

~~ADMINISTRATIVE INTERNAL USE~~

DRUG
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OCA FILE

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MEMORANDUM FOR:
 Counternarcotics Center

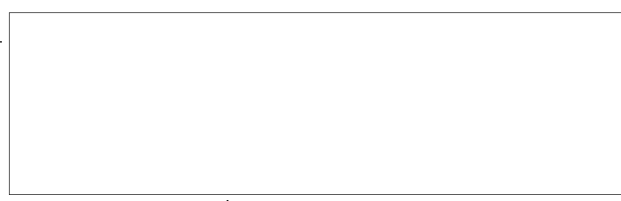
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FROM:
 Legislation Division
 Office of Congressional Affairs

SUBJECT: Multilateral Anti-Narcotics Strike Force

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On September 20, 1989, the Senate passed an amendment to the Foreign Operations Appropriations Act, which would allow the President to use, out of the money appropriated to the State Department for international narcotics control, the amount necessary to fund the U.S. participation in a multilateral anti-narcotics strike force. I am attaching for your information, a copy of the Congressional Record on that date which has the amendment and the accompanying remarks.



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Attachment

~~ADMINISTRATIVE INTERNAL USE~~

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SUBJECT: Multilateral Anti-Narcotics Strike Force

OCA/LEG/ [redacted] (27 Sep 1989)

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such instability by reducing our economic aid at this critical juncture. As the Commission stated in its report:

Durable peace, genuine democracy and equitable development are indivisible. None is sufficient by itself; each is necessary for the attainment of the other. Without peace, there can be no development. But without equitable development, democracy cannot be sustained, and without democracy, there will be no lasting peace.

I urge the adoption of the amendment.

Mr. KASTEN. Mr. President, we have had an opportunity to review this amendment and urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment (No. 808) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KASTEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT No. 809

(Purpose: To authorize the expenditure of funds for a multilateral anti-narcotics strike force.)

Mr. KASTEN. Mr. President, I send an amendment to the desk on behalf of Mr. SPECTER and Mr. KERRY.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Wisconsin (Mr. KASTEN) for Mr. SPECTER (for himself and Mr. KERRY) proposes an amendment numbered 809.

Mr. KASTEN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 41, under the heading entitled "International Narcotics Control", at line 8, strike the period and insert in lieu thereof the following: "Provided further, That of the funds made available under this heading, such funds as the President deems necessary may be made available for the funding of U.S. participation in a multilateral anti-narcotics strike force not including any communist or Warsaw past troops. Provided further, That funds for such a force may only be provided if the Committees on Appropriations of the House of Representatives and of the Senate are notified at least 15 days in advance of the obligation of funds."

Mr. KASTEN. Mr. President, I simply want to say that this is an amendment which the Senate has considered in the past on previous legislation. It is being added to this legislation. It has to do with an international antidrug task force.

Mr. SPECTER. Mr. President, today I offer an amendment to the fiscal year 1990 Foreign Operations Appropriations Act, H.R. 2939, regarding the establishment of an international strike force to identify, locate, and apprehend international criminals.

In 1988, the Senate included language at my urging in the Anti-Drug Abuse Act, which Congress passed and the President signed into law (P.L. 100-690), expressing the sense of the Congress that "the President should call for international negotiations for the purpose of agreeing on the establishment of an international drug force to pursue and apprehend major international drug traffickers."

On July 20 of this year, Senator KERRY and I successfully offered an amendment to the State Department Authorization bill to expand the concept and mission of the force from a "drug force" to a "strike force." That amendment also recognized the role of the strike force in pursuing international terrorists, in addition to targeting international drug kingpins as Congress provided for previously.

The amendment Senator KERRY and I offer today authorizes the expenditure of funds to further U.S. participation in such a strike force, if and when it is established.

Mr. President, the urgent need for establishment of such an international strike force is clearly apparent. The most recent statistics compiled by the State Department in its March 1989 report, Patterns Of Global Terrorism, reflect that transnational terrorists have set a record in 1988 for the number of attacks and have demonstrated the potential to continue their violent activities with impunity. The report states: "The 856 international terrorist incidents recorded in 1988 resulted in 658 persons killed and 1,131 wounded, including casualties to terrorists themselves."

According to the State Department report, last year alone terrorists were responsible for such tragedies as the hijacking of a Kuwaiti airliner in April, the attack on a day-excursion ship off the coast of Greece in July, and the bombing of Pan Am flight 103 over Scotland in December. Moreover, the United States suffered a substantial increase in terrorist attacks against, and casualties of, Americans abroad last year.

But terrorism is not only an American problem, it is an international problem. The State Department reports that citizens and property of 79 nations were attacked by international terrorists in a total of 68 countries and the majority of victims were the least protected—innocent tourists and businesses. With terrorists traveling under many aliases and with the protection or encouragement of certain states, the problem is too large and too widespread to be handled by the forces of one nation. It is time to look toward a global response.

The international narcotics trade also poses a serious threat to world safety as drug kingpins make their fortunes trafficking drugs in the global market. Reports indicate that as many as 50 countries are involved in the production, processing, and transporting of narcotics, forming an international

network aimed especially at American consumers.

The United States is fighting this scourge on numerous fronts. In December 1988, a New York Review of Books article reported that the United States almost has doubled the budget of the Drug Enforcement Administration (DEA) during the last 5 years. Other efforts cited were the establishment of a drug interdiction center in El Paso and installation of detection devices along our borders. The Reagan administration deployed sophisticated AWACS planes over the Caribbean. In Latin America, special agents have been assigned to gather intelligence on cocaine producers. Additionally, the State Department is deploying Huey helicopters, and the Green Berets are instructing local police in the art of paramilitary operations.

Yet, despite these efforts, the international narcotics industry has flourished. The problem is too large and too widespread to be handled by one nation. It is time to look toward a global response.

The case for establishment of an International Strike Force to combat the scourge of international drug trafficking and terrorism is rapidly developing. Many governments throughout the world currently are under seige by powerful international drug kingpins and violent terrorists. The justice systems of many countries have been immobilized due to the tremendous power these criminals wield. A shocking example is Colombia, where drug lords have assassinated a presidential candidate, a minister of justice, an attorney general, the head of the anti-narcotics police, 2 dozen journalists, more than 50 judges, and hundreds of police. Many countries also fear retaliation for their law enforcement efforts by terrorists or violent international criminals. Nation's internal security forces simply are ill-equipped to combat this growing and dangerous criminal element.

A foreign government may be concerned that local residents will rebel against its decision to extradite a powerful national, albeit an international criminal, by storming the embassy or foreign interests of the government receiving the extradited felon. Extraditing drug kingpins to the United States, for example, has sparked nationalistic uprisings against American interests. An illustration of this violent reaction was seen in Honduras in April 1988, when American and Honduran authorities jointly seized a major international drug trafficker, Juan Ramon Matta Ballesteros, and brought him to the United States for trial. A riot ensued and the United States Embassy in Honduras was attacked by an angry mob. This deep nationalistic sentiment also is reflected in opinion polls which show that approximately two-thirds of all Colombians are opposed to extradition, regarding it as a violation of na-

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tional sovereignty and a provocation for more drug violence.

As the extent and level of violence continue to escalate in certain regions of the world, more and more governments are seeking outside help. Most recently, the Prime Minister of Jamaica, Michael Manley, expressed his strong interest in the formation of a regional drug force in the Western Hemisphere. According to a June 10, 1989, Washington Post report, Prime Minister Manley predicts that the drug cartels will expand their operations into international markets that were previously ignored. As a result, the Prime Minister stated that "the only effective solution is international action—a multilateral force, similar to the U.N. peacekeeping force that could be mobilized quickly at the invitation of foreign leaders." Moreover, Prime Minister Manley recognized "that by operating under the umbrella of the United Nations or some other international body, such a force would be less likely to arouse nationalist sentiments that have confronted some U.S. anti-drug actions in foreign countries."

Prime Minister Manley discussed his proposal for a multinational antidrug strike force at a recent dinner sponsored by TransAfrica, an organization which focuses on United States policy in Africa and the Caribbean. As reported in the Christian Science Monitor on June 19, 1989, the Prime Minister suggested that the members of the strike force "would be selected from countries that would be politically acceptable to the host nation and would be mobilized only at the invitation of the nation's government." His proposal for the multinational antidrug strike force garnered so much support from the guests that he received two standing ovations.

Similarly, in a July 1988 Letter to the Editor of the New York Times, former U.S. Ambassador to Barbados, Paul A. Russo, strongly endorsed a multinational force to combat drugs. Mr. Russo is troubled by the problems the smaller Caribbean nations face in combating illegal drug operations due to their lack of resources. He stated: "A multinational force destroying the source of the supply in South America would lessen the pressure on this part of the world and give these small island nations time to keep ahead of a growing narcotics problem."

Endorsements for international action is not limited to smaller countries. Many governments recognize that the problems of drugs and terrorism are global and must be addressed more effectively through international cooperation and collective efforts.

Strong precedent supports the amendment I offer today. As cited above, the Anti-Drug Abuse Act of 1988, which the Senate passed overwhelmingly, expresses the sense of the Congress that the President should call for international negotiations for the purpose of agreeing on the establishment of an international drug

force to pursue and apprehend major international drug traffickers. The new law also included a specific provision for the formulation of a multinational force in the Western Hemisphere to conduct operations against international illegal drug smuggling organizations. Congress is aware of the imminent threat that international drug smugglers pose to small nations and this provision demonstrates our commitment to provide equipment, training, and financial resources to support the establishment and operation of a regional antinarcotics force.

Mr. President, the Congress also has recognized the pressing need for assisting foreign governments on the international level in the prosecution of international criminals. In 1986, the Senate adopted my amendment on the Omnibus Diplomatic Security Act—Public Law 99-399—which calls on the President to consider international negotiations to establish an International Court to try terrorists. The scope of this initiative was expanded by my amendment to the Anti-Drug Abuse Act of 1988 to include international drug traffickers and other international criminals within the court's jurisdiction.

As with the international criminal court amendments, the amendment Senator KERRY and I offer today is merely the next logical step in a lengthy process of study and negotiations to establish an international strike force. As my colleagues are aware, many issues will need to be addressed, such as the composition of the force, the participating member nations, the specific role of the force, and the primacy of nations' sovereignty. This amendment, however, represents an important step forward in the development of this urgently needed international force.

The establishment of an International Criminal Court will provide a necessary mechanism for the prosecution and detention of terrorist and international drug traffickers. The formation of an international strike force will complement the role of the International Criminal Court by providing a mechanism to identify, pursue, and apprehend these dangerous international criminals.

Accordingly, I urge my colleagues to join in support of this amendment to strike another blow against terrorist and international drug traffickers.

Mr. KERRY. Mr. President, Senator SPECTER and I offer an amendment which would give the authority to utilize funds from the International Narcotics Control Program to fund an international antidrug strike force. Such a force, proposed first by the Congress in the Anti-Drug Abuse Act of 1988 and more recently by Prime Minister Michael Manley of Jamaica, would be a potent weapon in the ongoing war against the drug cartels.

This is a very simple amendment. It does not authorize any new programs and it does not place any restrictions

on the administration. It simply gives the administration the ability to transfer funds for a multilateral antidrug strike force. I believe that this program is essential, but I recognize that we should not mandate it at this time.

Mr. President, this is a timely issue, and it is a critical issue. The Government of Colombia is currently engaged in a hot war against the drug lords in Colombia, and we are left on the sidelines. While we can send military aid to Colombia, we have no way of helping with direct military support. Given the history and sensitivity about United States troops in Latin America, Colombia is very unlikely to ask for United States forces to assist them in their efforts. If there were a multilateral strike force in place, the Colombian Government would have the needed helping hand to which it could turn.

We have already lost this opportunity to help a nation struggling for its very survival against the drug kingpins. We need to ensure that other such chances do not go by. As Colombia's courageous struggle continues, we can get the Colombian Government military aid—late perhaps, but that is better than never.

As I noted earlier in my remarks, this is an issue we in Congress have addressed previously. In 1988, the Senate included language in the Anti-Drug Abuse Act—Public Law 100-690—expressing the sense of the Congress that the President should call for international negotiations for the purpose of agreeing on the establishment of an international drug force to pursue and apprehend major international drug traffickers. Yet, no action has been taken by the executive branch to follow up on that proposal. Now that we face a situation for which such a force was intended, there is no force to use. We need to establish such a force now, and our amendment is intended to ensure that the administration has the funding to support such a force.

Mr. President, the Senate earlier considered this amendment in the Department of State authorization bill, where a much more extensive version was offered by Senator SPECTER and myself. That amendment was accepted by the managers of the bill. It authorized the administration to support strongly the establishment of a multilateral strike force. This amendment provides the administration with the important ability to transfer funds for such a force.

As this year progresses, we will continue to face the issue of appropriate military response to the war on drugs. In the Terrorism, Narcotics and International Operations Subcommittee of the Foreign Relations Committee, we will be holding hearings on this very issue. I know there will be considerable disagreement on the question of direct U.S. military involvement in the drug war. I am sure, however, that we

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all will agree that whether or not the United States military should be directly involved, a multilateral strike force is needed as an additional weapon in our arsenal.

One final point should be made. Jamaican Prime Minister Michael Manley is to be commended for pursuing a multilateralization of the war on drugs. He deserves credit for pressing this concept in a variety of multilateral fora. His nation, with limited resources, is attempting to deal with a drug problem which threatens to overwhelm that country. I think it is important for us to heed his call for the creation of such a force because he understands all too well the threat to the national security of this country posed by the drug cartels. He deserves credit for demonstrating the courage to deal with this threat with constructive proposals before it reaches crisis proportions in Jamaica. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there further discussion on the amendment? Hearing none, the question is on agreeing to the amendment. The amendment (No. 809) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KASTEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 810

Mr. LEAHY. Mr. President, I send to the desk an amendment on behalf of Mr. SIMON.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk reads as follows:

The Senator from Vermont [Mr. LEAHY] for Mr. SIMON, proposes an amendment numbered 810.

Mr. LEAHY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 47, line 14, insert the following after the colon: "Provided further, That of the funds appropriated under this heading for countries in sub-Saharan Africa \$5,000,000 shall be available for Malawi."

Mr. KASTEN. Mr. President, we have had an opportunity to review the amendment and urge its adoption.

The PRESIDING OFFICER. Is there further discussion? The question is on agreeing to the amendment.

The amendment (No. 810) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KASTEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 811

Mr. LEAHY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk reads as follows:

The Senator from Vermont, Mr. LEAHY, propose an amendment numbered 811.

Mr. LEAHY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 142, line 12, insert "determined that there is" after "has".

Mr. LEAHY. Mr. President, this language clarifies section 581 of the bill relating to job-related crimes. This clarification is necessary to ensure that it is the Secretary of State's determination of reasonable cause that a grievant has committed a job-related crime which is the operative fact, not the reasonable cause itself.

The PRESIDING OFFICER. Is there further discussion?

Mr. KASTEN. Mr. President, we have had an opportunity to review this amendment and urge its adoption.

The PRESIDING OFFICER. Hearing no further discussion, the question is on agreeing to the amendment.

The amendment (No. 811) was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KASTEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SUSTAINABLE USE OF RENEWABLE RESOURCES

Mr. HEINZ. Mr. President, let me start by commending the Senator from Wisconsin [Mr. KASTEN] and the Senator from Vermont [Mr. LEAHY] for including comprehensive provisions in the pending bill to support sustainable use of renewable resources. They provide for the implementation of a pilot debt for nature program at the World Bank, and elsewhere and enhance the participation of nongovernmental organizations in environmental policies. They have my full support for these efforts.

I also want to be clear on what this language does, as this appears to be a very much abbreviated version of language Senator KASTEN and I included in the State Department authorization earlier this year. I would like to ask the Senator from Wisconsin if this language will have the effect of directing the Secretary of the Treasury to determine the best location for a debt-for-nature clearinghouse, and whether it will also instruct the U.S. executive directors at the MDB's to support debt for nature swaps and assist in setting sustainable development guidelines for bank lending?

Mr. KASTEN. The Senator is correct. That is exactly what this lan-

guage will accomplish, and I appreciate his making the record clear on that point.

So that it is perfectly clear, I would like to highlight just four points that we expect to be carried out in the implementation of these provisions. These points parallel the amendment we adopted on the State authorization.

First, the Treasury will conduct an analysis of where to best locate a debt for nature clearing house.

Second, those findings will be reported to this committee along with a timetable for their implementation.

Third, instructions will be given to the U.S. executive directors to the MDB's on the implementation of those recommendations and

Fourth, the ED's at each MDB will seek guidelines to support the sustainable use of natural resources.

Mr. HEINZ. I believe these provisions are important and would make a sound policy even if we did not face the potential of global environmental crisis. But the fact is we face just that. Man's activities are eliminating species from the planet at a rate unparalleled since the Mesozoic era, 65 million years ago. The rate of species extinction in rainforest areas—where the majority of the Earth's species reside—is presently 4,000 species per year. That is a level more than 10,000 times the prehuman global extinction rate.

Recently, no less a figure than E.O. Wilson, perhaps the most respected biologist in the United States and a foremost authority on the extinction of flora and fauna in the world commented that man's continued actions such as deforestation will cause the extinction of at least 25 percent of all the world's existing species within the next 50 years. The elimination of one out of every four species may or may not exclude ours, but it will almost certainly include species whose existence is critical to our ability to maintain life as we know it.

Debt for nature swaps by themselves are not the answer. But coupled with a commitment to sustainable development by private and multilateral lenders—which provide 90 percent of the developing world's capital formation—can be the answer.

Without this commitment the increasing pressures of global warming, the ozone hole and many other predicted strains on the Earth will overtake us.

Sustainable development makes sense on its face.

Both investors and borrowers will get more return on the long-term use of renewable resources than if these same resources are destroyed for quick profit.

As I mentioned, the Senate previously adopted language to promote these initiatives. This is but a simplified version. It is important to emphasize our strong intention in this body to pursue