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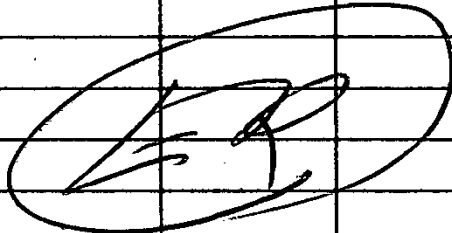
SUBJECT:

**EXECUTIVE SECRETARIAT**  
**ROUTING SLIP**

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Remarks

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Executive Secretary  
19 May '88  
Date



**NATIONAL DRUG POLICY BOARD**  
Washington, D.C. 20530

Executive Registry

88-1993X/1

May 18, 1988

The Honorable William H. Webster  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Webster:

The Chairman has asked that I forward the enclosed list of draft legislative ideas that may be included in an Administration Anti-drug Legislative Initiative.

The purpose of the list is to provide a basis for discussion at tomorrow's National Drug Policy Board Meeting. The enclosed list is a collection of legislative ideas drawn from the House Republican Drug Task Force, the White House Conference draft report recommendations, the NDPB strategic planning process and the Coordinating Groups review of the DeConcini/D'Amato Bill (S-2205).

Mr. Meese has asked that you review this list with the intent of discussing these and any other proposals you might wish to recommend to the review process.

Sincerely,

David Pickens  
Executive Director

Enclosures

DCI  
EXEC  
REG

B-213-R

LEGISLATIVE INITIATIVES FOR  
THE CRUSADE FOR A DRUG-FREE AMERICA:  
THE NEXT STEP - ZERO TOLERANCE

**THEME: BOLD INTERNATIONAL OPERATIONS AND CONTROL**

1. Weapons and military assistance for anti-narcotics forces in cooperating foreign countries.
2. Increased international eradication/crop substitution funding in conjunction with UNFDAC and through bilateral agreements.
3. Increased intelligence capabilities with authority for DCI to provide intelligence information for law enforcement investigations against American citizens engaged in narcotics trafficking.
4. Revise certification procedures/process to make it more workable.

**THEME: STRONG DOMESTIC LAW ENFORCEMENT**

1. Drug Free America Act of 1986 (transmitted Sept.15, 1986).
  - Language permitting the death penalty against a person who intentionally kills another while engaged in a continuing drug enterprise;
  - Establishment of "good faith" exceptions to the exclusionary rule, which prohibits introduction of illegally seized evidence in criminal cases;
  - Language modernizing and clarifying the statutory basis for the Marshals Service to permit it to carry out its law enforcement responsibilities more effectively;
  - Establishment of a system for reporting on the manufacture and sale of precursor and essential chemicals;
  - Language exempting certain drug abuse related Government contracts from the procurement laws and permitting domestic dissemination of USIA materials warning against the dangers of illegal drug use; and
  - Amendments to the Civil Service Reform Act and Rehabilitation Act to clarify that they do not bar Federal agencies from taking disciplinary action against Federal employees found to be using illegal drugs.

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2. Criminal Justice Reform Act (transmitted Oct. 16, 1987).
  - ° Establishment of constitutional procedures for imposition of the death penalty in appropriate Federal cases;
  - ° Establishment of a "good faith" exception to the exclusionary rule; and
  - ° Language reforming Federal habeas corpus procedures to give greater finality to the judgement of State courts.
3. Increased Assistance to State/Local Law Enforcement for Zero Tolerance Programs, particularly:
  - ° Amend law enforcement grant program funding and Forfeiture Fund statutes to permit law enforcement agencies to use funds provided for demand reduction activities.
  - ° Increased street level enforcement with additional support for joint DEA/Local Crack Task Forces;
  - ° Participation in federal law enforcement operations, like Operation Alliance, Operation Hat Trick, Organized Crime Drug Enforcement Task Forces (OCDETF);
  - ° Payment of overtime compensation for participation in joint Federal operations; and
  - ° Domestic eradication programs.
4. Rewards for individuals providing information leading to the arrest and conviction of drug traffickers, similar to the reward program for terrorism (18 U.S.C. 3071).
5. Increased Law Enforcement Assistance for Public Housing with mandatory drug testing for security personnel.
6. Investigations.
  - ° Allow disclosure of IRS Form 8300 (Report of \$10,000 Received in Trade or Business). Also transfer 26 U.S.C. 6050 to Title 31. Also amend Non-Disclosure Statute;

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- Remove restrictions on the use of Federal Reserve data;
  - Amend 18 U.S.C. 1856 (Money Laundering) to include customs violations, such as fraud and copyright violations as predicate offenses; define "gross proceeds" to mean receipts and not merely profits; and include a minimum mandatory sentence;
  - Add CTR exemption list to financial data base;
  - Grant Customs Foreign Bank Account Report (FBAR) investigative jurisdiction;
  - Strengthen 18 U.S.C. 981 forfeiture through "facilitation" clause; and
7. Mandatory Minimum Sentences For:
- Drug traffickers;
  - Drug traffickers using youth in distribution; and
  - Drug traffickers selling to youth.

**THEME: INCREASED INTERDICTION EFFORTS**

1. Increase military contribution by providing additional resources (as requested by law enforcement agencies); use of reserve training periods for anti-drug operations; use of National Guard, Reserves, and active military for domestic eradication; no arrest authority for military personnel.
2. Increase research and development for technological methods to detect narcotics in containers; designate national labs with law enforcement mission.
3. Provide civil and criminal penalties against financial institutions for violations of the recordkeeping provisions of the Bank Secrecy Act (similar to penalties for violations of reporting provisions).
4. Specify the mission of the Coast Guard in 14 U.S.C., "Roles and Missions" to address Coast Guard law enforcement over the high seas, i.e. interdiction in the air environment, as well as interdiction on and under the sea.

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5. Grant explicit authority to Coast Guard and Customs over aircraft -- to order a landing, inspect aircraft, compel compliance with landing request and, when a Customs or Coast Guard aircraft or vessel is launched or dispatched, authorize the government to require payment by the owner/operator of the reasonable operational costs incurred in identifying the suspect aircraft. Authorize the imposition of requiring the owner/operators of vessels to pay the reasonable operational costs incurred in identifying suspect vessels.
6. Require all civil aircraft operating into, within or out of a coastal Air Defense Identification Zone (ADIZ) to be equipped with an operating transponder.
7. Require all general aviation aircraft entering U.S. airspace to fly established "air corridors" enroute to international airports of arrival.
8. Clarify that Navy and U.S.C.G. Taclet personnel conducting operations under Posse Comitatus exception, have similar immunity from civil liability in the use of force to compel compliance with orders to allow boarding, as do Coast Guard personnel.
9. Provide explicit extraterritorial application of 19 U.S.C. 844 (simple possession), in order to allow for the inclusion of possession as a lesser-included offense in drug trafficking cases.
10. Remove the words "drug interdiction area" from 10 U.S.C. 379, the codification of Coast Guard conducting law enforcement from Navy vessels as a Posse Comitatus exception.
11. Provide an exception to Federal Procurement Regulations authorizing sole source procurement for law enforcement agencies, similar to the exception for defense purposes.

**THEME: USER ACCOUNTABILITY AND DEMAND REDUCTION**

1. Drug Free Communities: Establishment of the National Drug Prevention Agency as independent agency to promote, direct, coordinate anti-drug campaign, similar to ACTION. Member of National Drug Policy Board. Serve as focal point for developing and implementing a national drug prevention public awareness campaign. The Director of the NDPA would serve as member of the National Drug Policy Board.
2. Treatment of Illegal Drug Users: Encourage State and Local governments to establish a new "system" which would facilitate work with both the health and law

DRAFT INTERNAL WORKING DOCUMENT

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enforcement/judicial officials to track and monitor drug users to maximize effective incentives and sanctions to ensure compliance with a drug free model. Increase resources for drug treatment programs under which the Federal Government, the State Government, and the Local Community Government sharing the funding on a 1/3 - 1/3 - 1/3 basis. Treatment provided under these funds must provide the requirement for drug-free accountability in program and mandatory drug testing of treatment recipients.

2. Zero Tolerance Incentives and User Sanctions for Drug-Free Workplaces, Schools, Transportation, Prisons, and Public Housing:
  - a. Establish additional alternative civil penalties for drug use/possession for use in criminal prosecution. For example:
    - Required public or community service;
    - Fines bases on personal assets or percentage of income;
    - No student loans;
    - No FHA loans;
    - No small business loans;
    - Restrict passport issuance for period of time; and
    - Loss of federal drivers license; encourage states to restrict drivers license.
  - b. Require individual drug tests using federal guidelines for:
    - Federal arrestees and parolees; and
    - All applicants for federal licenses to operate public conveyances, aircraft, or vessels.
  - c. Require proof of drug-free programs.
    - As condition for federal contracts or grants; and,
    - As condition for university/education grants.
3. Amend existing federal legislation for drug abuse education and prevention programs to assure accountability for

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results, with provisions to tie in continued funding to a measurable decrease in drug and alcohol abuse in given schools, counties.

4. Require all federal drug funds to state/local governments are expended on programs that are tied to policy of zero tolerance with sanctions against drug users. For example:
  - Highway grants conditioned on the passage of state legislation restricting drivers licenses of convicted drug users

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**NATIONAL DRUG POLICY BOARD**  
Washington, D.C. 20530

Executive Registry

88-1993X

May 13, 1988

Dear Director Webster:

The next meeting of the National Drug Policy Board is scheduled for an hour and a half on May 19, 1988 at 10:00 a.m. in the Roosevelt Room, The White House. Enclosed please find a copy of the draft agenda.

If you have any questions regarding this principals only meeting, please do not hesitate to contact me (633-3435).

Sincerely,

DAVID PICKENS  
Executive Director

Enclosure

The Honorable William H. Webster  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

cc: The Honorable William R. Kotapish



R-212-1R

**DRAFT**

AGENDA  
NATIONAL DRUG POLICY BOARD  
THURSDAY, MAY 19, 1987  
10:00 A.M., ROOSEVELT ROOM  
THE WHITE HOUSE

I. Introductory Remarks by Chairman Meese

II. Legislative Developments (Mr. Keating)

Omnibus Drug Legislation

Mr. Keating will describe the current state of play and interaction between the Administration and the various players on the Hill concerning the various omnibus drug legislative initiatives.

III. Zero Tolerance Initiative (Dr. Macdonald)

Dr. Macdonald will discuss recent "Zero Tolerance" initiatives and other related developments including the status of the publication.

IV. Toronto Economic Summit

The seven industrialized nations (United States, France, West Germany, United Kingdom, Italy, Japan and Canada) will convene their annual meeting in Toronto on June 19, 1988. Illegal drugs has been identified as a potential agenda item to be discussed among the nation's leaders. National Security Council will brief on the proposed issues to be raised and discussed.

V. New Business


**EXECUTIVE SECRETARIAT**

**ROUTING SLIP**

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9	Chm/NIC		X		
10	GC				
11	IG				
12	Compt				
13	D/OCA				
14	D/PAO				
15	D/PERS				
16	D/Ex Staff				
17	NIO/CN		X		
18	EA/DCI		X		
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Remarks Secretariat assumes DDI will attend this Drug Policy Board meeting on Thursday, 19 May.



Executive Secretary

16 May '88

Date

STAT

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NATIONAL DRUG POLICY BOARD  
Washington, D.C. 20530

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Sincerely,

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DAVID PICKENS  
Executive Director

Enclosure

The Honorable William H. Webster  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

cc: The Honorable William R. Kotapish



B-213, R

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