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THE WHITE HOUSE

WASHINGTON

March 4, 1987

Dear Attorney General Meese:

You are invited to attend or to send a representative to a meeting to review the status of departmental efforts to implement drug testing programs as authorized by Executive Order 12564 of September 15, 1986 and the OPM government-wide guidelines of November 28, 1986. The meeting will be held on March 17 from 9 to 11 AM in Room 22 of the Old Executive Office Building.

The purpose of the meeting is to discuss the status of your plans to implement the President's workplace initiatives, including identification of those sensitive positions which you are considering designating for testing and your timetable for notification and commencement of testing. We would like to know as well the status of your educational programs for managers and for all employees.

The importance of the President's workplace initiatives cannot be overemphasized. We know that 23 million Americans over the age of 12 use illegal drugs each month; most of these users are in the workplace. Among employed Americans 20-40 years of age, nearly one out of six have reported using marijuana at least once in the past month; one out of every 20 have reported using cocaine. While the majority of workers do not use drugs, the workplace provides us with a meeting ground to reach them with messages that can be useful to them as parents and community leaders. And the workplace initiative involves much more than testing for safety and security; among other things it also involves competitiveness of American industry.

At the meeting each Department will present a concise report on its plan to support the President and the First Lady's goal of achieving a drug-free workplace and a drug-free society. Ample time will be available for discussion of issues and questions.

Please let Meredith Rountree (456-6554) of my office know of the name of your attendee.

Sincerely,



Donald Ian Macdonald, M.D.
Director, Drug Abuse Policy Office and
Special Assistant to the President

The Honorable Edwin Meese III
Attorney General of the United States
10th and Constitution Avenue, NW
Washington, DC 20530

DEPARTMENT OF JUSTICE
EXECUTIVE SECRETARIAT CONTROL DATA SHEET

From: LAWN, JOHN C., ADMINISTRATOR, DEA
 To: AG.
 Date Received: 03-16-87 Date Due: NONE Control #: 7031603378
 Subject & Date

03-11-87 MEMO TRANSMITTING DEA'S RECOMMENDATIONS FOR
 RESTRUCTURING EXECUTIVE BRANCH DRUG CONTROL ACTIVITIES.
 W/ATTACHED BRIEFING MATERIALS ENTITLED "RESTRUCTURING
 EXECUTIVE BRANCH DRUG CONTROL ACTIVITIES." THESE MATERIALS
 ILLUSTRATE THE BASIC CONCEPTS OF MODIFYING THE MISSION &
 STRUCTURE OF THE NDEPB & OF REDEFINING OR CLARIFYING THE
 ROLES & FUNCTIONS OF THE NUMEROUS DRUG ENFORCEMENT AGENCIES.
 REQ. OPPORTUNITY TO BRIEF THE AG & THE NDEPB ON THE ABOVE.

Referred To:	Date:	Referred To:	Date:	FILE:
(1) OAG; RICHARDSON	03-16-87	(5)		
(2)		(6)		
(3)		(7)		PRTY
(4)		(8)		1
INTERIM BY:		DATE:		OPR:
Sig. For: NONE		Date Released:		HED

Remarks

(1) ADVISE EXEC. SEC. OF FURTHER ACTION TO BE TAKEN.
 INFO CC: OAG (COY, GARCIA, CRIBB), DAG, ASG.

Other Remarks:

FILE:

3/16

David,
 1) Dr. Ian MacDonald (the new Carlton Turner) paid courtesy calls on both Mr. Cibels and the AG last week to discuss the new drug initiative.

2) The attached document, page 1 re: indicates the President's intent to form the Cabinet-level National Drug Policy Board.

3) Thought Ken should see in light of his strategic planning and domestic issues, etc.

THIS DOCUMENT MUST BE DISPOSED OF BY SHREDDING

memorandum

DATE: MAR 11 1987

REPLY IN
ATTN OF John C. Lawn, Administrator
Drug Enforcement Administration

SUBJECT: Drug Enforcement Reorganization

TO: Honorable Edwin Meese III
Attorney General

This memorandum transmits DEA's recommendations for restructuring executive branch drug control activities.

Late last fall I provided you briefing materials entitled "Restructuring Executive Branch Drug Control Activities." These materials illustrate the basic concepts of modifying the mission and structure of the National Drug Enforcement Policy Board and of redefining or clarifying the roles and functions of the numerous drug enforcement agencies. Attached to this transmittal memorandum are these same briefing materials even though some of the suggestions have been overtaken by events and would have to be modified in light of your recent announcement indicating the President's intent to form the Cabinet-level National Drug Policy Board.

I applaud your decision to combine policy on the supply and demand reduction strategies into a single board with a chairman and vice chairman. The attached briefing materials should not be construed as recommending any change to that decision. However, I continue to recommend that a permanent subcommittee structure under the two Coordinating Groups be established to improve the ability of the Policy Board to review and establish policy, strategy, and coordination.

The briefing materials illustrate six committees that embrace all drug control and drug abuse responsibilities. The functional responsibilities of these six committees have been briefly described on separate charts. The chairmanship, structure, and membership of these subcommittees should be formally reviewed, modified, and adopted by the Policy Board. Once established, this Policy Board substructure will provide a system with a number of advantages over the current structure:

- o Issues will be debated at the agency-head level, but within a smaller group setting than the current Coordinating Group, prior to escalation to the Policy Board;
- o With six committees, more agency heads will share leadership responsibilities;
- o The processing of issues will be streamlined by assigning them to standing committees;

- o The Policy Board can hold the agency heads more accountable by having them present options for resolution before the full Board;
- o And, the Coordinating Group can continue to function primarily to exchange information and to build cooperation within the drug enforcement community.

The second set of concepts illustrated in the briefing materials suggests a clarification of roles and functions for all agencies involved in drug enforcement. While embracing this Administration's effort to fight the drug war by having every available department and agency engaged in the fight, clarifying agency responsibilities is sorely needed to reduce interagency conflict and duplication of effort. The Policy Board has taken one step in this direction by giving the Coast Guard lead responsibility in air detection and surveillance over the high seas. I believe that a logically compelling case can be made for defining lead roles in the enforcement area based on legal authorities and current agency capabilities.

Under the drug enforcement model briefing materials have been provided for intelligence, investigations, and interdiction. Because the interdiction strategy of the Federal Government receives contributions from the widest range of departments and agencies, I will use that model to illustrate my recommendations.

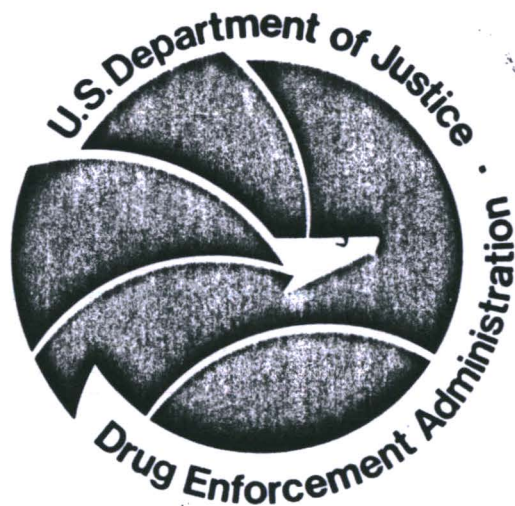
The United States Coast Guard should have lead responsibility for air and marine interdiction. The U.S. Customs Service should be re-directed to focus on ports-of-entry. The land borders between ports-of-entry should be the responsibility of INS Border Patrol. Support in the form of equipment, communications, intelligence, follow-up investigations, etc., would fall to the Department of Defense, the intelligence community, DEA, and others. Although some agencies may regard these decisions as a loss of responsibility, our ability as a government to decide a broad range of issues -- from the assignment of resources to the establishment of C3I centers -- would be dramatically improved by policy decisions establishing lead agencies for various aspects of interdiction. I believe the Congress also perceives this benefit, and that is why they have asked for a comprehensive interdiction plan pursuant to Section 1373 of the DoD FY-87 Authorization Bill.

Similar clarification of roles should be debated and approved for intelligence, investigations, and the other enforcement models provided in the briefing materials. In addition, the Federal Government should lead the nation by recommending establishment of state-level policy boards to complement the Federal Policy Board. The recent Policy Board strategy, the White House Conference, the grants available under the Bureau of Justice Assistance, the U.S. Attorneys' Law Enforcement Coordinating Committees, the National Governors Association, and other mechanisms should be used to explore clarifying roles for state and local agencies.

In formally transmitting these briefing materials to you and the Policy Board, I also request the opportunity to brief you and the Policy Board staff on the broadly framed concepts. I remain firm in my conviction that we need to clarify the roles and functions of the many agencies involved in drug enforcement.

Attachments

RESTRUCTURING EXECUTIVE BRANCH DRUG CONTROL ACTIVITIES



This briefing presents concepts for a new structure for National Drug Policy and drug-related activities. It presents innovative ideas to better use the Administration's resources to carry out efforts to control drug trafficking and abuse.

BRIEFING OBJECTIVES

- **A PROPOSED RESTRUCTURE OF NATIONAL DRUG POLICY AND ACTIVITIES**
- **NEW INITIATIVES FOR A NATIONAL ORGANIZATIONAL FRAMEWORK FOR ACTION**

Should the Federal Government reorganize itself to combat drug trafficking and abuse or should we restructure ourselves to provide a framework to accomplish our goals? Why should we consider these questions now?

- At present there are a multitude of congressional committees overseeing several dozen executive branch departments, agencies and organizational elements. There is definite confusion over authority, functions, roles, responsibilities that have resulted as an effect of proliferation of governmental agencies involved in the drug problem.
- The Federal National Strategy is not perceived as making progress toward achievement of our national goals and the bureaucracy and the public are calling for the Federal Government to exercise clear and unequivocal leadership.
- The Congress enacted the National Anti-Drug Reorganization and Coordination Act and it requires the President to report to the Congress by April 27, 1987 how it will reorganize to prevent:
 - "waste and inefficiency caused by the division of responsibilities;"
 - "interagency competition;"
 - and need for "coherent planning."

The Congress has legislatively mandated recommendations to "reorganize."

- The National Governor's Conference has criticized the Administration for its lack of response to the problem of the states.
- The implementation of the President's Six Point Program announced in August of 1986 requires a national organizational framework to carry out its objectives in concert with the states and cities.

REORGANIZE versus RE-STRUCTURE

- **CONGRESSIONAL OVERSIGHT**
- **FEDERAL NATIONAL STRATEGY**
- **NEW REORGANIZATION LEGISLATION**
- **THE NATIONAL GOVERNORS CONFERENCE**
- **PRESIDENT'S 6-POINT PROGRAM**

"DEA's perspective is not to reorganize where major departmental or agency change would result, but rather a restructure of the NDEPB - which is the national mechanism to carry out our mission. We need to march "in cadence" rather than "out of sync." Therefore, discipline is required. We must define who has what authority, what roles do each play, and what functions and responsibilities belong to whom.

RECOMMENDATIONS

RESTRUCTURE

- A NEW ORGANIZATIONAL FRAMEWORK TO ADDRESS ALL NATIONAL DRUG POLICIES

DEFINE

- AUTHORITY AND RESPONSIBILITIES
- FUNCTIONS AND ROLES

How should we restructure? First, let's look at the present strategy - the Federal National Strategy and the President's Six Point Program are synonymous. Underlying these goals are two very basic strategies.

NATIONAL STRATEGY

FEDERAL NATIONAL STRATEGY

1. DRUG LAW ENFORCEMENT
2. INTERNATIONAL COOPERATION
3. PREVENTION
4. TREATMENT
5. RESEARCH

PRESIDENT'S SIX POINT PROGRAM

1. STRENGTHEN LAW ENFORCEMENT
TO ENSURE PUBLIC SAFETY
2. INTERNATIONAL COOPERATION
3. DRUG-FREE WORKPLACE AND SCHOOLS
4. PUBLIC AWARENESS AND PREVENTION
5. TREATMENT
6. RESEARCH

This strategy and the President's program fall into two basic reduction strategies. Following this rationale, let's look at a new organizational framework.

TWO BASIC STRATEGIES

SUPPLY REDUCTION

- ENFORCEMENT AND PROSECUTION
- INTERNATIONAL COOPERATION
- RESEARCH

DEMAND REDUCTION

- PREVENTION
- TREATMENT
- RESEARCH

DEA recommends that the NDEPB be changed to the NDPB with the Vice-President as Chairman and the full Cabinet as members. The NDPB would meet once a year on the Spring Call (1) to review the National Drug Strategy and make modifications if appropriate, (2) to review progress toward goals by agencies, and (3) allocate or readjust resources. Emergency meetings could be called at the discretion of the Vice-President as the situation demanded.

The Attorney General and the Secretary of Education would be Co-Chairmen of Supply and Demand reduction respectively, and would meet twice a year with the Chairs of the six committees to ensure that there is a coordinated effort on those cross-related activities between supply and demand reduction.

The Chairman and its members of the six major committees will meet once a month to coordinate activities, resolve issues and prepare decision and option papers for the Attorney General and the Secretary of Education. Those unresolved issues requiring NDPB decisions will be forwarded to the Office of the Vice-President for resolution.

RECOMMENDED STRUCTURE OF NDPB

NATIONAL DRUG POLICY BOARD
Vice President, Chairman
Full Cabinet, Members

Attorney General
Co-Chairman, Supply Reduction

Secretary of Education
Co-Chairman, Demand Reduction

Committee on Prosecution

Committee on Enforcement

Committee on Internat. Cooperation

Committee on Research

Committee on Prevention

Committee on Treatment

Associate Attorney General, DOJ

Administrator DEA

Assist. Sec. for Internat. Narcotic Matters

Assist. Sec. of Health

Assist. Sec. of Education

Assist. Sec. of Health

LEOCC'S

This chart delineates specific functional jurisdictions of the committees. Each committee has a three-dimensional responsibility. Let's look at each committee.

FUNCTIONAL RESPONSIBILITIES OF COMMITTEES

NATIONAL DRUG POLICY BOARD
 Vice President, Chairman
 Full Cabinet, Members

Attorney General
 Co-Chairman, Supply Reduction

Secretary of Education
 Co-Chairman, Demand Reduction

**Committee
 on
 Prosecution**

**Committee
 on
 Enforcement**

**Committee
 on Internat.
 Cooperation**

**Committee
 on
 Research**

**Committee
 on
 Prevention**

**Committee
 on
 Treatment**

**Associate Attorney
 General, DOJ**

**Administrator
 DEA**

**Assist. Sec. for
 Internat. Narcotic
 Matters**

**Assist. Sec.
 of
 Health**

**Assist. Sec.
 of
 Education**

**Assist. Sec.
 of
 Health**

Prosecution

Intelligence

Reg. Instit.
 Bldg.

Prevention

Public
 Awareness

Treatment

Trials Detention
 Parole

Investig. Interdict.

Crop
 Cntl. Illicit
 Prod.
 Cntl.

Treatment Drug
 Cntl.

Education Community
 Based
 Pgms.

Rehabil. Community
 Based
 Pgms.

This committee would be charged with resolution of problem areas and issues relating to the Criminal Justice System as it relates to trials, sentencing, parole, imprisonment, witness protection, immunity, and allocation of U.S. Attorneys and other resources.

PROSECUTION

COMMITTEE ON PROSECUTION

Associate Attorney General

Prosecution
Dept. of Justice
U.S. Attorneys

Trials
U.S. Courts
U.S. Marshals Office

Detention
Parole
U.S. Prisons
U.S. Parole Com.

This committee will be charged with the enforcement aspect of the National Strategy. Functional areas include the interrelation of intelligence, interdiction and investigation. Role and responsibilities will be defined.

The next 4 plates will describe the interrelationship of these functional areas.

ENFORCEMENT

COMMITTEE ON ENFORCEMENT

Administrator, DEA

Intelligence

Lead
DEA

Associated
CIA, DIA, NSA, NOAA, FBI

Investigation

Interdiction

Lead
DEA
FBI
DOJ

Associated
INS
IRS
USMS
USCS
ATF
USSS
FAA
NHTSA
DOD
USCG
Forest Service
Bur. Land Mgt.
Park Serv.

Lead
USCG
USCS
U.S. Border Patrol

Associated
DEA
FBI
FAA
DOD

Let's look at each individual functional areas of the
Drug Enforcement Model.

DRUG ENFORCEMENT MODEL



The Intelligence Model defines the relationship of EPIC, ASIC and the C3I's. EPIC will be the lead intelligence center for tactical interdiction with the C3I's being geographic operational centers relying on EPIC and ASIC for tactical and strategic collation and analysis.

DRUG INTELLIGENCE MODEL

Roles and Responsibilities

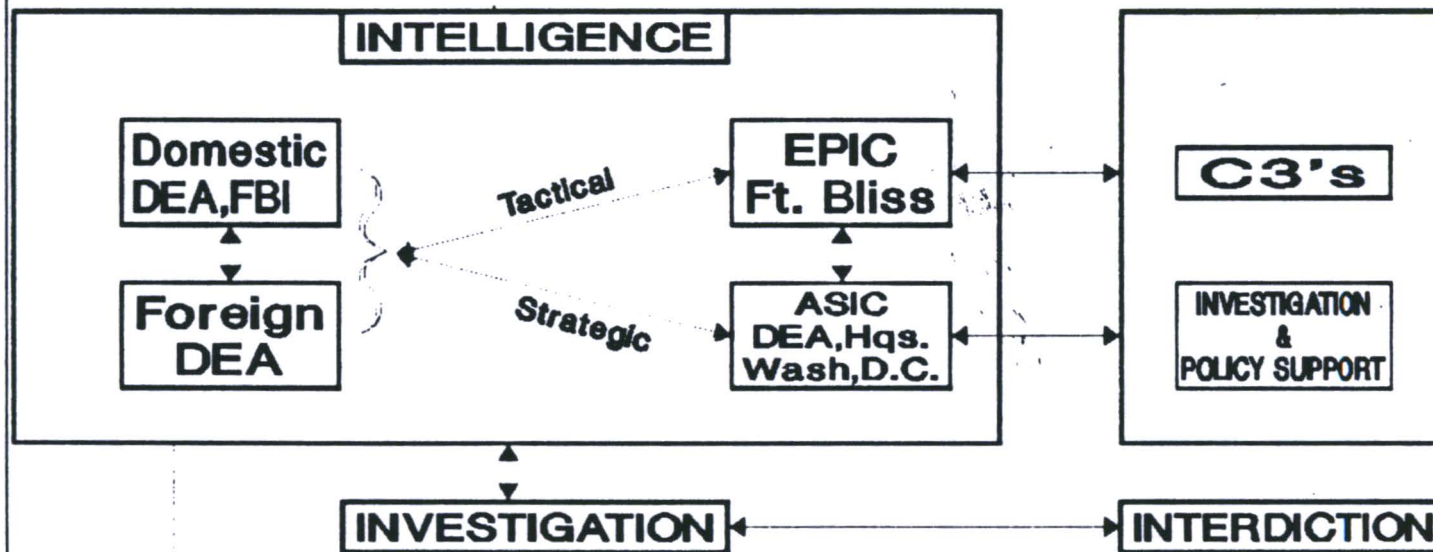
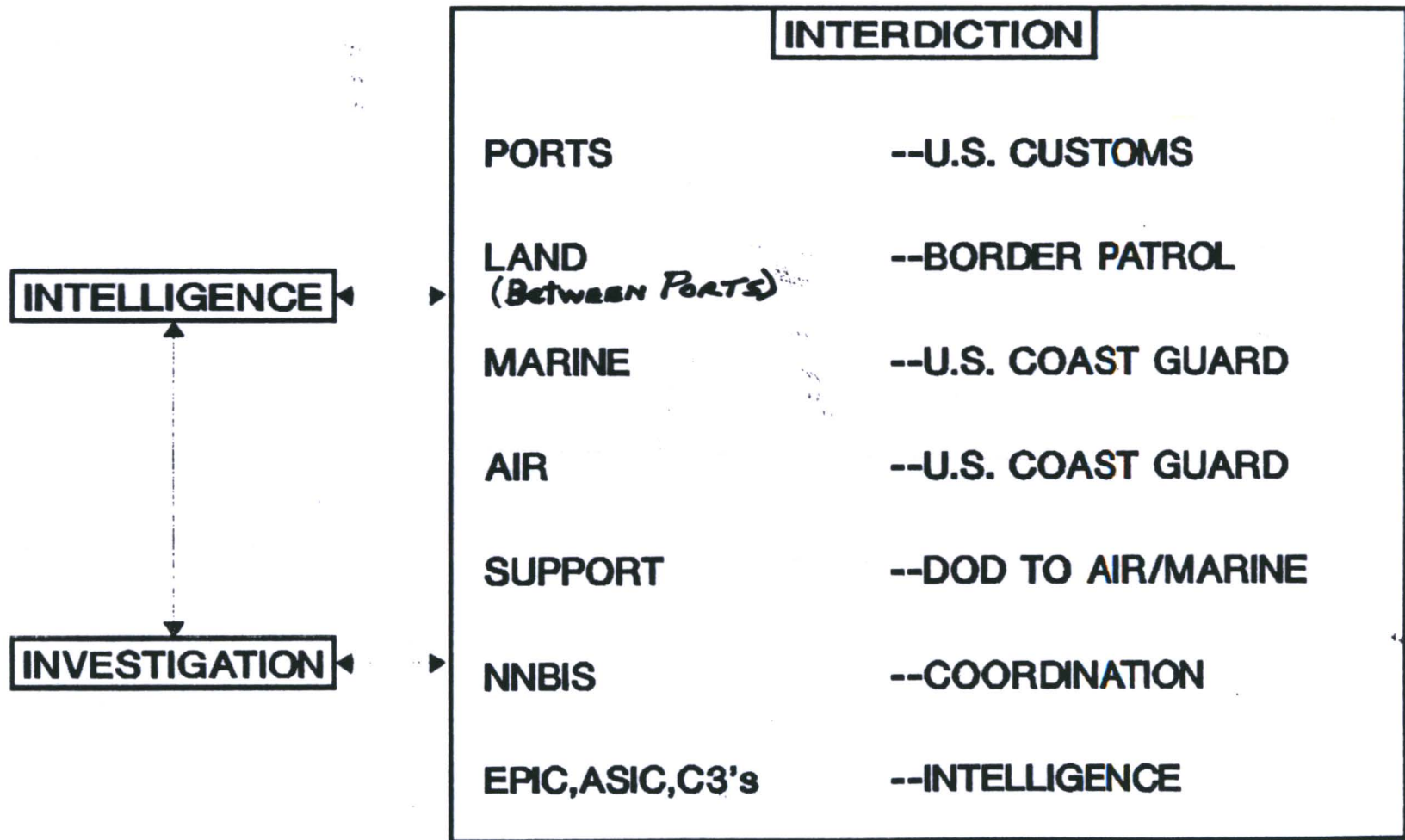


Figure 1. Drug Intelligence Model (Source: [unclear])

Figure 2. Drug Intelligence Model (Source: [unclear])

The greatest need is for a coherent interdiction model without excessive duplication of the massive resources that are being allocated to interdiction. Therefore, DEA recommends a definitive role and responsibility delineation. If not, then a reorganization might be in order for the interdiction forces. The "1977 Border and Management Report" offered reorganization options such as the inclusion of the U.S. Coast Guard, U.S. Border Patrol, and the U.S. Customs Service in a Border Management Agency under the Department of Justice. Under a restructuring strategy, DEA recommends a clear authority, role and responsibility definitions with each organization re-focusing its resources on its particular mission and avoidance of duplicative functions.

DRUG INTERDICTION MODEL



Just as the Interdiction Model requires clear role definition to avoid duplication, so too the Investigative Model requires the same clarification. A reorganization strategy is not recommended since there must be one drug agency, whose sole mission is drug enforcement. If reorganization is considered, then each agency's workyears should be examined for drug enforcement related activity and then those workyears could be temporarily transferred to a single drug agency.

DEA recommends restructuring by role clarification and Title 21 delegation and deputation of state and local authorities, e.g.,

- (1) ATF to be Title 21 delegated to work with DEA on clandestine labs and gun/drug cases;
- (2) EPA agents to be Title 21 delegated to assist DEA with hazardous chemicals in clandestine labs;
- (3) U.S. Customs Service personnel at airports to be delegated so as to perform international drug conspiracy and controlled delivery investigations.

The goal is to bring more coordinated workyears against the problem in a supervised and disciplined framework.

Let's look at the other committees of the NDPB.

DRUG INVESTIGATIVE MODEL

INTELLIGENCE



INVESTIGATION

LEAD ROLES

DEA	-Lead Investigative Agency
FBI	-Concurrent Title 21-Organized Crime/Money Laundering
IRS	-Financial Investigations on Major Traffickers
USCS	-Financial Investigations(Ports)
USMS	-FUGITIVES
ATF	-Firearms/Drugs
National Forest Serv.	-Forest Park Lands
DOD	-Military Investigations
National Guard	-Support

INTERDICTION



This committee will be charged with the international affairs of the drug problem as it relates to the functional areas of Regional Institution Building, Crop Control and Illicit Production Control.

INTERNATIONAL COOPERATION

COMMITTEE ON INTERNATIONAL COOPERATION

**Assist. Secretary for
Internal. Narcotic Matters**

**REGIONAL
INSTITUTION
BUILDING
INM,DEA,USIA,NIDA**

**CROP
CONTROL
INM
DEA
DOA
DOD
AID**

**ILLCIT
PRODUCTION
CONTROL
DEA
INM
CIA
DOD**

The Committee on Research has both demand and supply reduction responsibilities, but the greater majority of its work deals with demand reduction. For this reason, we recommend that the Assistant Secretary of Health (Surgeon General) be the Chairman on the demand reduction side of the equation. DEA is not presumptuous to define each agency's role and function, but rather offer these models as points of discussion for further development. What we are saying is that there is just a strong need for authority and responsibility clarification on the demand reduction side as the supply reduction side. There are too many public and private organizations expending vital energy in duplicative programs.

RESEARCH

COMMITTEE ON RESEARCH

Assist. Secretary
of Health

PREVENTION
ADAMHA, OJARS, OSTP

TREATMENT
NIDA
NIMH
NIAA
Community Orgs.

DRUG CONTROL
FDA
DOA

The Committee on Prevention is charged with those activities in Prevention as defined in the National Strategy and the recent 1986 legislative initiatives.

PREVENTION

COMMITTEE ON PREVENTION

Assist. Secretary of
Education

PUBLIC
AWARENESS
ADAMHA (NIDA, NIMH, NIAA)
OJP (OJARS, OJJDP)

EDUCATION
DOE

Associated

NHTSA
DOD
DEA
OPM
DOJ
FBI
OSHA
FDA

COMMUNITY
BASED
PROGRAMS
ACTION

This committee is charged with the Treatment activities as defined in the National Strategy headed by the Surgeon General. The Surgeon General also will head the Research Committee.

TREATMENT

COMMITTEE ON TREATMENT

Assst. Secretary of
Health

TREATMENT
HHS, ADAMHA, OJP

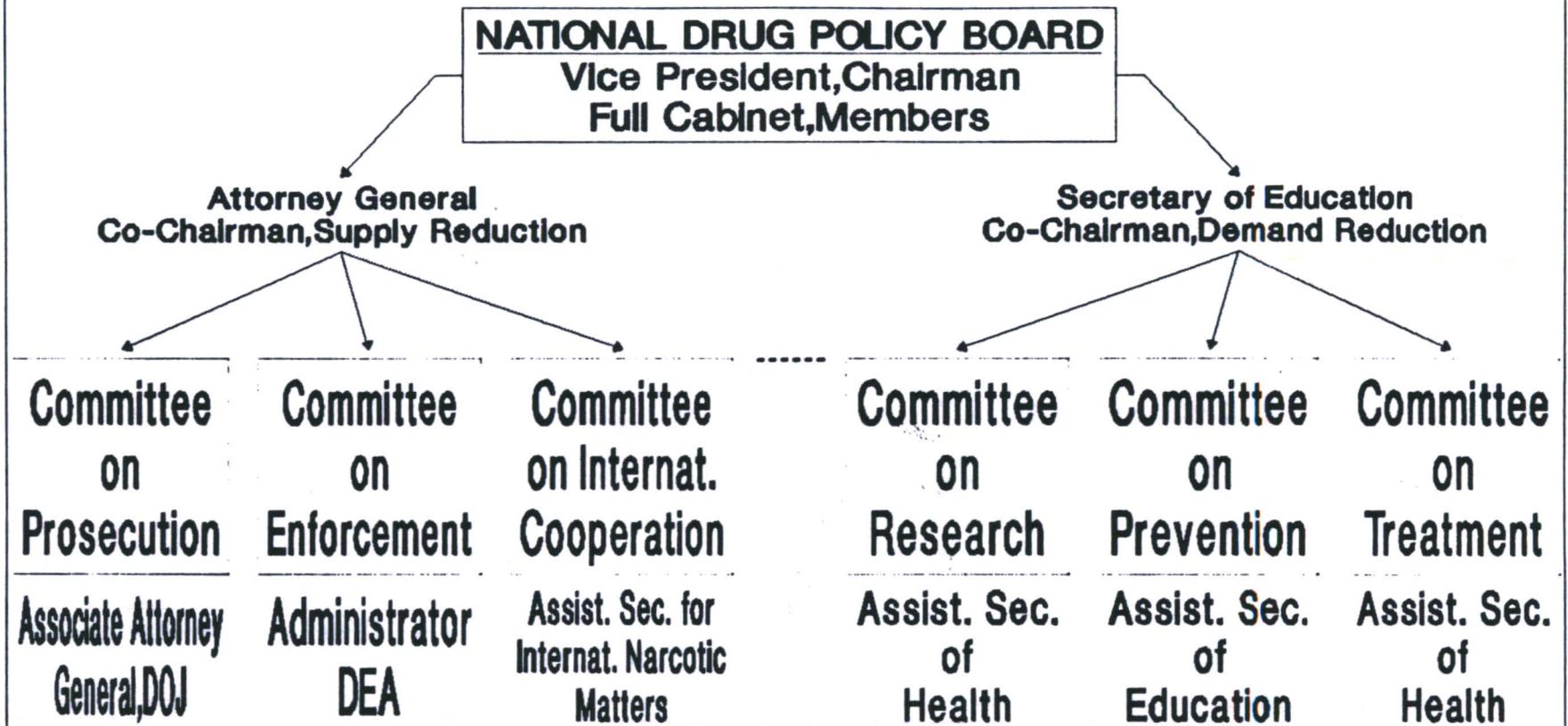
REHAB.
OHDS
SSA
VA
OPM
HCFA

COMMUNITY
BASED
PROGRAMS
Community Organ-
izations

That is our view of a new National Drug Policy Board. It defines authorities and responsibilities, but more importantly, it provides clear delineation of roles as lead agencies in the Federal structure as mandated by recent legislation. It does not call for major reorganization, but rather restructuring, refocusing and redirection so that all will "march in cadence" with the goals of the National Strategy.

Now that we have looked at the national organizational framework, let's look at how we are to measure success toward our goals and then to determine how the States can further organize to establish their own frameworks.

RECOMMENDED STRUCTURE OF NDPB



CONCLUSION

That is our view of a new N.D.P.B. It defines authorities and responsibilities, but more importantly, it provides clear delineation of roles as lead agencies in the Federal structure as mandated by recent legislation. It does not call for major reorganization but rather re-structuring, re-focusing and re-direction so that all will "march in cadence" with the goals of the National Strategy.

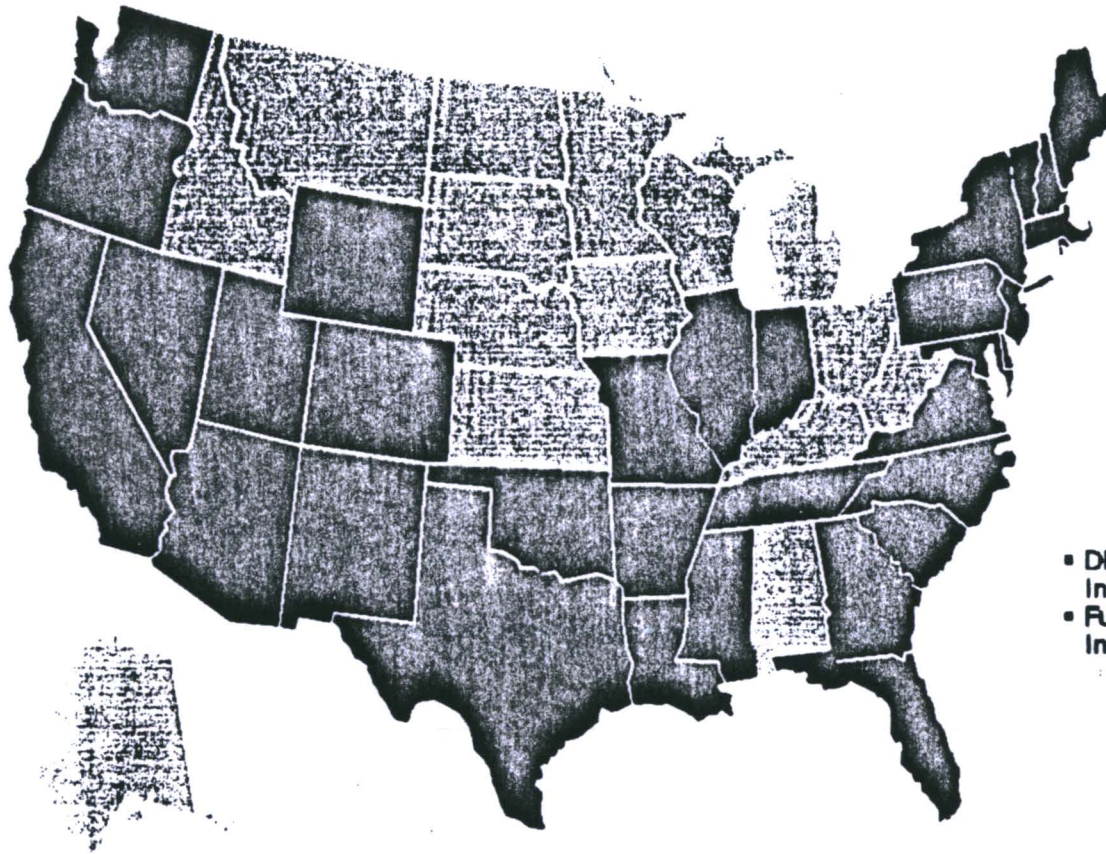
The first question is "How do you measure progress towards our National Strategy goals?" We recommend strategic planning. DEA measures itself against an internal process of measurement of our progress against defined objectives. The document you have been provided is the mechanism of just how I measure my organization. The point is that we must now have each organization measure itself in a strategic planning process. We hold ourselves responsible and we ask that each organization measure itself. Those programs that do not succeed must be modified or abandoned. This process will provide feedback to the NDPB, and more importantly, accountability will be fixed. We recommend that the NDPB mandate strategic planning process in all agencies that involve themselves in drug programs and accountability for their accomplishments.

STRATEGIC PLANNING

- ACCOUNTABILITY
- FEEDBACK
- PROGRESS MEASUREMENTS

While the Drug Enforcement Administration has many new initiatives for recommendation under this new structure, a few examples are offered to demonstrate how these programs would assist the State and local effort.

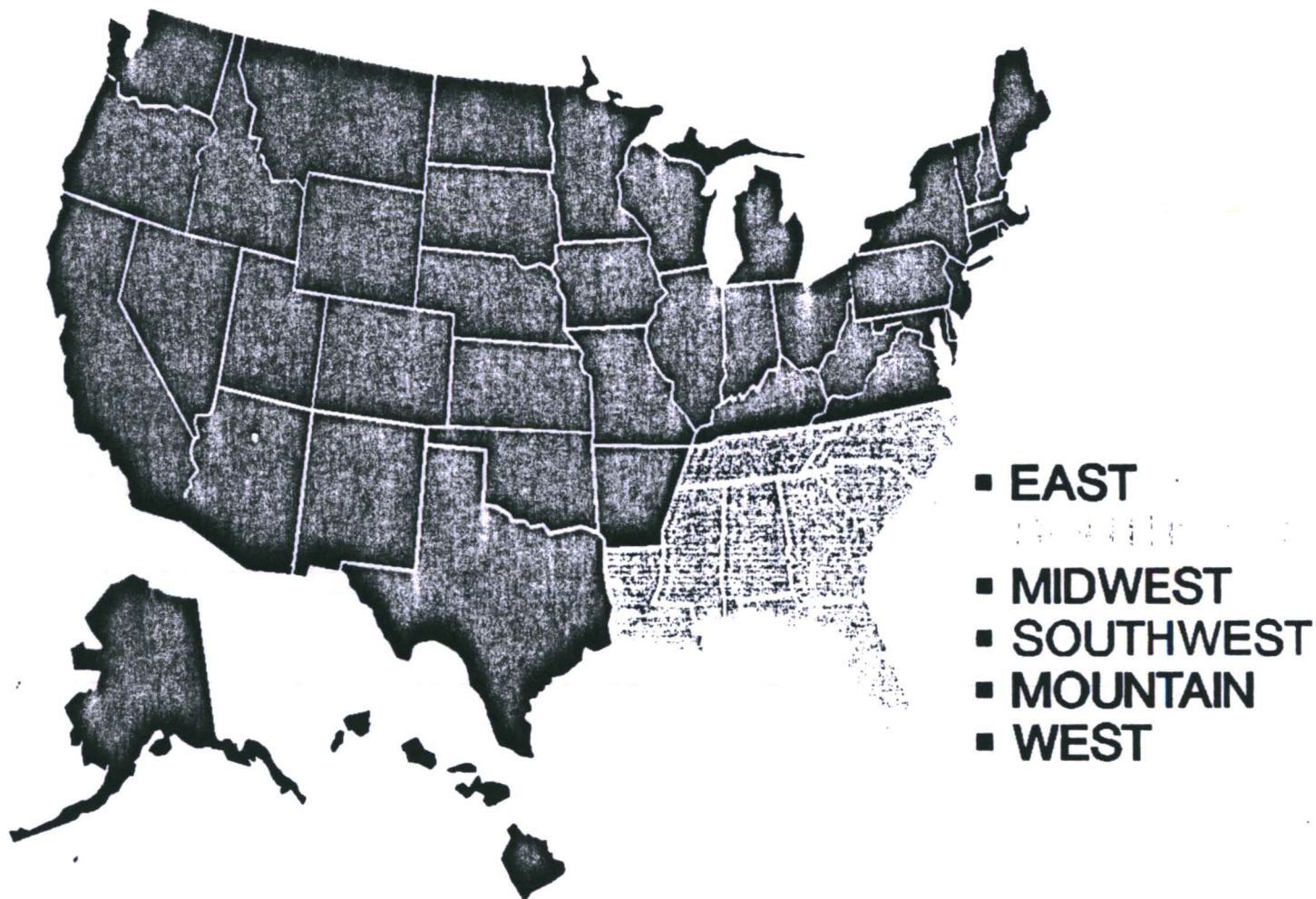
OPERATION PIPELINE



- DEA Trained Highway Interdiction Groups
- Full Time Statewide Interdiction Programs

* 90,000 Uniformed Patrol Officers on National Highways

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES



* Restructure on a Regional Strategy Basis to 6 Task Forces

Now that a national organizational framework has been discussed, it is important that we have a similar structure on the State level so that the National Strategy can be carried out on the local level. This similar structure provides all organizations involved in drug control with a forum for communication and a structure for coordination. The LEOCC's will interface with the State Boards also.

RECOMMENDED STATE MODEL

**GOVERNOR'S OFFICE
(STATE DRUG POLICY BOARDS)**



PROSECUTION

INTELLIGENCE

PREVENTION

PUBLIC
AWARENESS

TREATMENT

TRIALS

DETENTION
PAROLE
PROBATION

INVESTIG.

INTERSTATE &
INTRASTATE
INTERDICT.
ERADICT.

TREATMENT

DRUG
CONTROL

EDUCATION

COMM.
BASED
PGMS.

REHAB.

COMM.
BASED
PGMS.