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DEA

THE WHITE HOUSE
WASHINGTON

March 11, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*
SUBJECT: Department of Justice Proposal to
Except DEA from the Competitive Service

Robert McConnell is seeking OMB clearance of a legislative proposal to except all DEA positions from the competitive service, and place the incumbents of those positions in the excepted service. As described in McConnell's proposed letter to the Speaker, the legislation is necessary to permit full coordination between DEA and FBI, pursuant to the new cooperative arrangement directed at increasing narcotics law enforcement efforts. FBI personnel are already in the excepted service, and current law prohibits transfers from the excepted service to competitive service. It is thus difficult to move personnel for any significant period between the two agencies, which will become increasingly necessary as joint FBI-DEA endeavors proliferate. Although properly not noted in the proposed letter, it is also generally recognized that efforts to increase the professionalism of DEA have been impeded by the existence of civil service "protections."

I have reviewed the proposed bill and letter and see no legal objections.

Polymers

- Date Correspondence Received (YY/MM/DD) 11/11

☐ **MI Mail Report** User Codes: (A) _____ (B) _____ (C) _____

Subject: Legislative proposal "To except all positions in the Drug Enforcement Administration from the competitive service, and place the incumbents of such positions in the excepted service"

DISPOSITION

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CU Holland		ORIGINATOR	83.03.08	PY		1 1
CU AT18		Referral Note:	A	83.03.08	PY	1 1
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Department of Justice
Washington, D.C. 20530

128891 CW

7 MAR 1983

Honorable David A. Stockman
Director, Office of Management
and Budget
Washington, D.C. 20503

Dear Mr. Stockman:

Enclosed are copies of a proposed communication to be transmitted to the Congress relative to: a legislative proposal "To except all positions in the Drug Enforcement Administration from the competitive service, and place the incumbents of such positions in the excepted service."

Please advise this office as to the relationship of the proposed communication to the Program of the President.

Sincerely,

(Signed) Robert A. McConnell

Robert A. McConnell
Assistant Attorney General

TO COORDINATE CLEARANCE CONTACT JACK PERKINS, OLA, 633-2113.



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Speaker
House of Representatives
Washington, D. C. 20515

Dear Mr. Speaker:

Enclosed for your information and appropriate reference is a legislative proposal "To except all positions in the Drug Enforcement Administration from the competitive service, and place the incumbents of such positions in the excepted service."

In accordance with the Attorney General's plan to combat illicit narcotics trafficking, the Drug Enforcement Administration and the Federal Bureau of Investigation have entered into a new era of cooperation. The resources of both agencies will now be devoted to achieving the goals set by the Attorney General.

In order for the two agencies to fully implement concurrent jurisdiction, the personnel systems must be compatible. The ability to reassign employees between the two agencies is essential if concurrent jurisdiction is to be effective in the fight against illicit narcotics trafficking.

Current civil service rules prohibit the reassignment of an employee in the excepted service to a position in the competitive service, except for a short term detail. Therefore, the interchange of personnel can currently only be accomplished at the highest level where DEA positions are in the excepted service.

Section 2 of the proposed legislation places DEA employees in the excepted service. This language is identical to that found in Title 28, U.S. Code, Section 536, which places all employees of the Federal Bureau of Investigation in the excepted service.

Section 3 of the proposal amends the Civil Service Reform Act (Title 5, U.S. Code, Section 2303) by adding the Drug Enforcement Administration to the present provision, which is now limited to the Federal Bureau of Investigation. This would extend the "whistle blower" provisions of the Civil Service Reform Act to DEA employees and thereby protect them from any Prohibited Personnel Practices as a result of any covered complaint which they might file.

Section 4 of the proposal would remove DEA from coverage under the general Prohibited Personnel Practices provision of the Civil Service Reform Act, since DEA would be covered under Section 3 by the same provisions governing the FBI.

Section 5 of the proposal would exempt DEA from personnel research programs and demonstration projects. The FBI is presently exempt under Title 5, U.S. Code, Section 4701(a)(1)(B) from such projects and this would bring DEA in conformity with the FBI. This is necessary not only because of DEA's new relationship with the FBI, but also because of DEA's very close participation with other members of the U.S. Intelligence Community, who are also exempt under this section.

Section 6 of the proposal would exempt all DEA employees from the bargaining provisions of Title 5. Presently Executive Order 12171 exempts all DEA personnel in overseas offices, in the Office of Enforcement, and in the Office of Intelligence (including all domestic field offices and intelligence units) from Chapter 71 of Title 5, U.S. Code, thus exempting the vast majority of DEA employees. Section 6 of the proposal would place DEA in complete conformity with the statutory exemption now covering the FBI.

Section 7 repeals Section 201 of Public Law 94-503, which placed the senior management of DEA within the excepted service. Since the proposed legislation places all DEA personnel in the excepted service, this provision is no longer necessary. Its repeal is merely conforming legislation.

The purpose of the proposed legislation is to make the DEA personnel system a mirror image of the FBI system. Since the two agencies have concurrent drug enforcement responsibilities and since DEA is also closely associated with the intelligence community, we believe that DEA must have the flexibility provided by excepted service in order to successfully fulfill its mission.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this legislation to Congress.

Sincerely,

Robert A. McConnell
Assistant Attorney General

Enclosure

____ CONGRESS
____ SESSION

H.R. _____

(Original signature of Member)

IN THE HOUSE OF REPRESENTATIVES

Mr. _____ introduced the following bill; which was referred
to the Committee on _____

A BILL

(Insert title of bill here)

To except all positions in the Drug Enforcement Administration from the competitive service and place the incumbents of such positions in the excepted service, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representatives of the United*
- 2 *States of America in Congress assembled,* that this Act may be cited as the "Drug Enforcement Administration Excepted Service Act of 1983."

SEC. 2. Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, (Public Law 91-513) is amended by adding the following new section:

"EXCEPTED SERVICE

"Section 710. All positions in the Drug Enforcement Administration are excepted from the competitive service, and the incumbents of such positions occupy positions in the excepted service."

SEC. 3. Section 2303 of Title 5, United States Code is amended to read as follows:

"PROHIBITED PERSONNEL PRACTICES IN THE
FEDERAL BUREAU OF INVESTIGATION AND THE
DRUG ENFORCEMENT ADMINISTRATION

"(a) Any employee of the Federal Bureau of Investigation or the Drug Enforcement Administration who has authority to take, direct others to take, recommend, or approve any personnel action

shall not, with respect to such authority, take or fail to take a personnel action with respect to any employee of the Bureau or the Administration as a reprisal for the disclosure of information by the employee to the Attorney General (or an employee designated by the Attorney General for such purpose) which the employee or applicant reasonably believes evidences -

"(1) a violation of any law, rule, or regulation, or

"(2) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

"For the purpose of this subsection 'personnel action' means any action described in clauses (i) through (x) of section 2302(a)(2)(A) of this title with respect to an employee in, or applicant for, a position in the Bureau or the Administration (other than a position of a confidential, policy-determining, policymaking, or policy-advocating character).

"(b) The Attorney General shall prescribe regulations to ensure that such a personnel action shall not be taken against an employee of the Bureau or the Administration as a reprisal for any disclosure of information described in subsection (a) of this section.

"(c) The President shall provide for the enforcement of this section in a manner consistent with the provisions of section 1206 of this title."

CONFORMING AMENDMENTS

SEC. 4. Section 2302(a)(2)(C)(ii) of Title 5, United States Code is amended by inserting "the Drug Enforcement Administration," immediately after "the Federal Bureau of Investigation,".

SEC. 5. Section 4701(a)(1)(B) of Title 5, United States Code, is amended by inserting "the Drug Enforcement Administration," immediately after "the Federal Bureau of Investigation,".

SEC. 6. Section 7103 of Title 5, United States Code is amended

(a) by deleting "or" at the end of (F) in paragraph (3) of subsection (a);

(b) by inserting "or" immediately after the semicolon in (G) of paragraph (3) of subsection (a); and

(c) by adding after (G) in paragraph (3) of subsection (a) the following:

"(H) the Drug Enforcement Administration."

SEC. 7. Section 201 of Public Law 94-503 is hereby repealed.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

August 18, 1983

FOR: FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Vinsik Statement re: Latin American
Drug Trafficking and its Impact on
North Carolina -- August 22, 1983

Raymond Vinsik, DEA Special Agent in charge of the Atlanta field office, proposes to deliver the attached statement before Senator Helms' Foreign Relations Western Hemisphere Subcommittee. The statement reviews DEA efforts with respect to the leading western hemisphere source countries, including Peru, Columbia, Jamaica, and Mexico. The testimony recognizes that heightened enforcement in South Florida has diverted more traffic to North Carolina; reviews Operation Gateway, a successful anti-smuggling operation centered on North Carolina; and stresses that new Administration initiatives will direct more anti-drug resources to North Carolina. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

August 18, 1983

MEMORANDUM FOR GREG JONES
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Statement of Vinsik before the Senate Foreign
Relations Subcommittee on Western Hemisphere

Counsel's office has reviewed the above-referenced proposed testimony, and finds no objection to it from a legal perspective.

H006-01

John or Peter

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1Name of Correspondent: Greg Jones☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Statement of Raymond Vinsik re: Latin American
Drug Trafficking and its impact on North
Caroline - August 22, 1983

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUNSON</u>	ORIGINATOR	<u>83.08.16</u>			<u>1 1</u>
<u>CUAT 18</u>	Referral Note: <u>DDI</u>	<u>DDI 83.08.16</u>		<u>S</u>	<u>83.08.21</u>
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DRAFT

DRAFT

104184 *cu*

STATEMENT OF

RAYMOND L. VINSIK, SPECIAL AGENT IN CHARGE
ATLANTA FIELD DIVISION

DRUG ENFORCEMENT ADMINISTRATION
U.S. DEPARTMENT OF JUSTICE

ON

LATIN AMERICAN DRUG TRAFFICKING
AND ITS IMPACT ON NORTH CAROLINA

BEFORE THE

FOREIGN RELATIONS SUBCOMMITTEE ON WESTERN HEMISPHERE
UNITED STATES SENATE

JESSE HELMS, CHAIRMAN
AUGUST 22, 1983

Chairman Helms and Members of the Subcommittee: I am pleased to appear before you to discuss the Drug Enforcement Administration's perspective on the production and trafficking of controlled substances in Latin American countries and the subsequent impact of this illicit traffic on North Carolina.

Drug Control is clearly an international issue. All the cocaine and much of the cannabis available in the United States is cultivated and processed from agricultural sources in Latin America and the Carribean. Over the past two years, we estimate between 30 to 60 tons of illicit cocaine entered the United States. For marijuana, again of foreign source, we estimate the annual imports to have been between 8,700 and 12,700 tons.

DEA personnel are stationed in foreign countries to support host country efforts to eliminate cultivation, production and conversion of drugs and to stop shipment of drugs destined for the United States. These efforts include the provision of technical assistance through training and the exchange of intelligence in cooperative investigations. Stopping drugs within the source country or as close to the source as possible has proven to be an effective approach to reducing the supply of illegal drugs.

DEA has Special Agents and support personnel in 60 offices in 40 countries. Specifically in Latin America, our personnel are assigned to 25 cities in 16 countries.

Together with the Department of State, DEA supports a regional approach to the cocaine problem. Coca eradication by the Colombian Government which has been ongoing for some time, increased in early 1982. In Peru, a coca eradication campaign conducted in early 1980 proved to be very encouraging and the United States Government is working with the Peruvian authorities in continuing this program. The Bolivian government did not appear ready to undertake any eradication measures until last October with the installation of President Hernan Siles Government. Since then, the Government of Bolivia has consulted with the United Nations and other countries regarding funds to support eradication and enforcement efforts. We are looking forward to specific accomplishments regarding these crop control efforts.

A number of control programs have been undertaken by the Drug Enforcement Administration against the supply of essential chemicals, required in the ^{production} ~~reduction~~ of cocaine, including ether and acetone. These control programs have simplified the process of tracing the chemicals to the drug manufacturers. In January of this year, Colombia imposed controls on the importation of ether. Brazil has also conducted a successful campaign to control the internal and foreign distribution of ether. DEA is now pursuing a complementary program which would provide for voluntary compliance in the U.S. and European pharmaceutical and chemical industries to ensure the essential chemicals for cocaine production do not become available to cocaine traffickers.

Colombia also continues to be the primary source of marijuana destined for the United States. DEA supports the Colombian Government's campaigns to suppress the trafficking of marijuana and other illicit drugs in their country. We are working with the Colombian Government in a continued campaign against marijuana traffickers.

Jamaica has become an increasingly important marijuana source for the United States. Similar to many other countries in the Caribbean, Jamaica is also a transshipment country of illicit narcotics. The numerous islands in the Caribbean provide a series of stepping stones through which traffickers transit enroute to the United States.

In Jamaica, DEA gathers and exchanges information to support interdiction and to further other investigations. As in all international offices, DEA works with host country counterparts and supports the U.S. diplomatic program.

Although Mexico is still a source country for marijuana destined for the United States, its share of the overall illicit United States market has declined markedly since the mid-1970's in the past three or four years because of the successful use of paraquat by the Mexican Government in its eradication program and the success of related enforcement activities.

While we believe there has been some progress in the cocaine and marijuana situation in South America, we, in the United States, recognize that fragile economies, political influences and other

considerations all serve to hamper crop eradication and control efforts in source and production countries.

The United States has embarked on a multi-agency coordinated domestic cannabis eradication and suppression program. DEA is at the forefront of this important effort, and we work closely with other Federal and state authorities to ensure that this is a national cannabis eradication program. It has expanded from 5 states in 1981 to 25 states last year, and 40 states will participate in the 1983 campaign. In 1982, approximately 2.5 million cannabis plants domestically cultivated were eradicated.

Our Ambassadors note that the eradication and enforcement actions in the United States are important not only because they reduce the domestic availability of marijuana, but also because they demonstrate to other nations that we do have a domestic production problem and that we are willing to take the necessary measures to curtail it.

I will now focus my remarks upon the coastal smuggling situation in North Carolina. Our activities in this area are under the jurisdiction of the DEA Resident Office in Wilmington which works closely with the North Carolina State Bureau of Investigation.

In the last decade, the coastal waters of North Carolina have become an increasingly more active base for large quantities of marijuana, methaqualone and cocaine smuggled by sea and air from South America source countries. The coastal smuggling problem has become

particularly exacerbated with the increasing law enforcement pressure in Florida. Most recently, law enforcement efforts in the Straits in Florida and the Caribbean, brought about a northward displacement of smuggling routes. I should point out that the United States Customs Service and the U.S. Coast Guard, with whom we closely coordinate, are the primary federal agencies tasked with interdiction of narcotics. DEA provides those agencies with intelligence from both our domestic and overseas offices. DEA is responsible for the follow-up investigations of seizures made by these agencies.

Since 1974, 675,000 pounds of marijuana, 200 pounds of hashish, 487 pounds of cocaine, and 668,000 counterfeit methaqualone tablets have been seized on the North Carolina coast. The vast majority of this seized contraband was transiting North Carolina enroute to other distribution markets in the northeastern and mid-western United States.

Criminal organizations responsible for the importation of loads of narcotics into coastal North Carolina run the gamut from local smuggling operations, providing transportation and off-loading facilities, to out of state organizations from South Florida and the northeast. Most have utilized isolated off-load locations along the Carolina coast as an importation base. In addition to those American citizens involved in smuggling activities in North Carolina, Colombian Nationals frequently visit the North Carolina coast to oversee off-loading and wholesaling of marijuana cargos on behalf of Colombian supply interests. This situation is well illustrated through the

arrests of some 71 Colombian citizens in coastal North Carolina since 1977.

Thus far in the current fiscal year, the volume of marijuana seized along the North Carolina coastline has totaled 138,569 pounds, a figure far exceeding seizure statistics in FY'82 and one which competes closely with the neighboring state of South Carolina. Since 1979 South Carolina has served as the hub of marine marijuana importation in this segment of the Atlantic seaboard. This annual period of smuggling activity commenced on Thanksgiving Day, 1982 with the seizure of the private yacht, Brixham II, loaded with 33,000 pounds of marijuana, off the coast of Brunswick County. The season peaked in March of 1983 when three marijuana laden shrimp boats were seized in one week in waters near Ocracoke on the North Carolina outer banks.

Intelligence information developed since the March seizures has pinpointed the Pamlico and Albemarle Sound areas as a haven for marine smugglers transporting cargos of marijuana and cocaine, to Northeast distribution markets. Features which recommend this area of the North Carolina coast to smuggling groups include 1,200 miles of deepwater coastline, characterized by small, close knit communities of fishermen, many of whose citizens have been converted into a utility industry for the burgeoning marine smuggling traffic. Law Enforcement penetration of this area is extremely difficult given its isolation from major population centers, its general scarcity of law enforcement

personnel and the homogeneous nature of its inhabitants which makes covert surveillance operations nearly impossible.

Despite the still considerable marine marijuana smuggling traffic on the coast, recent intelligence reflects a definite shift towards the use of aircraft as a primary smuggling mechanism for marijuana, methaqualone and cocaine loads entering the U.S. through North Carolina. Sources familiar with the coastal smuggling industry report that local smuggling operations are concerned by the increasingly effective marine interdiction efforts and are now using aircraft rather than maritime vessels to transport drug cargos from South America and Jamaica. Eastern North Carolina is a favorite entry point for air smuggling cartels as it features a number of isolated airstrips which are located well outside the perimeters of major population centers. Smugglers utilizing these airstrips can easily monitor law enforcement approaches into the area.

DEA's response to the escalating smuggling situation in eastern North Carolina is concentrated in extensive conspiracy investigations targeting large, multi-state smuggling consortiums which utilize North Carolina as an importation base. A recent illustration of this enforcement approach is provided by OPERATION GATEWAY, a two year investigation into a smuggling organization headquartered in Brunswick County, North Carolina. This illicit operation brought about the importation of multi-hundred thousand pound quantities of marijuana and hundreds of pounds of counterfeit quaaludes into the southeastern United States. OPERATION GATEWAY was successfully terminated in March

1983 with indictments against thirty-nine defendants, including five law enforcement officials and one member of the North Carolina State Highway Commission.

Another similar investigation culminated in May of 1983 with some fifty-eight indictments against members of a Horry County, South Carolina smuggling group responsible for the importation of multi-hundred thousand pound loads of marijuana and large quantities of hashish into the Carolina coastline. This particular organization utilized off-load locations in both North and South Carolina to unload contraband destined for distribution along the entire eastern seaboard.

As I previously mentioned, that section of the Atlantic coastline bounded by the State of North Carolina is currently a major U.S. transshipment point for illegal narcotics originating in South America and the Carribbean. The smuggling situation has become increasingly more aggravated. Interdiction Task Force efforts in South Florida and along the most direct smuggling routes have forced smuggling operations to take indirect routes along "the backside of the Islands," thus bypassing traditional entry points in Florida, Georgia and South Carolina for more northerly locations in North Carolina and Virginia. This trafficking trend, coupled with a notable increase in aircraft smuggling throughout the state, has challenged the law enforcement resources in this area.

We have had our successes. I want to emphasize that these accomplishments have been made possible due to the cooperation, professionalism and dedication of the agents of the North Carolina State Bureau of Investigation. These agents work side-by-side with DEA in our offices in Wilmington and Greensboro. I cannot overstate the value of the assistance DEA has received from that agency.

We will have more successes as the National Narcotic Border Interdiction System is moving into place. The Organized Crime Drug Enforcement Task Forces will bring additional resources to this State. I believe we, the coordinated law enforcement community, will successfully meet the challenge.

I am prepared to answer any questions you may have regarding our efforts.

THE WHITE HOUSE

WASHINGTON

January 31, 1984

MEMORANDUM FOR GREGORY JONES
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Testimony: Hearing on the FY-1985
Reauthorization of the Drug Enforcement
Administration

Counsel's Office has reviewed the above-referenced draft testimony, and finds no objection to it from a legal perspective, although the testimony is still in rather rough draft form.

FFF:JGR:aea 1/31/84
cc: FFFielding/JGRoberts/Subject/Chron.

THE WHITE HOUSE

WASHINGTON

January 31, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Testimony: Hearing on the FY-1985
Reauthorization of the Drug Enforcement
Administration

OMB has asked for our comments on the attached testimony, which DEA Administrator Bud Mullen proposes to deliver tomorrow. The testimony, for DEA's reauthorization hearings, reviews last year's accomplishments and priorities for the future. In the former category Mullen stresses the success of the new DEA-FBI relationship, the establishment of the Organized Crime Drug Enforcement Task Forces, and the world-wide reduction in methaqualone production. With respect to objectives Mullen lists five priorities:

1. bringing all available resources to bear on the drug problem by continually improving coordination and cooperation among different federal agencies,
2. improving cooperation with state and local officials,
3. reducing drug supplies in source countries,
4. refining internal DEA procedures to maximize effective use of existing resources, and
5. becoming more involved in the popular anti-drug educational and prevention movement.

I have reviewed the testimony, which is still in a fairly rough form, and have no legal objections.

Attachment

THE WHITE HOUSE

WASHINGTON

January 31, 1984

MEMORANDUM FOR GREGORY JONES
LEGISLATIVE ATTORNEY
OFFICE OF MANAGEMENT AND BUDGET

FROM: FRED F. FIELDING
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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

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Received (YY/MM/DD) 1 / 1Name of Correspondent: Greg Jones☐ MI Mail Report

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<u>WHOU</u>		ORIGINATOR	<u>840130</u>			<u>1 / 1</u>
<u>CUAT18</u>		Referral Note: <u>S</u>	<u>840130</u>		<u>S</u>	<u>840131</u>
		Referral Note: _____	<u>1 / 1</u>			<u>1 / 1</u>
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DRAFT

DEA FY-85 Reauthorization of the Drug Enforcement Administration Act of 1984
February 1, 1984 on Crimes by Mullen

Mr. Chairman and members of the Subcommittee, it is a pleasure to be here today ^{to testify} at the first ~~hearing~~ hearing on the FY-1985 reauthorization of the Drug Enforcement Administration. ~~_____~~

~~_____~~. With your permission I would like to make an opening statement concerning policy, objectives and

management in DEA and then respond to any questions you may

have. ^{My remarks will address these areas:} The statement will essentially cover 1) the policy

direction and management of DEA since the summer of 1981 when

^{I was appointed} ~~_____~~ Acting Administrator; ~~_____~~ 2) our

major accomplishments during this period; and 3) our plans

and objectives for 1984 and 1985. I understand you will convene another hearing on February 29, 1984 to discuss program and budgetary matters.

The past two years have been hallmark years of change for the Drug Enforcement Administration. On January 28, 1982, the Attorney General ~~_____~~ ^{ed} delegating to the FBI concurrent jurisdiction ~~with DEA~~ ^{to} investigate ~~_____~~ ^a violations of the Controlled Substances Act of 1970. At the same time the Attorney General announced that the Administrator of DEA would function under the general supervision of the Director of the FBI. I know ~~that~~ ⁹ this is an issue of interest to a number of the members of the Committee. I would therefore like to spend a few moments on this topic.

DRAFT

Today, ^{as} the Administrator of DEA, ^I reports to the Director of the FBI on major policy issues affecting the nation's drug law enforcement effort. ^{I have} ~~shares~~, however, a great deal of flexibility in recommending and implementing policy for ~~me~~ ^{I have} ~~shares the~~ ultimate responsibility for the successful management and direction of the operational activities of DEA.

debt
Given the high level attention which the Administration has given to the drug problem, the Administrator of DEA is an active member of the Cabinet Committee on Legal Policy, Subcommittee on Drug Supply Reduction of which the FBI Director is also a member. The Administrator also reports directly to the Associate Attorney General on the Organized Crime Drug Enforcement Task Force Program. This membership on the Cabinet Committee and the working relationship with the Associate's Office ensure that DEA and the nation's drug control effort are given priority attention within the Department of Justice and the Administration.

~~With regard to policy development within and between DEA and the FBI,~~ ^{between DEA and the FBI} ~~The relationship~~ ^{THIS} could be described as "coordinated independence". ~~The relationship~~ reflects the fact that

although the missions of the two agencies overlap in certain areas, there are broad areas where they do not. The overlap occurs primarily in the area of drug trafficking by La Cosa Nostra/^{groups,} motorcycle gangs and other "established" organized crime.

Within this area, there is close coordination of policy development. This is accomplished through an assortment of coordinative mechanisms, including ^{frequently scheduled executive meetings} joint SAC conferences, a ^{between myself and} Headquarters Policy Review Committee, and the exchange of proposed policy statements in the draft stage.

~~The Attorney General's directive of January, 1982, has really only served as the starting point for the "bridge building" now underway between DEA and the FBI.~~ Coordination of investigations and targets has become routine practice in both the field and Headquarters.

We have a permanent working committee of Special Agents assigned to the Headquarters offices ^{of} both agencies whose task is to continuously develop new ways and means to enhance interagency coordination. Director Webster, ~~Mr. Mullen~~ and I are genuinely pleased with the progress that has been made in

this area, and with the spirit of cooperation displayed by the people of both agencies in making this a productive relationship.

The Vice President's South Florida Task Force has also had a significant impact on DEA operations during the past two years. The drug problem in South Florida taxed all Federal law enforcement resources but particularly those of DEA.

For Over a year and a half, several hundred agents from all over the country were detailed to South Florida to work on major drug investigations. ~~While we realized significant successes~~ *and now, with the supplemental resources* in South Florida, ~~this expedient type of operational fire~~ *authorized for this effort, our ability to respond to other* fighting seriously affected our ability to respond to other ~~problem areas of the country in a deliberate and efficient~~ *problem areas of the country in a deliberate and efficient* manner.

change to future

The Organized Crime Drug Enforcement (OCDE) Task Forces represented a ~~positive~~ *drug enforcement* change for ~~DEA~~ *For the first time* since ~~1977~~ *and* the Congress, the White House and the Office of Management Budget ~~recognized the need for additional Federal law enforcement personnel and resources~~ *are* The OCDE Task Forces *are* a major sign of *that the Congress, the White House and the Office of Management and Budget recognize the need for additional Federal law enforcement personnel and resources.*

~~Recognizing the increased involvement of organized crime in~~
~~drug trafficking,~~ ^{designed to pursue} These Task Forces are ~~targeting and~~
~~pursuing~~ the highest levels of organized criminal enterprises
trafficking in drugs. Their focus is on those who direct,
supervise and finance the illicit drug trade.

Finally, in the Spring of 1982, DEA reorganized its manage-
ment structure, decentralizing operations to the field. This
structure fosters better Headquarters response to the field
and ~~works to ensure that resources are properly allocated.~~
^{by removing intermediate management of field activities}
~~The direct reporting system removed a management layer or~~
~~two, and now provides~~ ^{and providing} the division manager with ~~a great deal~~
~~more autonomy and responsibility for conducting~~ ^{field} investigations
in the field. This ^{direct} reporting structure gives the ~~SAC~~ ^{Special Agent in Charge}
responsibility for the coordination of significant matters
that are multi-jurisdictional or unusual. I believe that
this approach gives us a national thrust and coordination to
our enforcement program.

These policy and management changes over the past two years
have had a significant impact on the operations of the Drug
Enforcement Administration. They have improved and
strengthened our ability to deal directly and effectively

with the organized drug trafficking problem. The following ~~brief~~ summary of our accomplishments during this period ~~can~~ ^{illustrate} ~~only further substantiate~~ this claim.

During the past fiscal year we have taken great strides in effecting a unified, sustained assault against ~~the~~ illicit drug traffic, both domestically and abroad. ~~The results speak for themselves.~~ In FY-1983 we averaged over 1,000 arrests and 500 convictions per month. ←

Seizures of illegal drugs have increased dramatically. We seized over ³⁰⁰ ~~300~~ kilos of heroin in FY-1983, an increase of 35% ^{the previous year} over FY-1982 seizures. During the same period, cocaine seizures increased 53% to a total of ^{approximately 500} ~~7,569.36~~ kilos.

Foremost in contributing to this successful effort was the assignment of concurrent jurisdiction to the FBI for drug law violation investigations. The FBI's expertise in financial and organized crime investigations has been integrated into the drug enforcement effort. The teamwork has already produced significant results. The number of joint investigations jumped from a total of 12, in 1981, to over ⁵⁰ 600 ~~at the~~ by ^{December,} ~~end of October,~~ 1983. During the same period, the number of

Title III wiretaps increased by 178 percent. In sum, the resources of the FBI have been a welcome addition to the Federal effort and will continue to enhance the overall effectiveness of criminal law enforcement.

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~~In addition to closer cooperation with the FBI, FY-1983~~
~~showed an increase in~~ ^{also increased in FY-1982} the number of joint ventures with other Federal agencies, including Customs, IRS, INS, BATF, the Marshals Service and the Coast Guard. This cooperation is principally the result of two programs, the Vice President's South Florida Task Force, a multi-agency attack against marijuana and cocaine traffic in the Caribbean, and the Organized Crime Drug Enforcement Task Forces. From March, 1982 to September, 1983, the South Florida Task Force was responsible for 1,677 arrests and more than \$22.5 million in asset seizures. The results from the OCDE Task Forces are equally impressive. After only one year of operation over 235 indictments have been returned, over 500 arrests have been made, 117 individuals have been convicted and approximately \$19.5 million dollars in trafficker assets have been seized in OCDE cases in which DEA has been involved. ~~Because these~~
~~task forces target the upper echelons of drug trafficking,~~
~~their successes can have paralyzing and sometimes fatal~~
~~effects on these organizations.~~

Fiscal Year 1983 also showed a dramatic expansion from 25 to 40 in the number of states participating in the Domestic Marijuana Eradication/Suppression Program. Of the \$2.4 million allocated for the program, almost \$1.7 million went directly to state and local agencies in support of their eradication efforts. The balance of \$700,000 was used by DEA to provide training, equipment and investigative and aircraft resources in support of state and local efforts. Eradication efforts resulted in over 3.7 million plants being destroyed in over 70,000 plots. Twenty-six percent of the plants were identified as high potency sinsemilla. In addition, a total of 4,318 individuals were arrested and 984 weapons seized. By all measures the 1983 Eradication Program was highly successful with the statistics exceeding prior years accomplishments in almost every category.

While our domestic enforcement efforts have resulted in demonstrable progress, we ^{also recognize} ~~cannot ignore~~ the worldwide nature of the drug problem. Stopping drugs within the source country, or as close to the source as possible, still remains the most effective approach to reducing the availability of illegal drugs in the United States. The United States Government's program in the international forum is, ~~perfect,~~

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a long-range one. DEA's role is to both motivate and assist source, transit and companion victim countries in the development of drug law enforcement and related programs. In fulfilling its role, DEA also provides technical assistance through training and exchanges of intelligence in cooperative investigations. DEA personnel stationed overseas work with State Department personnel and our diplomatic missions to support host country efforts to eliminate cultivation, production, and conversion of drugs. As a result of outstanding cooperation between DEA and host country counterparts we have realized some notable successes, especially in diversion control and foreign cooperative investigations.

In FY-1983 there were 1,300 cooperative arrests of international drug traffickers with seizures of 1,590 kilos of heroin and 3,410 kilos of cocaine. We also trained 1,240 foreign government officials in drug enforcement methods.

Since 1980, DEA has dedicated substantial efforts to the problem of diversion of legitimately produced pharmaceuticals from international commerce, with a special emphasis on the diversion of methaqualone. We developed a two-pronged

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attack involving diplomatic initiatives with foreign producing nations to curtail the manufacture and exportation of the drug, and a program to identify and interdict illicit shipments. Our success has been outstanding. By the end of FY-1983, all known European source countries and the People's Republic of China have ceased or ^{substantially} reduced methaqualone production and instituted strict controls on its exportation. This, coupled with a significant reduction of the United State's methaqualone procurement quota, resulted in a dramatic decline in U.S. injuries due to methaqualone abuse. This trend is expected to continue ~~because~~ in November, 1983, the only legitimate U.S. manufacturer of methaqualone announced that production of the drug would be terminated. This means that after January, 1984, there no longer will be any legitimate methaqualone product available for sale or distribution in the U.S., nor will there be any legal importation of the substance into the United States.

While I am proud of our accomplishments in FY-1983, I recognize ^{there remains much to do} ~~that we still have a long way to go.~~ Because DEA's mission is a broad one--to reduce the availability of illicit drugs in the United States--we have developed a set of five priority objectives to better assist DEA management ~~in~~ ^{to}

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focusing and directing operations in FY-1984. These objectives presume that with the mobilization of international, Federal, state, local and private citizen resources, our mission can be accomplished in a way that goes far beyond what 4,000 employees could achieve working alone. Each DEA Special Agent in Charge, both domestic and foreign, has developed an operating plan based on the local drug trafficking environment which identifies his office's role and contribution to each of the objectives.

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The first objective calls for bringing all of the resources of the Federal Government to bear on the drug trafficking problem. This strategy emphasizes coordination and cooperation among Federal agencies and officials to achieve the highest possible rate of conviction for drug traffickers, the seizure of their assets, and the ultimate destruction of their criminal organizations. Implicit in the success of this objective is the application of the most advanced and sophisticated investigative methods, including wider and more creative use of technical, financial and legal investigative tools.

The second objective calls for enlisting the active participation of State and local governments and law enforcement agencies in the Federal effort to stop illicit drug production and trafficking. The President's ~~federalism~~ policy of *partnership* recognizes State and local law enforcement as partners in the criminal justice system. To this end, effective coordination and full cooperation among the Federal, State and local law enforcement agencies are essential parts of the Government's overall strategy. Actions under this objective range from Law Enforcement Coordinating Committee participation to promoting the development of multi-state enforcement efforts to provide a more unified attack against common drug trafficking problems.

The third objective calls for reducing the supply of illicit drugs from source countries ~~and thereby reducing the availability of illicit drugs in the United States and abroad.~~ Over 90 percent of the illicit drugs consumed in the United States are produced in foreign countries. As the Attorney General stated in November, 1982, "(a) dollar spent on drug enforcement in a source country is a far more effective dollar than one spent anywhere else along the distribution trail." ~~This priority objective, in concert with~~

~~strengthened domestic investigations and border interdiction,
is part of the Administration's three-pronged enforcement
approach to countering America's drug abuse problem.~~

The fourth objective calls for developing new and refining current internal DEA systems, policies and mechanisms to maximize the utilization of resources.

The fifth objective calls for mobilizing public support and participation in the drug control effort both in the U.S. and abroad and thereby reducing the demand for and supply of illicit drugs. In August, 1982, the President stated that

"Too often, ordinary citizens feel that they can do little to solve complex national problems. But drug abuse is different; here is a problem that can be solved through the efforts of individual Americans."

Our experience of the past decade has proven that, regardless of the amount of Federal resources available, the success of any national effort ultimately depends on the public attitude and the extent to which it can be focused on the problem.

The goal is not to turn DEA into an education/prevention agency, but rather to encourage agency managers to expand their activities to include natural areas of common interest with concerned private citizens and groups. ~~Heretofore, DEA has not aggressively capitalized on citizen interest in the drug abuse problem. We can no longer afford to underutilize this important and effective untapped resource.~~

~~There can be no doubt that~~ ¹ This Administration is committed to the elimination of drug trafficking and organized crime. As the lead agency in this effort, DEA has a vital mandate to bring drug law violators to justice, to immobilize their organizations, and to seize their financial profits and proceeds. Our challenge is to utilize our resources effectively and in such a way as to make the costs and risks of drug trafficking outweigh the profits. I believe ^{we have the} ~~that the priority objectives/operating plan process goes a long way towards ensuring that~~ this happens.

I am optimistic that the significant inroads made in limiting the availability of illicit drugs in this country will continue, and that broad reductions, not only in the availability of drugs, but also in the demand for them by our

citizens will be realized. The overall emphasis of DEA's enforcement program is sound. ~~We have a built-in flexibility to respond to changing situations and to bring special emphasis to bear on a problem.~~ We are exploring many different, innovative enforcement tactics to bring pressure on the drug traffic. Many of these involve the enhancement of working relationships with other Federal, State, and local agencies. We shall continue to stress the importance of coordinated and cooperative interagency efforts. ~~In these austere times, we have all recognized the need for working together.~~

This concludes my statement, Mr. Chairman. I shall be pleased to answer any questions you or other members of the Subcommittee may have.