

WHITE HOUSE CONFERENCE ON NARCOTICS ABUSE
AND CONTROL

106280

HEARING
BEFORE THE
SUBCOMMITTEE ON CRIME
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
NINETY-NINTH CONGRESS

SECOND SESSION

ON

H.J. Res. 631

CONFERENCE ON NARCOTICS ABUSE AND CONTROL

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WHITE HOUSE CONFERENCE ON NARCOTICS ABUSE AND CONTROL

THURSDAY JULY 24, 1986

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The subcommittee met, pursuant to call, at 9:40 a.m., in room B-352, Rayburn House Office Building, Hon. William J. Hughes (chairman of the subcommittee) presiding.

Present: Representatives Hughes, Mazzoli, Feighan, Smith, McCollum, Lungren, and Shaw.

Staff present: Hayden W. Gregory, counsel; Eric E. Sterling, assistant counsel; Charlene Vanlier Heydinger, associate counsel, and Phyllis N. Henderson, clerk.

Mr. HUGHES. The subcommittee will come to order.

Today the Subcommittee on Crime will receive testimony from our colleague, Charles B. Rangel, and Stephen S. Trott of the Justice Department regarding our Nation's drug epidemic and the Government's action to combat this dangerous threat to our country. The bill before us today is House Joint Resolution 631, a joint resolution providing for a White House Conference on Narcotics Abuse and Control. Immediately following the hearing, we will have a markup of this particular legislation.

[A copy of H.J. Res. 631 follows:]

99TH CONGRESS
2D SESSION

H. J. RES. 631

Providing for a White House Conference on Narcotics Abuse and Control.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 1986

Mr. RODINO (for himself, Mr. RANGEL, Mr. GUARINI, Mr. HUGHES, and Mr. GILMAN) introduced the following joint resolution; which was referred jointly to the Committees on the Judiciary, Foreign Affairs, and Energy and Commerce

JOINT RESOLUTION

Providing for a White House Conference on Narcotics Abuse
and Control.

Whereas the illicit production and trafficking of narcotics abroad and the illicit importation of narcotics into the United States is increasing each year;

Whereas the social and economic cost in the United States of narcotics abuse, including increased health care costs, lost productivity, and related crime and violence, is estimated to be more than \$100 billion annually, and there is a direct relationship between narcotics abuse and criminal activity and street violence;

Whereas the National Drug Enforcement Policy Board recently stated that drug abuse is a major health problem that dam-

ages our social institutions and threatens our most valuable human resource—our young people;

Whereas narcotics of all kinds are readily available on the streets of major cities in the United States, it is estimated that there are 500,000 heroin addicts, 4,000,000 regular cocaine users, and 20,000,000 regular marijuana users in the United States, and the amount of cocaine available for export to the United States increased by over 50 percent in 1984 and the number of cocaine-related deaths in the United States in 1984 increased by 77 percent;

Whereas the President's Commission on Organized Crime, in its final report, stated that narcotics trafficking is the most serious organized crime problem in the world today and is the most widespread and lucrative organized crime activity in the United States, producing revenues exceeding \$110 billion annually, and that insofar as the violence and corruption associated with narcotics trafficking threatens the stability of friendly nations, our own national security is jeopardized;

Whereas President Reagan has repeatedly emphasized the importance of the fight against narcotics abuse and has called narcotics abuse one of the gravest problems facing the nation;

Whereas the International Narcotics Control Board and the United States State Department have found that the illicit production, trafficking, and abuse of narcotics is international in scope and affects almost every country, and that these activities undermine the economic and social order, spread violence and corruption, and jeopardize the very political stability of some countries;

Whereas the Federal effort in narcotics law enforcement involves 14 different Federal agencies but lacks coordination and has not fully utilized the resources and expertise of State and local law enforcement officials;

Whereas the failure of the Federal Government to stem the flow of narcotics into the United States places overwhelming burdens on Federal, State, and local police, prosecutors, and courts and represents a threat to the national security; and

Whereas, in order to address these narcotics control and abuse issues in a coordinated manner and in a manner that responds to the crisis situation at hand, it is necessary to convene at the highest level of Government a conference: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This resolution may be cited as the "White House Con-
5 ference on Narcotics Abuse and Control Resolution of 1986".

6 **SEC. 2. AUTHORIZATION OF CONFERENCE.**

7 The President shall call a White House Conference on
8 Narcotics Abuse and Control (in this resolution referred to as
9 the "Conference"), in accordance with this resolution, not
10 later than 6 months after the date of the approval of this
11 resolution in order to develop recommendations for further
12 action to control the illicit production, trafficking, and distri-
13 bution of narcotics internationally and in the United States
14 and to prevent and treat narcotics abuse.

1 SEC. 3. PURPOSES OF CONFERENCE.

2 (a) IN GENERAL.—The purposes of the Conference
3 are—

4 (1) to increase public awareness of, and to focus
5 attention on, various aspects of the problems of narcot-
6 ics abuse and control (including issues of enforcement
7 of narcotics laws and of prevention, treatment, and re-
8 habilitation of narcotics abusers);

9 (2) to pool information and experiences in order
10 vigorously and directly to attack narcotics abuse at all
11 levels, local, State, Federal, and international; and

12 (3) to assist in formulating a national strategy (en-
13 compassing international, Federal, State, and local ac-
14 tivities) to control trafficking in narcotics and to pre-
15 vent and treat narcotics abuse.

16 (b) SPECIFIC CONSIDERATIONS.—The Conference shall
17 specifically review—

18 (1) the impact of recently enacted laws (including
19 the Comprehensive Crime Control Act of 1984 and the
20 Balanced Budget and Emergency Deficit Reduction
21 Act of 1985) on efforts to control trafficking in narcot-
22 ics and to prevent and treat narcotics abuse,

23 (2) the recommendations of the President's Com-
24 mission on Organized Crime as they relate to narcotics
25 abuse and control, and

1 (3) the extent to which the sanctions in section
2 481 of the Foreign Assistance Act of 1961 (22 U.S.C.
3 2291) have been, or should be, used in encouraging
4 foreign states to comply with their international re-
5 sponsibilities respecting narcotics control.

6 **SEC. 4. CONFERENCE REPORT AND FOLLOW-UP ACTIONS.**

7 (a) **FINAL REPORT.**—Not more than 6 months after the
8 date on which the Conference is convened, a final report of
9 the Conference shall be submitted to the President and the
10 Congress. The report shall include the findings and recom-
11 mendations of the Conference as well as proposals for any
12 legislative action necessary to implement the recommenda-
13 tions of the Conference. The final report of the Conference
14 shall be available to the public.

15 (b) **FOLLOW-UP ACTIONS.**—The President shall report
16 to the Congress annually, during the 3-year period following
17 the submission of the final report of the Conference, on the
18 status and implementation of the findings and recommenda-
19 tions of the Conference.

20 **SEC. 5. ORGANIZATION OF CONFERENCE.**

21 (a) **PARTICIPATION OF APPROPRIATE CABINET OFFI-**
22 **CERS AND OTHER OFFICIALS.**—The President shall—

23 (1) ensure the active participation in the Confer-
24 ence of appropriate cabinet officers, and

1 (2) shall provide for the involvement in the Con-
2 ference of—

3 (A) the Governors of States,

4 (B) the mayors of major cities, and

5 (C) individuals distinguished in medicine,
6 law, sociology, education, and law enforcement.

7 (b) ASSISTANCE OF FEDERAL AGENCIES.—All Federal
8 departments, agencies, and instrumentalities shall provide
9 such support and assistance as may be necessary to facilitate
10 the planning and administration of the Conference.

11 (c) NO PAYMENT OF INDIVIDUAL EXPENSES.—Each
12 participant in the Conference shall be responsible for his or
13 her expenses related to attending the Conference and shall
14 not be reimbursed from funds appropriated to carry out this
15 resolution.

16 (d) DETAIL OF STAFF.—Appropriate cabinet officers
17 may detail employees to work on the planning and adminis-
18 tering of the Conference without regard to section 3341(b) of
19 title 5, United States Code.

20 (e) RESTRICTION ON EXPENDITURES AND CONTRACT-
21 ING.—New spending authority or authority to enter contracts
22 as provided in this resolution shall be effective only to such
23 extent and in such amounts as are provided in advance in
24 appropriation Acts.

1 SEC. 6. EFFECTIVE DATE.

2 This resolution shall become effective on October 1,
3 1986.

4 SEC. 7. DEFINITIONS.

5 In this resolution:

6 (1) NARCOTICS.—The term “narcotics” in-
7 cludes—

8 (A) a narcotic drug (as defined in section
9 102(17) of the Controlled Substances Act, 21
10 U.S.C. 802(17)),

11 (B) a drug (as defined in section 1 of Article
12 I of the Single Convention on Narcotics Drugs,
13 signed at New York, New York, on March 30,
14 1961), and

15 (C) a drug or substance listed in a schedule
16 under the Convention on Psychotropic Substances
17 signed at Vienna, Austria, on February 21, 1971.

18 (2) APPROPRIATE CABINET OFFICER.—The term
19 “appropriate cabinet officers” means the Attorney
20 General, the Secretary of State, the Secretary of
21 Health and Human Services, the Secretary of Defense,
22 the Secretary of the Treasury, the Secretary of Trans-
23 portation, the Secretary of Education, and such other
24 cabinet officers as have responsibilities respecting nar-
25 cotics abuse and control (including combating illicit
26 production, trafficking, or distribution of narcotics).

1 (3) STATE.—The term “State” includes the Dis-
2 trict of Columbia, the Commonwealth of Puerto Rico,
3 the Northern Mariana Islands, the Virgin Islands,
4 Guam, and American Samoa.

Mr. HUGHES. The recent deaths of two young, gifted athletes—Len Bias and Don Rogers—have once again focused public attention on the drug problem. These tragedies point to an unfortunate fact: our Nation is losing the war on drugs.

Federal drug enforcement programs have been losing their effectiveness for the last several years. Furthermore, their efforts are fragmented between competing agencies. Despite all sincere talk and, I might say, some success in getting some grasp on the drug problem, we lack an effective and comprehensive national strategy to combat them. Our Government needs to develop a long-range national strategy against drug abuse and trafficking. That includes not just the enforcement side but also treatment, education, interdiction, enforcement domestically as well as enforcement in source countries, intelligence gathering in source countries as well as crop substitution and eradication.

We are calling for a White House conference because we believe that the crisis has reached such a critical point that the President's leadership is essential. Only the President can bring together the best minds and resources of our Nation to address this problem.

The war against drugs is a family issue. The National Drug Enforcement Policy Board recently stated that drug abuse is a major health problem that damages our social institutions and threatens our most valuable human resource—our young people. It is a health issue. The number of cocaine-related deaths in the United States in 1984 increased by 77 percent. It is also a national security issue. The President's Commission on Organized Crime stated that narcotics trafficking is the most serious organized crime problem in the world today and is the most widespread crime activity in the United States. It is estimated that the underground economy is in excess of \$140 billion. That is just an educated guess. It is conceivable that we could be talking about several hundred billion dollars, \$300 billion perhaps. Nobody really knows the dimension of the problem. We know it is enormous and out of control. We must take action to find new, effective means to combat this menace. We must protect the freedom of our citizens, especially our young people, from the imprisonment of drug use.

I am delighted by our witnesses today and look forward to hearing from Stephen Trott of the Justice Department and our colleague, Charlie Rangel, who is running somewhat late.

The Chair at this time recognizes the gentleman from California, Mr. Lungren.

Mr. LUNGREN. Thank you very much.

On behalf of the Republican members today I would like to thank you for scheduling the hearing today, both on this bill and on the designer drug bill to be taken up later this morning.

We appreciate this opportunity to address our concerns about the bill before us. I guess in the old days we would not have thought twice about spending money on a worthy cause such as drug abuse. Gramm-Rudman, however, has made us very careful in terms of where we spend our funds and where we do not spend them.

Bringing policy makers together for a comprehensive conference obviously is going to cost some money, perhaps a lot of money, perhaps an amount to equal salaries for some additional DEA agents. The cost is a major factor in any decision that Congress has to

make. Just last week Mr. Frenzel had an across-the-board cut to the appropriations bill that included the Justice Department, and I amended it to make sure that DEA and the FBI were not caught in that cut and we were successful in that.

However, the U.S. attorney who prosecutes the crimes that these investigations bring to them were cut along with everybody else, and that is unfortunate. I hope that we can change that perhaps in the future.

I am happy that we seem to observe a change in public attitude on the drug scene today. I think a lot of us will note, perhaps not with much satisfaction, that we had put up the white flag on drugs in communities around the country. Just 3 weeks ago two blocks from my office in Long Beach at the convention center there were two deaths at an Ozzie Osborne concert, two drug overdose deaths, and it just pointed up the fact to me that the police department in my area, and police departments around the country have basically declared a sanctuary wherever a major rock concert takes place. Police do not even go in there. Rampant drug use is observed. Drug abuse goes on. Deaths go on. And yet somehow we say that is part and parcel of the whole thing or at least that has been society's view in the past.

I think that is going to change and that change needs to take place all the way from the bottom to the top, and I do see evidence of the fact that it is changing. At the same time, however, I think this administration has done a fairly good job of being up front on the whole crime issue. A lot of people forget the FBI's traditional refusal to investigate in drug investigations because of the long-felt concern about the possibility of the corruption of officers coming in contact with major drug users. This administration overcame that historic reluctance and now there is a cooperation between the DEA and the FBI that we have never seen before. We have seen more cases brought and yet much remains to be done.

I suppose the big question now, both from the administration's standpoint and from the Congress standpoint, is what we do on the demand side. The demand side is an extremely important problem that we must address.

I, however, have not decided as to how I would vote on establishing a conference. If a conference can do some good, I will be happy to support it. If the conference merely interferes with the efforts of those already engaged in the strong antidrug program, then I do not think that would make a good deal of sense.

As I understand the bill before us, it does not contain any additional authorization for funds. I assume that means the funds will have to come somewhere out of the Justice Department and those agencies involved in drug abuse, and I suggest that would be counterproductive. If I can be convinced the conference is really necessary and would help, I would support the bill but would demand, at least as far as I am concerned, that we have a separate authorization so that funds won't be taken from needy programs.

So I thank you, Mr. Chairman, for allowing us to have this hearing and hopefully to mark up on this bill and the designer drug bill later today.

Mr. HUGHES. Do other members desire recognition?

Mr. McCollum.

Mr. McCOLLUM. I want to concur in what Mr. Lungren had to say and to add we are delighted to have the two gentlemen with us to testify. We have tremendous confidence in the drug enforcement efforts at the Department of Justice right now. What all of us are looking for is to assist in any way we can in resolving the entire drug problem. It is such a big problem, such a morass out there in terms of the volume that is involved and the ways that you have to attack, I think sometimes when we read about the alarming increases in certain aspects of the drug trafficking and deaths such as Len Bias' we all respond, as does the public, to the fact that we do not have the solution. But that is all part of what we are here about this morning, whether it is the proposal before us or what good work has been done by many of our agencies already.

So I welcome our witnesses and look forward to the testimony.

Mr. HUGHES. The gentleman from Ohio.

Mr. FEIGHAN. Mr. Chairman, let me just say, I think this subcommittee has had an excellent track record in working with the administration in its efforts to provide particularly to the law enforcement community the tools necessary to deal with the ever-growing drug crisis. It is important that we look closely at this proposal for some kind of forum that would give us an opportunity to develop as comprehensive a national strategy as possible. This is all the more compelling today as we see how dramatically changed the drug crisis can become in a short period of time.

Today we have many communities across the country that are facing an incredible challenge because of the use of crack, a drug that was virtually unheard of only a year ago. This is further evidence of how dramatically this whole problem can change and how quickly. Clearly, we need some sort of forum that would give us the capability of setting national strategy that deals with both the problems of supply and the problems of reducing demand, that would give us an opportunity to deal with domestic problems in law enforcement, prevention, education, and treatment as well as those foreign policy concerns, crop substitution, interdiction, eradication and all of the other issues that deal with producing the supply.

I commend you, Mr. Chairman, for bringing this issue and this legislation to us today, and I welcome the comments, particularly from members of the administration, so that we can, if not adopt this proposal of a forum, develop a system that would facilitate a comprehensive strategy.

Thank you.

Mr. HUGHES. Thank you.

Our first witness this morning is Stephen S. Trott, the Assistant Attorney General of the Criminal Division of the Department of Justice. Mr. Trott graduated from Wesleyan University in 1962 and Harvard Law School in 1965. In his career he has been the Los Angeles chief deputy district attorney, heading the organized crime and narcotics division, the U.S. attorney for the central district of California, and the U.S. attorney coordinating the regional drug trafficking task force in central California and Nevada. Mr. Trott is also a distinguished faculty member of the National College of District Attorneys.

Mr. Trott, we welcome you once again to the subcommittee. You are certainly no stranger before the subcommittee as you have appeared numerous times concerning all kinds of matters before the subcommittee. We have your prepared statement which, without objection, will be made a part of the record, and you may proceed.

In addition to other things, I understand you are a fairly good singer.

STATEMENT OF STEPHEN S. TROTT, ASSISTANT ATTORNEY GENERAL OF THE CRIMINAL DIVISION, DEPARTMENT OF JUSTICE, ACCOMPANIED BY CHARLES BLAU, ASSOCIATE DEPUTY ATTORNEY GENERAL

Mr. TROTT. Thank you, Mr. Chairman.

I used to be, but I abandoned that about 20 years ago.

Mr. HUGHES. Your priorities are confused. [Laughter.]

Mr. TROTT. I am very pleased to be here this morning. I am accompanied by Charles Blau on my right, who is a person who has been involved in the drug war for years. He had active experience in Florida. He came to the Department to run the Criminal Division's narcotics fight and has been active both in the Associate Attorney General's office and the Deputy Attorney General's office, especially with the National Drug Enforcement Policy Board.

I have been invited here today to present the position of the Department of Justice regarding House Joint Resolution 631, a bill to provide a White House conference, and I am very heartened, Mr. Chairman, at your comments and the comments of the members of the subcommittee because I think they illustrate one important fact, and that is we all begin from a common ground—concern over the narcotics problem in the United States and what it is doing, especially to the young people of this country, but almost to every interest that we could list if we spent the next 10 minutes doing that.

It cuts through the work place, it goes through schools, tears apart families. There is not anything the drug problem does not affect.

We appreciate also the concern manifested in the request for this conference because we agree with the general thrust; the idea that we have to continue to do what is being done to combat this problem, but also find new ways to do a better job and to do more, and we share your views on that.

However, it is our considered view after looking carefully at that resolution and considering where we have been and where we are going that, although a conference such as this might have had tremendous merit in, say, 1980, 1981, even possibly the early part of 1982, at this time in 1986 in view of all that has gone on and is going on, simply does not appear to us to be either necessary or useful. Many of the purposes and specific considerations of the conference itself as outlined in House Joint Resolution 631 are already responsibilities that Congress gave to the National Drug Enforcement Policy Board less than 2 years ago in the Comprehensive Crime Control Act of 1984. Creating a conference to assume this function would, therefore, not only be redundant and somewhat duplicative but also cumbersome.

Additionally, it is our view that it would be highly unlikely that a conference of this type in the timeframes that such a conference is to be held in would be all that productive. With your permission, Mr. Chairman one of the best ways to amplify our view that this conference would simply be not productive and would be unnecessary, redundant and a duplication of what is already going on, is if I could take a few moments and outline the various facets of the program that is in place to assure you and the members of this committee we are not opposing the conference just because we want to oppose the conference but because we do believe that the objectives of the conference are already being pursued in other forums.

As I said, such a conference might well have been useful coming out of the 1970's because if you look backward it is absolutely true that the seeds of the problem that we are now talking about were sown during the late 1960's and 1970's. If you look at the late 1970's, it is true that DEA funding plummeted from \$225 million in fiscal year 1975 to \$206 million in fiscal year 1981. To adjust for inflation it is even worse, but this indicated a conscious decision on the part of the people not to support funding for DEA.

Public attitudes coming out of the 1970's I think were still soft. They were still mixed. They were still ambivalent with respect to drug use and extremely confused. If you remember back for just a second, the 1960's and through the 1970's were times when we spoke about drug use in terms of victimless crime. It is hard to believe that now in 1986 in view of what we are surrounded with, but we talked about drug use in terms of victimless crime, if anything. We talked about recreational use. We talked about responsible use. We were involved in efforts to decriminalize the use of narcotics, and divert people from the criminal justice system because somehow it was felt that the drug problem did not belong there.

Public attitudes were influenced by people who I call moral cretins like Cheech and Chong who produced movies from Hollywood extolling the virtues of the drug life. If you look back to the movies that influenced public attitudes coming out of the 1970's, you had movies like "A Star Is Born," with Kris Kristofferson who was shown continuously using cocaine, people like Gary Busey who was on television last night telling everybody what drugs had done to him and how it ruined his life and career. You had Debra Winger who in the movie "Terms of Endearment," used marijuana and somehow this seemed to be OK and perfectly appropriate as a part of the lifestyle.

So we really had our hands full back then. I remember when Attorney General William French Smith took a trip to Southeast Asia to talk to leaders of the countries where heroin was being produced, he was pummeled in the press for daring to take an expensive flight to Southeast Asia to talk about the drug problem. He was an Attorney General before his time, and I think in retrospect we ought to be happy that the Attorney General back in the early 1980's began to take on the international fight, which is so important. The press even coming out of the 1970's was ambiguous and ambivalent about this. If you look now at the editorials, everyone is on the right side of the equation. Back then there were no priorities, no strategies, really no anything.

But I believe that is all history. That is all changed except the scope of the problem, if anything, it has gotten larger, it has gotten more scary and we have to, as I am sure you would all agree, try to find better ways to do something about it.

If I can get into some brief details and outline why this conference would simply duplicate the other things that are going on, let me go back to 1981 with the Law Enforcement Coordinating Committee concept. The Attorney General, William French Smith, told every U.S. attorney in 1981, go back to your district, sit down with Federal law enforcement, State law enforcement and local law enforcement and assess your problems and priorities, come up with a list of what you can do together to combat the most serious crime problems that you can identify. That was done by all U.S. attorneys, and over the period of approximately the next year reports came back to Washington and it became clear that narcotics was a serious problem. Every district, I believe, except one, reported narcotics to be the No. 1, problem, and that was part of the impetus that caused the narcotics problem to be designated as the No. 1 law enforcement priority in the Nation back as early as 1981 and 1982.

About the same time, as everybody on this committee well knows, the posse comitatus law was amended to enable the military to begin to play a role in this important job. Then in 1982 the FBI was brought into the drug war. This added the full resources of that agency to this battle. It enabled especially the wiretap capacity of the FBI to be used in this war, and it has constituted an incredible improvement in this fight over the years.

At the same time in 1982, as a result of everything we were learning, the Organized Crime Drug Enforcement Task Force Program was created. That brought together the FBI, DEA, Customs, ATF, IRS, State and locals in the now 13 regions of the United States, essentially to identify the kingpins of drug trafficking in the country and put them out of business, indict them, seize and forfeit their assets and lock them up, and that has been an extraordinarily impressive program. It has results which I could review for you in detail if anybody requests it. It is a program that continues and it is a program that is now permanent, institutionalized and will go into the future.

Of course, there is the south Florida task force that was set up to interdict the flow of drugs from South America. That has been very successful. We have learned many lessons from it. It continues and its lessons have been replicated around the country.

About that time in the Department of Justice we created an asset forfeiture office, recognizing that it is not enough to put drug traffickers in prison inasmuch as the organizations continue. They run them from inside prison. You have to destroy the empires they have built up, and we have used great energy and vigor to try to strip every penny from every drug trafficker that we can identify to destroy these organizations.

The U.S. Marshals Service in that respect has become extremely involved in this. They have set up a property management division with expertise in taking assets away from criminals, and that is a program that will continue.

In 1983 then, of course, the national narcotics border interdiction system was set up to try to tighten our borders based on lessons

learned from south Florida. We all know if you stop it in south Florida they are going to find some other place to come into the country. So NNBS was the beginning of an attempt to tighten our borders.

Then, of course, in 1984 you had the Comprehensive Crime Control Act which provided for many legislative advances to enable us to fight all criminals, including drug traffickers. The Bail Reform Act was very important. We had assets forfeiture betterments in that bill; we had the ability to grant land, prison space to States and localities. The National Drug Enforcement Policy Board was created. Endless improvements to the law.

In 1986 now if we look at resources we see that the resource problem has changed completely. There has been an incredible increase in resources just for DEA since the beginning of this decade, and really everybody is into the act. If you look at those elements of the executive branch of Government you find even AID, the Department of Agriculture, almost everybody is performing a function to combat this problem.

Now, another key aspect of the battle against drugs, eradication, has also come a long way. The State Department through its Bureau of International Narcotics Matters, [INM], has done a good job since 1980 in stepping up this battle. The figures that I have indicate that in 1981 really only two countries were involved in some sort of an eradication program, and I am now advised that is up to 14 countries in 1986 and that represents a commitment by the executive branch and especially the State Department to go after the cultivation of crops wherever it occurs and to somehow get into place, working with the countries involved, a vigorous eradication program.

In the Department of Justice we have assisted INM. I personally spent much time in the country of Colombia and the country of Mexico on the eradication program, and it is a lot better now even than it was 6 months ago, especially in Mexico.

If you take a look at the military, I think we can all remember the drug testing programs and the initiatives created by the military in the United States and it has reported now that drug use since the beginning of the 1980's in the military is down by 67 percent.

We have also utilized financial investigations using the Bank Secrecy law provided us by Congress. The Bank of Boston is only one of the financial institutions that has been assaulted by the Federal Government in an attempt to make sure that the financial side of drug trafficking is attended to. It is very important to recognize that it is not enough to follow just the drugs. We all know that the kingpins, the powers behind the scenes, usually do not handle the drugs because that is a good way of getting caught, but they do handle the money. So by stepping up financial investigations we have been able to make tremendous progress in this area. We spend incredible amounts of time in that respect in the international arena going after bank secrecy jurisdictions. I personally spent a lot of time with the Cayman Islands and we continue to spend time with all the bank secrecy jurisdictions that we can identify so we can follow the money, follow the financial flow, identify

the kingpins and pursue asset forfeiture not only on a local basis but on an international basis.

The treasury Department is very involved in this. They use the bank secrecy law, currency transaction reports. They have a series of analysts who do nothing but sit with these reports, look at them and find targets of opportunity indicating drug trafficking.

On the international side, we have been extremely aggressive because we recognized at the beginning of the 1980's that crime is now an international problem. It is illustrated no better than in the area of narcotics. I won't spend any time in illuminating this because you all know if you do not admit narcotics is an international problem we remain a sitting duck. So we have a strategy to attack it on an international basis, not only through eradication but in creating a network of law enforcement cooperation among concerned countries to do something about this.

Coming into the 1980's, we only had one mutual legal assistance treaty, for example, that would enable law enforcement interests in the United States to get information from foreign countries that we needed for prosecution in the United States and vice versa because those are reciprocal agreements. We now have an incredible list, that I can give to you if you wish, of countries that have signed up in the mutual legal assistance program, and we have negotiations continuing all over the world to create this network of cooperation that is so vital.

Again, that is also true in the area of extradition treaties. It is absolutely clear that in order to make progress against drug traffickers you have to be able to drag them from one country to another to put them into prison. That is one of our very highest priorities. We have created a number of new initiatives with respect to extradition.

Let me simply highlight the Colombian situation. Two and a half years ago Colombia was not extraditing Colombian nationals to the United States. That was a terrible problem because it enabled some of the most pernicious drug traffickers that we were responsible for capturing to sit in Colombia and assault relentlessly our interests in this country. As a result of a decision by the Colombian Government that that was a serious problem they wanted to attack, fueled by the murder of the Colombian Minister of Justice, Colombia changed its mind and we have been working with Colombia for the last 2½ years. We have been extraditing Colombian drug traffickers to the United States. We are prosecuting them in the United States, and they are now in prison in the United States. On the other side of the coin, we are extraditing American citizens to Colombia to stand trial on charges in Colombia. I use this simply as an illustration of two of our approaches in the international arena: mutual legal assistance treaties; and extradition treaties. These are actual programs, and where we have special problems we have set up working groups. We now meet approximately every 3 months with the Mexican Attorney General's office and with other agencies in the Mexican Government to talk about law enforcement problems and, of course, drug trafficking is at the top of the list.

If you wish, I can set forth for you a long list of very significant advances and contributions that this working group has been re-

sponsible for, not the least of which involves the eradication program that I mentioned earlier.

We also have a very effective working group with Italy. Everybody knows that heroin comes from Southeast Asia through Turkey through processing labs in Sicily into the United States. There is one of the most significant drug trafficking prosecutions ever in the history of this country going on in New York City. Because it is in trial, I cannot comment on it, but I think if you look at the parameters of that it shows you the extent to which we are working with foreign countries in the international dimension to stop the flow of drugs into the United States.

Also DEA has been involved in very inventive programs such as CHEMCON. For example, we have identified ether as a necessary ingredient to make cocaine, and DEA has gone after the ether supply to try to choke that off to prevent drug traffickers from getting it. DEA has been involved heavily in investigating the diversion of licit drugs, as well as the prosecution of labs that spring up across the country. Of course, the military, as we can now see from what is going on in Bolivia, has been brought into this fight. On April 8 the President signed a national security decision directive indicating that drug trafficking is now viewed as a serious threat to national security and the military may become involved in this war.

We are right now involved in setting up additional initiatives to seal off the Southwest border. I believe a document has been passed out to you dated June 18, 1986, talking about a special initiative where we have come to Congress asking for \$230 million essentially to provide aerostats, radar planes, prosecution resources and the other things that we believe are necessary to continue to seal off the Southwest border and block the flow of drugs up through Mexico.

EPIC continues to be a very valuable intelligence operation, providing us with information in that respect, but more can and must be done. We have pursued legislation vigorously. With your assistance and help we have been working on money laundering legislation, and on what is called designer drug legislation, all to try to fill up all the cracks that still exist so our prosecution of these people can be very effective.

We have also continued to study this situation in the sense that this conference suggests we might continue to do, in the Organized Crime Commission. You will remember, Mr. Chairman, the Organized Crime Commission identified narcotics as a serious problem and came forward with many suggestions as to what to do about it. It was, among other things, out of the suggestions of the Organized Crime Commission that we came to you with money laundering legislation which we hope will be passed soon.

We do have conferences. We have conferences all the time. The Organized Crime Drug Enforcement Task Force Program convenes conferences periodically to discuss new enforcement initiatives. We bring together every component: IRS, FBI, DEA, the prosecutors; if they are involved, they are at these conferences. These are regularized conferences and they are very strategically and tactically oriented. We know what has to be done. It is a question of enhancing, of stepping up, refining, of getting tougher, getting more energetic, more vigorous. We have training conferences for narcotics prosecu-

tors. We bring people together and explore the latest techniques, the latest ideas, the latest ways to go after drug trafficking operations.

But I tell you, somewhat ironically, that I canceled the last major traffickers conference that was scheduled for last spring. We got to the point where we decided that, based on the conferences that we were having, the training initiatives that we were pursuing and where we were in the battle, that the conference that was scheduled for last spring would simply get in the way. We consulted all the agencies and they said we do not want to spend the time that is necessary to plan for this conference and take the time that it takes to come to Washington and spend time there away from the tough initiatives that are in place. It will be downtime for us in the war. We do not need it. And there was not a single person in the command structure that felt that that conference was necessary, so we canceled it. If I believed for a second that that conference would have added to the war, we would have held the conference.

If I believed for a second that the conference suggested in this resolution would be an addition, we would be all for it; but we believe with all the things I have talked about, including many more, it simply comes at a time when it would slow down the efforts.

Now, on the demand side, that is also a critical part of this. We have been saying for a year—and we are delighted people are finally picking up on this—all the law enforcement initiatives in the world will not wipe out this problem until there is something done to the demand side of the equation. I have been going to South America for years and every time I have bellied up to a South American government asking them what are you doing to stem the production of narcotics here to the United States, they look over my shoulder and say what are you doing in the United States to wipe out that market, because that is the magnet that drags it there.

There is a tremendous element of truth to this. The Attorney General has made the observation that we will continue to use every law enforcement resource at our disposal to attack this problem, but we also have to hit the demand side of the equation also.

Let me make one point that I think cannot get lost in the demand side interests, and that is in our view—in our view—a tough law enforcement stand, a tough law enforcement, prosecution, investigation, asset forfeiture, what I call a scorched earth policy, is absolutely essential to demand reduction. The message has to be out there that this is against the law. We are coming after you and we are going to do something about it.

So we view a tough enforcement posture as part and parcel of a demand reduction program. This has to also filter down to State and local law enforcement. They are strongly on our side, but we have to figure out a way, I think, to attach consequences to drug use in this country. If users feel that they can use drugs with impunity, that nothing will happen to them, that somehow they are above or outside of the law, that does not act as a deterrent against this problem. But much is being done on the drug abuse side or the demand side of the equation also.

President Reagan has spoken out at least, I believe, over 230 times on this issue. He has instructed the White House staff that this is one of his highest priorities. Nobody could have missed Nancy Reagan's, the First Lady's, involvement in this issue. Not only has she had conferences with the first ladies of other countries, but she has been tremendously involved in drug abuse awareness and drug abuse programs. Some of the programs I am talking about, for example, I think the National Federation of Parents for a Drug Free Youth had about 1,000 chapters coming into the 1980's. They are now up to 9,000 chapters. That is an incredible increase, 9,000 chapters now as opposed to 1,000. I think Just Say No clubs now have 10,000 in the United States. That, again, shows we are really rounding the corner in terms of attitude.

Dr. Turner has been probably the most active person you could ever identify in terms of working on drug abuse. The White House has an office on this. They continue to do and will continue to do a lot. I know it is their view that the conference will simply slow them down and detour them. I have been involved in many conferences, as have you. Some of them are extremely good. Some of them are very productive. But I think we are at a time in the battle where we do not need the conferences. What we need are resources.

I do not intend this as a criticism, but I was somewhat disheartened to see just recently a proposal to cut across the board everybody in the Department of Justice except DEA and the FBI. I met yesterday, and I have been meeting, with the Marshals Service, with the prison people, with the prosecutors. To use the word "shocked" at their reaction to this is probably an understatement. Many of our initiatives are simply being held up by the lack of Marshals personnel, by the lack of jail space, by prison capacity, by the lack of prosecutors to continue what we have in place.

So it is not really a question of a conference to teach us what to do so we can decide what the strategy ought to be, where we ought to go, but we need the resources to do it. We cannot throw strikes unless somebody gives us the ball. If the ball keeps getting taken away from the resource battle, we are behind the power curve.

I would simply encourage you in that regard to realize what you all know, especially you, Mr. Chairman, with your personal background, that you cannot try cases without prosecutors. You cannot take assets away from people without lawyers working for the Department of Justice. If you do not have marshals to transport prisoners and jail space in which to place them, how in the world are you going to lock them up? And if you do not have prisons to put them in, what are you going to do?

So a conference front loads this situation with a lot of talk when what we really need are resources. I appreciate your indulgence, Mr. Chairman, in allowing me to talk for a long period of time, but I just wanted to give you some sort of a substantive sense as to the many things that are ongoing, each of which I could probably speak on for an hour, but to give you an idea that there is a strategy.

The National Drug Enforcement Policy Board has met a number of times. We have a subcoordinating group, of which I may be the chairman in short order. We have a huge staff in the Department

of Justice and the White House that does the same things that a conference is supposed to do. We had a drug awareness and abuse conference of U.S. attorneys in Clearwater, FL, earlier this year. This is an amazing event, because ordinarily U.S. attorneys are prosecutors. They are law enforcement people. And here they all were, with the exception of a few who were in trial like Rob Bonner in California on the *Miller* case, in Florida with drug abuse and awareness professionals from all around the country and the Attorney General got up and said to all the U.S. attorneys we have an obligation to tackle the demand side also. We want to sit down for 3 days and decide what a U.S. attorney can do in his or her community. We had a tremendously productive 3-day conference. The Attorney General is fully involved all across the country, and every U.S. attorney was sent back to his or her district and told you are an influential person where you work and where you live. If there are programs already going, get involved and make them better. If there are no programs, start them up.

Just at the risk of ignoring a lot of other good programs, if you would simply go to Philadelphia and see what Ed Dennis has started up in the eastern district of Pennsylvania, you will see amazing involvement, a community of local law enforcement, Federal law enforcement, on the demand side of the equation.

So, again, the ideas have been fully developed. They are out there. They are in place. They are being managed. They are part of a national strategy. A strategy which originally came out in 1982 and was updated in 1984. I noticed this morning the Speaker of the House in the New York Times discussing the elements of a strategy he believed would be necessary to tackle the drug problem. Essentially, these are the same five elements that we identified first in 1982 and then in 1984 in this document. So in our view it is a question of resources, management, implementation and enhancement, not a conference, and I would be happy to answer any questions you might have.

[The statement of Stephen S. Trott follows:]



Department of Justice

REMARKS

OF

STEPHEN S. TROTT
ASSISTANT ATTORNEY GENERAL
OF THE CRIMINAL DIVISION
UNITED STATES DEPARTMENT OF JUSTICE

BEFORE THE

HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY

ON

JULY 24, 1986

ON

H. J. RES. 631

Mr. Chairman, you have invited me to appear today for the purpose of presenting the position of the Department of Justice on H. J. Res. 631, Chairman Peter Rodino's bill to provide for a White House Conference on Narcotics Abuse and Control, some six months following the date of enactment. It is our view that, while the concept of bringing together policymakers from all levels of government, as well as experts in the drug field, to discuss drug abuse and trafficking certainly has merit, convening a White House Conference to accomplish this task does not appear to be necessary at this time.

Many of the purposes and specific considerations of the Conference, outlined in H.J. Res. 631, are already responsibilities that Congress gave to the National Drug Enforcement Policy Board less than two years ago. Indeed, creating a conference to assume this function would not only be duplicative, but also cumbersome. It is highly unlikely that a conference of the size proposed by the bill could consider all the issues outlined in a relatively short period of time.

A meeting of the size contemplated by the bill would also have the unfortunate effect of diverting resources and energies away from our present efforts.

Energies and resources expended with regard to a White House Conference would be substantial, involving not only preparation

for the meeting itself, but also pre-meeting briefings in preparation, meeting set-up, post-meeting clarifications, and, as required in the resolution itself, the preparation and submission to Congress by the President of a post-conference report followed by at least three annual reports concerning the status and implementation of the findings and recommendations of the Conference. This is unnecessary, and it would have the unintended effect of slowing our national effort to control drug abuse.

The bill cites a "lack of coordination" within the federal drug effort and calls for a White House Conference "to develop recommendations for further action to control the illicit production, trafficking, and distribution of narcotics internationally and in the United States . . ." [(section 2)]. The bill also states that the purpose of the conference is "to increase public awareness" of the drug problem, "to pool information," and "to assist in formulating a national strategy" [(section 3a)]. These objectives are already being pursued according to Congressional design.

The purpose of increasing public awareness is already being addressed at all levels of government and in the private sector (especially by parent groups and civic organizations). The second can be handled more effectively at the intra-disciplinary level, just as the Department of Justice has done with its drug conferences. The third, and perhaps most important, purpose is now being handled, as I have indicated, by the National Drug

Enforcement Policy Board.

The coordination of a conference, composed of Cabinet officials, governors, mayors of major cities, and "individuals distinguished in medicine, law, sociology, education, and law enforcement" would be an enormous undertaking, with the meeting to occur over an unspecified period of time and with little likelihood of results sufficient to justify the expenses associated with the conference, both in dollars and particularly in terms of critical drug enforcement responsibilities which would have to be neglected in order to prepare.

In creating the Policy Board, with the Attorney General as Chairman and the Secretaries of State, Treasury, Defense, Transportation, and Health and Human Services, and the Directors of OMB and CIA as members, Congress ensured that the drug problem would receive attention "at the highest level of government", as urged by Chairman Rodino's bill. High-level attention also is given to the demand side of the drug problem through the White House Drug Abuse Policy Office, headed by a Deputy Assistant to the President.

The National Narcotics Act, which created the Policy Board, and which was enacted by Congress on October 12, 1984, specifically authorizes the Board to perform the following functions. According to section 1304(a), the Board is given responsibility to -

- 1) review, evaluate and develop United States government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy;
- 2) facilitate coordination of all United States Government efforts to halt national and international trafficking in illegal drugs; and
- 3) coordinate the collection and evaluation of information necessary to implement United States policy with respect to illegal drug law enforcement.

It is fundamental that the fight against drugs become a national one, and that federal officials work alongside their state and local counterparts, the Congress, and the private sector. Although a White House Conference would provide a mechanism for such an exchange, the Policy Board and Drug Abuse Policy Office can and do already provide for these kinds of discussions.

This Administration is proud of its record so far with respect to raising public awareness of the problem of drug abuse.

DRUG ENFORCEMENT STRATEGY ACCOMPLISHMENTSInvestigation and Prosecution

- ° Federal investigative and prosecutorial activities focus on four major objectives: arresting drug traffickers; seizing their contraband; forfeiting their drug-derived assets; and charging them with all related offenses.
- ° To achieve these objectives, the Government targets high-level organizations and employs sophisticated investigative techniques including court-ordered electronic surveillance and complete financial investigations.
- ° Interagency coordination is a key ingredient in conducting thorough investigations leading to successful prosecutions. Over 20 Federal agencies, joined by many State and local law enforcement agencies, contribute to the fight against drug trafficking. These agencies work together to destroy the organizations that traffic in drugs and to investigate, prosecute and incarcerate their members. The Organized Crime Drug Enforcement Task Force Program illustrates this interagency coordination. Since the inception of the Task Force Program in October 1982, the following have been achieved:
 - ° 1,386 Task Force cases have been initiated.
 - ° Indictments have been returned in 870 cases.
 - ° 2,574 indictments have been returned with a total of 9,453 individuals indicted.
 - ° 564 defendants have been charged with Racketeer Influenced Corrupt Organizations (RICO) violations.
 - ° 448 defendants have been charged with Continuing Criminal Enterprise (CCE) violations.

- 612 defendants have been charged with Title 26 violations and 346 with Title 31 violations.
- As of May 31, 1986, 3,669 individuals have been convicted of one or more charges.
- Specific drug indictments include 1,101 for cocaine; 234 for heroin; 601 for marijuana; 434 for other drug violations and 623 for money laundering and other financial offenses.
- State and local investigators have participated in approximately 60% of the Task Force investigations and 18% of the prosecutions involved State and local prosecutors.
- 32% of all indictments returned involved international organizations.
- 89% of all defendants adjudicated were found guilty or pleaded guilty to at least one charge.
- Assets seized included approximately \$175 million in cash and \$270 million in property.
- Forfeitures totalled over \$57 million in cash and \$98 million in property.

- Total drug arrests and convictions have increased over the past few years. In FY 1985, DEA drug arrests increased approximately 20% over FY 1984; major violator arrests increased about 40%. Convictions resulting from IRS investigations show steady increases from FY 1981 to FY 1985, with a total increase of 46% in convictions from FY 1984 to FY 1985. United States Attorneys filed more controlled substance cases with more defendants and obtained more convictions in FY 1985 than in previous years. Convictions, as a percentage of all defendants whose cases were terminated, increased 5% from FY 1984 to FY 1985.
- DEA and FBI domestic cocaine removals, which include seizures and purchases, increased by 57% from FY 1984 to FY 1985. This increase reflects both increased law enforcement emphasis on, and increased availability of, cocaine. Domestic marijuana removals decreased due to successful investigations, eradication, and interdiction efforts, along with a decrease in marijuana consumption. Clandestine laboratory seizures of dangerous drugs increased 45% from FY 1984 to FY 1985.
- DEA, FBI, and United States Customs Service drug-derived asset seizures and forfeitures have increased from FY 1984 to FY 1985. This increase reflects intensified law enforcement emphasis on and expertise in financial investigations as well as changes enacted by the Comprehensive Crime Control Act of 1984.
- The United States Marshals Service maintains seized property from the time of seizure until disposition following forfeiture. At the end of FY 1985, the Marshals had \$321 million in seized properties in their custody.

- ° Nearly every measure of the Organized Crime Drug Enforcement Task Force Program, the principal Federal interagency investigative and prosecutorial program, shows steady improvement since its inception. The number of defendants charged in OCDEF investigations increased 22% from 1984 to 1985, and 90% of all defendants charged in adjudicated cases either pleaded or were found guilty. The value of non-drug assets forfeited in OCDEF cases increased 44% from 1984 to 1985.

Interdiction

- ° Unprecedented efforts in the area of interdiction have resulted in massive drug seizures and the disruption of established trafficking routes. The military has been used regularly under this Administration. Radar surveillance planes, Navy and Coast Guard ships, Army and Air Force helicopters and ground based radar have been employed by the military over the last five years. The current operations in Bolivia and the Bahamas are further examples of this support.

- ° Marijuana traffickers have reduced the size of individual shipments from approximately 19,000 pounds in FY 1981-82 to 10,000 pounds in FY 1985, making their operations more costly.

- ° Traffickers have also been forced to stockpile marijuana, reflected in a decline in marijuana seizure statistics. The NNBS-coordinated interdiction effort, Hat Trick I, forced stockpiling of marijuana in Colombia. Colombian officials were then able to seize much of this marijuana in FY 1984.

- ° Meanwhile, cocaine seizures have increased steadily, reflecting both the increased volume of cocaine trafficking and increased enforcement against cocaine traffickers. Traffickers have increased the use of vessels to transport cocaine. The amount of cocaine seized by the Coast Guard increased 200% between FY 1984 and FY 1985.

- In FY 1985, the Coast Guard seized a total of 5,890 pounds of cocaine and 1,951,511 pounds of marijuana. The Customs Service seized 49,297 pounds of cocaine, 2,388,502 pounds of marijuana, and 784 pounds of heroin.
- Operation Blue Lightning, coordinated by the Vice President's National Narcotics Border Interdiction System with the United States Customs Service as the lead agency, targeted the flow of drugs through the Bahamas in April 1985. The operation resulted in the seizure of 5,500 pounds of cocaine, 36,000 pounds of marijuana, and 26 vessels during the two-week operation.
- The success of Operation Blue Lightning has led to the creation of the Blue Lightning Operations Center in Florida, a multi-agency command and control facility directing participating marine resources.
- Operation BAT is a cooperative effort between the DEA and the Governments of the Turks and Caicos Islands, begun in 1982, to disrupt the flow of drugs transiting the area. Between March 1983 and December 1985, Operation BAT resulted in 261 arrests, the seizure of more than 18,000 pounds of cocaine, 360,000 pounds of marijuana, and more than 100 vessels and aircraft.
- Operation Buckstop was initiated by Customs in 1985 to intercept drug-related currency. A total of \$25 million has been seized during this operation.
- The acquisition of high technology has improved interdiction efforts. For example, the Department of Defense has loaned eight Blackhawk helicopters and four P-3 aircraft to Customs.
- As a result of Executive Order 12333, the intelligence community has provided increasing support to the Federal interdiction effort.

Licit Drug Control

- Controlling the diversion of legitimately produced drugs into the illegal marketplace, preventing the illegal production and distribution of synthetic drugs, and halting the illegal distribution of drug precursors are vital components of the drug enforcement Strategy.
- DEA plays a significant role in controlling diversion activities through the registration of all handlers of controlled substances, inspections of drug manufacturers and wholesalers, and special investigations. In FY 1984 and FY 1985, DEA investigated over 550 registrants, resulting in 360 arrests and fines and civil penalties of almost \$5 million. During the two-year period, DEA conducted 1,250 scheduled inspections of registered drug wholesalers and manufacturers.
- The United States is a significant source country for dangerous drugs as well as marijuana. DEA coordinates the seizure of clandestine drug laboratories to remove these sources of supply. Clandestine lab seizures of nearly every drug have increased since FY 1981. Methamphetamine and amphetamine lab seizures increased from 103 in FY 1981 to 324 in FY 1985. Cocaine lab seizures increased from 5 to 29 during the same period. International efforts to control ether, an essential chemical in the processing of cocaine, contributed to the increase in domestic cocaine production.
- The use of controlled substance analogs (so-called designer drugs) is potentially a serious drug problem because of the drugs' potency and huge profit margin.
- The Comprehensive Crime Control Act of 1984 provides for the emergency scheduling of specific analogs, making their production, distribution, and possession illegal. DEA has used this emergency authority to control ten fentanyl analogs, two meperidine analogs (linked to the development of Parkinson's Disease in its abusers), and the hallucinogen/stimulant MDMA.

Domestic Cannabis Eradication

- Marijuana is the most widely abused illicit drug in the United States. An estimated 12% of the marijuana consumed here in 1984 was produced domestically.
- To combat this problem, the United States has mounted an extensive domestic eradication campaign, which began with two States in 1979, and which now includes all fifty States. DEA is the lead agency in this program which also includes the United States Forest Service, National Park Service, Bureau of Land Management, Bureau of Indian Affairs, and National Guard.
- The DEA Administrator signed a record of decision in September 1985, based on the Domestic Cannabis Eradication Environmental Impact Statement, which calls for use of the full range of eradication methods on Federal lands: manual, mechanical, and herbicidal.
- The number of cannabis plots eradicated increased 100% between 1984 and 1985. The number of weapons seized also increased, reflecting the violence that is often associated with cannabis cultivation.
- Operation Delta-9, which took place in August 1985 in all 50 States, was the largest initiative against domestic cannabis cultivation in United States history. This operation, under the leadership of the Attorney General, resulted in 225 arrests, the eradication of 3,010 cannabis plots, and the seizure of 78 weapons.
- The Attorney General's leadership in the domestic cannabis eradication program, the Environmental Impact Statement, and the 50 State campaign demonstrate the United States resolve to employ the resources necessary to fight this problem.

International Drug Control

- The global nature of drug abuse has resulted in the internationalization of drug control efforts, uniting different countries against a common enemy.
- Extradition and mutual legal assistance treaties have been ratified or implemented in several countries, extending the rule of law and reducing the opportunities for drug traffickers to escape justice.
- Fourteen countries conducted eradication programs against cannabis, coca, or opium poppies in FY 1985, compared with only two countries in FY 1981.
- Multilateral cooperation has expanded through such groups as the International Drug Enforcement Conference, the Customs Cooperation Council, the Association of Southeast Asian Nations, and the United Nations Fund for Drug Abuse Control. The United Nations is considering a new international drug convention, and a world conference on drug abuse will be held in 1987.
- Regional drug control efforts have expanded. The Governments of Colombia and Ecuador, with DEA assistance, completed a successful enforcement effort in late 1985, known as Oriente II. This effort resulted in the eradication of 192 hectares of coca and the seizure and destruction of many cocaine laboratories.
- Some international investigations have focused on the problem of corruption, a common feature of drug trafficking. For example, one such investigation resulted in the conviction of the Chief Minister of the Turks and Caicos Islands, Norman Saunders, the highest ranking foreign official ever convicted on drug charges.

FOR IMMEDIATE RELEASE
THURSDAY, JULY 24, 1986

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Attorney General Edwin Meese III announced today that 24 persons, including three members of last year's University of Virginia football team, have been charged in the operations of a drug trafficking ring that distributed cocaine in four states.

Meese said 11 persons were named in an indictment and 13 others in criminal informations filed today in federal district court in Charlottesville, Virginia. Criminal informations are charges filed by prosecutors rather than contained in a grand jury indictment.

The charges resulted from a two-year investigation carried out under the Organized Crime Drug Enforcement Task Force Program, Meese said. U.S. Attorney John Perry Alderman of Roanoke supervised development of the case.

"The Federal Bureau of Investigation has done an excellent job as the lead federal agency in this Task Force effort," Meese said. "The Charlottesville Police Department and Virginia State Police initiated the investigation, and they and other agencies have worked closely with the FBI and made valuable contributions."

The Attorney General also commended the University of Virginia for significant assistance in the investigation.

"In the priority fight against cocaine trafficking, it is essential that every segment of our society, including our educational institutions, support both law enforcement and programs to reduce the demand for drugs," he said. "Through its contribution to this investigation, the University of Virginia performed a public service that is an example for the nation."

The indictment said the cocaine trafficking operations were headed by Trevis Lynch Poole, 25, of Troy, Virginia, who was charged with conducting a continuing criminal enterprise. Known as the drug kingpin statute, it carries a maximum penalty of life in prison without possibility of parole.

The drug ring obtained cocaine in Fort Lauderdale, Florida, and elsewhere and distributed it in Charlottesville, where the University of Virginia is located, and in other parts of Virginia, Tennessee, Maryland, and Florida, the indictment said.

In all, Poole was charged in 11 counts with possessing with intent to distribute, and distributing, a total of 34 pounds of cocaine.

All 24 defendants were charged with conspiracy to possess with intent to distribute cocaine. It carries a maximum penalty of 15 years in prison and a \$125,000 fine.

The indictment and one information said 18 defendants conspired to distribute more than one kilogram of cocaine.

The other information said that six defendants, including the three football players, conspired to distribute less than one kilogram of cocaine. A kilogram equals 2.2 pounds.

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The football players, all members of the University of Virginia team last season, are Barry Word, 22, of Long Island, Virginia, a running back; Howard Petty, Jr., 22, of Annapolis, Maryland, a running back; and Kenneth Stadlin, 21, of Hampton, Virginia, a place-kicker. Word and Stadlin have graduated. Petty, a fourth-year student this year, is still a member of the football squad.

The government charged that, as part of the conspiracy, all 24 defendants distributed cocaine or caused its distribution to numerous street dealers and their associates, or distributed it for use and resale.

Besides Poole, defendants charged by indictment were: Terry Wade Austin, 27, of Charlottesville, a caterer; Howard Lucian Hain, 45, of Fort Lauderdale, an air conditioning technician; Judith Currin Hain, 28, of Staunton, Virginia, a waitress; Jesse Morgan Hicks, 29, of North Garden, Virginia; Percy Alvin Houchens, 25, of Charlottesville, an automotive service manager; Stephanie Kay Irvin, 20, of Richmond, Virginia, a student there at Virginia Commonwealth University (VCU); Karen Moe Kaiser, of Palm Bay, Florida, a waitress; William Charles Nuckols, 27, of Charlottesville, employee of an electronics firm; Lisa Michelle Poole, 24, of Troy, manager of a tanning salon; and Paula Renee Taylor, 21, of Vero Beach, Florida, a waitress.

Defendants charged in one of the criminal informations were Javier Richard Cook, 26, of New York City, a commodities broker; Stephen Todd Denby, 26, of Charlottesville; Robert Dale Garrison, 24, of Charlottesville; Vincent Lee Garrison, 25, of Charlottes-

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ville; James Malcolm Luck, III, 26, of Charlottesville; Russell Linwood Miller, 26, of Charlottesville, and Dennis Lansing Garrison, 22, of Charlottesville.

Named in the second information, besides Stadlin, Petty and Word, were Robert David Dyer, 29, of Charlottesville; Coltar Dillard Knight, 22, of Richmond, a student at VCU; and Overt Dillard Payne, 38, of Fluvanna County.

The investigation was started in July of 1984 by the Charlottesville Police Department and the Virginia State Police. By October of 1984, the FBI had entered the investigation and it was designated a Drug Task Force case under the Mid-Atlantic Task Force.

Later, the number of participating agencies grew to include the Virginia Commonwealth Attorney Offices for Albemarle and Fluvanna counties and the City of Charlottesville; Albemarle County Police Department; University of Virginia Police Department; U.S. Marshals Service; and the Internal Revenue Service. All of the state and local police officers assigned to the case were designated Special Deputy U.S. Marshals to expand their jurisdictional authority.

Assistant U.S. Attorney Morgan E. Scott, Jr., of Roanoke conducted the grand jury investigation and will prosecute the cases.

The Mid-Atlantic Task Force Coordinator is Assistant U.S. Attorney Harvey Eisenberg of Baltimore.

State and local law enforcement agencies are now taking part in an increasing number of Drug Task Force cases across the country.

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Mr. HUGHES. Steve, Charlie Rangel is in the middle of a tax conference. He was scheduled to be here first, but the whip meeting delayed him. He just arrived about 20 minutes ago. If it is agreeable with you, I would like to take Charlie Rangel's testimony so he can get back to the tax conference, and we will question you after that.

Mr. TROTT. Certainly. That is no problem. I would be interested in hearing the Congressman's testimony myself.

Mr. HUGHES. I would like to welcome Congressman Charles B. Rangel who has represented the 16th Congressional District of New York since 1970.

Mr. Rangel is the very distinguished chairman of the House Select Committee on Narcotics Abuse and Control and has chaired that committee since 1981. He has been a leading member of the select committee since its inauguration and, without a doubt, he is one of the principal leaders in the House of Representatives in developing measures to address the terrible problems of drug abuse. Indeed, he has truly been one of the most articulate leaders for the entire Nation in focusing attention on the need for effective solutions to this problem.

Mr. Rangel is also the chairman of the House Ways and Means Subcommittee on Select Revenue Measures. As a consequence he is deeply involved in the current conferences on both the Tax Reform Act and the Reconciliation Act, which I understand they worked on the entire night last night.

We greatly appreciate your taking a few minutes from your very, very busy schedule. We are delighted you have done that; it is an important matter. We would be happy to hear from you on the subject of House Joint Resolution 631 which would constitute a White House Conference on Drug Abuse and, in particular, the suggestion from the Justice Department that it would be redundant, not necessary and would not further the cause I think that all of us share in dealing effectively with the substance abuse problem which I think is America's No. 1 domestic problem.

**STATEMENT OF HON. CHARLES B. RANGEL, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. RANGEL. Thank you, Mr. Chairman.

The Speaker asked me to share with you and the committee his appreciation for the great work that you have been doing in the criminal justice area, as to what we can do to get some handle on this very serious problem, and to let you know as a result of your input at the meetings he had yesterday that this afternoon he will be meeting with the chairman and ranking minority members to make sure that this is not viewed as a partisan effort on the part of the House but that there appears to be a need for us to come forward with some leadership in this area because America is really confused as to what we are doing to try to get some answers to these very serious problems.

When we had hearings in Newark, NJ, and Chairman Rodino was there, it was so frustrating to hear, as we heard around the country, local law enforcement officers are so frustrated in recognizing that no matter how many arrests they make, no matter how

much they try to send people to jail, that they are having little or no impact on the amount of drugs that are available. It was the chief of the Newark Police Department that got so frustrated he even asked why don't you consider legalizing it because it was so overwhelming.

As you know, Mr. Chairman, when the Select Narcotics Committee has gone around the country, or certainly your subcommittee, everyone asks, What are you doing in Washington? For this reason we had thought, that is, Chairman Rodino had thought that we would be serving a national responsibility if we could bring the best minds in this country together to try to see whether we can get better answers than the ones we have today.

If I ever was in doubt that we needed a White House conference, in listening to the testimony of Mr. Trott then I would be more convinced than ever. What has the Assistant Attorney General of the Criminal Division got to do in the first place with the White House conference? We are not just talking about the criminal justice aspect of it.

It hurts me as a former Federal prosecutor to hear that conferences are being held in Clearwater, FL, or anyplace else in the United States to encourage prosecutors to get more involved in reducing demand and getting involved in education. I would like to believe as a prosecutor that we should be more involved in investigating cases, bringing them to the grand jury, getting convictions and putting these rascals in jail. But I see what is going on here.

The only question that I have, Mr. Chairman, is, If there is a national strategy, who is in charge of it? How would we know as partners in government that there is a national strategy? I challenge the White House to direct my attention as to when last there was a major speech or minor, for that matter, made by the President of the United States developing that strategy so that all people in government will know what tune we expect to march at, including the committees in Congress that would want to support the President in this effort.

I suggest to you that when you look to the White House, with the exception of Mrs. Reagan, that you are going to find that the master of the strategy is Carlton Turner, and I do not know when last you have seen him; but if that is the leader in terms of the national strategy that we have developed, that would illustrate the depth of the problem.

Let's look at it to see what are we talking about. Well, whether it is State Department, whether it is the Select Narcotics Committee, whether it is the United Nations, aren't we all agreed that the drug producing countries for economic, political reasons, whatever, are going to be growing more opium, more marijuana, more coca leaves than ever in history. If that is agreed, is that a matter for the Justice Department or is that a matter that we should be dealing with the heads of these countries on, as Mr. Smith has on foreign affairs, Mr. Gilman and Dante Fascell.

If that is the way we look at it in the Congress in how you deal with them, why does this logic not follow when you are dealing with the White House? Should not the questions of how we handle countries that refuse to cooperate with efforts at eradication be dealt with by the State Department?

You say we do not need a White House conference. I challenge anyone to tell me whenever we have heard a comment from the Secretary of State as to how our international relationships are affected by the narcotics epidemic which is sweeping our country. Now, I raise this question always with the administration, so I have to be honest and share with you the answer. The Secretary has not been mute on this issue. Just before the last election he had a major speech in Miami and spoke in front of a large number of Cuban-Americans; and while it appeared at that time the major problem was Castro, he did speak out. I understand that 2 or 3 weeks ago there was an address made by the Secretary on the west coast someplace. Do we hear about it in the United Nations? Did we hear from Ambassador Kirkpatrick? Do we hear about it from Ambassador Vernon Walters? We know who he is because he was the one that went around Europe getting support for our strike in Libya, so we know he is there. But what is he doing in this area?

Now, that just deals with the problem of production. Let's talk about the question of interdiction. We have had all the people responsible for protecting our borders testify in front of the Select Narcotics Committee saying that they can only interdict 10 to 15 percent of whatever is there, and so I suspect that we ought to take a look at law enforcement.

And when they are not really dealing with demand reduction or talking about scorching the Earth, let me ask this. If there is a serious effort made nationally to deal with this problem from the area of law enforcement, why is it that we have more Capitol policemen than they got in the entire corps of the Drug Enforcement Administration? Why would they have now the same amount of agents in 1986 that they had in 1976?

The reason for it is because the administration believes that in the area of law enforcement that this is a question that has to be resolved by local and State authorities. This is absolutely ridiculous. We have 30,000 policemen in the city of New York, making 50,000 arrests a year. The court calendars are clogged up. Our jails are swelling and do not believe that we ever had any impact at all, and these are the words of my police chief and the mayor, in reducing the quantity or quality of the drugs that are on the streets.

The sad thing is now we find law enforcement people saying that our arrests really won't make any difference, and that is true of the national law enforcement efforts as well. They say what we really have to do is to reduce demand.

Is education a factor in reducing demand? And if it is, is there a policy that we have as relates to Federal education policy? We researched the question, Mr. Chairman, and we have found out that there is a \$18 billion Federal education budget. Out of that budget allocated in the area of drug prevention is \$3 million. Now, I do not know what the strategy is. I do not know how you reduce demand. I am not an educator. But if the Secretary of Education would share his view on reduction of demand with this committee, he would tell you what he told our committee, and that is that the Federal policy is zero tolerance. You have to say that forcefully for it to have some impact, because once you look beyond that, zero tolerance means if you are using drugs you should be put in jail. No one has any problem with that. But when you ask the question,

Mr. Secretary, what involvement should we have in educating these kids before drugs or when you are kicking them out of school, what do you do with them? And the Secretary would tell you that that is a local and State problem.

And so we are not advocating, Chairman Rodino and I and the rest of the sponsors of this bill, that we have a city hall conference or a Governors' conference. We know how to handle our problems on the local and State level. We are asking, and we are begging, when you have a Secretary of Defense that really knows how to arm this country against any threat to our way of life, someone that knows how to deal with the Soviets, knows how to deal with terrorists, knows how to protect our borders, are we asking too much to ask the Secretary of Defense to share his views with somebody as it means protecting our borders against the terrorists of drug trafficking?

And if, indeed, there is a strategy in the White House, could not these Secretaries get together and share their views? Could we not bring in former Presidents and former Secretaries of State? Could we not bring our Ambassadors who are working every day in these drug producing countries in to get their views? Could we not ask the social scientists and the educators and the law enforcement people as to what has worked?

And if all of this is going on, Mr. Chairman and members of this distinguished committee, wouldn't it be great if we allowed the American people to know what a great job we are doing? Why would not the White House want to share with us some of the meetings and the many, many conferences they are having in order to share some of the successes so that we, who only have a 2-year term and it is up this year, can go back and say to the American people what we are truly doing in this area.

The bottom line is that we will have more drugs in our streets than ever before, but, in fairness to the State Department, more treaties than ever before. We will have probably more arrests than ever before, but, in fairness, no less drug traffickers than ever before, and we will find more kids dying on our streets than ever before and we won't have a national solution to that problem.

I hope that we do not get into a Republican and Democrat type of thing. We have had laws on the books that Democratic Presidents never looked at. The State Department, whether Republican or Democratic administrations, never believed that we should enforce sanctions, but we should talk this thing out, but that has not worked.

If, indeed, we have brought the best minds together under the direction of the President of the United States and the Commander in Chief, I think all of America would feel more secure. Why? Because we know that when this President decides that he is going to do something, that he can get it done. It is not a question of just getting judges nominated that they have problems with. It is a question sometimes of what he has been able to do with the tax reform bill that Republicans and Democrats have talked about, but this President said he wanted to do something with it and he did do something with it.

I do not know what Carlton Turner is doing, but he is no substitute for the voice, the influence, and the leadership that can be

demonstrated by the President of the United States. It sends a signal not only to those of us that are partners in government but just as important it sends a signal to the private sector that this is a high priority item.

I do hope that this committee reports it out, that the Congress passes it into law and that the President will convene this meeting, and I wish you well in this effort, because we are trying to put a legislative package together and this will be just a part of what we believe that we could be supporting, and that is truly a national strategy that is clearly spelled out by the White House.

I thank you for this opportunity.

Mr. HUGHES. Thank you very much, Charlie.

I want to, first of all, congratulate you on what I think is one of the more eloquent statements that I have heard on the entire subject of substance abuse and some of the initiatives underway. I share your hope that we can make this a bipartisan initiative. I must say that I do have some concerns about some of the language in the resolution, and I will have amendments to deal with that, but I think that this is the time for it. I think it is essential and I think it can be somewhat useful.

We have a way of listening here inside the beltway to each other and to reaching out throughout the country and trying to bring to a conference the best of minds from all walks of life, people that are dealing with substance abuse each and every day, to try to, in fact, focus in on sensitive people to the problem—and we are doing that and certainly a White House conference would do it even more—that would at the same time attempt to develop perhaps modifications to certain of the strategies but, more importantly, to look at the total picture. That has been one of my concerns for a long time. No one is looking at the total picture. We all know part of the problem is the turf battles. Giving the Administration its due, and I do, I think we have made major strides in bringing about that kind of coordination that is essential to maximizing resources, but the fact of the matter is we still have turf battles. We have turf battles within even the Justice Department. We have turf battles between DOD, as you well know, and Justice.

In fact, Justice was neutral on the Posse Comitatus law many years ago when this subcommittee took up and passed it over the objections of DOD. Justice, however, did not take a position on the Posse Comitatus law even though quietly they hoped, in fact, we would move it through the process, and we did, in spite of the turf problems. Now DOD talks about it like it was their baby to begin with, and it is wonderful we can break through it. But we had the turf battles, and no one is looking at the total picture.

The Department of Education talks in terms of it being an enforcement problem. Enforcement more and more, I think, is talking in terms of demand reduction as well as being essential, and we have talked about that. Even though my background is in law enforcement problem. Enforcement, more and more, I think, is talking dollar on demand reduction, education, and treatment, than I would on enforcement because there I think we can perhaps better win the battle.

But I think a White House conference will do all the things that you envision. It certainly is as important as some of the White

House conferences that we have had on other subjects. We are about to begin a White House Conference on Small Business. Small business has major problems, but they pale in comparison to the substance abuse problem today.

Mr. RANGEL. That is right.

Thank you and good luck.

Mr. HUGHES. Any members have any questions?

The gentleman from California.

Mr. LUNGREN. Mr. Chairman, I appreciate the appearance of our colleague, Congressman Rangel, who I believe is the cosponsor of my designer drug bill, and I appreciate that, and I hope we will adopt that bill a little bit later today. I hope that we will be bipartisan.

I do not see any reason to be partisan, but I must say some of the comments directed toward the administration appear to be somewhat critical and, frankly, I am not sure that gets us anywhere.

Mr. RANGEL. I would just like to say that I had the same comments against the Carter administration. It does not help in what you are trying to achieve here, but the fact is that we have not had any White House strategy, no matter what President we have had.

Mr. LUNGREN. I appreciate your feelings. I happen to have a very strong disagreement with that. I attended the conference down in Clearwater, FL. That was a conference that started from the bottom up. There was a prosecutor down there named Bob Merkle who thought that it would be good to bring U.S. attorneys from around the country together to reinforce the fact that there were things being done by certain U.S. Attorneys' Offices, that perhaps others were not aware of, and to bring up the fact that the coordination of U.S. attorneys with private groups could actually do something on the demand side. I do not fault prosecutors for not having that as their first thought because, frankly, their job is to prosecute people, to put them in the jail, and that generally is not the demand side. That is the supply side.

I was heartened by being down there and seeing what they are doing and seeing that the U.S. attorneys by and large were interested in it.

Mr. RANGEL. I do not want to detract from the good work that they can do in this area; but when you come from a community that is frustrated as mine, where the U.S. attorney can tell you that he cannot enforce the Federal Criminal Code, that he has to do it selectively, that he has to determine the best use of his manpower and how he is going to use it and so, therefore, we have people violating the Federal Criminal Code and they are not being investigated because we do not have enough prosecutors, then it concerns me that the prosecutors are in the schoolrooms. But the same is true of my New York City Police. They are in the schoolrooms. I am not saying that they are not making a major contribution, but I wish we had more teachers in the schoolroom and more police and prosecutors in the streets and in court.

Mr. LUNGREN. I do too and the Justice Department has asked for more prosecutors and, unfortunately, the Congress has reduced it. Two years ago on the floor of the House I tried to get an increase for U.S. attorneys and U.S. marshals, and it was defeated by the chairman of the Appropriations subcommittee who said we could

not afford to do it. I do not understand how we can say we need a conference where we bring the President in and find out from the President what his strategy is when the President has constantly sent requests to the Congress and we have not gotten our act together. Maybe we ought to have a congressional conference.

Mr. RANGEL. How would you explain if we are involved in a way that the troops are being used to educate and reduce demand rather than the sole purpose that we have created them for? Now, it just bothers me, Mr. Lungren, that in the Attorney General's office we are dealing with problems that I would want to see in the Secretary of Education's office and I would not want to see the teachers, which now we are talking about, enforcing the law. According to Secretary Bennett, he wants to see a strong law enforcement and Justice wants to see education and demand reduction.

Mr. LUNGREN. Let's face it. Our universities have been sanctuaries for drug use for the last 15 years. And when you have the Secretary of Education come out strongly and say to presidents of the universities: "You have an obligation to tell your students if they use drugs they are going to be kicked out of school along with some assistance for the first time, but if they continue to use drugs they are going to be kicked out of school," that is a massive change in attitude we see expressed from the highest levels. It certainly is very different than what Mr. Peter Borne had to say on drugs.

Mr. RANGEL. I support that 100 percent. I am just asking, Mr. Lungren, while supporting the Secretary 100 percent, would you not think he would have just some small program, just as the Justice Department are involved in education and demand reduction and meeting in Clearwater, would you not hope that the Secretary of Education might have one small education component to his idea?

Mr. LUNGREN. I would much rather spend the money on that than on a conference. We have a National Drug Enforcement Policy Board. Their first report is out. They are going to come up with their strategy on the supply side within the month. They are going to come up with their strategy on the demand side, announced policy, within 6 months. We have got the reports of the—

Mr. RANGEL. The Secretary of Education says he does not want any Federal programs that deal with drug demand. That is what I am telling you. He does not want any programs. He said that, that we have to get out of the business of Federal programs, that local and State people should do it. He may be right. He may be right. I am just asking, why shouldn't we get better minds than ours to talk to him through the Office of the President to see whether he is right.

Mr. LUNGREN. We obviously have a major disagreement.

Mr. RANGEL. I do not see where we do at all.

Mr. LUNGREN. I have been talking to Dr. Turner for the last couple years. He is not someone who is the spokesman or the outgoing spokesman for the administration. The President has talked about it. The Attorney General has talked about it. Mrs. Reagan has talked about it. Yet he has set up programs of education that go on in the schools and I have made available to schools in my district.

I just do not think that we serve any purpose by blanketly criticizing and suggesting that an overall strategy is not there when, in fact, the strategy is there, and when efforts have been made. The Comprehensive Crime Control Act that was passed a year and a half ago was a major strike against drugs and organized crime in this country, and the administration had pushed and pushed for that legislation.

You say when the President puts his mind to it he can do it. He did put his mind to it. We had to go around the committee to get that passed. That is being implemented. We are getting more people in prison. We are going after the big guys and not the little guys. That is what you do when you want to put a dent in the overall trafficking. We are doing a lot of things.

Mr. RANGEL. I am not going to ask you whether we are winning. Do you see any light at the end of the tunnel with this strategy that you say is in place? And, if so, in what area? Because if you can tell me—

Mr. LUNGREN. Do you want to talk about it?

Mr. RANGEL [continuing]. Any one area, whether it is law enforcement, interdiction, demand reduction, production, I have not seen it.

Mr. LUNGREN. In 1982 we had two agreements with countries to eradicate drugs. We now have 14. As a result—

Mr. RANGEL. I am telling you we got the agreements, but we got more drugs than we have had in the last 10 years.

Mr. HUGHES. The gentleman's time has expired.

Mr. LUNGREN. Mr. Chairman, could I just have another minute, please.

Mr. HUGHES. Without objection, so ordered.

Mr. LUNGREN. I remember when William French Smith went to foreign countries to negotiate he got criticism on the floor of the House for doing it—the expense of the trip, what is the Attorney General doing going to foreign countries? Do you recall the criticism he got because he was spending taxpayers' money? He was negotiating the various agreements, that now you are laughing at, with other countries for eradication.

Mr. RANGEL. There is no enforcement of those agreements.

Mr. LUNGREN. A member of my district is the U.S. Ambassador for Colombia. He cannot bring his family to Colombia because the Colombian Government has agreed with us to eradicate drugs, and it is too dangerous for him to bring his family. That was not the case a few years ago. We are doing some things.

Mr. RANGEL. I think you have to talk to Mr. Smith because he really deals with the Foreign Affairs Committee and he has legislated in this area. I have been a party to the Bolivian agreements dating back to the Carter administration, and still there has not been any eradication. We talk about the success in Colombia. They have not plucked one coca leaf in terms of eradication.

You want to talk about agreements? We got more agreements with the Government of Mexico than we have with all of Europe, and in the last 10 years it has just been sad to see how the eradication efforts have suffered. I understand they got a new program and a new agreement called Vanguard.

Mr. HUGHES. The gentleman's time has expired.

Before I recognize the gentleman from Florida, I will make a couple observations. It is just unfortunate William French Smith is criticized. We are all criticized when we make trips. Our colleague from Florida, Mr. Shaw, was on a trip to Southeast Asia that he led a number of years ago, a very productive trip, out of which came commitments from Thailand, for instance, to develop long-term goals, something we could measure, benchmarks on eradication, eradication in connection with crop substitution. He was severely criticized even to the point it became a major issue in his campaign, and every trip I make I am criticized. We are all criticized because we take trips. It is unfortunate, but it is part of it.

The second point I would make to the gentleman is that he suggests—I just want to correct the record—that we had a bypass of the committee in passing prime legislation. This committee had every one—every one—of the antidrug bills over on the Senate side for months before they were acted upon and put into a package, and this subcommittee worked overtime to put out something like 22 crime bills. It was a record in the 98th Congress and among them were a number of initiatives. I do not know if the gentleman was suggesting this committee did not do its job.

Mr. LUNGREN. Mr. Chairman, I was referring to the full committee and the gentleman knows the problems we had, and that is why on the 25th of September 1984 I had to bring the total package to the floor. It was the only way to do it.

Mr. HUGHES. That was in sentencing and bail reform. We are talking about drugs today, and I want to clarify the record, that this subcommittee had every one of the antidrug bills and all the other bills that were referred to this subcommittee were reported out. I cannot think of any bills we did not report out that were sought, including the major forfeiture bill that Steve Trott alluded to, which is a tremendous tool in the hands of the prosecution, and we lost that in the 97th Congress because it was vetoed along with the drug czar, and we had to go back and rework it again in the 98th Congress. But every one of the antidrug bills, anticrime bills dealing with drugs, we had over on the Senate side expeditiously.

The chairman recognizes the chairman from Florida, Mr. Smith.

Mr. SMITH. Thank you, Mr. Chairman.

I want to congratulate Mr. Rangel. He has touched upon every raw nerve that is affecting every Member of this Congress, I hope, whether they are Republican or Democrat.

I am still amazed at the testimony that Mr. Trott gave us a few minutes before Mr. Rangel. I cannot believe that everything that he said being true would lead us to the point we are now where, as Mr. Rangel points out, we are at our lowest ebb of all time. We have more of this, more of that, more agreements, more people, more money, more funding, more policy boards, more conferences, more people involved, the whole gamut, the whole range of issues, the President's wife talking about the issues, everybody talking about the issues and, when it comes down to it, more heroin, more amphetamines, more deaths.

It is incredible that the two of them do not seem to mesh, but go in opposite directions.

Would the gentleman advise me—perhaps he knows better than I—what our drug policy on Mexico is. What is our national strate-

gy on Mexico as enunciated by the 19 different agencies that are involved in this, because the last time I heard they all had 19 different opinions about Mexico. Am I mistaken? Does the gentleman have another policy which he can give us?

Mr. RANGEL. No. You had hearings. I have had hearings. And, you know, just from a national security point of view, even if drugs were not what we are focusing on, you would want to believe that we would have an economic policy with Mexico, a political policy, and one that just does not talk about corruption, which we all know that is a problem, but one that would deal with how do we work as partners in overcoming this.

And I am really, Mr. Smith, more frightened, and you are the one that would be the expert. Chief Justice Warren Burger said that he thought that the drug problem was a more serious threat to our national security than communism, and I am telling you that we are not talking about Thailand, we are not talking about Burma, we are talking about people right down there with an imaginary borderline and it frightens me.

Mr. SMITH. I am as frightened as the gentleman. Perhaps I can shed a little bit of light. The gentleman indicated that he does not know exactly what Carlton Turner has done or where he is. It is true we have not seen him in the last 3 years. So I took it upon myself to call him and invite him to come to my office or to have lunch. He was gracious and invited me to the White House. I had lunch with Mr. Turner, and I found out what he does. He advises the President. Those are his words exactly, and my aide sitting here can verify I should not expect a national strategy to come out of his office because he does not put out a national strategy. He advises the President and, I assume, through that advises Mrs. Reagan on these issues.

The gentleman and I were both in the White House for the press conference on "Say No to Drugs" which was very nice and certainly got a lot of young people involved. As a national strategy I do not think it is the only thing we need. We need more, but it is certainly one of a number of components we should have.

So Carlton Turner is really not responsible. I do not know that the National Drug Enforcement Policy Board has come up with any national strategy, not that I have seen recently, and Mr. Trott did not hold up anything from that particular board. I have not heard the DEA or any of the other agencies, Justice or any of them, enunciating national strategy, so I am a little puzzled exactly where this conference is going to be redundant or duplicative, because every time you indicated we hear from a different agency we get a different theory about what our policy should be.

And, finally, I just want to tell you that the hearings that you held with Secretary Bennett I thought were the most elucidating of all. When you hear the Secretary of Education, as we heard him, say that the policy of the Federal Government was that kids who use drugs or sell drugs in school should be thrown out and beyond that there is no policy, and they have a total of \$3 million committed out of an \$18 billion budget, then I think the tragic reality is laid out in front of us. They do not have any policy at all and do not want one because that is what Mr. Bennett said.

So I congratulate the gentleman for frankly opening the book to an open page. You know what is written on the page, Mr. Rangel. Nothing. The page is empty, and I think this conference would serve an enormously useful service, and I commend the gentleman for being one of the moving forces behind it.

Mr. HUGHES. The gentleman's time has expired.

The Chair recognizes the gentleman from Florida, Mr. McCollum.

Mr. McCOLLUM. I want to reiterate what has been said a number of times and commend you for all the work you did in this area. I do not know anybody who spent more time working on this narcotics problem than Charlie Rangel, and we are all very appreciative of that. We all share your frustration. Drug abuse is an extraordinarily big, big problem and we do not have all the answers. Nobody does. That is what we are all here attempting to do, your committee, our committee, the President, the Justice Department, and so on.

The problem is we get into the business of prodding each other, which we are doing this morning, and sometimes that is productive and I think we have been generally that way in all directions. At times it is counterproductive.

I want to set the record straight on one thing. Bill Hughes and I are working very much together with respect to legislation now pending: money laundering, the designer drug bill with Dan Lungren and Larry Smith, and we have been working on the contract services for drug dependent offenders bill. A lot of legislation will deal with this problem.

The concern you have expressed, I think, if I can summarize it, with this discussion this morning is that there does not seem to be a comprehensive national strategy. There does not seem to be anything written down that somehow says A, B, and C over the next 3 years, this is exactly how we best utilize our resources. It is frustrating though I think there is a strategy that is written down, depending on where you are and who you are talking about.

I was in Miami just 2 or 3 weeks ago, and I spent 2 days on one of the most intense reviews, that I have ever been able to get the privilege of doing, of what Customs is doing, what DEA is doing, what the Coast Guard is doing, what NNBS is doing and looking at the task force concepts and the strategies there. And there is no doubt in my mind that we do have that strategy in a well-coordinated effort down there.

We still need to do more on the demand side. We still need to get other things going, but there is no doubt in my mind that there is a strategy there. The question is how do you best articulate it and who has that responsibility, and I am sure you would agree with me that one of the problems with the banging of Carlton Turner comes from the fact when we passed a comprehensive crime control bill Congress took away the authorization for him to issue a national strategy. We are banging him for not doing it anyway, but he had statutory authority to do things down there in his shop that he does not have today. Instead we gave it to the Drug Enforcement Policy Board, and next month they are issuing that policy. I do not know what it says. I have been trying to get a few leaks out of there, but I do not have it. We are about a month early criticizing,

and I think some criticism is justified, but to go excessively before we see what the product is and say they do not have a strategy, when we know they are putting one together and we know parts of it already, because we have seen it work in south Florida, and then come along and jump on them a month in advance of what we see is a little bit unfair, although I am not saying that we cannot look at this conference.

Mr. RANGEL. Let me just ask one question because if I have been unfair, I would rather work toward a bipartisan effort. But assuming that coca leaves and opium are not grown in the United States and assuming that they are grown in foreign countries and assuming that the Secretary of State has the responsibility in carrying through the views of our President as it relates to our dealings with other countries, could you direct my attention as to what the policy is, the foreign policy is by any statement that has ever been made by Secretary Shultz?

Mr. McCOLLUM. If I may say so, that is Secretary Shultz' part on the Drug Enforcement Policy Board, and we will see the written form of that, I presume, this next month when the Drug Enforcement Policy Board issues it. But we all know that there is a full coordination with our embassy staffs around the world in the very frontline effort with Secretary Shultz and the DEA and Secretary Weinberger, too.

Mr. RANGEL. I see Secretary Shultz on TV more than any public official I know, and he does quite well on the Sunday morning programs. I have never heard him mention it. But forget that. If all of the drug enforcement and all of the foreign affairs people agree that the question is demand reduction, everyone agrees demand reduction is where we have to concentrate—

Mr. McCOLLUM. If I may interrupt, we agree we have not concentrated enough in that regard, but, Charlie, I do not go beyond on that point to agree that is where it is at. I think it is one of four or five areas.

Mr. RANGEL. Assuming it is one area, would you not agree with me that education would be a part of the area?

Mr. McCOLLUM. It certainly is, and that is where Secretary Bennett comes into play and some of his comments, whether we agree or do not agree. I think he is also part of the Drug Enforcement Policy Board.

Mr. RANGEL. Is he part of the strategy?

Mr. HUGHES. The gentleman's time has expired.

We are going at this time to recess to catch our vote.

Thank you, Charlie, very much. We appreciate your testimony.

[Recess.]

Mr. HUGHES. The Subcommittee on Crime will come to order.

I am sorry for that interruption, and I want to thank you, Mr. Trott, for permitting Charles Rangel's testimony to be taken.

The chairman at this time recognizes the gentleman from Florida for 5 minutes, Mr. Shaw.

Mr. SHAW. Thank you, Mr. Chairman.

I have a few comments that I think need to be made at this particular point in the record. I would like to preface my comments by saying that they in no way reflect on any member of this committee and do not reflect on my good friend, Charlie Rangel, who I

think has given us great leadership in this area as chairman of the Select Committee on Narcotics Abuse and Control.

I see, however, an attitude that is beginning to develop here on the Hill that I have not seen before. I have seen a lot of newcomers, a lot of people starting to rush to this whole question of drug abuse and control and jumping on the bandwagon which has been out there for many, many years. I think many of us on this committee, and certainly Mr. Rangel, have been working on it ever since we came to Congress.

Unfortunately, the timing is bad. The timing is political and this is the time when all of us on both sides of the aisle become increasingly political. I think that there has been a great deal of nonconstructive finger-pointing going toward our administration which has done more than any previous administration in this area.

I think that, however, having said that I would say that they certainly are not perfect, and I think until they put drug abuse and control as absolutely undisputed No. 1 on their agenda they are not going to be doing enough.

I see there is a policy evolving, there is a policy out there. The only thing I fault the policy for is it is not No. 1. It is not No. 1 with the State Department and, therefore, we are losing ground. I think also the problem, and rightfully so, is people can point here to the Congress. I think there are just too many wimps in Congress who really are not serious about doing anything except talking about the problem. It is just the same way as the deficit. You get the same people who are talking about the deficit that are the biggest spenders in the Congress; and until we get serious about it and try to come up with a solution and consensus on exactly what the agenda is, the problem is going to get worse and worse and at some point in time it is going to be totally out of hand, so that if the alternatives are not going to be available to us, we are going to be choosing between our own personal freedoms and drug abuse. I do not think we are there yet, but I think we are headed there, and we are getting awfully close.

We need tough legislation coming out of the Congress. We need to talk to the administration. They have to be more communicative with us as far as what their legislative agenda has been. But I think out of this Congress we need to develop our own legislative agenda and we need to do it in a bipartisan way. All of us in Congress, we deal with public attitudes. We deal with what the people are thinking. And as soon as we lose touch with that, we are no longer credible. It is what we trade in. It is public perception, and the public perception is out there right now and it is becoming increasingly more evident that the public is scared to death at what is happening. With the coming of crack, with the popularity of cocaine, the problem is snowballing so far out in front of us that we are losing ground no matter what we do or what the administration has done to date, which simply means we have to do more to get in front of that problem and begin to slow it down.

People are dying. We are finding new horror stories every day.

Mr. Chairman, last week I went to the neonatal unit at Broward Community Hospital which is the hospital that takes in the premature babies from all over south Florida. Twenty percent of the babies that come into that unit are suffering from cocaine addic-

tion the day they get there; and when you can see the diseases, water on the brain, retardation, stroke, heart attack, all of the things that these little-bitty babies are suffering from and you have the realization of seeing it right before your eyes and knowing that they have absolutely no future and that when they do go home they are going to go home to a home that is absolutely unfit, you wonder what in the world we are doing to ourselves. And the problem is that the biggest problem happens in the first month of pregnancy when most women do not even know they are pregnant and they are doing cocaine.

While I was in that unit a little-bitty baby died right there next to me. The doctor said that baby was smaller than the cocaine tattoo that its mother had on her arm. I do not know what the future of this country is going to be; but when you think back a few years, 2, 3, 4 years ago and see how much worse the problem has gotten, it is horrifying. And it is not just here; it is in other countries. But because of our tremendous wealth in this country, it is probably escalating far quicker than in other areas.

I do not know what the answers are, but I think finger pointing is the wrong way to go. I think we must have a constructive agenda if we are going to criticize the administration. We have to be very specific, and then I think Republicans and Democrats can do it together and come up with some very constructive criticism. But I think the direction that we are going, the rhetoric that I am hearing, the lack of solutions that are coming out of the Congress and the lack of solutions and new ideas that are coming out of the administration is alarming.

I do not know if I said anything to add to anything, Mr. Chairman, but I think that if we are all looking for someone to point out I think we could point our fingers in any direction and be correct. But I do not think that is the way to proceed. I think the way to proceed is with a constructive agenda.

Thank you.

Mr. HUGHES. The gentleman's time has expired.

The Chair recognizes the gentleman from Kentucky.

Mr. MAZZOLI. I do not have a particular comment, Mr. Chairman, but would like permission to talk to Mr. Trott for just a second. I listened to your statement, Steve, and I salute all of the initiatives the administration is taking. I am inclined to think this administration has taken more initiatives than any previous administration, perhaps in part because the problem has become more accentuated and so in a sense is reacting to a more important problem.

However, let me just ask you to comment about why a White House conference—which, like many other White House conferences, would focus national attention on an issue which has priority with an administration, for relatively few dollars—ought not be one of several arrows in your quiver against this terrible problem.

I have a little difficulty understanding that. It would seem, if anything, this would absolutely give you the opportunity of providing one clearinghouse, one sort of an umbrella underneath which all of these other initiatives, including more prosecuting attorneys, antidrug education programs, and all the other ones, would fit very nicely and very conveniently.

So maybe you could talk with me a little bit about that.

Mr. TROTT. The point that you make, of course, is a good one. It is simply our sense that the kinds of things that could be accomplished by such a conference, including pointing the finger at the problem, have been, are already being, and will be in the future accomplished in other ways. If you go through what it takes to mount a conference like this, it is an awful lot of work. It takes an awful lot of effort, and it will produce something we think is simply redundant to what is going on.

I think in that respect you have to look at what Congress has already asked us to do in respect to the National Drug Enforcement Policy Board, which was created in 1984. And Mr. McCollum made an earlier point I think was important in terms of whether or not we have a strategy. In 1984 there was a national strategy for prevention of drug abuse and drug trafficking. It was prepared pursuant to the Drug Abuse and Treatment Act of 1982. I was really sad to hear Congressman Smith attack Carlton Turner because this policy in 1984 was prepared by the Drug Abuse Policy Office, the office of policy development in the White House, and that responsibility was taken away from Dr. Turner by Congress when it created the National Drug Enforcement Policy Board. So this was a refinement of a 1982 strategy, and again this is something that the conference is designed to promote.

I should have mentioned this earlier, but it has been mentioned a number of times by Congressman McCollum and Congressman Lungren. There is as a result of the work of the National Drug Enforcement Policy Board a draft national and international drug law enforcement strategy document. I received a copy of the draft strategy the other day and I have been reviewing it. It is a rough draft. Now it goes to all the agencies that are part of this operation for review. We anticipate then we will come out, hopefully, with a final draft, a final copy of this strategy, which represents the work of really 5 years, in one sense, hopefully by the end of August or September. I hope I am not being too optimistic on that.

Mr. MAZZOLI. Let me ask you one thing. You have been active in the Justice Department in matters around the country for a number of years. An accusation that we constantly hear is that people in politics and government create studies which end up in a room, sitting in the corner gathering dust. I always hear, "Ron, no matter what you are doing, you are just having a study commissioned and the study gathers dust."

One thing that encourages me about the possibility of not having the Graytown book study gather dust is to have it part of the national initiative under the aegis of the White House. This would give it sanction, give it commitment, give it priority. That would keep these very documents—which I fear very much would gather dust simply because they are a part of a whole series of documents which government churns out—from the anonymity they are consigned to unless we give some reason for them to be up in the front line, so that the 6 o'clock news people would bark about them.

Again, could not there be a White House conference structure that would not go back to square 1 and reinvent the wheel, but would gather those data that are already developed and refine them, update them, harmonize them, and collate them in some

fashion that would make them then actually very powerful. Is that not possible?

Mr. TROTT. We believe that is already being done. The documents that have been produced have not gone into a corner because they have been produced not by conferences but by the agencies which the President has told to get out there and do something about this problem. So they are very strategically and tactically oriented. For example, the Organized Crime Drug Enforcement Task Force Program came from a concept from a paper and is now producing thousands of indictments, thousands of convictions, thousands of drug forfeitures in the millions and these are the kinds of programs, such as the Latin American programs that you see with Colombia, now with Bolivia. They come from concepts, they come from papers, they come from ideas.

So unlike what a conference has a tendency to produce, a document, an idea, a concept produced by the National Drug Enforcement Policy Board followed up on produces the kinds of results that you are after.

The First Lady—

Mr. MAZZOLI. If I might, because my time is close to expiring and I appreciate the chairman indulging me here, I will let the Floridians comment on how effective the task force was that was mounted in south Florida that Admiral Murphy was involved in. I will let them comment on how successful or unsuccessful it was. But from the standpoint of someone on the outside, the creation of the task force was evidence of the commitment this administration has. You put the Vice President there, you put his chief of staff in charge of it. We said, damn it, we want to get those people. I will let the Floridians talk about what the effect of it was. But it certainly struck me, and I think probably my constituents back home, that would not the same thing be possible if you were to bring in the White House? You would ratchet it up one level to the highest rank of our government and say this necessarily has to be a national commitment. Then the U.S. attorneys in Louisville or wherever would say this is it, this is what we are going after.

With all respect to the doctor, whom I do not know, and other people, I fear that we just do not have that opportunity to focus national and international attention—and it is an international problem. It would be very tough for countries to flout our President. It would be one thing for them possibly to take Dr. Carlton Turner or Congressman Mazzoli or whomever and tell us go fly a kite, but it is not that way with the President, and that would be one of the purposes of this White House conference.

Mr. TROTT. The President has done that. The national security decision directive signed April 6 is evidence of that. Donald Regan has been told this is a high priority item, the No. 1 law enforcement priority in the United States, and I know from my personal involvement when Ronald Reagan talks to heads of foreign states that is one of the top items on his agenda. When he speaks with President de la Madrid, that is always an item of very high priority, and it was a result of Ronald Reagan's meetings with President de la Madrid, for example, that we had the working group with Mexico between Attorney General Meese and all elements of the Mexican Government.

I have a lengthy statement that I do not want to read that will give you an idea of what we are trying to produce.

Mr. MAZZOLI. If this committee were to vote for a White House conference it would not be any effort to slam you in the face or the administration or to do anything. It would be, I think, a sincere effort on our part to say we think maybe this route would be an effort on our part to make significant progress in identifying this as a national issue. Again we would not have to reinvent the wheel—we would not want it to reinvent the wheel, would not want to spend millions and millions of dollars on that because there is a lot that has been done that can be built on.

Mr. Chairman, thank you.

Mr. HUGHES. Thank you.

The gentleman from California is recognized.

Mr. LUNGREN. Thank you, Mr. Chairman.

And I want to thank Mr. Trott for appearing here and trying to set the record straight on what the administration has done. It is my understanding that this draft report that you have before you is to be out within the next month or so, is that right?

Mr. TROTT. As quickly as we can get it out, as soon as I check it over, and that is going to be by the end of the day. Then we will disseminate it to all the component agencies for their comment. It has already been contributed to by everybody, but now we have to refine it.

Mr. LUNGREN. Is it primarily supply side oriented or also demand side strategy?

Mr. TROTT. I can give you a run through on the contents. After the introduction we have strategy overview, assessment, role of intelligence, international drug program, interdiction and border control, investigations and prosecution, diversion control and controlled substance analogs, demand reduction, Mexico and the Southwest border and conclusion. So it is sort of across the board.

If I can repeat a point I made earlier that may have been missed on the demand side of the equation, as far as we are concerned a tough law enforcement attack on the problem is a critical element without which any demand side work would be wasted.

Mr. LUNGREN. As I told the U.S. attorneys when I appeared before them down in Clearwater, it seems to me if several of these million dollar ball players spent a little time in jail or prison before they then go out and start making public service announcements that they have seen the light, that might be far more effective in terms of their statements to young people.

Mr. TROTT. Congressman, in that regard I have a press release dated July 24, 1986, which says:

Attorney General Edwin Meese III announced today that 24 persons, including three members of last year's University of Virginia football team, have been charged in the operations of a drug trafficking ring that distributed cocaine in four States.

I am very sad to announce I have been told we have another player of the year involved in this from the University of Virginia.

But we agree with you completely.

Mr. LUNGREN. That is the type of thing I think is important. I think if we put some ball players, doctors, lawyers, bankers, some of these people who have been using drugs in jail, that sends a

stronger message than perhaps any single thing we could do. As I said to you before, it seems to me we have had a dual standard in the public view, which is if you happen to be a wealthy drug user somehow all you are doing is using recreational drugs and you are to be pitied because you cannot handle this enormous wealth you have. If you happen to be a poor slob on the street who is on drugs, we consider you a "druggie" and we kind of throw you away. And that double standard that wealth makes the difference in terms of public attitude to the drug usage has got to change.

The other thing is somehow we always condemn the trafficker, but we excuse the users. I think we ought to condemn both. We ought to see what we can do to help those that are using it, but we ought to recognize they made a decision of their own free will and they got to take the consequences, and that type of an education program can be very much presented by tough law enforcement. I was pleased when talking to the U.S. attorneys who seem to agree with that position.

Mr. TROTT. This indictment I just referred to is a good example of how the strategy is working. This is an Organized Crime Drug Enforcement Task Force case. It was originated by the Charlottesville Police Department. You have a local operation, Virginia State Police, the FBI was then brought in and it ends up in federal court using the continuing criminal enterprise statute. It charges the kind of people you have identified across the board as a big organization and it sends the message, including on a college campus, that those places are no longer sanctuaries for that type of activity.

Mr. LUNGREN. What about what I mentioned before about sanctuaries for drugs seemingly being given to rock concerts and other concerts? Do you make that same observation?

Mr. TROTT. I have seen that many, many times. It is rather shocking. It goes on in many environments and, again, it is still part of that remaining attitude that has not turned the corner on this stuff, and we have got to recognize what this problem is and we have got to go after it wherever we see it, including at the rock concerts. The message that has to get out, including to the users, as you so correctly point out, is that we condemn this, it is against the law and it cannot be tolerated.

Mr. LUNGREN. I guess some people believe that a conference is the way that you raise the issue. I guess the only analogy I could bring to it is another seemingly insurmountable problem we have, not of the same degree, but something that affects the country, of illegal immigration. Frankly, I rack my brain to see what we can do to get Congress to move on it, and I just am not convinced that having a national conference on the immigration problem would get us any closer to where we have to be.

The problem in immigration is that the Congress has failed to move and we just have not been able to come together to finally do enough to pass a bill. Sometimes I sense on the drug problem we have the same sort of situation. Without identifying any individual or any party, I think we have been part of it. We have been part of this culture you talked about where drug abuse has not been on the top of our list for years and years.

Mr. HUGHES. Would the gentleman yield?

Mr. LUNGREN. Yes.

Mr. HUGHES. I share the gentleman's frustration with immigration. Of course, my concept of what an immigration bill should look like is a little different than was reported out of the committee.

Mr. MAZZOLI. Mine too.

Mr. HUGHES. I know the chairman of the subcommittee feels the same way. I want to make a point that there is a major difference between the two, and that is that much of the drug problem is something we do have control over—demand reduction. We really have not focused in on it. We can do something about it when we commit ourselves, elevate consciousness, do the kind of education that the Mothers Against Drunk Driving did on drinking and driving, and what we have done with regard to speed limits in this country, and on smoking. They are good examples of how we can make that kind of change if we muster the will, the commitment, the resources. That is a little different than the immigration problem in the sense that much of the problem dealing with immigration is extraneous.

Mr. LUNGREN. I appreciate the gentleman's remarks, although the keystone of our immigration bill has been employer sanctions because that is the demand side, so to speak, that really contributes to the flow that we have.

Mr. MAZZOLI. Would my friend yield?

Mr. LUNGREN. The only analogy I was trying to bring, I was trying in my own mind to think that if I thought that having a national conference on the immigration problem would help us get a bill through, I would agree. I just do not think it would.

Mr. MAZZOLI. Would my friend yield?

Mr. LUNGREN. Yes.

Mr. MAZZOLI. I think you are right because I think the difference between this and what I would envision a kind of White House Conference on Drug Abuse and Drug Control to be is the fact that whether we like it or not there is not a really clear national consensus on immigration. We still have the same ambivalent reaction to it. I do not think there is much national ambivalence about drug use or abuse. We may have a difference of opinion slightly in how to go against users, abusers, traffickers and whatever, but I think it is pretty clear what we want to do. I think the idea of a national conference is to allocate our resources in a little more coherent way than they are going to be allocated with five or six or seven different organized groups undertaking the task.

Mr. LUNGREN. I appreciate the gentleman's comment. Maybe I am more cynical about White House conferences than you are. The White House conference we had on senior citizens and the elderly, it was a nice conference and I even sent somebody there. But, frankly, the product of conferences I have seen have not given me the feeling that is the way to go about solving the problems. Maybe we just have a basic difference.

Mr. HUGHES. The gentleman's time has expired.

There is another vote. Let me make a few observations.

First of all, I just regret that it seems to be developing into some partisan wrangling. One of the reasons why this subcommittee, I think, has been effective is because we have had a good bipartisan partnership. I have been very fortunate in having two very, I think, bright, articulate ranking Republicans who have worked

with the committee, Harold Sawyer who worked in the first two terms that I chaired the committee, and Bill McCollum in the last term. It has been a very productive subcommittee. We probably have turned out more legislation than any subcommittee in the Congress. I think that we are probably up to about 30 bills in about 5½ years, major bills, not minor bills, and we lost a lot of ground in the 97th Congress when much of our work product was vetoed because of its association with that so-called drug czar. This subcommittee even on tough issues can really rise to the occasion. The gun legislation is a good example. Tough bill. We brought out a consensus product that I think helped us in the final analysis head off some of the more extreme provisions that would have become law, in fact, if we had not acted as we did.

I am very proud of the work of the committee, and I hope we can continue to work on this issue in the same kind of bipartisan spirit.

Having said that, I want to say that I share your absolute shock at what the Congress did last week. Some of the Members that get up on the floor and argue the most about drug abuse and make the most elaborate statements, are the very ones who voted for the Frenzel amendment, even as amended by my colleague, Mr. Lungren, who at least made it somewhat more palatable, but they voted to cut across-the-board programs that are essential to deal with this very problem. You cannot provide more resources for DEA and the FBI and not provide more marshals, as you aptly stated, or U.S. attorneys, and we are down in U.S. attorneys. We cannot expect to try more cases unless we have more personnel to try those cases. It is labor intensive. We need more prison space, not less prison space. We talk about the problems at the border. Thirty-two percent of our cocaine we estimate now is coming across our southern border. That is an estimate. It could be higher than that. It is just out of control. People are coming across and they are carrying contraband with them. We cut the Border Patrol. We cut Immigration and Naturalization. If anything, we should probably be increasing significantly Immigration and bringing them into the 20th century so we do a better job of tracking people that are here. We do not have that capability today, and the Border Patrol is totally inadequate. And even though we are talking about providing military equipment such as radar and I support that, it is a far better endeavor if we, in fact, provide the resources to deal with the problem, and we have not done that.

Steve, you mentioned we lost ground between 1975 and 1981. We also have lost ground since 1981. I mean I remember when William French Smith came in before our committee and said—you were not here at the time—we are going to have to do more with less. This is not possible. You know, the experiment with the FBI has been successful; but you take the FBI away from other functions too. We need more resources. We zero-funded programs like the drug diversion units. We have a major diversion problem in this country, as you know.

Our initiative is far less than what it should be, Steve, and I think if you were honest about it you would say it is. We really have no major commitment to the diversion problem. We can target today sections of the country where we have major diversion problems. We can create diversion investigative units to work with

local authorities. We have not done it. OMB still refuses to permit the spending of a million seven on the diversion program. They refuse to spend it. Congress has adopted it.

So we do have a major resource problem. But just in the last 2 minutes I want to make a couple other observations. We have a tendency here inside the beltway to talk among ourselves and, you know, I think it is therapeutic for us to get out in the hinterlands and talk to the best minds about these problems. A White House conference would do just that. It would bring the best minds together. It would reach out and bring the ones that are impacting on substance abuse in this country under one major umbrella with the credibility of the White House. It would bring the educators, the people acting as volunteers in the units who see the problems first-hand together.

Even though basically we do have a Drug Policy Board, it is far less than what I would have wished. What I supported was what we had in 1981, the so-called drug czar, because I think the very fact that the Vice President was in charge in south Florida gave it the kind of credibility to make the decisions that would not be questioned. If a DEA agent says to Customs we need three customs agents, they would probably say go fly a kite. When the Vice President says we need three customs agents in Miami, they are there. Nobody is making those decisions and nobody is looking at the broader picture. Nobody is looking at the dollars we have to spend in saying, well now, this is the dimension of the problem, we need to be committing these resources overseas, these resources on education, these resources in treatment, these resources on interdiction, and there is nobody that is making those decisions, those overall decisions.

Mr. TROTT. Congressman, I believe people are doing that, including the President, Vice President, the Attorney General and the National Drug Enforcement Policy Board.

Mr. HUGHES. The President and the Vice President are too busy to make those decisions.

Mr. TROTT. I have spent the last week working with the Vice President's staff on the Southwest border, and that is reflected in a letter of June 18, 1986. They are intimately involved in this, and we are talking money and we are talking programs. If I can just read one section:

The National Narcotics Act of 1984 empowered the Policy Board to review, evaluate and develop U.S. Government policy, strategy and resources with respect to drug law enforcement efforts. Accordingly, on May 19, 1986 the Vice President asked the Policy Board to review the congressional plan. The Policy Board analyzed the plan and agrees that certain parts of it would help address the problem along the southern tier.

And we go ahead and present a counterproposal.

Mr. HUGHES. Who makes the day-to-day decisions to implement or modify that when you find it is not working?

Mr. TROTT. That is the coordinating board which the Associate Attorney General heads, the staff which works 12 hours a day on the program. It is a very well coordinated program. Does it work as well as it could? No, certainly there are loose ends, but we got it down to a pretty fine-tuned operation and we produce pretty good products.

Mr. HUGHES. Suffice it to say I just think that this is just as important as the White House Conference on Small Business that is about to begin. The same arguments were used in opposition to that. We have people developing strategy with regard to small business throughout this administration; but, you know, out of a White House conference can come some major recommendations of assistance such as came out of the White House Conference on Aging, because it did bring together that expertise of the people in the private sector, education and other sectors and brought them together and we had the best of minds.

So it did several things: It raised the consciousness of people to the problem; brought us together in the formulation of policy; and it was a productive endeavor and it will be, hopefully, with the small business conference.

Mr. TROTT. I am certain you will continue to see the President and the First Lady as well as the Vice President speaking out and standing up on this issue.

Mr. HUGHES. Let me ask you a few other questions. We are moving through, as you know, a number of antidrug bills: designer drugs is scheduled for markup, we have three bill for criminal money laundering, and the contract services for drug dependent offenders which I hope will expand into pretrial screening of defendants when they first come into the criminal justice system. We are finding that 65 to 70 percent of the people coming into the system are testing positive, and yet we are not testing them before we release them on bail, for instance. So there is a lot of work to do in those areas. We hope to upgrade sentences, particularly with regard to some mandatory sentences.

Are there any other areas that you are aware of in the legislation before this subcommittee that we should be looking at that would be a priority?

Mr. TROTT. We are going to have some legislation coming up on precursor chemicals.

Mr. HUGHES. I am very supportive of that, but I am talking about before my subcommittee.

Mr. TROTT. The bills you described are very important, but can I make one point on the so-called designer drug bill. What can we do to get rid of that term?

Mr. HUGHES. How about drug analog?

Mr. TROTT. Anything except designer drugs. They sound like designer clothes and designer glasses and it sends the wrong message to this group of people.

Mr. HUGHES. We will take a look at that. That concern has been expressed today.

I want to thank you very much for your testimony.

I have got a vote I have got to make, and I am not going to detain you. I am going to recess at this point. The subcommittee will stand in recess until 1:15.

[Whereupon, at 12 p.m., the subcommittee was adjourned.]

Additional Material

THE HON. PETER W. RODINO, JR.

CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE

STATEMENT AT HEARINGS AND MARK-UP OF RESOLUTION CALLING FOR
A WHITE HOUSE CONFERENCE ON NARCOTICS ABUSE AND CONTROL

H.J. RES. 631

JUDICIARY SUBCOMMITTEE ON CRIME

JULY 24, 1986

TODAY WE ARE ABOUT TO CONSIDER A RESOLUTION THAT WILL TAKE US IN THE ALL-IMPORTANT DIRECTION OF DEVELOPING A COMPREHENSIVE NATIONAL STRATEGY IN THE WAR ON DRUGS.

THE BILL, WHICH I HAVE SPONSORED WITH BIPARTISAN SUPPORT, CALLS ON THE PRESIDENT TO CONVENE A WHITE HOUSE CONFERENCE ON NARCOTICS ABUSE AND CONTROL. THE PURPOSE OF THIS CONFERENCE IS TO BRING TOGETHER THE BEST MINDS AND RESOURCES OF OUR COUNTRY IN ORDER TO CREATE A COORDINATED NATIONAL APPROACH TO COMBAT OUR TERRIBLE DRUG EPIDEMIC.

WHY CALL A WHITE HOUSE CONFERENCE? THE ANSWER IS CLEAR: BECAUSE THE DRUG PROBLEM REQUIRES NOTHING LESS THAN A THOROUGH AND ENERGETIC RESPONSE FROM THE HIGHEST LEVEL OF GOVERNMENT. IT DEMANDS, IN SHORT, PRESIDENTIAL LEADERSHIP. ONLY THE PRESIDENT CAN POOL THE EXPERTS AND RESOURCES -- IN A NON-PARTISAN AND COOPERATIVE MANNER -- TO CONFRONT OUR DRUG CRISIS.

A WHITE HOUSE CONFERENCE ON DRUGS IS NOT A NEW IDEA. PRESIDENT KENNEDY HELD A SIMILAR CONFERENCE IN 1962, CALLING IT AN OPPORTUNITY TO GATHER "INFORMATION AND EXPERIENCES" SO THAT "AN ORDERLY, VIGOROUS, AND DIRECT ATTACK CAN BE UNDERTAKEN AT ALL LEVELS, LOCAL, STATE, FEDERAL, AND INTERNATIONAL."

BUT THE PROBLEM OF 1962, WHICH PRESIDENT KENNEDY THEN CALLED "URGENT," CANNOT COMPARE TO WHAT WE HAVE TODAY. THE SCOPE AND MAGNITUDE OF THE DRUG MENACE TODAY FAR EXCEEDS ANYTHING WE HAVE EVER KNOWN IN OUR NATION'S HISTORY. AS THE DEATHS OF LEN BIAS AND DON ROGERS HAVE SHOWN, DRUG ABUSE IS NOT JUST A "STREET PROBLEM" -- STUDENTS, PROFESSIONALS, GIFTED ATHLETES, AND OUR NATION'S FUTURE ARE VICTIMS AS WELL.

THERE'S BEEN A LOT OF STRONG RHETORIC LATELY ABOUT GETTING TOUGH ON DRUGS. YET WE CURRENTLY LACK A NATIONAL STRATEGY THAT WILL ENABLE US TO GET TOUGH. WITHOUT A STRATEGY, WE ARE BOUND TO LOSE THE WAR.

RIGHT NOW, OUR DRUG POLICY IS IN SHAMBLES. DRUG ENFORCEMENT EFFORTS ARE FRAGMENTED BETWEEN FOURTEEN DIFFERENT AGENCIES. FUNDS FOR PREVENTION, EDUCATION, AND PROSECUTION ARE INADEQUATE AND HAVE BEEN CUT. NOR ARE DRUGS A HIGH PRIORITY ON OUR FOREIGN POLICY AGENDA, EVEN WITH KNOWN DRUG PRODUCING COUNTRIES. DRUG ENFORCEMENT AGENTS, PROSECUTORS, PARENTS AND EDUCATORS ARE OVERWHELMED AND DEMORALIZED.

WE HAVE TRIED A NUMBER OF APPROACHES -- INCLUDING BORDER INTERDICTION, CROP SUBSTITUTION, PROSECUTION, PREVENTION AND EDUCATION -- BUT HAVE MET WITH ONLY LIMITED SUCCESS. THESE TACTICS, THOUGH OFTEN POORLY FUNDED AND COORDINATED, ALL HAVE MERIT.

THE PROBLEM IS THAT NONE OF THESE TACTICS BEARS ANY RELATION TO THE OTHER. THEY ARE PART OF A PIECEMEAL APPROACH TO A PROBLEM THAT REALLY REQUIRES COORDINATION AND LONG-RANGE PLANNING.

SCATTERED SHOTS IN THE DARK WILL NOT WIN THIS WAR.

WHAT WE NEED IS A COMPREHENSIVE NATIONAL STRATEGY ON DRUGS -- A NERVE CENTER TO SET PRIORITIES, MONITOR THE TRAFFICKING, AND GAUGE THE EVER CHANGING PULSE OF THE DRUG CULTURE. OTHERWISE, WE ARE BOUND TO BE CAUGHT OFF GUARD AGAIN AND AGAIN, WHICH IS WHAT HAPPENED WHEN THE NEW DRUG -- "CRACK" -- BURST ON THE SCENE AND WE WERE ILL PREPARED TO CONFRONT IT. CRACK NOW THREATENS TO OVERRUN WHATEVER LINES OF DEFENSE WE HAVE LEFT.

FINALLY, IT IS BECAUSE I BELIEVE THAT THIS PROBLEM NEEDS STRONG PRESIDENTIAL LEADERSHIP THAT I WAS DISAPPOINTED TO LEARN OF THE JUSTICE DEPARTMENT'S OPPOSITION TO THE WHITE HOUSE CONFERENCE PROPOSAL -- DESPITE THE BILL'S BIPARTISAN SUPPORT. I AM GRATIFIED THAT THE PRESIDENT PLANS TO LAUNCH A PERSONAL CAMPAIGN OF SPEECHES AND APPEARANCES AGAINST DRUG ABUSE, AND I KNOW THESE WILL BE HELPFUL. BUT THEY ARE NOT ENOUGH. WHAT WE REALLY NEED IS A LONG-RANGE STRATEGY AGAINST DRUGS, AND THAT IS WHAT THE WHITE HOUSE CONFERENCE IS ALL ABOUT. I HOPE THE ADMINISTRATION RECONSIDERS ITS POSITION.

WITH SO MANY LIVES AT STAKE, I URGE SWIFT PASSAGE OF THIS BILL SO WE CAN BEGIN THE TASK OF COORDINATING OUR NATIONAL EFFORTS AGAINST DRUGS.

THANK YOU.



U.S. Department of Justice

National Drug Enforcement Policy Board

Attorney General, Chairman

18 June 1986

Honorable Jamie L. Whitten
Chairman, Committee
on Appropriations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The DOD Authorization Bill for FY 1986 called for the establishment of an Air Force Special Operations drug interdiction air wing to provide peacetime air interdiction surveillance and detection assistance to drug enforcement authorities.

The conference report accompanying the FY 1986 Appropriations Act (appended to the Continuing Resolution) required the Department of Defense to configure one AC-130H-30 stretched variant gunship for drug interdiction surveillance deliverable not later than January 31, 1987. Thirty-five million dollars were appropriated for this purpose. The Conference Report also suggested that DOD should consider budgeting for an additional nine AC-130H-30 gunships during FY88-89.

In my letter to you on February 12, 1986, I expressed the National Drug Enforcement Policy Board's concern that the C-130 gunship was not the most cost effective means of providing air surveillance and detection (Enclosure 1). Further, I suggested that the Policy Board would work with the Congress to identify appropriate resources best suited for drug surveillance and intelligence needs, consistent with DOD mission requirements.

In an April 18, 1986 letter to the Vice President, Senator DeConcini and Representative English proposed a plan to implement the DOD Air Wing (Enclosure 2). This plan provides for seven aerostat radar surveillance balloons (two in the Bahamas and five along the U.S. Southern tier); ten C-130 aircraft retrofitted with target acquisition radars (two for SOUTHCOM; remaining eight divided equally between Florida and Arizona); and four Customs P-3A aircraft (or suitable platform) retrofitted with 360° radar.

The National Narcotics Act of 1984 empowered the Policy Board to review, evaluate and develop United States Government policy, strategy and resources with respect to drug law enforcement efforts. Accordingly, on May 19, 1986, the Vice President asked the Policy Board to review the Congressional plan. The Policy Board analyzed the plan and agrees that certain parts of it would help address the problem along the Southern tier.

Specifically, they are: placing five aerostats along the Southwest border, moving Air Force helicopter assets to Davis Monthan AFB, and providing two C-130's to SOUTHCOM to assist drug law enforcement on a not-to-interfere-with-mission basis. The Board believes that the location of the aerostats and other detection assets should be determined by those agencies responsible for their operation.

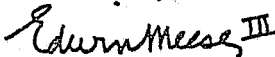
In addition to the above elements from the Congressional plan, the Policy Board proposes modifications which address interdiction needs and also provide an effective enhancement to the Government's overall anti-drug effort. The alternative proposal constitutes a Government-wide package that will initiate improvements in several of the critical components of the drug strategy. They are presented in Enclosure 3.

The total cost of our proposal is \$232.9 million (plus one year O&M of \$33M), compared with \$309M (plus \$61M O&M) for the Congressional plan. Not only would this alternative cost the taxpayers less, the Policy Board believes that it would also be more effective. Our proposal simultaneously addresses several of the key elements of the strategy in a balanced approach, rather than focusing solely on interdiction assets.

While I believe that our proposal fully addresses the needs along the Southwest border, the differences in terrain and threat along the Southeast border pose a more complex set of problems. As an interim solution, the Policy Board endorses the substitution of E-2C's for P-3A's as air surveillance platforms. The P-3A's would then be returned to DOD. (In our view, the E-2C is superior to the P-3A in terms of cost, effectiveness and availability.) However, the Policy Board must emphasize that it is prudent to study other air surveillance modalities before final determination is made for the Southeast border. We will forward to the Congress, following the Policy Board's expedited review, a complementary report for the Southeast border.

I know you share our concern over the adverse impact illicit drug trafficking has on our nation. On behalf of the Board, please be assured of our willingness to work with the Congress to effect measures to end this national scourge. I have sent identical letters to Chairmen Goldwater, Hatfield, and Aspin.

Sincerely,



EDWIN MEESE III
Attorney General

Enclosures

cc: Honorable George Bush
The Vice President
of the United States

U.S. Department of Justice

National Drug Enforcement Policy Board

Attorney General, Chairman

February 12, 1986

Honorable Jamie L. Whitton
 Chairman, Committee
 on Appropriations
 House of Representatives
 Washington, D.C. 20515

Dear Mr. Chairman:

The National Narcotics Act of 1984 created the National Drug Enforcement Policy Board (NDEPB) and empowered it to review, evaluate and develop United States Government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy. Further, it designated the Attorney General as the Chairman of the NDEPB and the primary advisor to the President and Congress on national and international drug law enforcement programs and policies developed by the Board.

In carrying out the Board's responsibilities, we have recently analyzed our air interdiction surveillance capabilities. In the course of our review it was brought to the Policy Board's attention that the conference report accompanying the FY 1986 Appropriations Act requires the Department of Defense to configure one AC-130H-30 stretched variant gunship for drug interdiction surveillance. Thirty-five million dollars have been appropriated for this purpose. (It is important to note that the \$35M appropriation will not provide sufficient funds to fully equip the aircraft with all of the gunship unique subsystems described in the conference report.) Conference language states that the Air Force Special Operations Forces (SOF) would be the appropriate choice to carry out this mission. The NDEPB has serious reservations about the effectiveness of such an approach.

The Defense Department has concluded that utilization of a gunship in a manner prescribed by the conference report will not satisfy highly intensive training requirements for personnel who operate sophisticated gunship systems aboard the aircraft. As the Chief of Staff of the Air Force stated in his July 3, 1985, letter to the Chairman of the House and Senate Armed Services Committees,

"SOF training requires highly accurate navigation

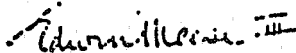
to a precise point to fulfill stringent training requirements attendant to clandestine infiltration/exfiltration and resupply of ground and naval teams. This mission is the antithesis of broad area search and surveillance which the drug mission requires. (my emphasis).

Accordingly, the NDEPB is concerned that the conference report is too specific regarding hardware and mission, and that it eliminates the flexibility to determine the most effective manner of implementing the intent of the conference report, consistent with the needs of military preparedness.

The members of the NDEPB have concluded that the AC-130H-30 is not the most cost effective means of providing air interdiction surveillance and detection. Accordingly, we believe that the Policy Board should work with the Congress and the law enforcement community to identify appropriate resources best suited to serve drug surveillance and intelligence needs that also meet DOD mission requirements.

The coordination and cooperation between the legislative and executive branches have been important factors in this country's battle against illicit drug trafficking. I look forward to continuing cooperation in the future. I have sent identical letters to Chairmen Goldwater, Hatfield, and Aspin.

Sincerely,



EDWIN MEESE III
Attorney General

THE ATTORNEY GENERAL

WASHINGTON

12 June 1986

Dear Mr. Vice President:

This responds to your May 19, 1986 letter concerning a DOD Congressional drug initiative offered by Senator DeConcini and Congressman English and a similarly constructed DOD plan.

The National Drug Enforcement Policy Board (NDEPB) will take the following action with regard to the DOD proposal:

- o Appoint an interagency working group, under the direction of the Policy Board's Staff, to determine the implications of the DOD plan on the other agencies.

- o Review the working group's recommendations in light of other possible drug enforcement expenditures.

- o Inform the Congress of our position. I am mindful of the time sensitivity of this issue and assure you that it will receive immediate consideration.

As Chairman of the Policy Board I wish to extend our appreciation for your continued support in these matters.

Sincerely,



Edwin Meese III

The Honorable George Bush
The Vice President of the
United States
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500



THE VICE PRESIDENT
WASHINGTON
May 19, 1986

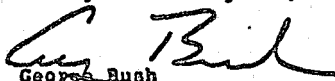
Honorable Edwin Meese, III
Chairman, National Drug
Enforcement Policy Board
U. S. Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530

Dear Ed:

Our staffs have been working together to ensure a proper response is made to Congressional interests on several issues having budgetary, resource or policy implications. I ask that as Chairman of the National Drug Enforcement Policy Board (NDEPB) that you take the appropriate timely action on the attached letter as it contains a list of items not unlike the one recently sent to you by the Secretary of Defense for consideration.

My National Narcotics Border Interdiction System (NNBIS) staff is available to assist your NDEPB staff in ensuring that all aspects of the Department of Defense and the Congressional proposal are considered. I look forward to working with you in continuing our mutual efforts to promote a workable strategy on drug law enforcement.

Best personal regards,


George Bush

Enclosure:

Copy of Senator DeConcini/Congressman English's
letter dated April 10, 1986 to Vice President Bush

UNITED STATES SENATE
 COMMITTEE ON APPROPRIATIONS
 WASHINGTON, DC 20510
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 100 SENATE BUILDING
 WASHINGTON, DC 20510
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 WWW.COMMITTEES.SENATE.GOV

United States Senate
 COMMITTEE ON APPROPRIATIONS
 WASHINGTON, DC 20510

April 18, 1986

The Honorable George Bush
 Vice President of the
 United States
 Washington, D. C. 20510

Dear Mr. Vice President:

On November 15, 1985, President Reagan signed into law the Defense Authorization Bill for FY 1986 -- a bill that contained, among other things, an historic initiative to establish, for the first time in our history, a permanent drug interdiction assistance mission within the Department of Defense. Specifically, Public Law 99-145 contained the bulk of a proposal that we introduced earlier in the year that would establish an Air Force Special Operations drug interdiction "Air Wing" that would provide full time, peacetime drug interdiction service to the nation. Funding for initial start-up of the Air Wing was signed into law by the President in the Continuing Resolution, 1986 (P.L. 99-190).

Since December, our staffs; the staffs of the Air Force, Navy, and the Secretary of Defense's Drug Enforcement Task Force, under the direction of General R. Dean Tice; and other interested private sector groups have been working to formulate an appropriate implementation plan for the new Air Force drug interdiction mission. These have not been easy negotiations. However, as sponsors of the original enabling legislation, we have proposed a compromise plan that appears to have strong support within the Department and which would achieve the objectives outlined in both the DoD Authorization Bill and the Continuing Resolution. The purpose of this letter is to briefly outline the plan that we have proposed to the Department and to reinforce our sincere interest in you as Head of the National Narcotics Border Interdiction System (NNBIS) joining with us in implementing this important new drug interdiction initiative.

The Air Wing plan that came out of both the DoD Authorization Bill and Continuing Resolution called for the establishment of a Special Operations Component within the Air Force force structure, including a fleet of ten, AC-130H gunship surveillance aircraft to be retrofit with sophisticated target acquisition radar. An appropriation of \$35 million was provided

The Honorable George Bush
 Page Two
 April 18, 1986

in the Continuing Resolution to develop the first prototype of the ten aircraft and to initiate plans for full implementation of the Air Wing. Because of concerns within the Air Force over the designation of the AC-130 aircraft for the mission, we developed a compromise plan that would incorporate the initial concept contained in the enabling legislation i.e., for a full time drug interdiction "wing" within the Department of Defense, but which broadened the base of participation and the type of resources to be put into the new Air Wing program. Specifically, our plan, as proposed to the Air Force in February, contains the following elements:

AIR FORCE WILL PROVIDE:

7- Full scale aerostat radar surveillance balloons, to be located along the Southwest border (4); in the Bahamas at Georgetown (1); in the Panhandle of Florida (1); and in either the Turks/Caicos Islands; or in the southern end of the Bahamas archipelago.

10- C-130 aircraft to be retrofit with appropriate air target acquisition radar, probably F-15 or APG-164 radar, including eight (8) penetrating tanker model C-130 aircraft and two (2) regular C-130 models for deployment in SOUTHCOM out of Panama.

The C-130 tanker aircraft with radar would be deployed out of Duke Field in Florida (4) and Davis Monthan Air Force Base in Arizona (4) and be linked with existing HH-53 refuelable helicopters for use in the Wing.

* The 302nd Special Operations Squadron currently located at Luke Air Force Base in Arizona would be shifted to Davis Monthan Air Force Base near Tucson to be co-located with the C-130 Tanker Aircraft

* The 301st Special Operations Squadron would be located at Duke Field in Florida, also co-located with existing helicopter assets.

the Honorable George Bush
Page Three
April 18, 1986

NAVY WILL PROVIDE:

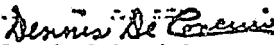
- 4- P-3A, P-3B, or other appropriate platforms to be retrofit with APS-138, 360-degree radar and turned over to the U.S. Customs Service to be used for drug interdiction and surveillance purposes in that important drug interdiction agency. The Navy would handle the integration of the radar on the P-3 or other aircraft; manage the contracts that would be awarded to complete this task; and provide technical assistance to Customs prior to and after delivery of the aircraft. Customs would then provide the operation and maintenance of the aircraft, as they are now doing with their P-3A model aircraft with P-15 radar.

It is our understanding that this proposal has been approved at certain levels within the Pentagon and is awaiting final approval by the Secretary of Defense. We are also informed that your staff may be cognizant of this proposal and would be willing to sit down with our respective staffs to discuss the details of the plan in the near future. More importantly, we strongly believe that you, as the head of the President's national interdiction effort, can play the crucial role in the implementation of this initiative and we encourage you to do so. Of course, we stand ready to work with you in anyway we can to see that this compromise plan will be approved and implemented as quickly as possible. The drug threat to our borders dictates that we must bring the military into the War on Drugs in a way that is proper, effective, and within the confines of the Posse Comitatus restraints imposed by law. The President's Commission on Organized Crime concurs. We believe that our plan, as outlined above, is a plan that will work and which can be put into action promptly.

Thank you for your commitment to the drug interdiction effort and for your willingness to consider this plan of attack against the narcotics trafficker. We look forward to working with you to accomplish our mutual objectives.

Sincerely,


Glenn English
U.S. Representative


Dennis DeConcini
U.S. Senator

POLICY BOARD'S ALTERNATIVE PROPOSAL*Interdiction

Items from Congressional plan:

- o 5 Aerostats for Southwest border** \$ 62.5M
- o Transfer 6 Air Force Helicopters to Davis Monthan AFB in Arizona*** \$ 15M
- o 2 C-130's to Southcom*** \$ 79.4M

Other items:

- o Customs Service Command, Control, Communication's Intelligence Center (C³I) for the Southwest border \$ 10M
- o An All-Source Intelligence Center to modify or replace the existing El Paso Intelligence Center (EPIC) \$ 15M
- o 4 E-2C's for Southern border** \$ 14M

International/Intelligence

- o DEA foreign agents \$ 4M
- o Intelligence Community** \$ 12M

Investigations

- o DEA voice privacy radios \$ 7M

Drug Prosecution

- o U.S. Attorneys \$ 6M

Drug Abuse Prevention

- o National Institute of Drug Abuse \$ 3M
- o ACTION \$ 5M

TOTAL: \$232.9M

* Additional O&M for full year operation is estimated at \$33M.

** Acquisition funded by DOD; O&M funded by other agencies.

*** Acquisition and O&M funded by DOD.

Enclosure 3

H. J. Res. 648—332

CHAPTER XIII—NATIONAL NARCOTICS ACT

SEC. 1301. This chapter may be cited as the "National Narcotics Act of 1984".

SEC. 1302. (a) The Congress hereby makes the following findings:

(1) The flow of illegal narcotics into the United States is a major and growing problem.

(2) The problem of illegal drug activity falls across the entire spectrum of Federal activities both nationally and internationally.

(3) Illegal drug trafficking is estimated by the General Accounting Office to be an \$80,000,000,000 per annum industry in the United States.

(4) The annual consumption of drugs has reached epidemic proportions.

(5) Despite the efforts of the United States Government and other nations, the mechanisms for smuggling opium and other hard drugs into the United States remain virtually intact and United States agencies estimate that they are able to interdict no more than 5 to 15 percent of all hard drugs flowing into the country.

(6) Such significant indicators of the drug problem as drug-related deaths, emergency room visits, hospital admissions due to drug-related incidents, and addiction rates are soaring.

(7) Increased drug trafficking is strongly linked to violent, addiction-related crime and recent studies have shown that over 90 percent of heroin users rely upon criminal activity as a means of income.

(8) Much of the drug trafficking is handled by syndicates, a situation which results in increased violence and criminal activity because of the competitive struggle for control of the domestic drug market.

(9) Controlling the supply of illicit drugs is a key to reducing the crime epidemic confronting every region of the country.

(10) The magnitude and scope of the problem requires the establishment of a National Drug Enforcement Policy Board, chaired by the Attorney General, to facilitate coordination of all Federal efforts by relevant agencies.

(11) Such a Board must have responsibility for coordinating the operations of Federal agencies involved in attacking this problem through the development of policy and resources, so that a unified and efficient effort can be undertaken.

(b) It is the purpose of this Act to insure—

(1) the maintenance of a national and international effort against illegal drugs;

(2) that the activities of the Federal agencies involved are fully coordinated; and

(3) that a single, competent, and responsible high-level Board of the United States Government, chaired by the Attorney General, will be charged with this responsibility of coordinating United States policy with respect to national and international drug law enforcement.

SEC. 1303. There is established in the executive branch of the Government a Board to be known as the "National Drug Enforcement Policy Board" (hereinafter in this Act referred to as the "Board"). There shall be at the head of the Board a chairman who shall be the Attorney General (hereinafter in this Act referred to as

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the "Chairman"). In addition to the Chairman, the Board shall be comprised of the Secretaries of State, Treasury, Defense, Transportation, Health and Human Services, the Director of the Office of Management and Budget, and the Director of Central Intelligence and such other officials as may be appointed by the President. Decisions made by the Board pursuant to section 4(a) of this Act shall be acknowledged by each member thereof in writing.

SEC. 1304. (a) The Board shall facilitate coordination of United States operations and policy on illegal drug law enforcement. In the furtherance of that responsibility, the Board shall have the responsibility, and is authorized to—

(1) review, evaluate and develop United States Government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy;

(2) facilitate coordination of all United States Government efforts to halt national and international trafficking in illegal drugs; and

(3) coordinate the collection and evaluation of information necessary to implement United States policy with respect to illegal drug law enforcement.

(b) For the purpose of coordinating the activities of the several departments and agencies with responsibility for drug law enforcement and implementing the determinations of the Board, it shall be the duty of the Chairman—

(1) to advise the Board in matters concerning drug law enforcement;

(2) to make recommendations to the Board for the coordination of drug enforcement activities;

(3) to correlate and evaluate intelligence and other information on drug law enforcement to support the activities of the Board;

(4) to act as primary adviser to the President and Congress on national and international illegal drug law enforcement programs and policies developed by the Board under subsection (a) of this section and the implementation thereof; and

(5) to perform such other duties as the President may direct.

(c) In carrying out responsibilities under this section, the Chairman, on behalf of the Board, is authorized to—

(1) direct, with the concurrence of the head of the agency employing such personnel, the assignment of Government personnel within the United States Government in order to implement United States policy with respect to illegal drug law enforcement;

(2) provide guidance in the implementation and maintenance of policy, strategy, and resources developed under subsection (a) of this section;

(3) review and approve the reprogramming of funds relating to budgetary priorities developed under subsection (a) of this section;

(4) procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for the grade of GS-18 of the General Schedule;

(5) accept and use donations of property from all Government agencies; and

H. J. Res. 648—334

(6) use the mails in the same manner as any other department or agency of the executive branch.

(d) Notwithstanding the authority granted in this section, the Board and the Chairman shall not interfere with routine law enforcement or intelligence decisions of any agency and shall undertake no activity inconsistent with the authorities and responsibilities of the Director of Central Intelligence under the provisions of the National Security Act of 1947, as amended, or Executive Order 12333.

(e) The Administrator of the General Services Administration shall provide to the Board on a reimbursable basis such administrative support services as the Chairman may request.

Sec. 1305. The Chairman shall submit to the Congress, within nine months after enactment of this Act, and biannually thereafter, a full and complete report reflecting United States policy with respect to illegal drug law enforcement, plans proposed for the implementation of such policy, and, commencing with the submission of the second report, a full and complete report reflecting accomplishments with respect to the United States policy and plans theretofore submitted to the Congress.

Sec. 1306. Title II of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1112) is amended by adding at the end of section 201 (21 U.S.C. 1111) a new subsection (d) as follows:

"(d) SUPPORT TO NATIONAL DRUG ENFORCEMENT POLICY BOARD.— One of the duties of the White House Office of Drug Abuse Policy shall be to insure coordination between the National Drug Enforcement Policy Board and the health issues associated with drug abuse."

Sec. 1307. This chapter and the amendments made by this chapter shall take effect January 20, 1985.