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WITHDRAWAL SHEET

Ronald Reagan Library

Collection: Williams, Richard L.: Files

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File Folder: Cabinet Council on Legal Policy: Meeting 10/6/82
OA 12590

Date 1/26/98

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	From Michael M. L. Uhlmann to Becky Norton Dunlop re DOJ Organized Crime/Narcotics Proposal, 2p.	10/5/82	P5
2. memo	From Carlton Turner to Ed Harper re DOJ Organized Crime and Narcotics Proposal, 1p.	10/5/82	P5 <i>CB 1/4/01</i>

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National security classified information [(a)(1) of the PRA].
- P-2 Relating to appointment to Federal office [(a)(2) of the PRA].
- P-3 Release would violate a Federal statute [(a)(3) of the PRA].
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA].
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA].
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- F-1 National security classified information [(b)(1) of the FOIA].
- F-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- F-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- F-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- F-5 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- F-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- F-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- F-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

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THE WHITE HOUSE
WASHINGTON

CABINET AFFAIRS STAFFING MEMORANDUM

DATE: 10-5-82

NUMBER: 077521CA

DUE BY: _____

SUBJECT: CCLP with the President - 10/6/82

10:00 a.m. in the Cabinet Room

	ACTION	FYI		ACTION	FYI
ALL CABINET MEMBERS	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice President			Baker	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State			Deaver	<input type="checkbox"/>	<input type="checkbox"/>
Treasury			Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Defense			Darman (<i>For WH Staffing</i>)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attorney General			Harper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Interior			Jenkins	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture			F. Fielding	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commerce			C. Turner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Labor				<input type="checkbox"/>	<input type="checkbox"/>
HHS				<input type="checkbox"/>	<input type="checkbox"/>
HUD				<input type="checkbox"/>	<input type="checkbox"/>
Transportation				<input type="checkbox"/>	<input type="checkbox"/>
Energy				<input type="checkbox"/>	<input type="checkbox"/>
Education				<input type="checkbox"/>	<input type="checkbox"/>
Counsellor				<input type="checkbox"/>	<input type="checkbox"/>
OMB				<input type="checkbox"/>	<input type="checkbox"/>
CIA				<input type="checkbox"/>	<input type="checkbox"/>
UN				<input type="checkbox"/>	<input type="checkbox"/>
USTR				<input type="checkbox"/>	<input type="checkbox"/>
CEA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CCCT/Gunn	<input type="checkbox"/>	<input type="checkbox"/>
CEQ	<input type="checkbox"/>	<input type="checkbox"/>	CCEA/Porter	<input type="checkbox"/>	<input type="checkbox"/>
OSTP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CCFA/Boggs	<input type="checkbox"/>	<input type="checkbox"/>
ACUS, Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CCHR/Carleson	<input type="checkbox"/>	<input type="checkbox"/>
			CCLP/Uhlmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			CCNRE/Boggs	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS: The President will chair a meeting of the Cabinet Council on Legal Policy on Wednesday, October 6, at 10:00 a.m. (20 minutes). The Council will discuss Organized Crime and Narcotics/CM302. Papers will be distributed to you on 9/28/82. No other papers will be sent.

RETURN TO:

Craig L. Fuller
Assistant to the President
for Cabinet Affairs
456-2823

 **Becky Norton Dunlop**
Director, Office of
Cabinet Affairs
456-2800



Office of the Attorney General
Washington, D.C. 20530

September 28, 1982

MEMORANDUM FOR THE PRESIDENT

FROM: THE ATTORNEY GENERAL *WFS*

SUBJECT: A PROPOSAL TO FIGHT DRUG TRAFFICKING AND ORGANIZED CRIME

Man originally formed government to enjoy protection against invaders from without and predators from within. Thus, national defense against foreign powers and domestic defense against the ravages of crime are the two principal reasons for the existence of government.

Sadly, most Americans today would agree that our government has failed in discharging the second of these two primal functions. Our nation's splendid achievements are mocked by the dark but undeniable fact that crime plagues the United States on a scale intolerable in any free society.

Crime, moreover, has become particularly pernicious in recent years, for two reasons. First, criminals have become increasingly organized. They have learned that they can achieve more through disciplined organization than they can by acting alone. Second, criminals have begun to exploit the enormous clandestine market for drugs.

Our observations during the first half of this Administration leave us with the firm conviction that drug trafficking and

organized crime are the most serious crime problems facing the nation today. These problems directly or indirectly affect every person and institution in the nation; they threaten the very fabric of our society and the very future of our country.

This Administration has already undertaken several major initiatives designed to combat the problem of organized drug trafficking. We have established a Law Enforcement Coordinating Committee (LECC) in each of the 95 federal districts, bringing together federal, state and local law enforcement officials in a cooperative effort designed to assess and attack the crime problems in every district. All over the country, the LECCs have identified drugs as the chief crime problem facing their communities. The Attorney General has increased the resources available for this fight by assigning to the Federal Bureau of Investigation (FBI) jurisdiction concurrent with that of the Drug Enforcement Administration (DEA) over drug offenses. We have stemmed the flow of drugs into South Florida by forming, under the Vice President, an interagency task force to fight the staggering problem in that region. We have implemented Administration-supported amendments to the Posse Comitatus Act, so that the resources of the Department of Defense are now available to aid drug enforcement.

Our efforts against organized crime have never been more substantial. The FBI devotes a great percentage of its resources to the fight against organized crime. It has penetrated the secretive organized crime societies to a greater extent than ever

before. This effort has paid handsome dividends. Federal prosecutors, notably those assigned to our Organized Crime Strike Forces, have obtained convictions of top racketeering bosses all over the country. In some cities, the Department has convicted entire hierarchies of organized crime families.

Clearly, we have taken many steps to combat the problems of drug trafficking and organized crime, and we have enjoyed many successes. But just as clearly, we have by no means solved these problems.

We now propose an eight-point program to supplement our ongoing efforts. The first point attacks the threshold issue of organized drug trafficking. A more effective effort against that problem will enable us then to go forward, through our seven other points, to attack the broader problem of organized crime generally.

The program as a whole draws upon the lessons learned through the LECCs and the South Florida Task Force. It builds upon the foundations established by our existing enforcement programs.

The program calls for:

First, task forces comprised of experienced investigators and prosecutors, which will, in strategically selected regions, supplement our ongoing efforts against organized criminal groups dealing in drugs;

Second, a renewed effort to achieve legislative reforms necessary to attack drug trafficking and organized crime;

Third, a White House Conference on organized crime, chaired by the Vice President;

Fourth, a Presidential Commission on Organized Crime to study the problem of organized crime and to make recommendations for improving our enforcement efforts;

Fifth, a supplementary training program for state and local law enforcement personnel;

Sixth, a Cabinet level committee to enhance interagency coordination;

Seventh, a project to enlist the assistance of the states; and

Eighth, an annual report on organized crime.

I. The Problem of Organized Drug Trafficking

Despite our efforts to date, drug trafficking remains at alarming levels. In 1980, illegal drugs generated an estimated \$79 billion in retail sales; organized criminal enterprises reaped most of these profits. These ill-gotten gains allow organized criminals to infiltrate legitimate businesses and to establish themselves in their own ostensibly legitimate enterprises. In large measure, therefore, drug trafficking and organized crime distort our national economy.

Drug trafficking spawns staggering amounts of related crime. Money laundering and bank fraud inevitably accompany organized drug trafficking. Large-scale corruption of public officials greases the wheels of the organized drug trafficking enterprise.

Further, drugs make victims not only of those addicted to them, but also of the countless persons assaulted, robbed and

burglarized by addicts seeking to obtain the enormous sums of money necessary to feed their habits. Organized drug traffickers use violent "business tactics" against each other as they compete for the lucrative drug trade. Unquestionably, drug trafficking causes acute misery and, in many instances, death.

Drug dealing is only one of organized crime's activities. Organized crime, particularly the syndicate known as La Cosa Nostra (the LCN), is still involved in the traditional rackets -- extortion, loansharking, gambling, prostitution and pornography. Changing economic and urban conditions have added arson-for-profit to their list of illegal services, as well as murder-for-hire, weapons trafficking, robbery, fraud, bribery and many other crimes. A major effort against organized drug trafficking is important both in its own right and as a springboard for a redoubled attack on organized crime and its multifarious criminal activities.

II. The Administration's Efforts to Date

A. Law Enforcement Coordinating Committees

To insure a coordinated national effort against drug trafficking and other major crime problems, we have directed that each of the 95 United States Attorneys form a Law Enforcement Coordinating Committee (LECC) in his district. The members of each LECC include the local heads of the federal law enforcement agencies, as well as state and local law enforcement officials with significant responsibility in the district. Committee members meet regularly to identify the major crime problems

in the district and to devise strategies for the most effective use of their limited resources.

LECCs assure that federal law enforcement priorities are responsive to state and local needs. Not surprisingly, despite local variations on other crime issues, nearly every LECC has identified drugs as the chief crime problem in the district. This further underscores the national importance of the drug problem and the need for an additional federal effort.

B. FBI-DEA Coordination

In light of the preeminent need to assure a healthy economy by limiting government spending, federal law enforcement agencies have not received any substantial additional resources. Nevertheless, within current constraints, certain management initiatives have permitted more effective use of existing resources.

Under current law, DEA bears principal responsibility for investigating violations of the drug laws. However, because organized criminal enterprises have become more involved in the drug business, the FBI, earlier this year, was given jurisdiction to investigate drug crimes. The FBI's expertise in investigating organized crime and financial crime, and its experience with sophisticated investigative techniques, such as court-authorized electronic surveillance, has augmented significantly the arsenal of weapons available against drug traffickers. The new unified approach is producing some of the most significant investigations in history, and holds tremendous potential for long-term impact upon the problems of drug trafficking and organized crime.

C. South Florida Task Force

The South Florida Task Force has demonstrated that several Departments and agencies can work together to achieve positive results by targeting a specific geographical area and applying additional resources there. As part of the Vice President's Task Force on South Florida, established in the spring of 1982, the Drug Enforcement Administration and the United States Customs Service committed more than 200 additional agents to the task of stemming the flow of drugs into South Florida.

This operation has enjoyed many successes. In the past months, law enforcement personnel have made more than 600 arrests, seized more than \$7.9 million in assets -- including 45 vessels -- and removed more than 1600 pounds of cocaine, more than 900,000 pounds of marihuana and 77,000 dosage units of methaqualone. The Task Force has slowed the flow of illegal drugs into South Florida, and equally important, has galvanized the community to a new sense of optimism about the drug problem.

D. Posse Comitatus Amendments

Recent amendments to the Posse Comitatus Act have aided the fight against organized criminal enterprises dealing in drugs, in South Florida and elsewhere. The Administration supported this important legislative reform, which clarified the law to permit limited involvement of the military in civilian law enforcement activities. Such involvement, primarily in the form of airplane and vessel tracking, has provided inestimable

help in interdicting foreign drug shipments bound for the United States.

E. Efforts Against Organized Crime

The Department's efforts against organized crime began in earnest more than two decades ago. Within that time span, we have learned about and penetrated organized crime "families" to an extent never anticipated. Through the use of informants from within organized crime, and bold use of undercover agents, we now know the workings of virtually every such group. Furthermore, we have convicted top bosses in New York, Chicago, New Orleans, Detroit and many other cities. In some cities -- notably, Los Angeles and Cleveland -- the entire hierarchy of the LCN family has been convicted. These efforts have laid the groundwork for a final effort against this underworld society.

III. A Proposal for New Initiatives

There is no simple answer to our enormous crime problem. But control of drug trafficking is the most important first step. Our efforts to date have taught us the ways in which we can succeed. We now propose a program designed to supplement our ongoing efforts against organized drug traffickers. The program, however, does not stop there. Rather, it permits us then to turn to the broader problem of organized criminals generally, for whom drug dealing is simply one source of income.

Point One - Regional Task Forces

We should establish regional task forces, sufficiently flexible to be tailored to regional needs. Each task force would direct its efforts against organized criminal groups dealing in drugs. The Attorney General will select the targeted regions after careful study of the latest and best available data on the organized drug trafficking presence throughout the nation.

The task forces would supplement on-going law enforcement efforts. They can have a significant impact on organized criminal enterprises by building upon existing efforts. Additional teams of investigators and prosecutors can concentrate manpower in key areas. Such an approach has proven effective in the past.

This project will draw upon the resources and personnel of many federal agencies, although the Department of Justice will provide much of the personnel and resources. Prosecutors from the Department's Criminal Division and its United States Attorney's Offices, and investigators from the FBI and the DEA will be involved in the task force effort. Certain task forces will require support from the Immigration and Naturalization Service and the United States Marshals Service. Many will also require personnel from the United States Customs Service, the Bureau of Alcohol, Tobacco and Firearms and the Internal Revenue Service within the Department of the Treasury, working under the direction of investigators from the Department of Justice. Some task forces will also require the assistance of the Coast Guard within the Department of Transportation. In some regions, Department

of Defense tracking and pursuit capabilities will be crucial in combatting organized drug trafficking. Where appropriate, state and local law enforcement personnel will participate.

The Attorney General will provide leadership and control of the task force effort. Experienced ~~FBI and DEA~~ officials with special training in team management will direct the investigative effort. Prosecutorial responsibility will remain with the United States Attorneys and state prosecutors, unless a particular operation requires the designation of a particular prosecutor.

The Attorney General will request funding for the task force initiative in the Department's budget for FY 1983 and FY 1984. An appropriate employment ceiling ^{means "limit"?} would be allocated to the participating federal agencies outside the Department of Justice. The Department of Justice will reimburse those agencies for expenses related to the task forces. State and local agencies will continue to pay base salaries for state and local participants. However, the Attorney General will enter into agreements with participating state and local agencies to fund certain extraordinary costs of participation.

Point Two - Legislative Reforms

A critical component of our program to attack organized crime and drug trafficking is the package of legislative reforms supported by the Administration. Under our proposal, the Administration would redouble its efforts to secure passage of its criminal justice proposals in this Congress and, if necessary, the next Congress.

The legislative proposals include the following:

- * Bail Reform -- to assure the appearance at trial of defendants who present a high risk of flight and to allow a judge to consider the danger a defendant may pose to the community if released.
- * Forfeiture of the Crime-Related Assets of Racketeers and Drug Traffickers -- comprehensive legislation developed to facilitate forfeiture of assets in organized crime and drug cases, so that we can deprive these criminals of their vast sources of economic power.
- * Sentencing Reform -- incorporates comprehensive sentencing changes to ensure penalties are appropriate in all federal cases, particularly organized crime and drug cases.
- * Exclusionary Rule -- to assure that evidence of a crime is not excluded if obtained by an officer acting in the reasonable good faith belief that his actions were in conformity with the Fourth Amendment.

These legislative reforms will give our prosecutors the tools they need to assure that organized criminals and drug dealers are removed from society and their operations crippled or seriously impaired.

Point Three - The White House Conference
on Organized Crime

A White House Conference on Organized Crime would provide an important forum through which we can heighten public awareness of the problem. The Vice President would plan and conduct the

Conference in cooperation with the Department of Justice. We would invite federal, state and local officials, law enforcement personnel, representatives of citizens' groups and interested academic figures. The White House, the Department of Justice, the Department of the Treasury and the Department of State would appoint some of the delegates. Governors and mayors would be asked to appoint others. The Conference delegates would serve on various committees, which would prepare reports and make recommendations after the Conference. The Vice President would transmit to the President his recommendations for new legislation and administrative action based on the Conference's work. These recommendations could serve as a valuable starting point for the Organized Crime Commission.

Point Four - The Presidential Commission
on Organized Crime

There is a need for a Commission to examine the problem of organized crime. The Commission would sit for a three-year term. It would develop data on organized criminal enterprise participants and activities in each region and in the nation as whole, and would evaluate existing law enforcement efforts in order to make recommendations for refinement and improvement.

The Commission would be composed of 15 members appointed by the President. Four members would be chosen from law enforcement officials in the Executive Branch. Four members of Congress with a demonstrated interest in law enforcement would also be chosen on a bi-partisan basis, two from each House. Other

Commission members could include, for example, a retired federal judge, a State Attorney General, a State Governor, a writer or journalist familiar with organized drug trafficking, a police officer and two other individuals from the private sector or academia with expertise in relevant fields. The Commission would be supported by consultants and a highly qualified staff, located in the Department of Justice.

The Commission would gather the best available information about organized crime. It would hold hearings to analyze and debate the data and to review studies and conclusions of Commission staff. The Commission would also hold hearings to publicize the penetration of organized criminal enterprises in the region. This will focus public attention on organized drug trafficking, and help mobilize public support for the Commission's ultimate recommendations.

Point Five - Federal Training Assistance to Improve State and Local Efforts

To prevail in the fight against organized crime, the federal enforcement agencies must be able to share the techniques, methods and strategies they have developed with their state and local counterparts. Training is thus an important component of the offensive against organized crime.

For many years, the FBI has been training state and local law enforcement officers at its Academy at Quantico, Virginia. It has trained nearly 150,000 such officers from around the

nation. Similarly, the DEA offers many training courses for state and local personnel. Last year alone, some 5,000 state and local police officers received DEA training.

The Departments of Justice and Treasury currently sponsor a pilot program designed to supplement the existing federal training effort. The Justice-Treasury State and Local Law Enforcement Training Program offers advanced specialized training for state and local law enforcement officers at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. An increased level of professionalism is an indispensable ingredient in the fight against drug trafficking and organized crime. These programs will help impart that professionalism to state and local law enforcement.

Point Six - Cabinet Level Interagency Coordinating Committee

On January 29, 1982, the President announced the creation of a Cabinet Council on Legal Policy, chaired by the Attorney General. The Cabinet Council reviews the interdepartmental aspects of narcotics control, drug abuse prevention and treatment, civil rights, immigration and other matters.

Part of the Cabinet Council is a Sub-Council on Drug Supply Reduction, chaired by the Attorney General. The Sub-Council reviews critical drug enforcement issues requiring interagency cooperation and serves as a forum for the discussion of operational problems. The President should designate the Sub-Council as the focal point for coordinating the task force program. The

Attorney General will consult with the Sub-Council to determine the locations, goals and activities of the Task Forces. Of course, the Sub-Council and any Working Groups it may need will have no operational responsibility. But it will have an important role to play in establishing policy and in resolving problems framed by those at the operational level.

Point Seven - The Fifty States Project

Through a Fifty States Project, the President could reach out to the state governors to enlist their support for the national offensive against organized crime. The project would supplement the LECCs in spurring state law enforcement officials and agencies to improve their own efforts against this problem.

Point Eight - Annual Report to the
President and the Congress

An important component of our program to fight organized crime will be an annual report by the Attorney General to the President and the Congress. This annual report would explain and reinforce all of the other points of the program.

The annual report would provide an overview of our efforts and identify critical unresolved issues. In addition, the annual report should review our progress in the permanent campaign against organized crime.

The foregoing program is essential if this Administration is to make a lasting impact upon the problems of drug trafficking and organized crime. The program would imprint the stamp of this Administration on law enforcement for years to come. Implementation of this program, of course, would require additional resources for the participating Departments and agencies. As set forth in the appendix, we believe that the entire proposal will cost \$200 million. This figure is modest indeed in relation to the problem we face. In fact, it amounts merely to approximately one-quarter of one-percent of drug revenues in 1980.

Appendix

The attached two charts represent the preliminary cost estimates to implement the preceding proposal to combat organized crime. The first chart details the costs for one of the Task Forces proposed in point one. A brief description of the basis for the costs of each point of the program follows.

The cost estimates related to the Regional Task Forces (point 1) were based on information available within the Justice Department and the other agency costs were developed from information available from the Treasury Department and the U.S. Coast Guard. Most of the resources included for non-DOJ agencies will be required by the U.S. Customs Service and the Bureau of Alcohol, Tobacco and Firearms. These resources represent approximately 60 percent of the amounts identified for non-DOJ agency participation.

The DOJ's costs also include a number of indirect and generally one-time costs required to adequately support our overall enforcement effort. These include such items as Air Wing Support for the Drug Enforcement Administration's (DEA) intelligence operations, (particularly in view of the current military involvement), FBI voice privacy systems, and prison expansion at existing institutions.

The preliminary estimated cost of a White House Conference on Organized Crime and Drug Trafficking (point 2) was based on the experiences of the White House Conference on Aging. The estimate for the Organized Crime and Drug Trafficking Commission (point 5) was based on the experience of the Select Commission on Immigration and Refugee Policy. Points 3, 4 and 6 will not require additional funding in order to implement them.

In order to implement this program in 1983, an amendment of approximately 1,000 full-time equivalent workyears and \$200 million will be required. Of this total, approximately 722 full-time equivalent workyears and \$103.7 are included in the Department's 1984 budget request.

EIGHT POINT PROGRAM TO COMBAT CRIME

(Dollars in Thousands)

<u>Activity</u>	<u>Estimated Amount</u>
1. Regional Task Forces.....	\$110,000
DEA Intelligence (Air Wing Support).....	6,000
DEA Intelligence (EPIC).....	1,200
DEA (Automation).....	4,600
FBI (Automation).....	21,000
FBI (Voice Privacy).....	12,000
USMS (Cooperative Agreement Program).....	10,000
FPS (Construction).....	24,000
2. White House Conference on Organized Drug Trafficking....	6,000
3. Federal Training Assistance to Improve State and Local Efforts.....	...
4. Legislative Reforms.....	...
5. Organized Drug Trafficking Commission.....	5,000
6. Interagency Coordinating Committee.....	...
7. Fifty-States Project.....	100
8. Annual Report to the President.	<u>100</u>
TOTAL.....	\$200,000,000

PRELIMINARY COST ESTIMATE FOR
PROTOTYPE TASK FORCE

150-MEMBER

52 Investigators.....	\$2,582,736
20 Prosecutors.....	984,000
20 Clericals.....	370,000
8 Paralegals.....	179,200
Undercover operations.....	800,000
Purchase of Evidence and Purchase of Infor- mation (PE/PI).....	390,000
Travel.....	120,000
Permanent Change of Station.....	720,000
Communications.....	40,000
Space.....	400,000
Supplies and Equipment.....	190,000
Other (Vehicle leasing etc.).....	312,000
State and Local Costs (over-time and other) ..	326,000
Non-DoJ Participation (50 members).....	3,586,000
TOTAL.....	\$10,999,936

Costing Assumptions:

1. Staff--Investigators-GS-14, Clerical GS-7, Paralegal--GS-9
2. PE/PI--\$7,500/Investigator
3. PCS--40 permanent change of stations @ \$10,000 each
4. Communications--\$400/position
5. Space--200 sq. ft./position @ \$20.00/sq. ft.
6. Supplies and Equipment (including word processing, etc.)--
avg. \$1,900/pos.
7. Non-DoJ Agency Participation - Estimated at 50 percent of DoJ participation exclusive of undercover operations. Assumes participation by Customs, Internal Revenue Service, Alcohol, Tobacco and Firearms, and others based on area of country and type of investigation.

THE WHITE HOUSE

WASHINGTON

October 1, 1982

MEMORANDUM FOR CABINET SECRETARIES AND SELECTED AGENCY HEADS

FROM: CRAIG L. FULLER *CJF*

SUBJECT: ORGANIZED CRIME AND NARCOTICS PROPOSAL

In the Cabinet Council on Legal Policy meeting yesterday, the Attorney General proposed an extensive program on organized crime and narcotics.

The eight point plan which he outlined will be dealt with in a second CCLP meeting. In preparation for that meeting, we would appreciate your comments on the eight point plan so that your views can be contained in a final decision memorandum for the President.

The budget recommendation of \$200 million dollars should also be reviewed. OMB's staff will prepare a budget analysis for use at a Budget Review Board meeting next week.

Please provide your comments by noon on October 5, 1982.

Thank you.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON
October 5, 1982

FOR: BECKY NORTON DUNLOP

FROM: MICHAEL M. UHLMANN

SUBJECT: DOJ Organized Crime/Narcotics Proposal

A number of major concerns need to be addressed before the President commits to the idea:

(1) As a general principle of agency management, I think it a bad idea for Agency X to control the budgetary and manpower resources belonging to Agency Y. DOJ budgetary control is not essential to the implementation of the proposal, but ensuring the effective cooperation of other agencies is.

To the extent other agencies take umbrage at DOJ budgetary control, to that same extent will they invent ways to drag their feet in execution. Given the particular history of relations between DOJ (especially DEA) and Treasury in drug-related matters, giving budgetary as well as managerial dominion to DOJ might revive some of the old bureaucratic tong wars of a decade ago.

Unless Treasury feels it has a seat at the table as a full partner in the design and execution of the plan, you will be buying needless trouble not only within Treasury but on the Hill as well.

(2) No matter how you cut it, and details aside, the plan amounts to a declaration of war against drug traffickers. The short-term political benefit of such a move is, I think, obvious and attractive, but the long-term benefit will require demonstrated and substantial results. And that, in turn, means that the closest attention will have to be paid to the actual execution.

Even if all the personnel were under the direct control of a single agency, managerial problems would abound in an operation of this size. They are compounded where, as here, multiple agencies are involved. It is well and good to say that the program will be under the direction and control of the AG, but who, specifically, will run it on a day-to-day basis?

The job is a big one, requiring the coordination of well over a thousand people in different parts of the country. It is not a job that can or should be handled by a G.S. 15 careerist.

(3) While I see the political utility of having a White House Conference and/or a Presidential Commission, are they really necessary? All such commissions and conferences create potential political liabilities as well as assets. The program for the task forces will create enough momentum on their own, and the question is whether the marginal political gain to be had from a conference/commission outweighs the risks.

October 6, 1982

DECISION MEMORANDUM FOR THE PRESIDENT

FROM: The Attorney General,
Chairman Pro Tempore
Cabinet Council on Legal Policy

SUBJECT: Program to Fight Drug Trafficking and
Organized Crime

Background

At the September 30 meeting of the Cabinet Council on Legal Policy, which you chaired, I presented an eight-point program to deal with organized crime and drug trafficking. The presentation was not intended to be the final word on the subject, but rather a conceptual scheme for concentrating federal resources at the point of maximum strategic importance in the fight against crime.

Since that meeting, officials of the Justice and Treasury Departments have met to iron out details, and I am happy to report that substantial agreement has been reached on the design of the program. The Office of Management and Budget opposes my budgetary recommendations. These objections will be addressed separately below.

Recommendations

(1) Establishment of Regional Task Forces

There is broad agreement among the members of the Council on the desirability of the Task Force approach. Earlier differences on budgetary and operational control between Justice and Treasury have been worked out in principle. Should future differences arise, we will return to you for a decision if necessary.

Recommendation: That you approve the concept in principle.

Approve

Disapprove

(2) Legislative Proposals

There is unanimous agreement that the Administration's legislative proposals for dealing with crime and narcotics be supported to the maximum extent possible.

Recommendation: That we redouble efforts during the next Congress to enact our crime-related legislative program.

Approve

Disapprove

- (3) White House Conference on Organized Crime
(4) Presidential Commission on Organized Crime

Approve
Principles

These two proposals were designed to create maximum visibility and White House involvement for the task force efforts. They are duplicative in many respects, and reservations have been expressed about their utility and cost. I am not wedded to either proposal as an essential ingredient of the program, but feel that if the decision is made to go ahead with either or both, that fact should be announced simultaneously with the creation of the Task Forces.

Recommendation: That the idea of having a White House Conference and/or a Presidential Commission on Organized Crime be referred to your political advisors for possible inclusion as part of the Task Force announcement.

Approve

Refer to White House Prop

Disapprove

- (5) Federal Training for State and Local Law Enforcement Officials

Such training has been conducted by the federal government for many years and has proven its worth many times over. No additional funding will be required.

Recommendation: That current training programs be coordinated with the Task Force program against organized crime and drug trafficking.

Approve

Disapprove

- (6) Cabinet Level Coordinating Committee

In order to establish broad policy guidance for and to ensure effective coordination of the new Task Force operation, I propose to use the Cabinet Council on Legal Policy as my principal forum for consultation. For problems which may arise at the operational level, an existing or new sub-group of the Council will be used. There is unanimous support for this approach.

Recommendation: That you approve this approach.

Approve

Disapprove

(7) Fifty-State Project

This involves a program for reaching out to governors, mayors, and other state and local officials to enlist their support in our national offensive. A new name will have to be contrived in order to avoid confusion with a similar program now underway on the subject of sex discrimination. There is no objection to the idea.

Recommendation: That you approve the idea in principle.

Approve

Disapprove

(8) Annual Report to the President and Congress

The idea behind an annual report is to highlight our progress and to identify new problems requiring attention. Minor reservations have been expressed on how frequently such a report should be issued, and whether it should be a separate document or merely part of the overall Annual Report of the Attorney General.

Recommendation: That the question of when and by what means formal reports should be issued be considered by your political advisors for inclusion as part of the Task Force announcement.

Approve

Disapprove

(9) Budget

Finally, while all are agreed on the general design of the Task Force approach, OMB has reservations about the level of budgetary resources requested in my original proposal.

TOP 1P

THE WHITE HOUSE

WASHINGTON

October 5, 1982

MEMORANDUM FOR ED HARPER

FROM:  CARLTON TURNER

SUBJECT: DOJ Organized Crime and Narcotics Proposal

The proposal supports the principles specified in the 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking:

- It would expand drug investigations to include other criminal activities associated with drug trafficking;
- It is a flexible means of implementing regional priorities directed at the most significant problem areas in the United States; and
- It provides another vehicle for improving cooperation and coordination among Federal, State and local law enforcement agencies.

I believe the regional task force concept has considerable potential in attacking major drug trafficking. Drug trafficking is a very flexible threat, responding to law enforcement pressures by immediately changing the mode or locale of the trafficking activity. The Federal Government should have an equally flexible enforcement response capability. The DOJ proposal could meet this need.

However, the proposal has a number of points which clearly place DOJ in total control, e.g. "working under the direction of investigators from the DOJ" (page 9), "Experienced FBI and DEA officials will...direct the investigative effort" (page 10), "The Attorney General will request funding for the task force initiative...DOJ will reimburse those agencies for expenses related to the task forces" (page 10), etc.

Major drug trafficking organizations involve smuggling and border operations. To make Treasury and Customs less than full partners will not achieve the desired level of interagency cooperation. Our experience over the past 14 years proves that the interagency competition can be a disaster. Someone must be in control and the Attorney General is the logical choice, providing the Secretary of the Treasury is in full agreement. Therefore, I recommend that the proposal be restructured to provide for a cooperative arrangement in selecting targets and in the other aspects of management.

I have reservations about simultaneous announcement of a White House Conference on Organized Crime and a Presidential Commission on Organized Crime. To do both seems like overkill, but I do not have sufficient background in this area to make a substantive recommendation.

Another question bothers me. The South Florida Task Force has cost approximately \$51 million according to data presented at the last meeting of the Cabinet Council on Legal Policy. How can \$200 million provide 10 additional task forces?

The concept of an interagency task force is fine, but I am convinced that a major contribution to the success of the Florida effort was the fact that it was a Presidential Task Force with the Vice President in charge. Overall, I concur in the DOJ proposal but the potential DOJ/Treasury conflict must be eliminated if we expect to get the most out of task forces, regardless of organizational structure.

cc: Mike Uhlmann
Becky Norton Dunlop