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WITHDRAWAL SHEET

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(5 of 5)

Date 1/26/98
[OA 12590]

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	From Carlton Turner to Rudolph W. Giuliani re Draft Report to the Attorney General and the Cabinet Council, 10p.	12/9/82	b5 b7C 1/4/01

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-6 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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Task 1. To enhance interagency cooperation and use of specialized expertise in the area of asset removal and financial investigations, the Task Force proposes that a strategy be developed for utilization of the Treasury Department's Financial Law Enforcement Center (FLEC).

Discussion: In support of an expanded national financial investigative effort, U.S. Customs established the Financial Law Enforcement Center to facilitate the development of both drug and non-drug financially oriented intelligence and to identify those violations having the greatest potential for prosecution. FLEC is envisioned as the centralized national clearinghouse and repository for criminal cash flow intelligence and expertise. It has the departmentally mandated responsibility to receive all information collected pursuant to the (Foreign) Bank Secrecy Act; analyze it; and make appropriate dissemination of its findings to the law enforcement community.

Task 2. U.S. Customs and IRS will create enhanced procedures and guidelines to facilitate and coordinate access to and dissemination of financial intelligence.

Task 3. DEA, Customs, IRS and other involved agencies will provide FLEC with a continuous flow of operational intelligence to enable effective analysis of financial information and thereby identify suspect transactions, financial institutions of questionable practice, and previously unknown assets of criminal organizations.

Discussion: The Financial Law Enforcement Center will examine the financial characteristics of the criminal markets and assist in the

development of a law enforcement strategy that will exploit the vulnerability of criminal organizations' business practices through application of criminal and civil sanctions. The operational intelligence provided by client organizations to FLEC will then be returned to those agencies for further review or investigation.

AG Action 2: Increase multi-agency coordination so as to identify those investigations which have drug trafficking implications and to bring special expertise to bear on operational efforts concerning organized crime, financial investigations, drug movement, drug-related violence, and official corruption.

Task 4. Recognizing that DEA is the principal agency in narcotics enforcement, multi-agency drug violator targets will be selected in coordination with DEA; local coordinating group members will achieve a consensus of drug-related violators who may be susceptible to anti-smuggling or financial investigative efforts.

AG Action 3: Through enhanced interagency cooperation and increased prosecutorial resources, identify mechanisms (e.g., Law Enforcement Coordinating Committees) to facilitate both drug and non-drug case development for violations having the greatest potential for prosecution.

Discussion: A number of mechanisms now exist to accomplish this, such as FLEC, EPIC, LECC, and the committee which makes requests of DOD for equipment and technical assistance. The need for better use of attorney resources was noted as being a perennial problem to be addressed by DOJ, but no tasks have been developed at this time.

AG Action 4: Increase cross-training of Federal law enforcement agents.

Task 5. An inventory of the training that is available, and an assessment of the training desired, will be made in the next three months. DEA will compile information for the Department of Justice, Customs will do the same for the Department of the Treasury, and the Coast Guard will compile for the Department of Transportation. Other interested agencies as well as DEA, Customs, and Coast Guard will provide their findings to the Task Force for consolidation.

Discussion: A working group is currently canvassing agencies of the Federal Government to identify all training available to sworn full-time peace officers of state and local jurisdictions. Additionally, the group will develop and coordinate curricula and design programs of specialized training for state, local and Federal law enforcement officers to be conducted at FLETC.

Task 6. The Department of Defense will assess the needs to conduct cross-training to sensitize DOD personnel to the needs of civilian law enforcement.

AG Action 5: Increase the effectiveness of vessel smuggling interdiction operations through major cooperative offensives (e.g., Operation TIBURON).

Discussion: The Task Force recommends that this action item be transferred to the Interdiction Task Force.

AG Issue B: ENHANCEMENT OF THE GOVERNMENT'S ABILITY TO ATTACK CRIMINAL PROFITS AND ASSETS THROUGH INTERAGENCY COOPERATION AND LEGISLATIVE INITIATIVES.

AG Action 1: Create, through the Intergovernmental Advisory Council on Asset Removal, a coordinative mechanism to formulate new legislation and to amend existing legislation to enhance the government's ability to attack criminal profit.

AG Action 2: Increase law enforcement's ability to gain access to currency transaction reports and to prevent the illegal transportation of monetary instruments into and out of the United States through support of legislation to amend the Bank Secrecy Act.

AG Action 3: Broaden law enforcement's ability to pursue financial investigations by facilitating Federal law enforcement access to Federal income tax information in non-tax criminal cases through a united advocacy of legislative remedy to the Tax Reform Act.

AG Action 4: Develop and support amendments to the criminal forfeiture provisions of the Racketeer Influenced and Corrupt Organizations (RICO) statute and the Continuing Criminal Enterprise (CCE) section of the Controlled Substances Act.

Discussion: This issue and companion actions were discussed from a procedural perspective. The consensus was that this Task Force has the responsibility to identify impediments to the exercise of investigative duties. This responsibility is shared with other Task Forces and pertains to all facets of investigative activity, not just asset removal. Suggestions for legislative change will be referred to the Task Force on Legislative Initiatives for coordination.

Task 7. Customs and IRS will provide a position paper to the Task Force on Legislative Initiatives on impediments to law enforcement activities created by the Bank Secrecy Act and the Tax Reform Act.

Task 8. DEA will provide to the Task Force on Legislative Initiatives position papers on Federal Tort Claims, Freedom of Information, Bail Reform, and Deputation.

III. ADDITIONAL ISSUES

The Associate Attorney General requested that the Inter-agency Investigations Task Force discuss the issue of South Florida-type task forces in other regions of the country and provide him our recommendations. Since the major participants in this committee also participate in the Interdiction Task Force, the committee agreed to append the recommendations discussed and agreed to by the Interdiction Committee. However, the participating agencies have been unable to reach agreement. The views of Customs (Attachment A) and DEA (Attachment B) are appended.

IV. TASK FORCE MEMBERS

The following list includes those members (all caps) originally appointed by the Working Group and representatives who attended either or both of the meetings on June 4, 1982, or September 15, 1982.

FRANK V. MONASTERO, Chairman, DEA	633-1329
GEORGE CORCORAN, Customs	566-2416
Rollin Klink, Customs	566-2416
RAYMOND KARAM, DOT	426-9192
William Moga, DOT	426-4512
Jim Haas, USCG	426-1981
JOHN HEAPHY, DOD	697-0617
BERNARD MAKOWKA, CIA	351-6585
Laurie Forbes, CIA	351-6585
Richard Wassenaar, IRS	566-6723
Floyd Clarke, FBI	324-5709
Merrill Parks, FBI	324-5709
Ed Heath, DEA	633-1051
Patrick Tarr, DEA	633-1331

IV. MULTIAGENCY TASK FORCES

MULTIAGENCY TASK FORCES

As requested, those members of the Interdiction Task Force participating in South Florida Joint Task Force considered the issue of the use of similar task forces in other areas of the country. The consensus of those members is as follows:

1. The multiagency approach utilized by the South Florida Joint Task Force permits maximum use of both enforcement personnel and the laws, regulations, and enforcement expertise of wide-range of Federal enforcement agencies previously not used in combatting narcotics trafficking.
2. This use of the full weight of the complete Federal enforcement establishment against narcotics trafficking in the south Florida area has disrupted and dispersed the normal pattern of drug smuggling to areas outside of Florida.
3. The level of interagency cooperation achieved in south Florida meets the standards established in the FY 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, currently pending publication.
4. While the publicity heralding the initiation of the South Florida effort clearly restored the public confidence, it was inconsistent with traditional investigative and intelligence-collection methodologies, and limited the ultimate enforcement potential of the operation.
5. The commitment of enforcement resources to other task forces of the same magnitude as those made to the South Florida effort, whether on a temporary or a permanent basis, could not be sustained by member agencies.
6. Using the South Florida operation as a model, smaller multiagency cooperative operations are desirable. They offer drug enforcement potential approaching the current South Florida effort if initiated covertly. In addition, such scaled-down multiagency task groups offer favorable prospects for making inroads into the trafficking of substances, such as heroin, not heavily impacted by the South Florida Joint Task Force.

7. The scaled-down multiagency task group envisioned by members of the Interdiction Task Force primarily would consist of current Federal enforcement personnel in those locations where intelligence, investigative leads, and interdiction efforts indicate such efforts are warranted. Operating under the direction of the local U.S. Attorney, Strike Force Attorney, or DEA Office, these resources could be supplemented by participating agencies on a short-term basis as the operation dictated. Effective coordination is a prerequisite for joint or combined interdiction operations.

In summary, the South Florida Joint Task Force has precipitated opportunities elsewhere in the country ripe for drug enforcement exploitation. A scaled-down multiagency task group approach offers an immediate, resource-realistic Federal enforcement response to those opportunities and should be pursued.

Specific Interdiction Task Force member agency comments, proposals, and recommendations from Customs and the Coast Guard relating to this issue follow. While these recommendations are within the Task Force consensus on this issue, the detailed components await further analysis by other agencies impacted. DEA will submit its proposal under separate cover.

INTENSIVE INTERAGENCY INVESTIGATIVE-INTERDICTION OPERATIONS

In order to exploit the dispersive and disruptive impact on narcotics smuggling of the South Florida Joint Task Force, to address the trafficking of substances not impacted by the Joint Task Force such as heroin, and to utilize fully the successful enforcement methods embodied in its cooperative multiagency approach, the U.S. Customs Service recommends the following with the concurrence of the Coast Guard.

1. Initiation of additional multiagency investigative/interdiction operations on a national scale using the South Florida operation as a model;
2. Modification of the South Florida model so that these operations would rely principally on the use of locally available resources (with possible resource increases generally not to exceed 12 TDY personnel from each participating agency, as warranted), and would be conducted covertly in the intelligence collection and investigative phases preliminary to interdiction;
3. Joint planning of investigative operations by DEA, Customs, Coast Guard, and other participating agencies with authority to conduct drug smuggling investigations delegated to Customs by the Attorney General.
4. Oversight of these operations by the Department of Justice, through the local U.S. Attorney or Strike Force Attorney, or by DEA, as in south Florida, permitting the full use of not only the interdiction but also the investigative potential of Customs. In either event, DEA continues as the lead Federal agency in narcotics enforcement with Customs sharing in the management and supervision of these operations.
5. Expansion of multiagency participation to include FBI and IRS, using a wider range of Federal laws, regulations and expertise against drug trafficking, just as Customs enforcement of currency laws can target the transportation and disposition of drug profits;
6. Phased implementation of operations tracking the classical smuggling enforcement cycle (intelligence/informant development; pre-interdiction investigation; coordinated air/land/marine interdiction; post-interdiction investigative follow-up) in such areas as the west coast, New York and the southwest Mexican border;

7. Joint planning of interdiction operations paralleling the investigative effort by Customs, DEA and other participating agencies with final determination of the location, duration and number of Customs personnel assigned to be made by the Commissioner of Customs. Similar decisions regarding Coast Guard and other participating agencies' resources are reserved to their management; and,
8. Coordinated implementation of air, land and marine interdiction operations at both the national and local command levels.

The results to be achieved in the utilization of such intensive operations on a national scale include:

1. Increased overall Federal drug enforcement through the merger of member agencies' specific drug enforcement priorities. Customs general mandate to interdict smuggling and investigate currency violations is targetted on drug trafficking in the location of the intensive operations;
2. Minimal increases in resources are required through the reliance on unpublicized pre-interdiction intelligence and investigative operations, using local resources; and,
3. Increased investigative leads with long-term potential for penetrating the upper levels of major narcotic trafficking organizations. The multiagency approach permits full investigative follow-up of interdiction operations' substantive narcotics smuggling and financial leads.

It is Customs contention that such intensive operations offer the means for the maximum exploitation of south Florida smuggling displacement at minimum cost.

MULTIAGENCY OPERATIONS

The parties recognize that by virtue of an order of the Attorney General dated January 28, 1982, all Federal drug law enforcement investigation activities are subject to the general supervision of the Director of the Federal Bureau of Investigations. (See 28 C.F.R. Sections 0.85 and 0.102)

With the concurrence of the Director, FBI, the following recommendations concerning multiagency operations are submitted:

Specific Features

- 1) Multiagency coordinating groups are needed in various geographic areas to address the drug trafficking situation through intensified investigative/interdiction efforts. A meaningful disruption of drug traffic can result from interdiction and immediate investigative followup achievable through a temporary, multiagency task force approach.
- 2) Joint multiagency interdiction/investigation approaches would rely principally on the use of locally available resources, limiting TDY personnel to minimize resource commitments that have not been expressly appropriated.
- 3) Joint planning of investigative followup operations and preinterdiction intelligence collection will reflect multiagency cooperation (especially Customs, Coast Guard, and DEA) that is so evident in South Florida. Final determination of the location, duration, and numbers of personnel will be made by the Administrator of DEA, in consultation with the Commandante and the Commissioner, and the number of Customs personnel delegated temporary drug investigative authority will be approved by the Attorney General upon the written recommendation of the Administrator of DEA.
- 4) Overall supervision of these operations will be carried out by DEA, the principal drug enforcement agency. As in South Florida, Customs will share in the management and supervision of these multiagency operations, to the degree necessary.
- 5) Multiagency participation beyond that of DEA, Customs, and the Coast Guard will be encouraged depending on the appropriateness of the situation. FBI involvement will be decided on a case-by-case basis where consistent with the mission of that agency.
- 6) Joint planning of interdiction operations is desirable so as not to disrupt ongoing task force operations and agency resource commitments. It is recognized that the Commissioner of Customs and the Commandante of the Coast Guard have final determination

for their respective agencies of the location, duration, and number of personnel assigned outside of the task force.

The results expected from such operations include:

- 1) Although temporary, a meaningful disruption of drug trafficking in task force locations and along pertinent drug trafficking routes;
- 2) An increase in Federal drug enforcement through the enhanced coordination of the resources of participating agencies; and
- 3) An increase in investigative leads which can only be fully exploited in long-term drug investigations conducted by the permanently assigned resources of the DEA and the FBI.

THE WHITE HOUSE

WASHINGTON

December 9, 1982

MEMORANDUM FOR RUDOLPH W. GIULIANI, ASSOCIATE ATTORNEY GENERAL

FROM: CARLTON TURNER

SUBJECT: Draft Report to the Attorney General and the
Cabinet Council

Rudy, I have several comments on your draft report.

In general, it was my understanding that one use for the Working Group report was as a status report on implementation of the 1982 Federal Strategy. Therefore, I recommend that the report make direct references to the relevant Strategy objectives. As you know, the Strategy objectives parallel the original issues and the connection should be maintained.

Second, the draft contains several references which are misleading and create potential for misunderstanding regarding the policies involved. I have mentioned these in the following comments, but as an example, pages 4 and 5 involving Recommendation A-1 call for "full exploitation" of military resources. The word "exploitation" is an unfortunate choice and its meaning does not reflect the intent of the Administration's policy.

Third, this report should use the English spelling of marijuana, rather than marihuana.

A. Posse Comitatus

Page 3, para. 1, line 7,
Page 4, para. 1, line 1:

Replace "full exploitation" with "effective and efficient use".

Page 4, para. 1:

Line 3: Replace "acceptance" with "awareness".

Line 4: Replace "deployment" with "use".

Lines 5-7: To encourage involvement, reword last sentence as follows: "The Department of Defense should acquaint military personnel with the needs of drug law enforcement and encourage support of those needs."

Page 4, Recommendation A-2:

A parallel recommendation is needed concerning the responsibility of civilian authorities in the use of military assistance. Civilian agencies should develop their own training programs to ensure effective, efficient and proper use of military assistance.

Page 4, Recommendations A-2 and A-3:

Replace "will" with "should" to make suggested action consistent with a recommendation.

Page 5, para. 1, line 6:

Reword "domestic marijuana eradication" to read "domestic cannabis eradication".

B. Foreign Strategic Intelligence

Page 5, para. 3:

Add sentence (underlined): "Strategic narcotics intelligence is derived largely from human intelligence collection efforts complemented by technical collection programs. The National Narcotics Intelligence Consumers Committee (NNICC) is responsible for analyzing and evaluating the collected information and disseminating the resulting strategic intelligence in an annual report. The Working Group believes that the effectiveness of these activities can be enhanced..."

Page 6, Recommendation B-1:

Reword as indicated by underlining: "The Director of Central Intelligence, in concert with the NNICC, should create..." (It should be noted that the Departments of State, Justice and Treasury are all represented on the NNICC. As the NNICC is the official interagency mechanism for analysis and dissemination of strategic intelligence, efforts to enhance the information collection process should ultimately be geared to enhance the quality of intelligence developed and disseminated by the NNICC.)

C. Interagency Financial Law Enforcement

Page 8, Recommendation C-1, para. 4:

Reword "serve localized financial intelligence needs" to read "serve the financial intelligence needs of state and local law enforcement."

D. Domestic Marihuana Eradication Program

Page 9 through page 10:

Beyond recognizing the importance of domestic cannabis eradication, Section D exhibits a serious misinterpretation of Administration policy and program objectives. In addition, "cannabis," not marijuana, is cultivated and eradicated. "Marijuana production" results from "cannabis cultivation."

Page 9, para. 1 under D:

The Drug Enforcement Administration has an existing cannabis eradication program that, consistent with Administration policy, encourages the states to take primary responsibility for eradicating cannabis growth. In addition to encouraging state efforts, the Federal role has been to contribute, within resource limitations, training, equipment, funding, investigative and aircraft resources to support the efforts of state and local law enforcement agencies. The DEA program has been greatly expanded in the past year and will continue to expand. At present, 26 states are participating.

Let me stress that it is not DEA's responsibility to select states for the domestic eradication program; it is their responsibility to assist those states that desire such a program and try to encourage those states that should have an eradication program. All 50 states have the potential for cannabis cultivation, but priority, when necessary, has been given to those states currently producing marijuana in significant quantities. This is a simple, but effective, system of prioritization. As more states are included, the program will expand. I do not understand the meaning of "reaching beyond existing prioritization efforts."

As for the set of prioritization criteria proposed, it sounds like a foreign policy initiative. I certainly have never seen marijuana production displace timber. More importantly, what is the intent of determining the "effects on local

economies?" Does this mean that we must have crop substitution programs in this country, or that we will have a hard time convincing state and local authorities that they should eradicate? This could be widely misinterpreted.

Rudy, it is illegal to cultivate cannabis in the United States and it is the United States we are talking about, not the Tribal Areas of Pakistan or the mountains of Peru. Additionally, the Single Convention calls on the government to control narcotic plant production. The Administration is concerned with eradication and living up to our obligations under the Single Convention. This proposal simply will not do because it complicates a relatively simple issue and does not show an understanding of the problem. There is no need for bureaucratic experimentation with this issue.

Page 9, para. 2 under D:

The first sentence is a perfect example of meaningless verbage. The domestic marijuana situation cannot be assessed by research on herbicide spraying.

Page 10, para. 1:

I question the worth of an interagency committee to use domestic marijuana production intelligence and find it unusual that no mention is made of the investigation of domestic trafficking activities.

Page 10, Recommendation D-1:

I recommended that Recommendation D-1 be eliminated from the report. It is already being done in a manner consistent with Administration policy and program objectives.

Page 10, Recommendation D-2:

I do not understand how Recommendation D-2 got so far afield of Task 4 as proposed by the Federal/State/Local Cooperation Task Force, i.e., why the issue demands the attention of the Attorney General and how "a working level committee...to conduct a survey" in order to enhance the existing system became "a working level staff...to develop a system."

The refinement of domestic cannabis cultivation intelligence is desirable, both from an operational and strategic standpoint, and the resources and

expertise of Agriculture, Interior and others could probably assist. However, I think this process will be very simple and will be a normal outgrowth of the Domestic Eradication Program, which both uses and produces operational intelligence, and of the current revisions and refinements being made by the NNICC.

The recommendation should be reworded to meet a simple objective of improving the collection of information on domestic marijuana production by using all available sources.

E. Inteagency Assessments and Studies

Page 11, para. 1, lines 3-4:

I think we should once and for all recognize that Posse Comitatus was not modified by law; an "exception" to Posse Comitatus was included in the Department of Defense's Authorization Bill.

Page 11, Recommendation E-1:

There is no way this recommendation will fly. First, providing guidance as to the evaluation of effectiveness is clearly the responsibility of the Drug Abuse Policy Office. In fact, assessing effectiveness is what this ongoing process is all about. GAO also has specific responsibility in this area. A permanent study group will not be productive.

F. Interdiction Improvements

Page 13, para. 1, line 13:

Again, this is not "revised posse comitatus legislation," it is an exception to posse comitatus legislation.

Page 14, Recommendations F-1 through F-4:

These are recommendations, not directives, and should be appropriately expressed by changing "will" to "should."

Page 14, Recommendation F-2:

The Interdiction Task Force, representing Customs, DEA, DOD and the Coast Guard, already proposed coordinating mechanisms to facilitate air surveillance (Interdiction Task Force Report, Issue D, Action 1). Does this mean that the Working Group

accepted or rejected the Task Force proposal?
Recommendation F-2 seems to be that the same Task Force do the same report again.

G. Interagency Strategy on International Initiatives

Page 15, Recommendation G-1:

The Task Force report does not recommend the formal establishment of an "interdepartmental committee;" it proposes the development and implementation of "a coordinated interagency strategy" (International Initiatives, page 1). I recommend the establishment of interagency working groups for each geographic area. The composition of the groups should be determined by and chaired by INM, with working-level area experts from the various agencies. The Cabinet Councils and the Oversight Working Group already provide the mechanism for implementation of the interdepartmental aspects of the international initiatives.

I agree that the interagency initiatives proposed by the International Initiatives Task Force for Issues 1, 4, and 5 be addressed together, but I think it should be done on an area-by-area basis. Also, an interdiction/enforcement initiative (Issue 2) should be included.

The overall issue of a public affairs strategy is currently being addressed by the Cabinet Council Working Group on Drug Abuse Health Issues and will be aimed at not only producer/transit nations but also consumer and other prospective donor nations.

Page 16, last paragraph:

I will not support the re-establishment of a "Cabinet Committee for International Narcotic Matters." The Cabinet Council system is already set up to handle such matters. We should be utilizing all the coordinating and oversight mechanisms which have already been established, rather than creating new ones.

Comments on Task Force Reports

International Initiatives Task Force:

Page 4, Issue 3: Strategic Intelligence and Research, Task 6 - This is already being done. In the past two years, the ongoing effort by the NNICC to review and refine the accuracy and credibility of its narcotics intelligence estimates has already

resulted in substantial improvements. In addition, a task force will be established in early 1983 to conduct a comprehensive review of available data and methodology used for estimating consumption and production, as well as the social and economic costs of illicit drugs to our society. I fully support these ongoing efforts.

Page 7, Issue 5: Diversion of Licit Drugs, Task 2 - FDA has no enforcement authority and HHS has continuously fought giving FDA any such authority. FDA should not be included with those agencies having enforcement or intelligence information, but could be listed as providing advice.

Page 7, Issue 5: Diversion of Licit Drugs, Tasks 5 and 6 - These two Tasks should be incorporated into one. There is no doubt that there needs to be "restriction on the sale/distribution of such precursors," but we need to be careful. If the restrictions can be negated by substitutes or diversion, we could end up creating another unknown situation and accomplishing only a temporary disruption of the present situation. If these chemicals were tagged at the source and a tracking system established, a great deal of intelligence concerning distribution and processing location could be made available to enhance our overall control initiatives and operational efforts. (Acetone anhydride in Task 6 should be corrected to read acetic anhydride.)

Federal/State/Local Cooperation Task Force:

Pages 1-2, Issue A: Domestic Eradication Program, Action 1 - See my comments under D above. If cannabis is being produced, it should be eradicated. If the Departments of Interior and Agriculture wish to put forest management activities as their priorities, then so be it; but it simply is not a point for discussion in a document dealing with drug law enforcement or related activities.

Page 2, Issue A: Domestic Eradication Program, Action 2 - See my comments under D above. This research has been done and the Administration has been on record as supporting the spraying of herbicides since 1981. We have gone through court, we have had an injunction, we beat that injunction, and now we put in a document that we are going to call for additional research! Action 2 is unjustified; it erroneously gives the pro-marijuana people a complaint; and it says that we do not have a unified position.

Page 2, Issue A: Domestic Eradication Program, Action 3 - See my comments under D above. This treads on dangerous ground. If my interpretation of E.O 12333 serves me correctly, the CIA cannot get involved in any domestic assessments of cannabis growth, and to have that or imply that in a domestic document is fraught with considerable problems.

Page 3, Issue B: Increased Cooperation, Action 1 (Discussion) - This is on track because it addresses the coordinating mechanisms which have already been established before setting out to propose new ones. I would like to see more of this throughout the document.

Pages 3-4, Issue B: Increased Cooperation, Action 2 - AG Action 2 comes clearly under the Cabinet Council on Human Resources and is being addressed by the Working Group on Drug Abuse Health Issues, which I chair. As far as the discussion, CODAP has been found to be unreliable in most cases, which is why it has been dropped. The other systems are being used to handle epidemiological data.

Page 4, Additional Issues, Task 1 - Reports on the non-medical uses of over-the-counter drugs are already available under the titles "Student Drug Use in America" (the high school senior survey), "The National Household Survey" and the "Drug Abuse Warning Network." The working group representing FDA, DEA, NIDA and others (Task 1) was set up some time ago under the Cabinet Council Working Group on Drug Abuse Health Issues and is responsible for developing the implementation/status reports concerning this issue.

Interdiction Task Force:

Page 1, Introduction, para. 2 - Issues were identified by the Federal Strategy, not by the "authors" of the Federal Strategy. The Federal Strategy is clearly the President's Strategy to prevent drug abuse and drug trafficking. The President established the policy and the major objectives. The Strategy is also the Strategy of the Cabinet members involved in its preparation and implementation. The agencies, including those represented on the Interdiction Task Force, worked to develop specific objectives based upon the established framework. The President reviewed the final product, took the unprecedented step of

writing a letter on the first page, and now is actively involved in the Strategy implementation. The wording in the draft implies different opinions.

I strongly suggest using issues originally identified by the Federal Strategy and the Attorney General. The "refinement" of issues by the Interdiction Task Force is actually a "selection" of Federal Strategy objectives. Two important objectives are excluded: (1) Improving follow-up investigations of interdiction seizures and arrest to enhance the quality of drug smuggling intelligence and prosecutions; and (2) Improving the quality and availability of drug smuggling intelligence for all participating enforcement agencies. Both of these issues are controversial and will have to be addressed.

Instead the Task Force invented a new issue, i.e., assess the Federal drug effort, which through a maze of circuitous illogic, results in the conclusion that "Working Group on Drug Supply Reduction should review the Federal Drug Strategy and identify interdiction goals, priority of interdiction efforts and initiatives." I thought that was what this Task Force was set up to do?

Page 3, Assess Federal Effort, Action 1 - We already know the relevant factors which concern interdiction strategies and the operational nature of Federal agencies involved. The development of a strategy/counter-strategy and the identification of an effective long-term enforcement attack on the drug traffic has merit. However, we must recognize the nature of law enforcement is to disrupt current patterns and any long-range plan must accept this, with emphasis on flexible responses to meet the new conditions.

Pages 3-4, Assess Federal Effort, Action 2 - Our accounting system for these statistics should be accurate and credible.

Page 4, Assess Federal Effort, Action 3 - The acceptable level of performance for drug interdiction is to seize the greatest quantity of drugs and non-drug assets and arrest the largest number of violators at the highest level possible. The priorities have already been identified by the Federal Strategy. The two objectives which the Task Force chose not to address (follow-up investigations and improving the quality and availability of intelligence) are critical to improving this level of performance.

Page 5, Action 4: Coordination of Law Enforcement Operations - The central control for interagency law enforcement operations already exists in the Cabinet Council system of government and in Executive Order 12368 signed by the President. It does not deal with the operational coordination where most of the problems are occurring, but most of these can be eliminated on an operation-by-operation basis through the Oversight Working Group, the LECC's and ongoing agency cooperation.

Pages 6-8, Issue A: Posse Comitatus - The credibility of this subgroup gets a bit shakey when they do not seem to understand that increased military assistance is available under an exception to Posse Comitatus legislation, not under the legislation itself. Public Law 97-86 (page 8, Action 5) is not Posse Comitatus, it is the Defense Authorization Act of 1982 which includes an exception to the Posse Comitatus Act (18 U.S.C. 1385).