

APPENDIX A

ANTI-DRUG ABUSE ACT OF 1986, PUBLIC LAW 99-570 (OCT. 27, 1986) OTA SELECTED SUMMARY OF INTERDICTION PROVISIONS

Title III—Interdiction

Subtitle A—Department of Defense Drug Interdiction Assistance

Section 3052—Authorization.—Funds authorized to be appropriated to DOD for Fiscal Year 1987 for enhancement of drug interdiction:

- \$138 million for refurbishment and upgrading of four E-2C Hawkeye aircraft, or any other Navy aircraft which the Secretary considers better suited to perform the interdiction mission; and for the procurement of four replacement aircraft of the same type and related spares for the Navy;
- \$99.5 million for procurement of seven aerostats; and
- \$40 million for procurement of eight Blackhawk helicopters.

Two of the Hawkeyes (or whatever aircraft is chosen) are to be made available on loan to Customs, and the other two to the Coast Guard. Customs and Coast Guard shall be responsible for operation and maintenance costs.

The agencies that will be in charge of the aerostats and helicopters are to be designated by the Chairman of the National Drug Enforcement Policy Board.

The equipment procured under this Act may be obligated for enhancement of drug enforcement activities only if it is fully supportable within the existing service support system of DOD, and it reasonably related to an existing military, war reserve, or mobilization requirement.

Section 3053—Coast Guard Activities.—The Navy shall transfer \$15 million from Fiscal Year 1987 O&M appropriations to the Secretary of Transportation to be available for members of the Coast Guard assigned to duty on Navy vessels.

The Fiscal Year 1987 active duty strength level for the Coast Guard is increased by 500 above any number otherwise provided by law.

A new section is added to Title 10 Chapter 18 U.S.C. providing that for each fiscal year, no fewer than 500 active duty personnel of the Coast Guard trained in law enforcement shall be assigned on board appropriate surface naval vessels, with the power to make arrests and carry out searches and seizures. (Such personnel may be assigned other duties if it is determined that there are insufficient naval vessels available.)

Forty-five million dollars shall be authorized from DOD funds for the installation of 360 degree radar systems on Coast Guard long range surveillance aircraft.

Section 3057—Additional Department of Defense Drug Law Enforcement Assistance.—Within 90 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a detailed list of all forms of assistance that shall be made available by DOD to civilian drug law enforcement and drug interdiction agencies, and a detailed plan for promptly lending equipment and rendering interdiction related assistance to such agencies.

The list shall include:

- surveillance equipment;
- communications equipment, including secure communications;
- support available from the reserve components of the armed forces;
- intelligence on growing, processing, and transshipment of drugs;
- support from the Southern Command and other commands available to assist in interdiction;
- aircraft suitable for use in air-to-air detection, interception, tracking, and seizure;
- marine vessels suitable for use in maritime detection, interception, tracking, and seizure; and
- land vehicles appropriate for interdiction operations.

The House and Senate Committees on Armed Services shall submit their approval or disapproval of such a list to the Secretary of Defense within 30 days after receiving it. Upon receipt of approval or disapproval, the Secretary shall immediately convene a conference of the heads of Federal drug law enforcement agencies to determine appropriate distribution of assets and assistance. Not later than 60 days after the convening of this conference, the Secretary and heads of the agencies shall enter into appropriate memoranda of agreement specifying such distribution.

Compliance with this section is to be monitored by the Comptroller General, who shall transmit to Congress a report containing his/her findings, including a review of memoranda of agreement, no later than 90 days after the convening of the conference described above.

Subtitle B—Customs Enforcement

Section 3141—Authorization of Appropriations for Fiscal Year 1987 for the United States Customs Service.—An appropriation of \$1,001,180,000 is authorized for Customs salaries and expenses for Fiscal Year 1987:

- \$749,131,000 for salaries and expenses to maintain current operating levels, including sums necessary to complete testing of and implement the automatic license plate reader program;
- \$80,999,000 for salaries and expenses of additional personnel to be used in carrying out drug enforcement activities; and
- \$171,050,000 for the air interdiction program. Of the sum for the air interdiction program:
 - \$93.5 million is for additional aircraft, communications enhancements, and C³1 centers; and
 - \$350,000 is for a feasibility and application study for a low-level radar detection system in collaboration with the Los Alamos National Laboratory.

Subtitle D—Coast Guard

Section 3251—Coast Guard Drug Interdiction Enhancement.—Eighty-nine million dollars is authorized to be appropriated to the Coast Guard for acquisition, construction, and improvements.

Thirty-nine million dollars is authorized to be appropriated for operating expenses. This amount shall be used to increase the Fiscal Year 1987 full-time equivalent strength level for active duty personnel to 39,220, and to increase the utilization rate of Coast Guard equipment.

Subtitle E—United States-Bahamas Drug Interdiction Task Force

Section 3301—Establishment of a United States-Bahamas Drug Interdiction Task Force.—The Secretary of State, Coast Guard Commandant, Attorney General, and head of NNBIS shall immediately commence negotiations with the Government of the Bahamas to enter into a detailed agreement for the establishment and operation of a drug interdiction task force. The Attorney General shall report quarterly to appropriate Congressional committees on the progress of this Task Force. \$10 million is authorized to be appropri-

ated: \$9 million for 3 pursuit helicopters and \$1 million for communications.

Five million dollars is authorized to be appropriated to the Coast Guard for Fiscal Year 87 for initial design engineering and other activities for the construction of a drug interdiction docking facility in the Bahamas to facilitate Coast Guard and Bahamian drug interdiction operations in and through the Bahama Islands.

Subtitle F—Command, Control, Communications, and Intelligence Centers

Section 3351—Establishment of Command, Control, Communications, and Intelligence Centers (C³I).—Twenty-five million dollars is authorized to be appropriated to Customs for the establishment of C³I centers, including sector operations centers and a national C³I center. The coordination of the establishment and location of these centers is to be conducted by the Commissioner of Customs together with the Commandant of the Coast Guard, the Attorney General, and NNBIS.

Subtitle H—Department of Justice Funds for Interdiction Operations in Hawaii

Section 3421—Additional Funds for the Department of Justice.—Seven million dollars is authorized to be appropriated to the Department of Justice for Fiscal Year 1987 for helicopters with FLIR devices for drug interdiction operations in Hawaii.

Title VII—National Antidrug Reorganization and Coordination

Section 7003—Submission of Legislation

Not later than 6 months after the enactment of this title, the President shall submit to each House of Congress recommendations for legislation to reorganize the Executive Branch to more effectively combat drug traffic and abuse. In preparation of such recommendations, the President shall consult with the Comptroller General, State and local law enforcement authorities, relevant committees of Congress, the Attorney General, and the Secretaries of State, Treasury, Transportation, Health and Human Services, Defense, and Education.