ELIGIBILITY TO RECEIVE TRAINING.—Not-
17 withstanding any other provision of law, members of
18 the national police of Panama shall be eligible to re-
19 ceive training through the International Military
20 Education Training program.

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

1 (e) ECUADOR.—Funds are authorized to be appro-
2 priated for the Department of Transportation and the De-
3 partment of the Treasury for each of fiscal years 1999,
4 2000, and 2001 for the buildup of local coast guard and
5 port control in Guayaquil and Esmeraldas, Ecuador, as
6 follows:

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

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

11 (f) HAITI AND THE DOMINICAN REPUBLIC.—Funds
12 are authorized to be appropriated for the Department of
13 the Treasury for each of fiscal years 1999, 2000, and
14 2001, \$500,000 for the buildup of local coast guard and
15 port control in Haiti and the Dominican Republic.

16 (g) CENTRAL AMERICA.—There are authorized to be
17 appropriated for the Department of the Treasury for each
18 of fiscal years 1999, 2000, and 2001, \$12,000,000 for the
19 buildup of local coast guard and port control in Belize,
20 Costa Rica, El Salvador, Guatemala, Honduras, and Nica-
21 ragua.

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 in the total amount of
12 \$58,900,000 which shall be available for the following pur-
13 poses:

- 14 (1) For support of the Merlin program.
15 (2) For support of the intercept program.
16 (3) For support of the Narcotics Enforcement
17 Data Retrieval System.
18 (4) For support of the Caribbean Initiative.
19 (5) For the hire of special agents, administra-
20 tive and investigative support personnel, and intel-
21 ligence analysts for overseas assignments in foreign
22 posts.

23 (b) DEPARTMENT OF STATE.—Funds are authorized
24 to be appropriated for the Department of State for fiscal
25 year 1999, 2000, and 2001 for the deployment of commer-

1 cial unclassified intelligence and imaging data and a Pas-
2 sive Coherent Location System for counternarcotics and
3 interdiction purposes in the Western Hemisphere, the
4 total amount of \$20,000,000.

5 (c) DEPARTMENT OF THE TREASURY.—Funds are
6 authorized to be appropriated for the United States Cus-
7 toms Service for fiscal years 1999, 2000, and 2001 for
8 enhancement of counternarcotic operations in drug transit
9 and source countries in the total amount of \$71,500,000
10 which shall be available for the following purposes:

11 (1) For refurbishment of up to 30 interceptor
12 and Blue Water Platform vessels in the Caribbean
13 maritime fleet.

14 (2) For purchase of up to 9 new interceptor
15 vessels in the Caribbean maritime fleet.

16 (3) For the hire and training of up to 25 spe-
17 cial agents for maritime operations in the Caribbean.

18 (4) For purchase of up to 60 automotive vehi-
19 cles for ground use in South Florida.

20 (5) For each such fiscal year for operation and
21 maintenance support for up to 10 United States
22 Customs Service Citations Aircraft to be dedicated
23 for the source and transit zone.

24 (6) For purchase of non-intrusive inspection
25 systems consistent with the United States Customs

1 Service 5-year technology plan, including truck x-
2 rays and gamma-imaging for drug interdiction pur-
3 poses at high-threat seaports and land border ports
4 of entry.

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

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

18 (2) The Joint Inter-Agency Task Force, West,
19 Alameda, California.

20 (3) The Joint Inter-Agency Task Force, South,
21 Panama City, Panama.

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

1 **SEC. 502. FUNDING FOR COMPUTER SOFTWARE AND HARD-**
2 **WARE TO FACILITATE DIRECT COMMUNICA-**
3 **TION BETWEEN DRUG ENFORCEMENT AGEN-**
4 **CIES.**

5 (a) **AUTHORIZATION.**—Funds are authorized to be
6 appropriated for the development and purchase of com-
7 puter software and hardware to facilitate direct commu-
8 nication between agencies that perform work relating to
9 the interdiction of drugs at United States borders, includ-
10 ing the United States Customs Service, the Border Patrol,
11 the Federal Bureau of Investigation, the Drug Enforce-
12 ment Agency, and the Immigration and Naturalization
13 Service, in the total amount of \$50,000,000.

14 (b) **AVAILABILITY.**—Funds authorized pursuant to
15 the authorization of appropriations in subsection (a) shall
16 remain available until expended.

17 **SEC. 503. SENSE OF CONGRESS REGARDING PRIORITY OF**
18 **DRUG INTERDICTION AND COUNTERDRUG**
19 **ACTIVITIES.**

20 It is the sense of Congress that the Secretary of De-
21 fense should revise the Global Military Force Policy of the
22 Department of Defense in order—

23 (1) to treat the international drug interdiction
24 and counter-drug activities of the Department as a
25 military operation other than war, thereby elevating
26 the priority given such activities under the Policy to

1 the next priority below the priority given to war
 2 under the Policy and to the same priority as is given
 3 to peacekeeping operations under the Policy; and

4 (2) to allocate the assets of the Department to
 5 drug interdiction and counter-drug activities in ac-
 6 cordance with the priority given those activities.

7 **TITLE VI—RELATIONSHIP TO** 8 **OTHER LAWS**

9 **SEC. 601. AUTHORIZATIONS OF APPROPRIATIONS.**

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

16 **TITLE VII—CRIMINAL BACK-** 17 **GROUND CHECKS ON PORT** 18 **EMPLOYEES**

19 **SEC. 701. BACKGROUND CHECKS.**

20 (a) **BACKGROUND CHECKS.**—Upon the request of
 21 any State, county, port authority, or other local jurisdic-
 22 tion of a State, the Attorney General shall grant to such
 23 State, county, port authority, or other local jurisdiction
 24 access to information collected by the Attorney General
 25 pursuant to section 534 of title 28, United States Code,

1 for the purpose of allowing such State, county, port au-
 2 thority, or other local jurisdiction to conduct criminal
 3 background checks on employees, or applicants for em-
 4 ployment, at any port under the jurisdiction of such State,
 5 county, port authority, or other local jurisdiction.

6 (b) PORT DEFINED.—In this section, the term
 7 “port” means any place at which vessels may resort to
 8 load or unload cargo.

9 **TITLE VIII—DRUG CURRENCY**
 10 **FORFEITURES**

11 **SEC. 801. SHORT TITLE.**

12 This title may be cited as the “Drug Currency For-
 13 feitures Act”.

14 **SEC. 802. DRUG CURRENCY FORFEITURES.**

15 (a) IN GENERAL.—Section 511 of the Controlled
 16 Substances Act (21 U.S.C. 881) is amended by inserting
 17 after subsection (j) the following:

18 “(k) REBUTTABLE PRESUMPTION.—

19 “(1) DEFINITIONS.—In this subsection—

20 “(A) the term ‘drug trafficking offense’
 21 means—

22 “(i) with respect to an action under
 23 subsection (a)(6), any illegal exchange in-
 24 volving a controlled substance or other vio-

1 lation for which forfeiture is authorized
2 under that subsection; and

3 “(ii) with respect to an action under
4 section 981(a)(1)(B) of title 18, United
5 States Code, any offense against a foreign
6 nation involving the manufacture, importa-
7 tion, sale, or distribution of a controlled
8 substance for which forfeiture is authorized
9 under that section; and

10 “(B) the term ‘shell corporation’ means
11 any corporation that does not conduct any on-
12 going and significant commercial or manufac-
13 turing business or any other form of commer-
14 cial operation.

15 “(2) PRESUMPTION.—In any action with re-
16 spect to the forfeiture of property described in sub-
17 section (a)(6) of this section, or section
18 981(a)(1)(B) of title 18, United States Code, there
19 is a rebuttable presumption that property is subject
20 to forfeiture, if the Government offers a reasonable
21 basis to believe, based on any circumstance described
22 in subparagraph (A), (B), (C), or (D) of paragraph
23 (3), that there is a substantial connection between
24 the property and a drug trafficking offense.

1 “(3) CIRCUMSTANCES.—The circumstances de-
2 scribed in this paragraph are that—

3 “(A) the property at issue is currency in
4 excess of \$10,000 that was, at the time of sei-
5 zure, being transported through an airport, on
6 a highway, or at a port-of-entry, and—

7 “(i) the property was packaged or
8 concealed in a highly unusual manner;

9 “(ii) the person transporting the prop-
10 erty (or any portion thereof) provided false
11 information to any law enforcement officer
12 or inspector who lawfully stopped the per-
13 son for investigative purposes or for pur-
14 poses of a United States border inspection;

15 “(iii) the property was found in close
16 proximity to a measurable quantity of any
17 controlled substance; or

18 “(iv) the property was the subject of
19 a positive alert by a properly trained dog;

20 “(B) the property at issue was acquired
21 during a period of time when the person who
22 acquired the property was engaged in a drug
23 trafficking offense or within a reasonable time
24 after such period, and there is no likely source
25 for such property other than that offense;

1 “(C)(i) the property at issue was, or was
2 intended to be, transported, transmitted, or
3 transferred to or from a major drug-transit
4 country, a major illicit drug producing country,
5 or a major money laundering country, as deter-
6 mined pursuant to section 481(e) or 490(h) of
7 the Foreign Assistance Act of 1961 (22 U.S.C.
8 2291(e) and 2291j(h)), as applicable; and

9 “(ii) the transaction giving rise to the for-
10 feiture—

11 “(I) occurred in part in a foreign
12 country whose bank secrecy laws render
13 the United States unable to obtain records
14 relating to the transaction by judicial proc-
15 ess, treaty, or executive agreement; or

16 “(II) was conducted by, to, or through
17 a shell corporation that was not engaged in
18 any legitimate business activity in the
19 United States; or

20 “(D) any person involved in the trans-
21 action giving rise to the forfeiture action—

22 “(i) has been convicted in any Fed-
23 eral, State, or foreign jurisdiction of a
24 drug trafficking offense or a felony involv-
25 ing money laundering; or

1 “(ii) is a fugitive from prosecution for
2 any offense described in clause (i).

3 “(4) OTHER PRESUMPTIONS.—The establish-
4 ment of the presumption in this subsection shall not
5 preclude the development of other judicially created
6 presumptions, or the establishment of probable cause
7 based on criteria other than those set forth in this
8 subsection.”.

9 (b) MONEY LAUNDERING FORFEITURES.—Section
10 981 of title 18, United States Code, is amended by adding
11 at the end the following:

12 “(k) REBUTTABLE PRESUMPTION.—In any action
13 with respect to the forfeiture of property described in sub-
14 section (a)(1)(A), there is a rebuttable presumption that
15 the property is the proceeds of an offense involving the
16 felonious manufacture, importation, receiving, conceal-
17 ment, buying, selling, or otherwise dealing in a controlled
18 substance (as defined in section 102 of the Controlled
19 Substances Act), and thus constitutes the proceeds of
20 specified unlawful activity (as defined in section 1956(c)),
21 if any circumstance set forth in subparagraph (A), (B),
22 (C), or (D) section 511(k)(3) of the Controlled Substances
23 Act (21 U.S.C. 881(k)(3)) is present.”.

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