

NLWJC - Kagan

DPC - Box 016 - Folder 010

Drugs - Southwest Border

Dobbins, James F.

From: Dobbins, James F.
Sent: Wednesday, September 30, 1998 5:23 PM
To: @NSA - Natl Security Advisor
Subject: SW Border [CONFIDENTIAL]

Info Item for Sandy

Sandy,

Last Thursday McCaffrey, Reno and Rubin met privately for an hour to discuss the way forward on Barry's SW border initiative. Justice and Treasury have agreed, as a result, to resume discussions, under ONDCP leadership, on the outstanding issues, with a view to formulating recommendations to the President. NSC, along with other interested agencies and White House elements will be included in these discussions.

You will recall that Barry agreed, at the conclusion of his meeting with Dick Clarke and me, to move any issues he could not resolve directly with Justice and Treasury into a joint ONDCP/NSC led process before asking the President to decide upon any disputed recommendations. This does not appear necessary for the present, but both Justice and Treasury are aware that this possibility remains open to them if they again lose confidence in ONDCP's handling of the matter.

Dick and I will continue to monitor events, contribute constructively to discussions, and offer a more prominent NSC role should the current process again break down.

DECLASSIFIED
PER E.O. 12958,
AS AMENDED

2009-1006-F
ms 5/24/10

CONFIDENTIAL

EK -
Too many pronouns,
but otherwise OK.
Didn't know we were
on first-name basis.
-BR

DRAFT

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER
CHARLES RUFF
BRUCE REED

SUBJECT: Shaping a Southwest Border Strategy

Barry McCaffrey has sent you the attached memorandum regarding his proposal to organize drug control efforts along the Southwest border. Barry has narrowed his original concept to focus specifically on controlling illegal narcotics that cross the border, rather than casting a wider net covering a broader range of border activities. He calls for greater coordination among Customs, the Border Patrol and other relevant agencies to address the flow of drugs and urges you designate a single federal official responsible for all counterdrug efforts along the border. He also recommends we develop and deploy advanced technologies to increase detection rates of drug contraband while facilitating legitimate traffic. Barry has gone ahead and announced that he plans to forward these proposals to you in the coming weeks.

We are sympathetic toward the basic thrust of Barry's proposal for strengthened border coordination. Justice and Treasury, however, are not yet on board, and are very unhappy with Barry's method of advancement. Barry will be meeting with Janet Reno and Bob Rubin before October 1 to try to bridge the gap. Barry has agreed to seek Sandy's help in coordinating a decision package to you, following his meeting with Reno and Rubin, addressing all unresolved issues and reflecting all interested agency viewpoints.

Attachment
Tab A McCaffrey Memorandum to the President

**DECLASSIFIED
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AS AMENDED**

2009-1006-F
ms 5/24/10

DRAFT

cc: Vice President
Chief of Staff

CONFIDENTIAL

Reason: 1.5 d
Declassify On: 9/17/08

Drafts - sent to
Lester



Jose Cerda III

09/18/98 04:52:27 PM

Record Type: Record

To: Laura Emmett/WHO/EOP, Elena Kagan/OPD/EOP
cc: Bruce N. Reed/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP
Subject: SWB Memo

EK:

I have three comments on the NSC draft:

(1) Shouldn't OMB be on the memo? There one of the most impacted parties, yet their concerns -- \$ for SWB plan -- are not reflected in the memo.

(2) Making WH and agency concerns clearer. NSC makes the memo sound like we have no concerns and DOJ/Treasury only have minor issues ("are not yet on board"). We should be honest with President about the serious issues at stake here -- especially since 3 of his toughest cabinet members are not in agreement. I suggest we change the first two sentences in the 2nd paragraph to something along the lines of:

"Though we are sympathetic toward the basic thrust of Barry's proposal for strengthened border coordination, we have concerns with his call for a new Senate-confirmed border coordinator and for a three-fold increase in the size of the Border Patrol (from less than 7,000 to more than 20,000). Justice and Treasury have additional concerns, and are very unhappy that Barry shared his proposal with the press and Congress before reaching consensus within the Administration."

(3) Working w/all of the WH. While I'm all for NSC taking the lead in coordinating this decision, shouldn't we preserve our final say on this matter by getting NSC and McCaffrey to agree to work with all WH folks in preparing a decision memo for the President. Maybe we propose changing the final line in the memo to read:

"Barry and Sandy have agreed to coordinate working a decision package to you, working with the relevant White House agencies, that addresses all unresolved issues and reflects all interested agency viewpoints."

jose

Drugs - southwest border



Jose Cerda III

09/16/98 02:42:00 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: Re: Southwest Border 

EK:

NSC said McCaffrey heard Chuck had gotten involved and, against the advice of ONDCP staff who's talking/working with NSC, picked up the phone and gave Ruff his two cents. I don't know how or what McCaffrey knew about our meeting last week.

Want to reconsider how we're approaching the Safe and Drug-Free Schools Reauthorization?

jc3

Days - southwest border



Jose Cerda III

09/16/98 02:26:29 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Bruce N. Reed/OPD/EOP
Subject: Southwest Border

EK:

Spoke to Jim Dobbins at NSC on the status of the proposed SWB process. He said McCaffrey told Chuck Ruff that he would not agree to cede any authority to the NSC on this issue, and that he fully intended to go through with his process. Nonetheless, Jim Dobbins is scheduled to meet with him today, and will try and see if he can get McCaffrey to reconsider. If not, it looks like will be revisiting this at the end of McCaffrey's process.

I'll let you know if I here anything else. You may want to check-in w/Chuck and see if he has any additional thoughts on this.

Jose'

Drugs - Southwest border



U.S. Department of Justice
Immigration and Naturalization Service

HQOPS 50(2.2

Office of the Commissioner

425 I Street NW.
Washington, DC 20536

August 21, 1998

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Doris Meissner
Commissioner
Immigration and Naturalization Service

Ray Kelly
Commissioner
United States Customs Service

SUBJECT: Proposal: Border Coordination Initiative (BCI)

PURPOSE: To lay out a strategic plan, developed with the United States Customs Service (USCS), for increased cooperation efforts on Southwest Border (SWB) interdictions of drugs, illegal aliens, and other contraband.

TIMETABLE: FY 1998 Through FY 2003

SYNOPSIS: During the past eight months Immigration and Naturalization Service (INS) and USCS have built a strong platform of cooperation based on six core initiatives. The success of these initiatives now forms the basis for a shared strategic vision: To create a seamless process at and between land border Ports-of-Entry (POEs) by building a comprehensive, integrated border management system that effectively achieves the mission of each agency. This strategic plan gives direction to those efforts over the next five years.

- 2 -

Intelligence

Both INS and USCS will expand the number of Intelligence Collection and Analysis Teams (ICATs) and provide a joint intelligence training program. To do this, INS and USCS will:

Develop plans, during FY 1999, for comprehensive intelligence sharing and analysis and request dedicated resources to establish, coordinate and manage the plan beginning in FY 2001.

Provide additional automation to support intelligence sharing by developing connectivity between INS and USCS data systems.

Assign two INS/Border Patrol (BP) full-time participants to all six SWB ICATs by December 1998; develop a plan for further joint ICATs participation.

Investigations

By mid-September, INS and USCS will adopt and implement a unified strategy for SWB seizures, capitalizing on controlled deliveries and providing all investigative and intelligence results to the ICATs for dissemination to appropriate border agency field units for targeting and inspection purposes.

Technology

The INS and USCS will establish effective and efficient utilization and sharing of technology resources and automated infrastructure and will do a joint technology plan. To do this, INS and USCS will:

Increase the deployment of license plate readers (LPRs) and dedicated commuter lanes (DCLs).

Integrate the INS and USCS five year Technology Plan during FY 1999, including mapping the border, non-intrusive detection and information technology.

Share research and development (R&D) technology.

- 3 -

Communications

Both INS and USCS will promote an interoperable, secure, mutually supportive, wireless communications system compatible with other Federal, state, and local law enforcement agencies. To do this, both INS and USCS will:

Increase compatibility through shared frequencies and equipment.

Coordinate INS and USCS communications requirements and compatibility issues as part of the Department of Justice (DOJ) and Department of Treasury wireless communications plan and approaches being developed in coordination with the Federal Law Enforcement Wireless Users Group.

Monitor each other's communication to promote effective cooperation frequencies.

Develop and implement user awareness training and implement continual training on use of available frequencies by the end of 1998.

Air and Marine

Both agencies will develop a coordinated, mutually supportive border-wide approach for interdiction efforts using aviation and marine assets by FY 1999. To do this, INS and USCS will:

Conduct joint border air interdiction operations when and where possible.

Explore opportunities to share air and marine support facilities in FY 1999.

Place a permanent BP liaison at the USCS Domestic Air Interdiction Coordination Center in 1998.

BORDER COORDINATION INITIATIVE ACTION PLAN

Action Plan Kickoff/Training

This action plan will be kicked off for the Immigration and Naturalization Service (INS) and United States Customs Service (USCS) field managers during a meeting in Washington in mid-September 1998. Among others, the Attorney General, Secretary of Treasury, and Commissioners of INS and USCS, will speak at the meeting to voice their support and explain what is expected to implement the Border Coordination Initiative (BCI) in the field. The Southwest Border (SWB) Coordinators are responsible for the preparation of a detailed training manual describing all of the actions to implement this initiative, establishing a cadre of trainers, and then ensuring field managers from both agencies are trained by the end of December 1998.

Port Management Model

A critical component of the coordinated border management system is the expansion of the Port Management Model (PMM) from seven locations to all SWB Ports-of-Entry (POEs). In addition to expansion of the model, INS and USCS will seek to build upon the three major elements of the model: enforcement, traffic management, and strategic partnerships. To do this, INS and USCS will:

Expand the PMM to all major land POEs by the end of FY 1999.

Establish a Traffic Manager Program at each of the major POEs within 90 days of the receipt of the PMM presentation thereby assuring one official is in charge and accountable.

Create a joint optimum staffing model for at least one major SWB POE and one northern border POE by the end of FY 2000.

Direct both agencies' Port Directors, Special Agents-in-Charge, and Chief Patrol Agents to develop and coordinate strategic interdiction plans within and between major POEs and establish a pilot program at one southern border and one northern border location by the end of FY 1999.

Develop a joint supervisory training program for both new and current supervisory inspectors by the end of 1998.

- 2 -

Border Coordination Initiatives

Six joint border initiatives will expand cooperation and coordination along the SWB:

- * **Port Management Model:** We will implement the successful Port Management Model (PMM), developed at San Ysidro POE, at all major land POEs. The port management model is a successful process that combines enforcement, traffic management, and community partnerships. This model is the cornerstone for expanding the border coordination initiatives which will enhance port leadership, community support, managed traffic, and enforcement results.
- * **Intelligence:** We will expand joint INS/USCS Intelligence Collection and Analysis Teams (ICATs) at major border locations.
- * **Investigations:** Adopt a unified investigative approach for SWB seizures, capitalizing on controlled deliveries and feeding all investigative and intelligence results to the ICATs for dissemination to border agencies' field units.
- * **Technology:** The INS and USCS will develop and deploy existing systems to support INS/BP/USCS systems and share research and development (R&D).
- * **Communications:** The INS and USCS will promote an interoperable, secure, joint wireless communications system to support INS/Border Patrol (BP)/USCS.
- * **Aviation and Marine:** We will develop a border-wide coordinated air and marine interdiction capability.

Border Coordination Action Plans

The INS and USCS will implement clearly defined, aggressive joint actions through each of the six initiatives as described in the attached paper. While these initiatives represent the initial focus of the BCI efforts, both agencies agree to expand the coordination process into other areas such as outbound enforcement programs and entry-exit controls for aliens. As the coordinated plan progresses, we will ensure coordination with all other relevant agencies, local communities, and others as appropriate.

- 3 -

National Roll-Out Meeting for Field Managers

The BCI will be rolled out to INS and USCS field managers at a meeting in Washington, DC, in mid-September 1998. Among others, the Attorney General, Secretary of the Treasury, and Commissioners of INS and USCS will speak before the group. The field manager group would include all SWB INS and USCS Port Directors, Special Agents-in-Charge, and Chief Patrol Agents.

Border Coordination Initiatives Training

An in-depth joint training program, including a training manual, that describes the BCI initiatives in some detail will be prepared. In September 1998, joint training teams will be established and deployed. All field managers will be trained by the end of the calendar year and expected to implement the initiatives according to the agreed upon schedules and dates included in this package.

Structure for Border Coordination Initiatives

Under this initiative, INS and USCS have designated full-time Border Coordinators. The Coordinators will report to their respective Commissioners. The Under Secretary of the Treasury (Enforcement) and the Deputy Attorney General will oversee the two Commissioners on this initiative. The Border Coordinators will oversee border operations and ensure the implementation of the joint Border Initiative Action Plans. In addition, they will ensure:

- * A joint INS/USCS resource plan/requirements with a five year budget.
- * An integrated threat assessment mechanism including aliens, narcotics, currency interdiction, illegal firearms, stolen vehicles, and other contraband.
- * An intelligence system based on the ICAT model capturing BP checkpoint seizures and enforcement actions within and between the POEs.
- * The INS and USCS will develop a common set of performance measures for effectiveness.

Drugs - Southwest Leader

THE WHITE HOUSE
WASHINGTON

Date 9/4

To: Rahm
Bruce Reed
Don Kerrick
From: The Staff Secretary

Should this have a cover
memo on it before it goes to
POTUS?

Plin



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

Personnel

September 3, 1998

MEMORANDUM FOR THE PRESIDENT

98 SEP 3 PM 1:53

FROM BARRY McCaffrey

SUBJECT: Organizing Drug Control Efforts along the Southwest Border

1. **PURPOSE.** The purpose of this memorandum is to update you on ONDCP's views of the challenges facing our drug-control efforts along the Southwest Border and our ideas for improving coordination among the twenty-three federal agencies involved in drug-control operations there. The enclosed *White Paper* and *Concept for Analysis* outline the general problem and offer specific suggestions for consideration by your Drug Policy Council. We intend to present a coordinated set of recommendations for your consideration this fall.

2. **CHALLENGES.** The drug-control challenges we face along the Southwest Border, though severe, are not insurmountable. About 60 percent of the cocaine entering the U.S. does so across this border, yet seizures in the border region are declining. Total 1998 cocaine seizures are projected to be less than half of the annual average seized between 1991 and 1996 and account for just a fifth of the cocaine crossing the border. Heroin seizures have declined by about a third since 1996. Over the past several years, the general trend has been one of fewer seizures of all drugs except marijuana. Our visits last month to San Diego and El Paso reinforced our belief that immediate action must be taken to address the following issues:

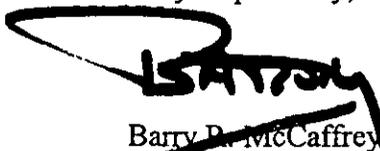
- **Drug smugglers coordinate their efforts.** Anecdotal evidence and seizure data in El Paso reveals that when met with resistance smugglers simply shift their methods and routes at the ports of entry (POEs) and between the POEs.
- **One agency's success will inadvertently and directly impact other agencies.** Border officials stated that an increase in inspection efforts at a POE, for example, often resulted in greater challenges for Border Patrol personnel between POEs.
- **The lack of communication and information sharing is a serious problem.** If a Border Patrol officer needs immediate assistance from a member of US Customs, he would have to radio his communications center which would then contact US Customs communications by telephone. US Customs communications would then radio their personnel to assist the Border Patrol officer. This time consuming process puts agents at risk.
- **Border Patrol, Customs, Coast Guard, National Guard, and other government personnel often use outdated technology.** In many instances, line personnel have been using obsolescent equipment for years, one explanation of the insufficient results.

3. RESPONDING TO THE CHALLENGE. The enclosed ONDCP White Paper contains specific recommendations to attain the following objectives:

- **Ensure the rule of law along the entire border.** Federal drug control agencies must be prepared to quickly deploy resources to reinforce states and localities threatened by traffickers.
- **Control and interdict drugs along the entire border at all times.** We must develop the capacity to control the entire border at all times, preventing traffickers from merely shifting their operations to avoid detection and capture
- **Act in a coherent and coordinated manner that uses the counter-drug capabilities of each agency to the fullest extent available and builds upon our strengths.** No one element of the federal government can alone solve the problem of drug trafficking across the Southwest Border. Only by using the resources of all our agencies in a coordinated fashion can we build a border infrastructure that will defeat the flow of drugs.
- **Organize counter-drug efforts for accountability, responsibility and success.** We need to designate a federal officer who will be responsible for all counter-drug efforts along the border. We must also establish Counter-Drug Operations Coordinators at each POE (e.g., Customs) and for each sector between POEs (e.g., Border Patrol).
- **Harness counter-drug technology.** We must develop and deploy advanced technologies that increase detection rates of drugs and other contraband while facilitating the rapid flow of economic traffic.
- **Work cooperatively with Mexico.** We must work in partnership with Mexico to jointly confront drug-related corruption and violence, while acting in absolute deference to sovereign national responsibilities on both sides of the border.

4. CONCLUSION. The fourth goal of your *1998 National Drug Control Strategy* is to “Shield America’s air, land, and sea frontier from the drug threat.” Over the past five years, your Administration has invested heavily in anti-drug programs to secure the two-thousand mile border with Mexico. As a result, Customs’ budget for Southwest Border programs has increased 72 percent since FY93. The number of assigned DEA special agents has increased 37 percent while the number of assigned INS agents has almost doubled. The enclosed ONDCP White Paper suggests how better coordination can dramatically improve the effectiveness of our collective efforts. We look forward to submitting a detailed proposal for your consideration this fall.

Very respectfully,



Barry D. McCaffrey
Director



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

September 3, 1998

Concept for Analysis

Organizing Counter-Drug Efforts Along the Southwest Border

I. **Long-standing problem.** Since the 1980s, a number of analyses and reports have identified the need to improve our Southwest Border counter-drug efforts through the following actions:

- Need for an interagency structure which can adequately mobilize and commit the talents and resources of the nation to meet the border-control challenge;
- Need for closer coordination among Border Patrol, Customs, INS, and other agencies to ensure that the optimum uniformed presence is dedicated to the interdiction effort at and between the Ports of Entry (POEs) along the borders;
- Need guidelines to ensure a cohesive collection effort;
- Need for improved human intelligence;
- Need for interagency cooperation in our embassies;
- Need to encourage intelligence sharing among law enforcement agencies at the Federal, state and local levels;
- Need to combine foreign intelligence with domestic information to target drug trafficking organizations.

II. Imperatives for improving counter-drug efforts along the Southwest Border.

A. **General Trends.** Three major trends have complicated efforts to stop drug trafficking across the Southwest Border:

1. **Incompatible communications systems.** Operational units must be able to communicate with higher headquarters, with other units and with sources of information. Too many of our systems are either operating in isolation or are dependent upon jerry-rigged solutions.
2. **Lack of timely intelligence in the right hands.** Separate agencies collecting intelligence often do not share information that may be relevant for another agency. At the same time, agencies are sometimes unable to internally disseminate intelligence within their own organization in time to stop a shipment. Information must be made available to all involved law enforcement agencies in time to stop shipments of drugs.

3. **Lack of efficient non-intrusive inspection technology to screen cross-border traffic and detect drugs.** Currently there are only three truck scanners in place along the border. Traffickers quickly adjust to the construction of such devices, and shift drugs elsewhere. We must develop, test and field technology that can detect drugs while not hindering legitimate commerce.

B. Southwest Border drug interdiction failure. Our efforts to date have not yielded the benefits we had hoped for with the exception of marijuana, though early 1998 seizure data are showing improvements:

- In 1997, we inspected 1.09 million of the 3.54 million commercial trucks and railcars that crossed into the US from Mexico. In just 6 incidents, cocaine was found within the commercial cargo contained by these trucks and railcars.
- Cocaine seizures declined steadily between 1994 and 1997.
- Heroin seizures are down from 1996's record level.
- Methamphetamine seizures in 1997 were 36 percent lower than in 1996.
- Cocaine seizures as a result of investigations in 1997 were about one eighth of what they were in 1994.
- Cocaine seizures between POEs (not including traffic checkpoints) declined by 90 percent between 1995 and 1997.
- Despite resource enhancements at the Southwest border in recent years, approximately 80 percent of the cocaine destined for the United States through Mexico still crosses the border undetected.

These interdiction trends indicate a challenge posed by drug traffickers that is not being adequately met by our drug control system.

III. The Response. For the last three years, the many federal agencies involved in law enforcement, commerce and transportation along our border have been engaged in a process to determine how we can best fulfill these anti-drug imperatives. The Attorney General and the Secretaries of State, Treasury, Commerce, Defense, and Transportation, and the leadership of the DEA, the Border Patrol, Customs, and the INS have been integral to this effort. Our common response is to create a Southwest Border Counter-Drug White Paper for approval by the President during the fall of 1998.

- A. The Southwest Border counter-drug principles.** Three core U.S. principles guide all our efforts:
1. **Maintain deference to the U.S. Constitution.** Maintain the proper balance of federalism. Maintain respect for civil liberties and rights. No U.S. militarization of the border.

2. **Respect Mexican sovereignty.**
3. **Maintain the benefits of NAFTA trade and the enormously increased flow of commerce between our nations.**

B. The Southwest Border counter-drug objectives. There are six counter-drug objectives to be achieved:

1. **Ensure the rule of law along the entire border.** Federal drug control agencies must be prepared to quickly deploy resources to reinforce states and localities threatened by traffickers.
2. **Control and interdict drugs along the entire border at all times:** We must develop the capacity to control the entire border at all times, preventing traffickers from merely shifting their operations to avoid detection and capture. Build over time a high technology Customs Service and a 20,000+ person Border Patrol, with 500+ miles of fencing, anti-intrusion sensors and supporting infrastructure.
3. **Act in a coherent and coordinated manner that uses the counter-drug capabilities of each agency to the fullest extent available and builds on our strengths.** No one element of the federal government can alone solve the problem of drug trafficking across the Southwest Border. Only by using the resources of all our agencies, can we build a border infrastructure that will defeat the flow of drugs.
4. **Organize counter-drug efforts for accountability, responsibility and success.**
 - a. **Establish a Southwest Border Counter-Drug Coordinator.**
 - One federal officer responsible for all counter-drug efforts along the border.
 - Presidential appointee; 4 year term; Senate confirmed.
 - Small staff -- Southwest Border Counter-Drug Coordinating Authority (drawn from existing capabilities).
 - Located on the Border (El Paso: geographic center; already EPIC hub for intelligence, Operation Alliance and JTF-6 for military support).
 - Authority to review and integrate Southwest Border drug policy, procedures, budget and resource levels, construction and control of infrastructure, and intelligence.
 - Authority to request redeployment of counter-drug interdiction resources from federal officials.

b. Establish Counter-Drug Operations Coordinators at POEs (leadership- Customs).

- Oversee all counter-drug policy, procedures, and intelligence at their assigned POE.
- Authority for direct coordination of resources and infrastructure.
- Responsible for coordinating with state and local U.S. counter-drug authorities and serving as liaison with counterpart Mexican authorities at their POE.

c. Establish Counter-Drug Operations Coordinators for each sector between POEs (leadership- Border Patrol).

- Oversee all counter-drug policy, procedures and intelligence along their assigned sector.
- Authority for direct coordination of resources and infrastructure.
- Responsible for coordinating with state and local U.S. counter-drug authorities and serving as liaison with counterpart Mexican authorities within their sector.

d. Train border counter-drug law enforcement agents, officers and officials. Joint training will integrate and coordinate counter-drug efforts.

5. Harness counter-drug technology.

- a. Develop and deploy advanced technologies that will increase the probability of detecting drugs and other contraband while facilitating the rapid flow of economic traffic.
- b. Increase the number of counter-drug technology-assisted inspections.
- c. Intercept illegal drug money, weapons, and precursor chemicals.

6. Work cooperatively with Mexico. We are committed to working in partnership with Mexico to jointly confront drug-related corruption and violence, while acting in absolute deference to sovereign national responsibilities on both sides of the border.

*Organizing Drug Control Efforts Along
the United States Southwest Border*



**AN ONDCP
WHITE PAPER**

September 3, 1998



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D. C. 20503

WHITE PAPER
September 3, 1998

**SUBJECT: Organizing Drug Control Efforts Along the United States
Southwest Border**

1. GENERAL.

a. **Purpose.** This White Paper is intended to present ideas for improving the coordination of activities of federal drug-control program agencies along the Southwest Border (SWB). It sets the stage for the implementation of follow-on actions that are designed to make it increasingly difficult for illegal drugs to flow through Mexico to the United States. The intent is to decrease the incidence of illegal drug use throughout the United States. Although the Southwest Border is where most of the drugs cross into the United States, their ultimate destination is the heartland of America, the cities, suburbs, and rural communities across the country where the drugs are retailed in local markets. By curtailing the flow across the SWB, we in fact decrease the prevalence of drugs throughout the United States and greatly reduce the corruption and violence that threaten communities on both sides of the border. The purpose of this White Paper is to:

- (1) Outline drug-control problems along the SWB.
- (2) Provide recommended coordinated responses to drug-control problems for interagency approval.
- (3) Propose a time-line for implementation of these drug-control recommendations.

b. **Objectives.** Drug-control objectives along the Southwest Border include:

(1) **Near-Term.**

- (a) Develop a recommended Southwest Border drug-control strategy for presentation to the President's Drug Policy Council and POTUS by fall 1998.
- (b) Gain interagency approval for development of an effective, coordinated response to drug-control challenges along the SWB.
- (c) Begin implementation of Counter-drug Intelligence Architecture Review Committee recommendations.

(2) **Mid Term.**

- (a) **Implement 1st generation high-technology non-intrusive inspection mechanisms at all 24 POEs for the U.S. Customs Service.**

WHITE PAPER: Organizing Drug Control Efforts Along the Southwest Border

- (b) Build a 10,000 person Border Patrol with 200 miles of Southwest Border fencing and anti-intrusion sensors with supporting infrastructure.**
- (c) Reduce the rate at which illegal drugs successfully enter the United States across the Southwest Border by 10 percent by the year 2002.**
- (d) Continue accelerated implementation of Counter-drug Intelligence Architecture Review Committee recommendations.**

(3) Long Term.

- (a) Field multiple system 2nd generation high-technology non-intrusive inspection mechanisms at all 24 POEs.**
 - (b) Complete an integrated C3I structure for the SWB.**
 - (c) Build a 20,000 person Border Patrol with 500 miles of Southwest Border fencing and anti-intrusion sensors with supporting infrastructure.**
 - (d) Complete a maritime surveillance system for the Gulf and Pacific flank zones.**
 - (e) Complete implementation of Counter-drug Intelligence Architecture Review Committee recommendations.**
 - (f) Reduce the rate at which illegal drugs successfully enter the United States across the Southwest Border by 80 percent by the year 2007.**
- c. Efficiency in Southwest Border Federal drug-control efforts.** The Southwest Border concept must eliminate unnecessary duplication and overlap of effort among Federal drug-control program agencies.
- d. U.S. - Mexico relations.** The Southwest Border concept must improve existing cooperative U.S. - Mexican efforts (such as the High Level Contact Group and the Bi-National Task Force) if we are to improve our bilateral ability to significantly curtail the flow of drugs across the SWB.
- e. Expanded legal commerce.** The North American Free Trade Agreement (NAFTA) has created an unprecedented expansion of commerce between the United States and Mexico. Effective use of non-intrusive technologies within the framework of an efficient inspection regime can both stop drugs and facilitate legitimate trade.

WHITE PAPER: Organizing Drug Control Efforts Along the Southwest Border

2. THE NATURE OF THE CHALLENGE.

a. The Environment:

(1) The Southwest Border is the major entry route for illegal drugs. Approximately 50 percent of the cocaine on our streets and large quantities of heroin, marijuana, and methamphetamine sold in the United States come across the SWB. These drugs enter by all modes of conveyance for eventual distribution throughout the United States. They come through ports of entry by car, truck, train, and pedestrian border-crossers. They come across the open desert in armed pack trains as well as on the backs of human "mules." They are tossed over border fences from urban locale to urban locale, then speeded away surreptitiously by foot and vehicle. Planes and boats find gaps in U.S./Mexican coverage and position drugs close to the Southwest Border for eventual transfer to the United States. Small boats in the Gulf of Mexico and the eastern Pacific also seek to outflank U.S. interdiction efforts and deliver drugs directly to the United States. Finally, traffickers will seek to exploit incidences of corruption in U.S. local, state and Federal border agencies to route illegal drugs and other contraband between our two nations. However, it is a tribute to the vast majority of U.S. Federal, state, and local officials dedicated to the anti-drug effort that their service is overwhelmingly characterized by dedication, integrity, courage and respect for human rights.

(2) Challenges posed by SWB. Drug traffickers exploit extensive legitimate commerce and traffic at the busiest border in the world. During 1996, 254 million people, seventy-five million cars, and 3.5 million trucks and rail cars entered the United States from Mexico through thirty-nine crossings and twenty-four ports of entry (POEs). Indeed, most of the more than one-hundred billion dollars of trade that makes Mexico our 2d-largest trading partner crosses the SWB. Illegal drugs comprise but a tiny fraction of this commerce but cause a disproportionate amount of damage to both countries.

In addition to those people who lawfully cross the border, countless other people cross the border illegally, many carrying unlawful drugs or other contraband. Traffickers exploit the border's length (3,326 kilometers), remoteness, ruggedness, and diversity. The diverse terrain includes: urban sprawl that straddles both sides of the international border; hostile, remote, and vast deserts; easily passable terrain (like the Rio Grande); vulnerable air space; and exploitable maritime. Multiple jurisdictions on both sides of the international border exacerbated by the presence of four major urban complexes further complicate organized, coherent efforts to control the border. The centuries-old tradition of smuggling and illegal migration feeds this region's porosity to illegal drugs.

(3) The Southwest Border is more an area of confluence than a line of demarcation. The political boundary between two sovereign and democratic nations need not be a barrier to open, cooperative, and mutually beneficial relations between two peoples. The Southwest Border holds every opportunity for a rich and prosperous confluence

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of two energetic and symbiotic cultures. Both Mexico and the United States can draw from the other to better both of our ways of life.

The essential principle – which must be shared on both sides -- is the rule of law. Both peoples insist on it; both peoples deserve it. Furthermore, since the majority of law derives from national choice – as opposed to international agreement – we must preserve due respect for the sovereignty of nations. A sovereign nation must determine and control under what conditions people and goods may enter into the territory under its authority.

The border between the United States and Mexico is unique. Our two nations share core values that include love of country, strength of family, respect for the law, and a willingness to work hard in order to procure a decent and dignified livelihood. There is no room within our shared values for the corruption and ruin that comes with the illegal drug trade.

- b. **Evolution of the Drug Problem.** Drug traffickers, along with smugglers in general, have long seen the Southwest Border as a natural entry point to the United States because of the relative ease with which the movement of contraband from nation to nation can occur.

- (1) **Cocaine.** When the cocaine epidemic surged in the 1970s, the preferred route for trafficking cocaine was from Colombia through the western Caribbean. Traffickers used to fly twin-engine civil aviation aircraft from Colombia to small islands in the Bahamas and then airdrop drugs into either Florida or our coastal waters for subsequent pick-up by fast boats. Their success was predicated on the “big sky” or “big ocean” theory and on our inadequate detection and monitoring capabilities. In response to this challenge, United States drug-control program agencies developed extensive detection and monitoring capabilities to sort legitimate air and maritime traffic from illicit drug traffic. As our interdiction organizations and strategies became more effective, drug traffickers changed their routes and modes of transportation in response. Mexico and the Southwest Border became the principal route for cocaine.

Land conveyances, including tractor-trailers, cars, recreation vehicles, and trains, crossing at Southwest Border ports of entry are the primary means used to smuggle cocaine into the United States from Mexico. Cocaine is also carried across the U.S. - Mexican border by foot, by backpackers and by animal caravans. Transnational trafficking organizations employ high-technology equipment including night-vision goggles and radios with scramblers, as well as military hardware such as assault rifles, and bulletproof vests. These criminal groups also use scouts with radios and scanners tuned to police frequencies to monitor drug law enforcement activities along the border.

Cocaine trafficking organizations operating from Colombia employ groups based in Mexico to smuggle a significant proportion of the cocaine supplied by the drug mafias across the SWB. These groups are typically made up of polydrug traffickers

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with extensive experience in smuggling drugs across the SWB. Frequently, the groups receive a percentage (up to 50 percent) of the cocaine shipments in exchange for their services. This has enabled them to become wholesale sources of supply for cocaine available in many western and mid-western U.S. cities such as Chicago, Denver, and Detroit.

- (2) Heroin.** Since the late 1970s, heroin produced in Mexico has been readily available in the United States, primarily in the West. Heroin trafficking in Mexico is controlled by transnational heroin trafficking groups operating between Mexico and the United States. These organizations control the cultivation, production, smuggling, and distribution of the drug. Heroin produced in Mexico - either in black tar, or brown powder form - is the predominant type of heroin available in the western half of the United States.

Most of the heroin produced in Mexico is destined for the U.S. market. Black tar and brown heroin are produced by traffickers operating from Mexico and sold by transnational networks operating within both nations. These trafficking organizations have been involved in smuggling heroin, cocaine, and marijuana for decades. In addition, these transnational organizations take full advantage of well-established, extended networks to distribute heroin throughout the western United States. These criminal groups also control distribution at the wholesale level. They are not generally involved in street sales that often are managed by local distribution groups.

- (3) Methamphetamine.** Over the past few years, international organized crime groups have revolutionized the production and distribution of methamphetamine by operating large-scale laboratories in Mexico and the United States capable of producing unprecedented high-purity quantities of the drug. These organizations have saturated the western and mid-west U.S. market with methamphetamine. The amount of methamphetamine seized in transit from Mexico to the United States increased dramatically beginning in 1993. In 1993 and 1994, 306 and 692 kilograms, respectively, were seized in the United States along the border. During 1995, 653 kilograms were seized. By comparison, only 6.5 kilograms were seized in 1992.

The major methamphetamine trafficking organizations operating in Mexico and the United States regularly demonstrate their flexibility and adaptability, modifying smuggling routes and methods as needed to ship drugs into the United States. The primary points of entry into the United States for methamphetamine produced in Mexico are San Ysidro and Otay Mesa, California. The most common method of transporting methamphetamine across the border is via passenger vehicle.

- (4) Marijuana.** Marijuana from Mexico (either grown in Mexico or transshipped through Mexico from other source countries such as Colombia) accounts for a significant proportion of the marijuana available in the United States. Most of the marijuana smuggled into the United States across the Southwest Border is concealed in vehicles - often in false compartments - or hidden in shipments of legitimate agricultural products. Marijuana is also smuggled across the border by horse, raft,

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backpack, and sporadically by private aircraft. Shipments of 50 kilograms or less are smuggled by pedestrians who enter the United States at border checkpoints, and backpackers alone or in “mule” trains who cross the border at more remote locations. Larger shipments, ranging up to multi-thousand kilogram amounts, usually are smuggled in tractor-trailers or rail cars.

- c. **The evolution of Federal involvement along the Border – The Challenge.** The history of the Southwest Border reflects the history of the United States. At first, undefined and remote, the boundary of the United States gradually took form as our people pushed out, established contact with neighboring cultures, created communities and looked to their government for protection under the law. International competition, conflict, and agreement evolved definitions of sovereign relations. Commercial enterprises sought to leverage their potential by reaching across national divides. Amid this evolution of legitimate international relationships intruded the unsanctioned and corrosive illegal trade in goods and services – contraband, illegal immigrants, guns, and drugs – and the habits of violence and human degradation that come with them.

While the individual policy formulation, resource allocation and operational activities of all federal drug-control program agencies are supportive of the goals and objectives of the President's *National Drug Control Strategy*, there is no central organizing concept for federal interdiction and intelligence efforts along the SWB. For the drug control program in particular, the current, fragmented organizational structure has been debilitating. It underlies the absence of shared accountability for the results of drug control efforts. In fact, the lack of accountability is the key weakness in the overall system. It is clearer at the Southwest Border because of the confluence of illegal drugs, illegal immigration, and trade issues. Nonetheless, the issue of accountability has been of central concern for years to the Congress, executive branch policy makers, and indeed, most of the people involved in the drug law enforcement effort and the general public. Counter-drug activities are rarely coordinated except for the very broad policy guidance of the *National Drug Control Strategy* or the very narrow case-centered criminal investigative activities. There are insufficient coordination mechanisms for translating strategic objectives into integrated, prioritized operational and investigative activities.

Some Observations:

- (1) Over the years, the federal government committed its energies and developed the processes for dealing with the needs and realities of the border region. In keeping with the laws of the United States and the dictates of national sovereignty, these individual agencies – the Border Patrol, the Customs Service, the Federal Bureau of Investigations, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Bureau of Alcohol, Tobacco, and Firearms, and many others – applied their organizational resources to meet their assigned missions at the Southwest Border in particular and throughout the United States. The uniqueness of agency missions and their evolutionary development as new problems emerged and old problems were overcome created separate objectives and traditions among the many agencies. These individual bureaucracies came to be imbued with their own

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sense of purpose. Where missions overlapped among different federal agencies, individual prerogatives and jurisdictions were jealously guarded. Although proximity and necessity drove some degree of cooperation, the more natural inclination for the many federal actors at the Southwest Border was to be wary of others institutions whose evolutionary development, central ethos, and stated purpose was different from one's own.

- (2) It is not surprising that interagency planning, intelligence sharing, budget coordination, and operational integration at the border is less than ideal. Organizations that have evolved in different ways and along separate paths over the decades do not readily come together with their separate organizational imperatives to support each other's specific counter-drug roles. While all of them are committed to slowing the flow of illegal drugs, they are unwilling to yield their own budgetary and manpower prerogatives to the others in order to do so. The result is a mix of redundancy, overlap, competition, and gaps in coverage; leading to needless inefficiency in stopping drugs at the border. This is unacceptable. We must bring together all of the Federal agencies involved in the efforts to counter drugs into a single, committed mission to lessen the flow of illegal drugs across the border.
- (3) The importance of coordinated anti-drug operations has long been recognized at the national level. In just the past thirty years there have been numerous efforts to improve counter-drug coordination and effectiveness and eliminate duplication of effort. In 1968, for example, the Bureau of Narcotics and Dangerous Drugs (BNDD) was formed. The BNDD merged the Federal Bureau of Narcotics (under the Department of the Treasury) and the Bureau of Drug Abuse Control (Department of Health, Education, and Welfare). This action resulted in the Department of Justice gaining primary responsibility for drug investigations. More recent attempts to streamline federal drug-control efforts included: the establishment of a Cabinet Committee on International Narcotics Control (1971), the formation of a Special Action Office for Drug Abuse Prevention (1971); a Strategy Council on Drug Abuse (1972); establishment of the Drug Enforcement Administration (Reorganization Plan No. 2, 1973); the Office of Drug Abuse Policy (1976), Drug Abuse Policy Office (1977/82); formation of a National Narcotics Border Interdiction System (1983); a National Drug Enforcement Policy Board (1984); and the establishment of the Office of National Drug Control Policy (1988).
- (4) Border control functions have also been subject to attempted reorganization and rationalization. Since 1930, there have been a number of efforts that included broad scale border management reorganization proposals. Improved coordination, however, has proved elusive. Presently, there are five principal departments concerned with drug control-related issues in the Southwest Border region: Treasury (drug interdiction, anti-money laundering and anti-firearms trafficking); Justice (drug and immigration enforcement, prosecutions); Transportation (drug interdiction); State (counter-drug cooperation with Mexico); and Defense (counter-drug support). Drug intelligence is currently provided by individual departments, as well as by organizations such as Director of Central Intelligence Crime and Narcotics

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Committee (CNC), the El Paso Intelligence Center (EPIC) and National Drug Intelligence Center (NDIC). In addition, ONDCP oversees the Southwest Border HIDTA which encompasses the entire 2,000 mile border one to two counties deep. The HIDTA is divided into five regional counter-drug partnerships of federal, state and local enforcement agencies.

- (5) With the exception of DEA, the counter-drug mission for federal agencies is secondary to other core missions. Coordinating activities among departments and agencies will require overcoming or transcending individual agency line authority requirements and prerogatives. This is always a challenge since no individual bureaucracy willingly or wittingly allows its resources to come under the forced coordination of another organization that is outside that bureaucracy's span of control
- (6) There is much to be proud of. There have been substantial reinforcement of federal drug-control efforts along the SWB. During the past six years, the administration has significantly increased the federal presence along the SWB. For example: Customs' budget for Southwest Border programs has increased 72 percent since FY93; the number of assigned DEA special agents has increased 37 percent since FY90; the number of assigned INS agents has almost doubled since FY90; DOD's drug control budget for the Southwest Border has increased 53 percent since FY91; and the number of U.S. Attorneys handling cases in the Southwest Border region has increased by 80 percent since FY90.
- (7) Federal drug-control efforts along the Southwest Border must be integrated into the five basic border control functions as well as other functions of federal agencies:
 - (a) Inspecting people and goods at ports of entry for illegal drugs and other criminal activity.
 - (b) Patrolling between ports to prevent illegal drug entry and other illegal activity.
 - (c) Collecting and disseminating drug and other criminal information on activities likely to affect the border.
 - (d) Enhancing drug-control partnership between the U.S. and Mexico, and
 - (e) Facilitating commerce and transportation incident to legitimate trade.

The two principal border control and management agencies, Customs (Treasury) and INS (Justice) should undoubtedly remain the principal federal enforcement agencies along the SWB. Any effort to better coordinate Federal drug-control efforts along the Southwest Border must include a shift from a manpower/physical inspection approach to one that is intelligence-driven and that employs emerging technologies to conduct non-intrusive searches. Above all, we need integrated, mutually supporting efforts that create a whole greater than the sum of its parts. The following must be addressed:

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d. The Drug-Control Imperatives:

(1) The need for a system to allocate resources against the perceived threat.

Available information about the drug threat is fragmented and incomplete. It is difficult to obtain a succinct, up-to-date assessment of the drug threat either along the entire border or in any specific state or sector. Similarly, there is no readily available integrated overview of Federal efforts to address the drug threat. The end result is that there is often no direct link between current operations and an intelligence analysis of the dynamic threats we face. We need a system that anticipates trends, projects actions by drug-trafficking organizations, and that allocates resources accordingly. This is true not only at the tactical level (i.e., within individual POEs) but also across the entire border.

(2) The need for greater drug-control effectiveness. Although we have been introducing additional inspection resources at the border over the past several years, we have not reliably increased our ability to screen trucks. In 1997, we inspected 1.09 million of the 3.54 million commercial trucks and railcars that crossed into the US from Mexico. In just 6 incidents, cocaine was found within the commercial cargo contained by these trucks and railcars. The challenge is to develop the indicators that will lead to a higher probability of contraband discovery per vehicle checked. The greater the confidence we have in selecting the appropriate vehicles for inspection, the more effective we can be in starving the drug trade, while at the same time speeding legal commerce to market. Our current drug interdiction efforts are relatively ineffective in reducing the flow of cocaine, heroin, and methamphetamines across the border. Recent statistics on the amounts of illegal drugs seized at the border seem to show that we are becoming increasingly ineffective. The inspection process should be less reliant on human resources. Instead, we need to invest in intelligence-driven processes which employ emerging technologies to conduct non-intrusive searches.

(3) The need for better drug-control coordination. Twenty-three separate federal agencies and scores of state and local governments are involved in drug control efforts along the SWB. However, no individual or agency has overall coordination responsibility for drug control operations along the length of the border or even within individual POEs. Regional offices of different federal agencies do not always have matching areas of responsibility. Too often, Federal organizational schema do not take into account state and local jurisdictions. As a stop-gap measure Federal agencies at major POEs are forming quality improvement committees as an *ad hoc* measure to improve coordination. Functional and sectoral accountability must be established.

(4) The need for drug-control synchronization. As Federal drug-control agencies reinforce their efforts, they must consider the effects of their actions on Federal, state, and local agencies. Too much or too little emphasis on any component of the overall drug control effort without corresponding adjustments elsewhere detracts from overall effectiveness. For example, increasing the number of inspectors and agents without a corresponding increase in capabilities within the prosecutorial and detention systems

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can overwhelm the latter.

- (5) **The need for more drug-control inspection capability.** Even as commerce and movement between the United States and Mexico has rapidly expanded in recent years, the Federal ability to properly screen all movement has not increased commensurately. Federal resources do not have to increase in proportion to the number of movements. Federal technical capabilities, however, must stay abreast of the requirement to prevent drugs from being hidden among increasing cross-border traffic.
- (6) **The need to work drug control across federal, state and local lines.** Our constitution and our legal traditions ensure the doctrine of federalism. Both state and local officials have a strong voice in how drug control efforts will be applied within their boundaries. Federal agencies must respect state and local laws and procedures. Federal agencies can also act as a catalyst to promote unity of effort among state and local efforts.
- (7) **The need for good U.S. - Mexico drug-control bilateral relations.** The United States has been blessed with peaceful relations with its two contiguous neighbors throughout the majority of its history. Seldom have nations lived in such harmony along such an expansive border. But the relations between sovereign nations cannot be taken for granted. Only through dignified and proper relations that evince respect for sovereignty can we hope to preserve the beneficial contacts that have long endured. The great common ground we have with Mexico in regard to the illegal drug trade is the recognition that neither country can tolerate wanton violation of the rule of law. Neither society can tolerate the ruin and destruction that the drug trade brings. We must build on this mutual recognition and forge relationships that allow us to develop common purpose in reducing the demand for drugs and foiling criminal traffickers.
- (8) **The need to confront drug corruption.** America is well-served by its dedicated law enforcement officers. Selfless service, physical courage, devotion to duty and integrity mark the record of their service. However, a society that spends more than fifty billion dollars on illegal drugs produces corruption on both sides of the border. Individual corruption is always a possibility. Left unchecked, it can lead to systemic corruption. It is necessary on both sides of the border to create a system of checks and balances to guard against corruption. The men and women of U.S. law enforcement who work so diligently to uphold the law deserve such supporting anti-corruption mechanisms. So do the people they serve.
- (9) **The need to integrate related drug-control issues:**
 - (a) **International Trade.** We are a trading nation. The importance of free trade across our borders cannot be overestimated. We must stop drugs. However, we must continue to facilitate the free exchange of goods which forms the underlying basis of our economy.

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(b) Immigration. Any effort to better coordinate federal counter-drug efforts along the Southwest Border will simultaneously affect federal immigration-control efforts. Presently, the Border Patrol estimates that 18 percent of its activities have a drug nexus. Drug-trafficking organizations capitalize on the illegal flow of people to camouflage and transport drugs. Any effective drug-control regime must also stop the uncontrolled movement of people moving money, drugs and weapons across the Southwest Border in both directions.

(c) Arms trafficking. The illegal drug trade also generates a demand for weapons in both Mexico and the United States. The demand for illegal weapons in Mexico is essentially satisfied through the illegal exportation of weapons from the United States and other nations. Federal drug-control efforts must also address this problem and appropriately support Government of Mexico efforts to stem the illegal flow of weapons from the United States to Mexico.

(d) Money laundering. One of the most pernicious effects of drug trafficking is the way in which money laundering distorts the economy of affected areas. Federal drug control efforts must deny traffickers the profits of their trade to both deter trafficking as well as to safeguard legitimate business.

3. ORGANIZING PRINCIPLES. The growing seriousness of the drug-trafficking problem across the Southwest Border has already elicited a vigorous federal response. In recent years, federal drug interdiction capabilities have improved. U.S.-Mexican cooperation has also increased as both nations have underscored their commitment to the rule of law and the security of our respective citizens. These efforts and improvements, however, have been insufficient. We must do more to stem the flow of illegal drugs. The following drug-control principles, objectives and actions are proposed as a preliminary guide to action:

a. DRUG-CONTROL PRINCIPLES

(1) Sovereignty. We demand respect for our national sovereignty. We will not tolerate transgressions of illegal goods and activities across our borders. We acknowledge that Mexico demands and is entitled to this same respect. We, therefore, must pledge our commitment to the sovereign rights of both of our nations. Both the U.S. and Mexico have the obligation to act unilaterally within their own sovereign air, land, and sea space to protect their citizens from drug-related crime. At the same time, both nations must cooperate closely to ensure that drug trafficking organizations do not exploit sovereignty issues on either side of the border to avoid prosecution. Close coordination between national, regional, and local authorities on both sides of the border can ensure consensual and cooperative anti-drug ventures and allow both Mexican and U.S. officials to effectively target and prosecute drug-trafficking organizations whose activities straddle the SWB.

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(2) Constitutionality. While the illegal drug trade poses a serious threat to our people and our society, we will only respond to it in strict adherence to the principles and values inherent in our constitutional traditions. Four U.S. states comprise our border with Mexico, as do scores of counties and local governments. Each of them is entitled to their rights reserved to them by the constitutions. Our response to the illegal drug trade will always respect:

(a) States' rights. Local law enforcement remains a state and local function. Drug traffickers that violate local laws or commit offenses against communities should be prosecuted visibly so that it is clear that justice has been carried out.

(b) Federal authority. Securing the border and controlling movement of people, goods, and services across it is essentially a federal responsibility. The federal government has an obligation to effectively secure the SWB.

(c) Due process. Every individual must be accorded his or her full constitutional rights. Foreign citizens apprehended in the United States must be treated in accordance with pertinent U.S. migration laws and their government(s) must be promptly notified of the status of their citizens who come into contact with law enforcement agencies.

(d) No U.S. militarization. Militarization of the border is an inappropriate response to the drug trafficking problem at the SWB. Preventing the violation of domestic U.S. laws is a function that must be performed by federal, state, and local law-enforcement agencies. The U.S. Armed Forces are already providing invaluable support to federal, state, and local law enforcement agencies in the Southwest Border region. This support function is appropriate and should continue. However, the federal government must ensure that its law-enforcement agencies are equal to the task at hand and that the U.S. military is never assigned domestic police functions. Military operations along the border in direct prosecution of law enforcement activities is an inappropriate use of our military forces.

(3) Free trade. The greatest potential for mutually beneficial relations between the United States and Mexico lies in free trade. The North American Free Trade Agreement has brought increased prosperity to peoples of both nations. Whatever steps we take to slow the flow of drugs across the Southwest Border cannot be allowed to slow the flow of legitimate commerce.

b. DRUG-CONTROL OBJECTIVES:

(1) Ensure the rule of law along the entire border. We reject the lawlessness that comes with the illegal drug trade. We have common ground with Mexico to unite our efforts against illegal drug traffickers. No sovereign nation can cede control over any portion of its territory to criminal organizations. Nor can any community be left unprotected and subject to the influence of drug-trafficking organizations. Federal agencies must be prepared to quickly deploy resources to reinforce the drug-control efforts of state and

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local law-enforcement agencies anywhere along the Southwest Border to assure that the rule of law is not compromised.

- (2) Control and interdict drugs along the entire border at all times.** Illegal cross-border traffic inexorably follows the path of least resistance and highest pay-off -- the crossing sites and modes where interdiction is least likely and the highest volume of contraband can get through. Uncontested space along the border is automatically ceded to those who wish to violate our laws and regulations. "Space" must take on a new dimension to involve not only areas of air, land, and sea constituting an international border. The critical area in question also includes interior space created by humans, motor vehicles, aircraft, ships, and containers that cross a border and can be used to carry merchandise and other forms of commerce. No stretch of the Southwest Border can be left uncontested; every dimension must be considered. No cross-border shipment or movement should be immune from scrutiny or inspection. All illegal entries should be subject to detection and interruption. Ports of entry must be made more efficient; intervening spaces must be secured.
- (3) Act in a coherent and coordinated manner that uses the counter-drug capabilities of each agency to the fullest extent available and builds upon our strengths.** No single entity by itself can solve the multi-faceted drug trafficking problem. Solutions can only result from coordinated efforts between Mexican authorities and U.S. Federal, state, and local agencies. Reducing drug trafficking is a sub-set of a larger federal obligation -- the requirement to control our sovereign border. We must ensure that scarce Federal resources are allocated in an efficient and timely manner to ensure a less porous, drug-free border. Each federal agency possesses unique strengths that should be optimized and used in complementary ways. In addition, while we cannot and will not tolerate a militarized border, we must consider the capabilities offered by the U.S. Armed Forces. The U.S. military can aid the federal effort to reduce illegal drug trafficking by: supporting surveillance, intelligence monitoring along remote stretches of the border; providing mobility and quick reaction; providing language interpretation support and intelligence sharing and analysis; providing training to domestic law enforcement agencies. The same is true for state and local agencies. Each must use existing assets in a coordinated and coherent manner.
- (4) Organize counter-drug efforts for accountability, responsibility and success.** Defense of the border cannot begin and end at the border itself. All cross-border movements have three elements: a point or origin, a crossing point, and an intended destination. An effective counter-drug border control regime should be able to influence the movement of contraband drugs, precursor chemicals, illegal weapons, human couriers and illegal funds throughout this "spectrum." Legal movements can be inspected throughout this process rather than solely at the border. Illegal drug movements also should be subject to interdiction in either country before, during, or after transit. Action against drug traffickers should be taken when and where it is most advantageous. Any Southwest Border counter-drug strategy must be executed in concert with a domestic law enforcement threat assessment. As the Department of Justice, for example, progresses with its national plan for disruption and dismantlement of drug distribution organizations,

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we must be careful to integrate their efforts into the overall Southwest Border plan.

- (5) **Harness counter-drug technology.** Technology heightens the probability of successful interdiction of contraband. Integrated with the entire network of systems to secure our citizens from illegal drugs, technology can: improve intelligence and information sharing; lessen the vulnerability of remote areas; penetrate otherwise unobserved space; sense, detect, and track specific substances; and supplement human resources committed to interdiction efforts. In concert with the entire counter-drug strategy, technological investments must be long-term, designed to thwart drug traffickers' efforts to defeat them, and sensitive to new trends in the two-sided struggle to stem the flow of illegal drugs across our border.
- (6) **Work cooperatively with Mexico.** The Governments of the United States and Mexico have recognized that international drug trafficking and related crimes extend beyond national boundaries and exceed the capacity of any nation to face them in isolation. At their meeting in May 1997, the Presidents of the United States and Mexico established a commitment to cooperate more closely to combat the problem of drugs and associated crimes. This commitment was formalized in the Declaration of the United States-Mexico Alliance Against Drugs signed during the Presidents' meeting. The Declaration established principles under which bilateral cooperation will be carried out, and specific areas in which cooperation will be strengthened. The Declaration includes key areas of collaboration pertaining to the Southwest border drug control efforts. The United States-Mexico High Level Contact Group for Drug Control drafted a binational strategy designed to achieve the objectives identified in the Declaration of Alliance. This strategy will be a key pillar for a coordinated border control strategy.

c. DRUG-CONTROL ACTIONS:

- (1) **Establish a drug-control coordinating authority.** A *U.S. Southwest Border Drug-Control Coordinating Authority* will allow us to integrate efforts, complement individual inspection and interdiction operations, focus resources, provide timely and accurate intelligence, and reinforce threatened areas. Such an organization must be vested with appropriate authorities that allow it to coordinate the employment of assets belonging to all federal drug-control program agencies. A Presidentially appointed *Southwest Border Drug-Control Coordinator* must be the accountable federal official. This coordinating entity would operate from a base in El Paso (the present base of Operation Alliance, the Southwest Border HIDTA, JTF - 6 and EPIC). This Federal coordinator would work with all federal, state, and local law enforcement agencies and coordinate with appropriate Mexican authorities.
- (2) **Create a shared appreciation of the drug-control challenge.** The many federal, state, and local agencies must have a shared bond among them that transcend their natural inclinations to compete and jealously guard their institutional prerogatives. The commitment against the illegal drug trade is not enough in itself to accomplish that. A key step would be a common educational experience that brings disparate Federal Southwest Border agents together to share techniques and procedures to counter illegal

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drugs. This common training experience would enable them to develop a common culture and appreciate the fact that no one agency can be successful in the struggle against drugs without the integrated efforts of all the others. The success of HIDTA is a good example of a program which capitalizes on a shared appreciation of a common mission. Such an common training experience will also focus all individual law enforcement officers on a single-mission environment that will promote coordination and cooperation.

- (3) Calculate and minimize drug-control risk.** Although we intend to lessen the flow of illegal drugs across our border, we cannot disrupt the enormously beneficial cross border economic trade that generates such wealth in both nations. Risk is inherent in any counter-drug border control regime that does not seek to inspect every movement. Risk can be minimized by focusing resources on movements deemed more likely to be concealing illegal drugs and by developing systems of inspection conducive to moving a high volume of traffic while pinpointing probable illegal drug activity. The risk of drug contraband penetrating our borders will always be present. We need to manage this problem and increase the likelihood that we will intercept enough of it to discourage drug traffickers and force them away from the Southwest Border where drug violence and corruption causes such dismay on both sides of the border.
- (4) Develop a supporting drug control intelligence structure.** Counter-drug intelligence must support border control efforts in both countries by allowing appropriate agencies to identify and track suspect movements. Knowing what to look for as well as where and when can simplify the tasks of those charged with establishing an exclusionary counter-drug regime. Surveillance can offset a lack of physical presence. Sensors can help detect and track the presence of illegal human movement and of contraband. Information and intelligence, properly protected, must be shared in a timely and accurate manner so that those acting against the traffic in illegal drugs can move safely and efficiently.
- (5) Focus on drug criminal organizations.** Much illegal drug trafficking across the Southwest Border is conducted by sophisticated criminal organizations that pose threats to local and state authorities because of their wealth and propensity for violence. These organizations are not constrained by sovereignty considerations as they move illegal drugs, weapons, precursor chemicals and money between Mexico and the United States. In fact, they seek to exploit jurisdictional lines, be they national, state, or local. These drug criminal organizations must be broken up. Our counter-drug organizational efforts must similarly cross national federal, state, and local lines with greater operational flexibility than the criminal organizations we face.
- (6) Facilitate legal traffic; block illegal traffic.** An effective border control policy must facilitate appropriate interaction and constrain illegal drug transactions. Any system designed to stop illegal drug movement across a border, whether consisting of contraband or persons, must be designed so that penalties exacted on legal traffic are minimized. There must be a balance between the imperative of facilitating legal cross-border transactions and the requirement to regulate it in order to stop drugs, raise revenue, protect public health, and uphold laws. There is no reason why stringent drug-control inspection regimes should interfere in any serious way or impede properly cleared

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commercial or private movement or transactions.

(7) Build on existing drug control initiatives. Ongoing initiatives such as the Southwest Border High Intensity Drug Trafficking Area, Operation Alliance, and JTF-6 provide a foundation for the future. These initiatives have evolved over the years from lessons learned from both successes and failures. We need to build on what works and find continued ways to improve our operations against drugs.

(8) Maintain integrity of law enforcement investigations. Nothing in this document should be taken to construe any usurpation of delineated Department of Justice or Department of Treasury authority in the conduct of criminal investigations nor should it be taken to amend the discretionary powers of agency supervisors and leadership as they relate to investigations of criminal behavior.

4. PROPOSED DRUG-CONTROL STEPS.

a. **General.** This approach will ensure that our drug-control efforts along the SWB:

(1) Conform to the *National Drug Control Strategy*. The *National Drug Control Strategy* summarizes national drug-control goals and objectives. All federal drug-control efforts, to include those along the SWB, must be supportive of Goal 4 of the *Strategy*, “Shield America’s air, land, and sea frontiers from the drug threat” and its supporting objectives.

(2) Integrate drug control efforts. As we continue to increase federal drug control resources in the Southwest Border area, we must ensure the build-up is feasible to execute and coordinated. In particular, we must ensure that:

(a) Drug control programs are appropriate to the challenge.

(b) Our programs continue to respond to the dynamic nature of the drug threat.

(c) Department and agency build-ups are coordinated.

(3) Match drug control resources with threats. We must:

(a) Develop the capability to track the drug threat, drug control assets, and sectoral responsibilities into an automated, digital, grid-based schematic format covering both sides of the border.

(b) Update this information on a real time basis and link it to a centralized Southwest Border intelligence and coordination headquarters.

(c) Create an intelligence system through the five Southwest Border HIDTAs that will allow law enforcement and policy-makers to monitor the changing nature of the trafficking threats and adapt efforts accordingly.

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(d) Use this carefully protected counter-drug information to prioritize and conduct counter-drug operations and assess new manpower and technology needs.

(4) **Drug control efforts are long term.** There is no short-term solution to the drug trafficking problem along the SWB. The federal response must recognize that there must be a permanent capability to deter traffickers from transporting illegal drugs across any portion of the border to include its maritime flanks or air space.

(5) **Drug control efforts must be continuously adjusted over time.** The illegal drug threat is a continuously evolving one. Trafficking organizations will respond to federal drug-control efforts by shifting modes and conveyances. The growth of rail traffic, for example, allows traffickers new routes as long as effective screening/inspection techniques are not developed. Federal drug control efforts must anticipate changes in legal commerce as well as those of drug traffickers. Success in one section will cause shifts in trafficking patterns elsewhere. The federal drug control effort must be seen in its entirety in order to make appropriate adjustments over time.

b. **The Southwest Border organizing plan to confront drug smuggling across the border must:**

(1) **Address drug-control efforts along the Southwest Border in context.** All of the United States' borders, seaports, and airports are vulnerable to the drug threat. Even if we were to be successful in preventing drug trafficking activities along the SWB, trafficking organizations would shift to other entry points as they have in the past. Puerto Rico, the U.S. Virgin Islands, South Florida, major international airports in cities such as Chicago and Orlando, seaports along the Atlantic Seaboard, in the Gulf of Mexico, and on our Pacific coast have experienced problems with drug trafficking. The U.S. - Canadian border is increasingly being targeted by traffickers. Successes in better coordinating the federal response to the drug trafficking threat along the Southwest Border must also be applied to other vulnerable regions within the "arrival zone."

Federal drug control efforts at the Southwest Border must also consider that U.S., Mexican and other trafficking organizations do not just move drugs across the SWB. They also distribute them throughout the United States, often seeking to hide among migrant populations. Information and intelligence derived by federal drug-control program agencies must be shared promptly with state and local authorities in the heartland of America. If necessary, federal law enforcement agencies must deploy resources to address the activities of transnational trafficking organizations far from our borders.

(2) **Establish a Southwest Border Counter-drug Coordinating Authority (SWBCCA).** Federal drug-control efforts along the Southwest Border must be properly coordinated. An SWBCCA can fulfill this function and can also coordinate drug control efforts with state and local authorities and Mexican governmental institutions. We must:

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- (a) Assign direct responsibility for coordinating all federal drug control efforts along the Southwest Border to one federal official (a Southwest Border Drug-Control Coordinator). This individual would:
- (i) Be nominated from a list prepared by the Attorney General, Treasury Secretary, and Director, ONDCP.
 - (ii) Be appointed by the President for a four-year term and confirmed by the Senate.
 - (iii) Be required to submit to the Congress a coordinated annual report on federal drug control efforts along the Southwest Border as an annex to *the National Drug Control Strategy*. This report should address: budget, manpower, technology, construction, intelligence and operations of counter-drug agencies along the SWB.
 - (iv) Have coordinating authority assigned to:
 - Establish in coordination with ONDCP drug-control objectives and priorities for all federal drug-control program agencies along the SWB.
 - In coordination with ONDCP recommend to heads of Southwest Border Federal drug-control program agencies changes to the organization, allocation of personnel, management, and budget of federal departments and agencies engaged in drug enforcement along the SWB.
 - Certify in coordination with ONDCP the adequacy of agency and department drug-control efforts along the Southwest Border and recommend required corrective actions.
- (b) Provide the Southwest Border Drug-Control Coordinator an organizational capability to assess the effectiveness of federal drug-control program agencies and coordinate promising or successful initiatives
- (c) Designate a Federal Customs official at each Port of Entry and a Border Patrol official along all sectors of the Southwest Border to coordinate all counter-drug interdiction efforts within their areas of responsibility. All federal drug-control program agencies would benefit from the leadership of a single accountable coordinating official in each specific area and across the entire border. This Federal coordinator would have coordinating authority over the drug-control activities of all Federal agencies within his or her area and would also be expected to coordinate with state and local counterparts as well as corresponding Mexican authorities. These Federal coordinating officials will respond to guidance from the Southwest Border Drug-Control Coordinator.

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(3) Incorporate specific recommendations for federal agencies. (Note: To be developed by each federal drug-control program agency with responsibilities along the SWB.)

(a) Department of the Treasury.

(i) Bureau of Alcohol, Tobacco, and Firearms.

(ii) Customs Service

(b) Department of State.

(c) Department of Commerce.

(d) Department of Defense.

(i) The National Guard.

(ii) Active Duty Military Forces.

(e) Department of Transportation.

-Coast Guard.

(f) Department of Justice.

(i) Drug Enforcement Administration.

(ii) Federal Bureau of Investigation.

(iii) Immigration and Naturalization Service.

-The Border Patrol.

(iv) U.S. Attorneys' Offices.

(g) Department of the Interior.

(i) Bureau of Land Management.

(ii) National Park Service.

(iii) Bureau of Indian Affairs.

(h) Department of Agriculture.

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-U.S. Forest Service.

(i) Intelligence Community.

- (i) CNC
- (ii) DIA
- (iii) EPIC
- (iv) NDIC
- (v) NSA

(4) Use existing interagency structures.

(a) **HIDTA.** The five Southwest Border HIDTAs are each substantially improving the ability of law enforcement officials to combat drug trafficking. The effectiveness of HIDTA programs along the border can be improved by:

- (i) Ensuring the five HIDTAs help coordinate all federal, state and local counter-drug activities in their jurisdictions.
- (ii) Increasing coordination among the border HIDTAs (for example, facilitating the flow of intelligence information on a real time basis, creating exchanges about programs that work, and coordinating programs on a regional basis).
- (iii) Improve coordination among HIDTAs, U.S. drug control program agencies, and state and local prevention, treatment, and enforcement agencies.

(b) **Organized Crime Drug Enforcement Task Forces (OCDETF).** *Discussion to be developed by DOJ.*

(c) **El Paso Intelligence Center (EPIC).** *Discussion to be developed by EPIC.*

(d) **Joint Task Force Six.** *Discussion to be developed by JTF-Six.*

(e) **United States Interdiction Coordinator.** *Discussion to be developed by USIC.*

(f) **Joint Interagency Task Forces.** *Discussion to be developed by JIATFs East, South and West.*

(5) **Develop an integrated intelligence structure that supports policy decisions and operations.** Southwest Border operations are hobbled by the existing national counter-drug intelligence architecture which does not effectively and efficiently serve the needs of policy makers or investigators and operators. There is no national

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counter-drug intelligence requirements process that effectively directs law enforcement and foreign intelligence assets against common objectives. Case information at the state and local level is not systematically exploited for its potential usefulness to other investigations and operations. This information is not integrated with Federal information and analyzed to discern possible operational and strategic patterns.

Intelligence must form the basis for an integrated, campaign planning effort as well as support for coordinated, multi-agency investigative and operational activities. An improved organizational structure on the Southwest border must be enabled by a cogent *national counter-drug intelligence system* that meets the needs of (1) federal, state and local officers and (2) policy-makers, planners and resource allocators.

- (6) **Harness technology.** The enormous growing volume and importance of legitimate commercial trade in goods and services between the United States and Mexico is good news for America. However, with this volume of trade, no number of new agents alone can manually prevent the influx of drugs into the United States. Technological advances hold the key to allowing the relatively unfettered flow of legitimate trade, while capturing from this flow illicit traffic in drugs, drug money, weapons and precursor chemicals. The technology currently being deployed is inadequate. Hundreds of Border Patrol agents conduct dangerous night operations without basic equipment, such as night vision optics, border roads and fencing to canalize cross-border illegal drug trafficking. The three operational x-ray machines (two are at fixed sites, one is a mobile prototype) provide inadequate coverage and are easily avoided by traffickers. Another six are scheduled to be operational by mid 1999. We need to ensure that authorities manning this border have access to the most up-to-date counter-drug technologies possible so that:
- (a) Every suspect truck and train that crosses the border into the United States could be subjected to as many as three different non-intrusive inspections that can detect illegal drugs.
 - (b) The physical and or electronic transfer of drug monies and weapons out of the United States can be detected.
 - (c) Fencing, sensors, lighting and remote night vision TV digital devices monitor areas between POEs.
 - (d) Law enforcement officials along the border are equipped with digital communications equipment, observation devices, detection devices, and other technologies necessary to their tasks.
- (7) **Build required infrastructure.** Barriers and surveillance devices work. Along the Imperial Beach, San Diego section of the border for example, there were sixty murders and 10,000 pounds of marijuana seized four years ago. In 1996, after the installation of fences and lights backed up by more Border Patrol Agents, there were

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no murders, and just six pounds of marijuana were seized. Specific suggestions include:

- (a) Develop a strategic five-year Southwest Border plan to build access roads to allow patrolling of the border and to erect fences and lights in high trafficking areas.
 - (b) Assign the U.S. Border Patrol complete responsibility for planning, budgeting, building, and maintaining roads, barriers and sensors along the Southwest Border.
- (8) **Nurture U.S. - Mexico relations.** The United States alone cannot stop drug trafficking across the SWB. Expanded cooperation with Mexico is essential. Ongoing cooperative initiatives at the local, state, and national levels -- such as FBI and DEA training of Mexican law enforcement officials and Bilateral Liaison Mechanisms (BLMs) that link cross-border communities -- should be our building blocks. Specific suggestions might include:
- (a) Encourage BLMs to address drug trafficking and drug-related problems.
 - (b) Establish Mexican law enforcement liaisons with U.S. Southwest Border HIDTAs while maintaining appropriate strict security measures.
- (9) **Involve the private sector.** The scope of this drug-control challenge will require private sector support, particularly from those who hold substantial stakes in the success of U.S.-Mexico relations. The private sector can help by:
- (a) Assisting in the development and deployment of new technologies that can detect drugs without slowing the two-way movement of goods and services.
 - (b) Implementing self-regulatory procedures to prevent drugs from being hidden in legal transactions.

5. MILESTONES.

Aug 98	Further development of Southwest Border concept. IAWG meetings / Office visits SWB Trips (3-5 Aug, 24 - 26 Aug).
Sep 98	Interagency circulation of concept/recommendations.
Nov 98	Submission of SWB concept by PDPC to POTUS/VPOTUS; Interagency development of supporting federal budget.
Dec 98	Begin SWB implementation plan study
Jan 99	State of the Union Address: Announcement of SWB concept/ implementation plan.
Feb 99	Publication of <i>National Drug Control Strategy</i>;
Jun 99	ONDCP legislative plan implemented.
Oct 99	Begin SWB Concept implementation

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- 6. CONCLUSION:** The flow of drugs across the Southwest Border has not been significantly curtailed despite tactical success that have caused changes in smuggling routes and techniques. Drug trafficking and violence remain persistent and there are growing threats to border region residents. The obstacles our law enforcement officials face in stemming these threats are significant, but they are not insurmountable. Our substantial investments along the Southwest Border are beginning to pay off. Future success is dependent on adjusting existing drug-control organizations to better support ongoing federal, state, and local law enforcement efforts. Harnessing emerging technology is a must.

The Southwest Border is the principal avenue for illegal drug trade into our country. We must anticipate that the greater our success at the Southwest border, the more drug traffickers will attempt to penetrate elsewhere. Therefore, we must see Southwest border organization efforts as but one step in the process to safeguard all our borders from illegal drugs. We should learn from our successes and failures, applying these lessons to future efforts to stem the flow of transnational illegal drugs into our country. Federal, state, and local authorities in the Gulf Coast, Puerto Rico and the U.S. Virgin Islands, South Florida, Northeastern and Northwestern United States, and in the Great Lakes region are facing similar organizational and coordination challenges as they seek to stop the flow of illegal drugs into the United States. In the end, we must stop drugs every where they threaten to enter the United States. But since the Southwest border is at the moment the most porous part of the nation's borders, it is there that we must mount an immediate, determined, and coordinated effort to stop the flow of drugs. We can do this. We must do this. And, at the same time, we must anticipate where further efforts will be needed to close the entire border from the destructive flow of illegal drugs into the United States.

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The Burkhalter Report of 1988

The Vice President's Task Force on Border Control reported to then Vice President Bush in 1988 the following problems:

- Need for an interagency structure which can adequately mobilize and commit the talents and resources of the nation to meet the border-control challenge.
- Need for closer coordination between the Border Patrol, and Customs to ensure that the optimum uniformed presence is dedicated to the interdiction effort at and between the Ports of Entry along the borders.
- Need guidelines to ensure a cohesive collection effort.
- Need for improved human intelligence.
- Need for interagency cooperation in our embassies
- Need to encourage intelligence sharing among law enforcement agencies at the Federal, state and local levels.
- Combining foreign intelligence with domestic information to target drug trafficking organizations.

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Drug - Southwest border

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503**

**ORGANIZING COUNTER-DRUG EFFORTS ALONG THE SOUTHWEST BORDER:
AN EMERGING CONCEPT**

August 25, 1998

- I. Long-standing problem.** Since the 1980s, a number of analyses and reports have identified the need to improve our Southwest Border counter-drug efforts through the following actions:
- Need for an interagency structure which can adequately mobilize and commit the talents and resources of the nation to meet the border-control challenge;
 - Need for closer coordination between the Border Patrol, and Customs to ensure that the optimum uniformed presence is dedicated to the interdiction effort at and between the Ports of Entry (POEs) along the borders;
 - Need guidelines to ensure a cohesive collection effort;
 - Need for improved human intelligence;
 - Need for interagency cooperation in our embassies;
 - Need to encourage intelligence sharing among law enforcement agencies at the Federal, state and local levels;
 - Need to combine foreign intelligence with domestic information to target drug trafficking organizations.
- II. Imperatives for improving counter-drug efforts along the Southwest Border.**
- A. General Trends.** Three major trends have complicated efforts to stop drug trafficking across the Southwest Border:
1. **Incompatible communications systems.** Operational units must be able to communicate with higher headquarters, with other units and with sources of information. Too many of our systems are either operating in isolation or are dependent upon jerry-rigged solutions.
 2. **Lack of timely intelligence in the right hands.** Separate agencies collecting intelligence often do not share information that may be relevant for another agency. At the same time, agencies are sometimes unable to internally disseminate intelligence within their own organization in time to stop a shipment. Information must be made available to all involved law enforcement agencies in time to stop shipments of drugs.

3. **Lack of efficient non-intrusive inspection technology to screen cross-border traffic and detect drugs.** Currently there are only three truck scanners in place along the border. Traffickers quickly adjust to the construction of such devices, and shift drugs elsewhere. We must develop, test and field technology that can detect drugs while not hindering legitimate commerce.

B. **Southwest Border drug interdiction failure.** Our efforts to date have not yielded the benefits we had hoped for:

- Last year, we inspected 900,000 of the 3.7 million trucks that crossed into the U.S. from Mexico. Cocaine was found in just 16 trucks.
- Seizures throughout the Southwest region have declined precipitously in recent years.
- Cocaine seizures at POEs in 1997 were about half of what they were in 1996.
- Cocaine seizures as a result of investigations in 1997 were about one-quarter of what they were in 1995.
- Cocaine seizures at checkpoints and traffic stops in 1997 were less than half of what they were in 1995.

Similar patterns exist within most drug seizure categories. The interdiction trends indicate a challenge posed by drug traffickers that is not being adequately met by our drug control system.

III. **The Response.** For the last three years, the many federal agencies involved in law enforcement, commerce and transportation along our border have been engaged in a process to determine how we can best fulfill these anti-drug imperatives. The Attorney General and the Secretaries of State, Treasury, Commerce, Defense, and Transportation, and the leadership of the DEA, the Border Patrol, Customs, and the INS have been integral to this effort. Our common response is to create a Southwest Border Counter-Drug White Paper for approval by the President during the fall of 1998.

A. **The Southwest Border counter-drug principles.** Three core U.S. principles guide all our efforts:

1. **Maintain deference to the U.S. Constitution.**
 - Maintain the proper balance of federalism.
 - Maintain respect for civil liberties and rights.
 - No U.S. militarization of the border.

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2. **Respect Mexican sovereignty.**
3. **Maintain the benefits of NAFTA trade and the enormously increased flow of commerce between our nations.**

B. The Southwest Border counter-drug objectives. There are seven counter-drug objectives to be achieved:

1. **Ensure the rule of law along the entire border. Federal drug control agencies must be prepared to quickly deploy resources to reinforce states and localities threatened by traffickers.**
2. **Control and interdict drugs along the entire border at all times: We must develop the capacity to control the entire border at all times, preventing traffickers from merely shifting their operations to avoid detection and capture. Build over time a high technology Customs Service and a 20,000+ person Border Patrol, with 500+ miles of fencing, anti-intrusion sensors and supporting infrastructure.**
3. **Act in a coherent and coordinated manner that builds on our strengths. No one element of the federal government can alone solve the problem of drug trafficking across the Southwest Border. Only by using the resources of all our agencies, can we build a border infrastructure that will defeat the flow of drugs.**
4. **Use to the fullest extent available, and with maximum efficiency, the counter-drug capabilities of each agency.**
5. **Organize counter-drug efforts for accountability, responsibility and success.**
 - a. **Establish a Southwest Border Counter-Drug Coordinator.**
 - One federal officer responsible for all counter-drug efforts along the border.
 - Presidential appointee; 4 year term; Senate confirmed.
 - Small staff -- Southwest Border Counter-Drug Coordinating Authority (drawn from existing capabilities).
 - Located on the Border (El Paso; geographic center; already EPIC hub for intelligence, Operation Alliance and JTF-6 for military support).
 - Authority to review and integrate Southwest Border drug policy, procedures, budget and resource levels, construction and control of infrastructure, and intelligence.

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- Authority to request redeployment of counter-drug interdiction resources from federal officials.
- b. **Establish Counter-Drug Operations Coordinators at POEs (leadership- Customs).**
- Oversee all counter-drug policy, procedures, and intelligence at their assigned POE.
 - Authority for direct coordination of resources and infrastructure.
 - Responsible for coordinating with state and local U.S. counter-drug authorities and serving as liaison with counterpart Mexican authorities at their POE.
- c. **Establish Counter-Drug Operations Coordinators for each sector between POEs (leadership- Border Patrol).**
- Oversee all counter-drug policy, procedures and intelligence along their assigned sector.
 - Authority for direct coordination of resources and infrastructure.
 - Responsible for coordinating with state and local U.S. counter-drug authorities and serving as liaison with counterpart Mexican authorities within their sector.
- d. **Train border counter-drug law enforcement agents, officers and officials.** Establish a Southwest Border Law Enforcement Interagency Academy. Joint training will integrate and coordinate counter-drug efforts.
6. **Harness counter-drug technology.**
- a. Develop and deploy along the border advanced technologies with the effect of increasing the probability of detection of drugs and other contraband while facilitating the rapid flow of economic traffic.
 - b. Increase the number of counter-drug technology-assisted inspections.
 - c. Intercept illegal drug money, weapons, and precursor chemicals.
7. **Counter-drug cooperation with Mexico is vital.** We are committed to working in partnership with Mexico to jointly confront drug-related corruption and violence, while acting in absolute deference to sovereign national responsibilities on both sides of the border.

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**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503**

**Address of Barry R. McCaffrey
Director Office of National Drug Control Policy
Organizing Drug Control Efforts Along the Southwest Border
El Paso, Texas
August 26, 1998**

In a city literally named "The Pass," it is not surprising that the benefits of cross-border exchange are abundantly apparent. In El Paso, unlike the rest of America, Thanksgiving is celebrated in the spring to honor the feast held by explorer Gaspar Perez de Villagra -- some 23 years before the Pilgrims celebration. Architecture in this region has roots in the old Spanish missions that grace nearby prairies. The designs of Native Americans enrich the city's vibrant visual arts. The cowboy philosophy of rugged individualism is celebrated in lore and song on both sides of the border. Even the food here is such a mixing pot that it requires a dual name: Tex-Mex. The culture of life here is not Mexican, or American, or Native American, or Spanish, or Hispanic. It is a *mixtos* border culture, which is strengthened by diversity and made possible by the free-flow of exchange between and among our societies.

This openness begins at our Southwest border. Our common border, which extends from the Gulf of Mexico to the Pacific, is less a divide than a meeting point. In some stretches, the border is a vast, open expanse -- truly an invisible line in the sand. In other areas, such as Nogales and Tijuana, the border bisects urban centers into sister cities. This border is the world's most open to commerce, culture, and ideas. In the past year, 254 million people, seventy-five million cars, and 3.5 million trucks and railcars entered the United States from Mexico through thirty-nine crossings and twenty-four ports of entry.

As "Team El Paso" knows well, both of our nations have benefitted greatly from this freedom of movement. Exports to Mexico now support over 900,000 jobs in America. With a total in 1997 of \$71.4 billion worth of merchandise exports from the United States, Mexico is our nation's second largest export market -- this amount is up \$15 billion, or 26 percent, from 1996. During 1997, Mexico was the largest export market for Texas products, totaling some \$21.6 billion. These exports were 48 percent higher last year (\$7 billion) than in 1993. In 1994, an estimated 247,000 Texas jobs were supported by exports to our NAFTA partners, up 15 percent in the first year of the agreement alone.

They say Wyatt Earp first came to El Paso, but left for Tombstone because things were a bit too wild here for his taste. It seems things are still booming in El Paso, only the action is business with Mexico. The benefits of binational business already transcend the notion of a strictly defined border. El Paso Natural Gas is engaged in a joint venture with ICA. Cementos de Chihuahua has purchased a plant in El Paso. Chilli's, a U.S.-based company, has now established a subsidiary in Mexico to sell Tex-Mex food. Today's Alamo, the car rental company, operates in Mexico. Border lines have blurred and bottom lines have benefitted.

This area has prospered on both sides of the border because beneath this diversity, there lies a common set of frontier values and the universal drive not only to survive but to excel. Both peoples believe in the rule of law, have the desire to live in peace, and share a respect for the sovereignty of each nation. These common understandings and beliefs are forged from the pains of past conflicts, but are strengthened by today's common successes.

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Sadly, this flood of positive exchange across our borders has been seized upon by criminals to conceal their deadly shipments of drugs. The Southwest border remains a principal entry point for cocaine, heroin, methamphetamines, marijuana and other drugs into the United States. Illegal drugs make up only a fraction of the cross-border commerce, but their decaying effects put all our good work at risk.

For the past five years, President Clinton has directed a truly massive increase in the federal government investment in drug-control efforts along the border. More plus-ups are underway. Under Secretary Bob Rubin's determined leadership the Customs' budget for Southwest border programs has increased 72 percent since Fiscal Year 1993. Tom Constantine, our courageous DEA administrator, has increased the number of assigned DEA special agents 37 percent since Fiscal Year 1990. Doris Meisner has almost doubled the number of assigned INS agents since Fiscal Year 1990. The Department of Defense's drug control budget for the Southwest border has increased 53 percent since Fiscal Year 1991. Attorney General Janet Reno has increased the number of U.S. Attorneys handling cases in the Southwest border region by 80 percent since Fiscal Year 1990. However, just spending more is not the answer.

The challenge before us is to do a better, more efficient, smarter job of culling the drugs, corruption, money laundering, social ruin, and violent crime that hide within our open relationship. The President, the Attorney General, the Secretary of the Treasury and I know the imperatives for progress are strong. We share a common determination to build a Southwest Border concept that will be appropriate for the 21st century.

- **Our counterdrug efforts are too often blind:** Information about the drug threat along the border is fragmented and incomplete. It is difficult to obtain a succinct, up-to-date assessment of the drug threat along the border as a whole, within any specific sector, or at any specific port or point. The result is that there is often an inadequate link between operations and intelligence analysis of the dynamic threats we face. Whether we and the traffickers end up at the same point is all too often left to luck and gritty individual police work.
- **Counterdrug coordination and accountability are difficult and unduly complex:** Today, seven federal departments have overlapping responsibilities along the border: Justice, the Treasury, State, Transportation, Defense, Interior, and Agriculture. There are also twenty-two agencies and programs with overlapping responsibilities, ranging from the Border Patrol, to the DEA, to the National Guard. More than eleven thousand federal agents, inspectors, and officials are presently committed to the Southwest border. These departments, agencies, and programs spend approximately two billion dollars each fiscal year to address the border drug problem. On the U.S. side, four states and twenty-three counties create overlapping jurisdictional challenges. All of us on the President's team understand that no one is in charge at either the micro or macro levels. No one person has ultimate responsibility and accountability to the American people for a specific stretch of border or a specific port of entry. No one person has responsibility and accountability for overseeing, integrating and coordinating all our Southwest border counter-drug efforts. We must create a coordinating authority for the border. This authority must have the ability to set objectives and priorities and recommend to agency heads the need to redeploy resources to achieve these goals. This authority must be able to designate a similarly accountable chain of command all the way down to the ports of entry. This

office must also be able to evaluate the adequacy of the various agency and department counter-drug efforts along the border and recommend corrective action where necessary.

- **Drug corruption remains a problem:** A global criminal enterprise with a revenues estimated at five hundred billion dollars a year has tremendous resources to corrupt even the most well meaning public servants and citizens. On both sides of the border, corruption eats away at public confidence in our institutions of democracy.
- **These and other counterdrug impediments constrain our effectiveness: The President has asked** the federal government to commit vast amounts of additional resources to the fight against drugs at the border. Because of these impediments, our successes so far have been modest. In 1996, about 900,000 U.S.-bound trucks were subjected to a full drug inspection -- one quarter of all the trucks entering the U.S. This marked a substantial increase in the percentage of inspections carried out over past years. However, despite this magnificent effort by the women and men of the Customs Service, cocaine was found in just sixteen of these vehicles. Our inspection processes are too reliant on human resources, as opposed to first-rate intelligence and non-intrusive inspection technology.

We must do better. And we will. Ten months ago the President gave us our conceptual planning guidance. The many agencies involved in policing for drugs along our border have been engaged in a process to determine how we can answer these imperatives. The Attorney General and the Secretaries of State, the Treasury, and Transportation, and the leadership of the DEA, the Border Patrol, the FBI, Customs, the INS, and ONDCP have been integral to this effort. The views of state and local officials have also informed our work. Through the outstanding leadership and hard work of the President's team, we have made a great deal of progress. Working closely together, we expect to reach an agreement about how best to proceed and present a final plan reflecting this united approach to the President by the end of Fall.

Let me underscore the importance of the progress this represents. Building a border infrastructure capable of defeating drugs is a major challenge. Without the leadership of such dedicated public servants as Attorney General Reno, and Secretaries Albright, Cohen, Ruben, and Slater, we would not be on the verge of such a significant breakthrough. These brilliant public servants are devoting their time and energies to creating a new concept. We will place this plan before the President and the public.

While our efforts are not yet complete, the path that progress must take is increasingly clear. While it would be imprudent to lay out the exact architecture we are now working on, it is possible to discuss the principles that must guide our actions, and the tenets that must drive our actions.

Three Principles: Defining the boundaries

At base, we have three principles to which all our efforts must hold true: sovereignty, Constitutionality, and economic freedom and opportunity. Both the United States and Mexico are sovereign nations, and each must respect the other's right of national self-determination. Both nations have unilateral rights and responsibilities to act to protect their air, land and sea frontiers. However, in fighting this drug threat, we must also acknowledge that cooperation is in both our nation's self-interests.

We also cannot allow efforts to combat drugs to compromise the basic Constitutional values we all share:

- **We must maintain the proper balance of federalism:** States and localities are the primary institutions of local law enforcement. The federal government bears the national responsibility to secure our borders and police against inter-state criminal threats such as drug trafficking.
- **We must respect in the fullest civil liberties and rights:** Every individual apprehended for a drug crime in the United States must be treated in accordance with the law. They must be accorded the full protection of their Constitutional rights.
- **We cannot militarize the border:** The U.S. Armed Forces are providing invaluable support to federal, state, and local law enforcement agencies in the Southwest border region. This support should continue. However, all Title 10 (active components) and Title 32 (Guard and Reserves) support missions must be carefully scrutinized to ensure that assigned missions are compatible with unit and individual capabilities. We should also consider making appropriate investments in those areas where our troops are being employed as a result of federal drug control program agency shortfalls. Our military offers some effective tools in this struggle, but manning a picket line along the border is not one of them.

Similarly, we cannot allow this effort to close the doors of economic opportunity and freedom, through liberalized trade, that we have opened for our peoples. We will not close our borders. Not only do we lack the technical and financial wherewithal to build such a wall, but the damages from such a division would far exceed any purported benefits. Such a wall would isolate us from progress more than it would impede the flow of drugs.

Six Objectives: Setting the Organizational Parameters

These following objectives form the boundaries of what we can and cannot do. They are key to guiding our joint efforts at the border. As the interagency and inter-governmental process translates these objectives into organizational direction, they become the underlying tenets for working out a solution to the drug trafficking threat at the border.

There are six objectives we are working on to guide our efforts:

- 1st **Ensure the rule of law -- everywhere and anywhere:** We must put an end to the lawlessness associated with the drug trade. We have an obligation to protect all of our communities and each of our citizens along the length of our border and across each of our nation's heartlands. Federal agencies must be prepared to quickly deploy resources to reinforce states and localities that are falling under attack from the traffickers and their organizations.
- 2nd **Act in a coherent and coordinated manner that builds on our strengths:** No one element of the federal government can alone solve the problem of drug trafficking across the Southwest border.

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Only by working together, utilizing the strengths of all our agencies, can we build a border infrastructure that will defeat the flow of drugs.

3rd **Organize for accountability, responsibility and success:** Without altering the balance of operations of the various agencies fighting drugs at the border, we need to put in place a structure that ensures accountability and success. To paraphrase Harry Truman, "the buck has to stop somewhere." While there is no specific plan for a border counter-drug coordinator, it would seem logical that we need one. In the same vein, certain truisms provide a common sense understanding of what such an office might look like:

- ⊙ The obligation to secure our borders is a federal one, so this responsibility it would seem, must be vested in some federal official and office.
- ⊙ Committees make bad managers, so it would seem logical that one person must have ultimate responsibility for our efforts.
- ⊙ The only person who presently has oversight over all our border efforts is the President, and he has a full plate already. Whomever is tasked with the job of coordinating border counter-drug efforts it would seem needs to be appointed by the President. The issue of how we have to manage the efforts of all the diverse agencies must be closely examined. And it must be done in a way that sets aside traditional rivalries, while calling on the best of the unique contributions each agency has to offer in order to better serve the American public in the totality of their effort to decrease the flow of illegal drugs.
- ⊙ You cannot watch the border sitting behind a desk in Washington. Whoever has responsibility for watching border counter-drug efforts it would seem must sit on the border. To be effective, he or she must feel the pulse of the border. Be able to walk it on a daily basis.
- ⊙ A coordinator cannot coordinate if she is the only person listening. The various agencies and authorities fighting drugs will have to set aside their turf instincts, come together and agree that progress requires the investiture of oversight within this person.

4th **Harness technology:** Hand checking cars, trucks, and railcars for drugs is a tedious and inefficient process that often leaves us hunting for needles in haystacks -- literally. We need to develop and deploy a family of complementary systems within the next five years that can inspect 20 percent of in-bound containers, shipments, and conveyances for drugs. We want to provide each port of entry with the capacity to subject every in-bound shipment to non-intrusive inspections by complementary systems. Through technology we will put in place a seamless curtain against drugs. This curtain will not be iron but electron -- made up of information and technology. And, it will be held in place by good organization and shared commitment -- a commitment based on common values and interests. It will be permeable to trade and culture but impermeable to drugs, crime, and violence.

5th **Control the entire border at all times:** At present, fighting drug trafficking is a lot like squeezing a balloon: push at the top and it pops out at the bottom; collapse the bottom and the top bulges; squeeze in the middle, and both ends expand. We need to burst their balloon. Only by controlling the entire border can we prevent them from merely shifting their trafficking to avoid our law enforcement efforts.

6th **Cooperation with Mexico is vital:** President Clinton and his team are committed to supporting President Zedillo in his efforts to confront the international drug threat. Under his leadership, Mexico has taken important strides to end drug corruption, including, for example, prosecuting senior officials who had been involved in the drug trade, and creating vetted counter-drug police units. We can best aid these efforts by reducing our U.S. demand for drugs and breaking up the trafficking organizations that see our border as an open door to greater ill-gotten wealth. We must also stop the flow of U.S. weapons and drug cash south across the border. The traffickers and cartels rely on borders as limits to authority and shields against sanction. Only through cooperation can we ensure that the arm of the law is actually long enough to match the reach of the threat.

Conclusion

The principles and objectives we have outlined here today are, for the most, the product of common sense. However, even with common sense on our side, much remains to be done to make so significant an undertaking work. All of us working this issue are profoundly aware of the responsibility we owe to all Americans to increase their sense of security about our Southwest border by stopping the flow of drugs across this expanse.

A planning exercise of this magnitude is by definition a difficult task, particularly when it involves so many agencies, and so many bright people. The progress we are making is in large part a reflection of the quality of our teammates in this effort -- the Attorney General, and Secretaries Albright, Ruben, and Slater, the DEA, FBI, the Border Patrol, the INS, and Customs. The leadership and talent assembled to tackle this problem is impressive to say the least. Most importantly, we all have made a commitment to bring to the President a solution -- even if it is only an eighty percent solution. We have committed in the National Drug Control Strategy to present President Clinton with this plan by the end of this Summer. We all take this commitment to heart.

We look forward to returning here to El Paso in the coming months as we continue this process. The ideas, thinking, and existing cooperation of the four U.S. border states of Texas, Arizona, New Mexico, and California will be the foundation upon which the President's team will base a new concept for border counter-drug efforts for the coming century.

Ideas - crime
and
Drugs - coerced abstinence

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Drug Policy and Communications Ideas

Coerced Abstinence in the Criminal Justice System:

- **Background:** This is the single, most popular anti-drug strategy that Democrats should be supporting. Coerced abstinence has better than 80% support from the public, and -- more importantly -- it is good drug and crime policy.
- **Our prisons are filled with crime-committing drug addicts.** According to a recent study, drug and alcohol abuse are implicated in the crimes and incarceration of 80% -- or 1.4 million -- of the 1.7 million men and women in America's jails and prisons. These 1.4 million offenders violated drug laws, were high or drunk when they committed their crimes, stole property to buy drugs, or have a history of drug and alcohol abuse.
- **The bigger the habit, the longer the rap sheet.** While 41% of first-time offenders in state prisons have a drug history, 81% of repeat offenders (5 or more convictions) are drug-involved. Failure to test, treat, and sanction these inmates results in criminals being returned to our communities with dangerous drug habits intact. The choice is simple: test/treat prisoners so that they are less likely to be re-arrested or use drugs (73% and 44%, respectively) -- or release them into communities to commit more crimes to feed their addiction (as many as 191 crimes per addict).
- **Legislative Opportunities:** (1) Fight for FY 99 appropriations to provide \$200 million in funding for a series of coerced abstinence initiatives, including drug courts; (2) Require states to adopt zero tolerance for drugs in prisons-- by increasing penalties for drug trafficking into and within correctional facilities-- as a condition of receiving prison construction funds; and (3) Allow States to use their federal prison construction funds to test, treat, and sanction drug offenders under criminal justice supervision.
- **Communications Opportunities:** (1) July announcement of drug courts grants; (2) July release of data on drug use by arrestees; (3) September implementation of state plans to test and treat prisoners and parolees.

Kids and Drugs

- **Background:** From the public's perspective, this is perhaps the most important part of the Drug War. Although teen drug use remains below its peak levels, it has nearly doubled between 1991 and 1996. The best opportunity to identify Democrats with delivering a no nonsense message to youth is by supporting the Youth Anti-Drug Media Campaign. Other opportunities include fighting to expand Safe and Drug-Free Schools and after school programs -- which Republicans are likely to either cut or not support.

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- **Make sure kids get the message on drugs.** If America's children do not get the message today -- clearly and unequivocally -- that drugs are dangerous and wrong, they will fuel tomorrow's drug epidemic. That is why the Youth Anti-Drug Media Campaign, which will go nationwide this summer, proposes using the full power of the media -- television, radio, Internet -- to teach kids about the danger of drugs and to encourage parents to talk to their children about drugs.
- **Provide kids with adult supervision in the after school hours.** During a typical week, an estimated five million school-aged children spend time as "latchkey kids" without adult supervision. Research indicates that during these unsupervised hours children are more likely to engage in at-risk behaviors, such as committing crimes and using drugs.
- **Keep kids free of violence and drugs in school.** The Department of Education's Safe and Drug-Free Schools and Communities Program is the federal government's largest youth anti-drug prevention program -- providing funds for drug and violence prevention programs in virtually every school district in the nation.
- **Legislative Opportunities:** (1) Support and champion continued funding for the \$195 million Youth Anti-Drug Media Campaign; (2) Dramatically expand after-school care (\$200 million in FY 99) to serve over half a million children every year; (3) Fund 1,300 new drug-prevention coordinators to improve the effectiveness of drug prevention efforts for 6,500 middle schools across the country; (4) Oppose efforts to cut funding for Safe and Drug-Free Schools; and (5) Support youth drug testing initiatives (e.g., voluntary drug testing in schools, drug testing for driver's licenses).
- **Communications Opportunities:** (1) July 9th national roll-out of the Anti-Drug Media Campaign; (2) August release of the Household Survey on Drug Abuse; (3) Announcement of pilot program to promote teen drug testing for driver's licenses; and (4) August release of Safe and Drug-Free Schools Report.

Drug Enforcement

- **Background:** Any Democratic drug strategy must include tough anti-drug enforcement provisions. Our best opportunities include focusing on the recent increases in certain parts of the country in heroin and methamphetamine use. Other opportunities include money laundering, and improving enforcement and interdiction along the Southwest Border with more manpower, improved coordination, and new technologies.
- **Methamphetamine use spreading east.** Initially popular in the West and Midwest, methamphetamine use and trafficking is starting to spread eastward. The most recent Pulse Check by ONDCP confirms that methamphetamine is now an emerging drug in cities such as Baltimore, Boston, and Washington, D.C.

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- **Heroin popular with youth.** Another new ONDCP study shows heroin use stable or rising across the country. And while the majority of heroin users are older, chronic users who inject the drug, the number of new, younger users who snort or smoke the drug continues to rise in areas all over the country. One recent study showed that more 8th graders were using heroin than 12th graders, and that the percentage of children using heroin doubled between 1991 and 1996.
- **Continue to establish adequate control over Southwest border.** Administration efforts along the Southwest border have made a difference: violent crime is down in California, New Mexico, and Texas. However, much more needs to be done. In addition to adding manpower, emerging technology must be harnessed to aid in interdiction efforts, and overall coordination efforts at the border should be improved.
- **Legislative Opportunities:** (1) Support increased border funding, including: 1,000 new Border Patrol agents, infrastructure (e.g., barriers, lighting, fencing), technology (e.g., ground sensors, infrared cameras), and advanced technologies for drug detection; (2) Add new DEA agents to support initiatives to combat meth and heroin trafficking; (3) Fight to pass Rep. Velasquez's legislation on money laundering; and (4) consider legislation responding to the Supreme Court's decision in the *Bajakajian* case.
- **Communications Opportunities:** (1) July event to launch new anti-narcotics strike force; (2) July release of COPS grants to combat meth; (3) Announcement to unveil final regulations on Geographic Targeting Orders (GTOs) to help crack down on money laundering; (4) July release of Justice Department data on drug use by arrestees (includes data on heroin and meth use in certain cities); and (5) Announce release of new Heroin Action Plan being developed by the Administration.

Increased Drug Treatment

- **Background:** Treatment remains an important component of a Democratic drug strategy. Studies have shown that for each dollar that government spends on treatment it gets a \$7 return on its investment in the form of reduced drug use (40%), reduced health costs (hospitalizations drop by one-third), and reduced crime (criminal activity drops by two-thirds). Nonetheless, an estimated 1.7 million Americans require treatment but are unable to get it. Democrats should fight to help close this treatment gap.
- **Legislative and Communications Opportunities:** (1) Fight for the Administration's proposed increase of \$200 million in the Substance Abuse Block Grant; and (2) Support Rep. Ramstad's legislation on health care "parity" for substance abuse treatment and challenge other Republicans to do the same.

Bruce, Tom.

FYI. I take it from
Chuck that the AG
was unimpressed.



Eyes Only

Elena

**OFFICE OF NATIONAL DRUG CONTROL POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
Washington, D.C. 20500
August 18, 1998**

Secret-

THE DIRECTOR

**MEMO FOR THE HONORABLE JANET RENO
ATTORNEY GENERAL**

SUBJECT: ONDCP Southwest Border White Paper

The attached draft white paper, *Organizing Drug Control Efforts Along the Southwest Border*, summarizes ONDCP's ideas for improving the coordination of activities of federal drug control program agencies along the Southwest border. It takes into account your own viewpoints as well as those of other members of the President's Drug Policy Council on this complicated issue.

We are tabling these ideas within the interagency for discussion and expansion and look forward to incorporating the Department of Justice's further comments. We believe that our collective ideas for decreasing the flow of illegal drugs across the Southwest border must be presented to the President this fall. They must also be contained in the annual report we submit to the Congress in February on the nation's drug problem and the federal response.

Barry R. McCaffrey
Director

Post our conversation -- on redlining
concept.

**WHITE PAPER
August 19, 1998**

SUBJECT: Organizing Drug Control Efforts Along the Southwest Border

1. GENERAL.

a. Purpose. This White Paper is intended to present ideas for improving the coordination of activities of federal drug-control program agencies along the Southwest border (SWB). It sets the stage for the implementation of follow-on actions that are designed to make it increasingly difficult for illegal drugs to flow through Mexico to the United States. The intent is to decrease the incidence of illegal drug use throughout the United States. Although the Southwest Border is where most of the drugs cross into the United States, their ultimate destination is the heartland of America, the cities, suburbs, and rural communities across the country where the drugs are retailed in local markets. By curtailing the flow across the SWB, we in fact decrease the prevalence of drugs throughout the United States and greatly reduce the corruption and violence that threaten communities on both sides of the border. In order to set out the parameters of what our actions must be, this White Paper will:

- (1) Outline drug-control challenges along the SWB.
- (2) Provide recommended responses to this challenge for interagency consideration.
- (3) Propose a time-line for consideration and implementation of these recommendations

b. Objectives. Drug-control objectives along the Southwest Border include:

(1) Near-Term.

- (a) Develop a recommended strategy for presentation to the President's Drug Policy Council and POTUS by fall 1998.
- (b) Continue interagency development of an effective, coordinated response to drug-control challenges along the SWB.
- (c) Begin implementation of Counter-drug Intelligence Architecture Review Committee recommendations.

(2) Mid Term.

- (a) Implement 1st generation high-technology non-intrusive inspection technology at all 24 POEs for the U.S. Customs Service.

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- (b) Build a 10,000 person Border Patrol with 200 miles of fencing and anti-intrusion sensors with supporting infrastructure.**
 - (c) Reduce the rate at which illegal drugs successfully enter the United States across the Southwest Border by 10 percent by the year 2002.**
 - (d) Continue accelerated implementation of Counter-drug Intelligence Architecture Review Committee recommendations.**
- (1) Long Term.**
- (a) Field multiple system 2nd generation high-technology non-intrusive inspection technology at all 24 POEs.**
 - (b) Complete an integrated C3I structure for the SWB.**
 - (c) Build a 20,000 person Border Patrol with 500 miles of fencing and anti-intrusion sensors with supporting infrastructure.**
 - (d) Complete a maritime surveillance system for the Gulf and Pacific flank zones.**
 - (e) Complete implementation of Counter-drug Intelligence Architecture Review Committee recommendations.**
 - (f) Reduce the rate at which illegal drugs successfully enter the United States across the Southwest Border by 80 percent* by the year 2007.**
- c. Achieve greater overall efficiency in federal drug-control efforts. Eliminate unnecessary duplication of effort among federal drug-control program agencies.**
- (1) Improve U.S. - Mexico relations. We must improve existing cooperative U.S. - Mexican efforts (such as the High Level Contact Group and the Bi-National Task Force) if we are to improve our bilateral ability to significantly curtail the flow of drugs across the SWB.**
 - (2) Reduce obstacles to legal commerce. The North American Free Trade Agreement (NAFTA) has created an unprecedented expansion of commerce between the United States and Mexico. Effective use of non-intrusive technologies within the framework of an efficient inspection regime can both stop drugs and facilitate legitimate trade.**

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2. THE NATURE OF THE CHALLENGE.

a. The Environment:

(1) The Southwest Border is the major entry route for illegal drugs. More than half of the cocaine on our streets and large quantities of heroin, marijuana, and methamphetamine sold in the United States come across the SWB. These drugs enter by all modes of conveyance for eventual distribution throughout the United States. They come through ports of entry by car, truck, train, and secreted on pedestrian border-crossers. They come across the open desert in armed pack trains as well as on the backs of human “mules.” They are tossed over border fences from urban locale to urban locale, then speeded away surreptitiously by foot and vehicle. Planes and boats find gaps in U.S./Mexican coverage and position drugs close to the Southwest Border for eventual transfer to the United States. Small boats in the Gulf of Mexico and the eastern Pacific also seek to outflank U.S. interdiction efforts and deliver drugs directly to the United States. Finally, traffickers will seek to exploit incidences of corruption in U.S. local, state and Federal border agencies to route illegal drugs and other contraband between our two nations. However, it is a tribute to the vast majority of U.S. Federal, state, and local officials dedicated to the anti-drug effort that their service is characterized by dedication, integrity, courage and respect for human rights.

(2) Challenges posed by SWB. Drug traffickers exploit extensive legitimate commerce and traffic at the busiest border in the world. During 1996, 254 million people, seventy-five million cars, and 3.5 million trucks and rail cars entered the United States from Mexico through thirty-nine crossings and twenty-four ports of entry (POEs). Indeed, most of the more than one-hundred billion dollars of trade that makes Mexico our 2d-largest trading partner crosses the SWB. Illegal drugs comprise but a tiny fraction of this commerce but cause a disproportionate amount of damage to both countries.

In addition to those people who lawfully cross the border, countless other people cross the border illegally, many carrying unlawful drugs or other contraband. Traffickers exploit the border’s length (3,326 kilometers), remoteness, ruggedness, and diversity. The diverse terrain includes: urban sprawl that straddles both sides of the international border, hostile, remote, and vast deserts, easily passable terrain (like the Rio Grande), vulnerable air-space, and exploitable flanks offer a range of opportunities for drug traffickers and complex challenges to those that would thwart them. Multiple jurisdictions on both sides of the international border exacerbated by the presence of four major urban complexes further complicate organized, coherent efforts to control the border. The centuries-old tradition of smuggling and illegal

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migration feeds this region's porosity to illegal drugs.

- (3) The Southwest Border is more an area of confluence than a line of demarcation.**
The political boundary between two sovereign and democratic nations need not be a barrier to open, cooperative, and mutually beneficial relations between two peoples. The Southwest Border holds every opportunity for a rich and prosperous confluence of two energetic and symbiotic cultures. Both Mexico and the United States can draw from the other to better both of our ways of life.

The essential principle – shared on both sides -- is the rule of law. Both peoples insist on it; both peoples deserve it. Furthermore, since the majority of law derives from national choice – as opposed to international agreement – we must preserve due respect for the sovereignty of nations. A sovereign nation must determine and control who and what under what conditions and at what times and places may enter into the territory under its authority. Any transgression to the contrary undermines the authority of the state, weakens the ties between nations, and damages the well-being of two mutually supportive cultures.

The border between the United States and Mexico is unique. Our two nations share core values that include the love of country, strength of family, respect for the law, and a willingness to work hard in order to procure a decent and dignified livelihood. There is no room within their shared values for the corruption and ruin that comes with the illegal drug trade.

- b. Evolution of the Drug Problem.** Drug traffickers, along with smugglers in general, have long seen the Southwest Border as a natural entry point to the United States because of the relative ease with which the movement of contraband from nation to nation can occur.
- (1) Cocaine.** When the cocaine epidemic surged in the 1970s, the preferred route for trafficking cocaine was from Colombia through the western Caribbean. Traffickers used to fly twin-engine civil aviation aircraft from Colombia to small islands in the Bahamas and then air drop drugs into either Florida or our coastal waters for subsequent pick-up by fast boats. Their success was predicated on the “big sky” or “big ocean” theory and on our inadequate detection and monitoring capabilities. In response to this challenge, United States drug-control program agencies developed extensive detection and monitoring capabilities to sort legitimate air and maritime traffic from illicit drug traffic. As our interdiction organizations and strategies became more effective, drug traffickers changed their routes and modes of transportation in response. Mexico and the Southwest Border became the principal route for cocaine.

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Land conveyances, including tractor-trailers, cars, recreation vehicles, and trains, crossing at Southwest Border ports of entry are the primary means used to smuggle cocaine into the United States from Mexico. Cocaine is also carried across the U.S. - Mexican border by foot, by both backpackers and animal caravans. To aid smuggling ventures, transnational trafficking organizations employ high-technology equipment including night-vision goggles and radios with scramblers, as well as military hardware such as assault rifles, and bulletproof vests. These groups also use scouts with radios and scanners tuned to police frequencies to monitor drug law enforcement activities along the border.

Cocaine trafficking organizations operating from Colombia employ groups based in Mexico to smuggle a significant proportion of the cocaine supplied by the drug mafias across the SWB. These groups are typically made up of polydrug traffickers with extensive experience in smuggling drugs across the SWB. Frequently, the groups receive a percentage (up to 50 percent) of the cocaine shipments in exchange for their services. This has enabled them to become wholesale sources of supply for cocaine available in many western and mid-western U.S. cities such as Chicago, Denver, and Detroit. While the trade appears to be shifting to the Caribbean and South Florida in recent years, the flexibility of the drug trade means that cocaine trafficking will continue to be a threat to the SWB.

- (2) **Heroin.** Since the late 1970s, heroin produced in Mexico has been readily available in the United States, primarily in the West. Heroin trafficking in Mexico is controlled by transnational heroin trafficking groups operating between Mexico and the United States. These organizations control the cultivation, production, smuggling, and distribution of the drug. Heroin produced in Mexico - either in black tar, or brown powder form - is the predominant type of heroin available in the western half of the United States.

Most of the heroin produced in Mexico is destined for the U.S. market. Black tar and brown heroin are produced by traffickers operating from Mexico and sold by transnational networks operating within both nations. These trafficking organizations have been involved in smuggling heroin, cocaine, and marijuana for decades. In addition, these transnational organizations take full advantage of well-established, extended networks to distribute heroin throughout the western United States. These criminal groups also control distribution at the wholesale level. They are not generally involved in street sales that often are managed by local distribution groups.

- (3) **Methamphetamine.** Over the past few years, international organized crime groups have revolutionized the production and distribution of methamphetamine by operating large-scale laboratories in Mexico and the United States capable of producing unprecedented high-purity quantities of the drug. These organizations have saturated

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the western and mid-west U.S. market with methamphetamine. The amount of methamphetamine seized in transit from Mexico to the United States increased dramatically beginning in 1993. In 1993 and 1994, 306 and 692 kilograms, respectively, were seized in the United States along the border. During 1995, 653 kilograms were seized. By comparison, only 6.5 kilograms were seized in 1992.

The major methamphetamine trafficking organizations operating in Mexico and the United States regularly demonstrate their flexibility and adaptability, modifying smuggling routes and methods as needed to ship drugs into the United States. The primary points of entry into the United States for methamphetamine produced in Mexico are San Ysidro and Otay Mesa, California. The most common method of transporting methamphetamine across the border is via passenger vehicle.

(4) Marijuana. Marijuana from Mexico (either grown in Mexico or transshipped through Mexico from other source countries such as Colombia) accounts for a significant proportion of the marijuana available in the United States. Most of the marijuana smuggled into the United States across the Southwest Border is concealed in vehicles - often in false compartments - or hidden in shipments of legitimate agricultural products. Marijuana is also smuggled across the border by horse, raft, backpack, and sporadically by private aircraft. Shipments of 50 kilograms or less are smuggled by pedestrians who enter the United States at border checkpoints, and backpackers alone or in "mule" trains who cross the border at more remote locations. Larger shipments, ranging up to multi-thousand kilogram amounts, usually are smuggled in tractor-trailers.

c. The evolution of Federal Involvement Along the Border – The Challenge. The history of the Southwest border reflects the history of the United States. At first, undefined and remote, the boundary of the United States gradually took form as our people pushed out, established contact with neighboring cultures, created ordered communities and looked to their government for protection under the law. International competition, conflict, and agreement evolved into definitions of sovereign relations; commercial enterprises sought to leverage their potential by reaching across national divides. Amid this evolution of legitimate international relationships intrudes the unsanctioned and corrosive illegal trade in goods and services – contraband, illegal immigrants, guns, and drugs – and the habits of violence and human degradation that come with them.

While the individual policy formulation, resource allocation and operational activities of all federal drug-control program agencies are supportive of the goals and objectives of the President's *National Drug Control Strategy*, there is no central organizing concept for federal interdiction and intelligence efforts along the SWB. For the drug control program in particular, the current, fragmented organizational structure

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has been debilitating. It underlies the absence of shared accountability for the results of drug control efforts. In fact, the lack of accountability is the key weakness in the overall system. It is clearer at the Southwest Border because of the confluence of illegal drugs, illegal immigration, and trade issues. Nonetheless, the issue of accountability has been of central concern for years to the Congress, executive branch policy makers, and indeed, most of the people involved in the drug law enforcement effort and the general public. Counter-drug activities are rarely coordinated except for the very broad policy guidance of the *National Drug Control Strategy* or the very narrow case-centered investigative activities. There are insufficient mechanisms for translating strategic objectives into integrated, prioritized operational and investigative activities.

Some Observations:

(1) Over the years, the federal government committed its energies and developed the processes for dealing with the needs and realities of the border region. In keeping with the laws of the United States and the dictates of national sovereignty, these individual agencies – the Border Patrol, the Customs Service, the Federal Bureau of Investigations, the Drug Enforcement Administration, the Immigration and Naturalization Service, the Bureau of Alcohol, Tobacco, and Firearms, and many others – applied their organizational resources to meet their assigned missions at the Southwest Border in particular and throughout the United States. The uniqueness of agency missions and their evolutionary development as new problems emerged and old problems were overcome created separate objectives and traditions among the many agencies. These individual bureaucracies came to be imbued with their own sense of purpose. Where missions overlapped among different federal agencies, individual prerogatives and jurisdictions were jealously guarded. Although proximity and necessity drove some degree of cooperation, the more natural inclination for the many federal actors at the Southwest Border was to be wary of others institutions whose evolutionary development, central ethos, and stated purpose was different from one's own.

(2) It is, therefore, not surprising that interagency planning, intelligence sharing, budget coordination, and operational integration at the border is less than ideal. Organizations that have evolved in different ways and along separate paths over the decades do not readily come together with their separate organizational imperatives to support each other's specific role. While all of them are committed to slowing the flow of illegal drugs, they are unwilling to yield their own budgetary and manpower prerogatives to the others in order to do so. The result is a mix of redundancy, overlap, competition, and gaps in coverage; leading to needless inefficiency in stopping drugs at the border. This is unacceptable. We must bring together all of the agencies involved in the efforts to counter drugs into a single, committed mission to lessen the flow of illegal drugs across the border.

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(3) The importance of coordinated anti-drug operations has long been recognized at the national level. In just the past thirty years there have been numerous efforts to improve counter-drug coordination and effectiveness and eliminate duplication of effort. In 1968, for example, the Bureau of Narcotics and Dangerous Drugs (BNDD) was formed. The BNDD merged the Federal Bureau of Narcotics (under the Department of the Treasury) and the Bureau of Drug Abuse Control (Department of Health, Education, and Welfare). This action resulted in the Department of Justice gaining primary responsibility for drug investigations. More recent attempts to streamline federal drug-control efforts included: the establishment of a Cabinet Committee on International Narcotics Control (1971), the formation of a Special Action Office for Drug Abuse Prevention (1971); a Strategy Council on Drug Abuse (1972); establishment of the Drug Enforcement Administration (Reorganization Plan No. 2, 1973); the Office of Drug Abuse Policy (1976), Drug Abuse Policy Office (1977/82); formation of a National Narcotics Border Interdiction System (1983); a National Drug Enforcement Policy Board (1984); and the establishment of the Office of National Drug Control Policy (1988).

(4) Border control functions have also been subject to attempted reorganization and rationalization. Since 1930, there have been a number of efforts that included broad scale border management reorganization proposals. Improved coordination, however, has proved elusive. Presently, there are five principal departments concerned with drug control-related issues in the Southwest Border region: Treasury (drug interdiction, anti-money laundering and anti-firearms trafficking); Justice (drug and immigration enforcement, prosecutions); Transportation (drug interdiction); State (counter-drug cooperation with Mexico); and Defense (counter-drug support). Drug intelligence is currently provided by individual departments, as well as by organizations such as Director of Central Intelligence Crime and Narcotics Committee (CNC), the El Paso Intelligence Center (EPIC) and National Drug Intelligence Center (NDIC). In addition, ONDCP oversees the Southwest Border HIDTA which encompasses the entire 2,000 mile border one to two counties deep. The HIDTA is divided into five regional counter-drug partnerships of federal, state and local enforcement agencies.

(5) With the exception of DEA, the counter-drug mission for federal agencies is secondary to other core missions. Coordinating activities among departments and agencies will require overcoming or transcending individual agency line authority requirements and prerogatives. This is always a challenge since no individual bureaucracy willingly or wittingly allows its resources to come under the forced coordination of another organization that is outside that bureaucracy's span of control.

(6) However, there is much to be proud of. There have been substantial reinforcement of federal drug-control efforts along the SWB. During the past six years, the administration has significantly increased the federal presence along the SWB. For example: Customs' budget for Southwest Border programs has increased 72 percent since

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FY93; the number of assigned DEA special agents has increased 37 percent since FY90; the number of assigned INS agents has almost doubled since FY90; DOD's drug control budget for the Southwest Border has increased 53 percent since FY91; and the number of U.S. Attorneys handling cases in the Southwest Border region has increased by 80 percent since FY90.

(7) Federal drug-control efforts along the Southwest Border must be integrated into the five basic border control functions as well as other functions of federal agencies:

- (a) inspecting people and goods at ports of entry,
- (b) patrolling between ports to prevent illegal entry,
- (c) collecting and disseminating information on activities likely to affect the border,
- (d) enhancing partnership between the U.S. and Mexico, and
- (e) facilitating commerce and transportation incident to legitimate trade.

The two principal border control and management agencies, Customs (Treasury) and INS (Justice) will undoubtedly remain the principal federal enforcement agencies along the SWB. Any effort to better coordinate federal drug-control efforts along the Southwest Border must include a shift from a manpower/physical inspection approach to one that is intelligence-driven and that employs emerging technologies to conduct non-intrusive searches. Above all, we need integrated, mutually supporting efforts that create a whole greater than the sum of its parts. The following must be addressed:

d. The Imperatives:

- (1) **The need for a system to allocate resources against the perceived threat.** Available information about the drug threat is fragmented and incomplete. It is difficult to obtain a succinct, up-to-date assessment of the drug threat either along the entire border or in any specific state or sector. Similarly, there is no readily-available integrated overview of federal efforts to address the drug threat. The end result is that there is often no direct link between current operations and an intelligence analysis of the dynamic threats we face. We need a system that anticipates trends, projects actions by drug-trafficking organizations, and that allocates resources accordingly. This is true not only at the tactical level (i.e. within individual POEs) but also across the entire border.

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- (2) The need for greater effectiveness.** Although we have been introducing additional inspection resources at the border over the past several years, they have not reliably increased our ability to screen trucks. In 1996, about 900,000 (about a quarter of the total) U.S.-bound trucks were subjected to drug control inspections. Cocaine was found in just sixteen. The challenge is to develop the indicators that will lead to a higher probability of contraband discovery per vehicle checked. The greater the confidence we have in selecting the appropriate vehicles for inspection, the more effective we can be in starving the drug trade, while at the same time speeding legal commerce to market. Our current interdiction efforts are relatively ineffective in reducing the flow of cocaine, heroin, and methamphetamines across the border. Recent statistics on the amounts of illegal drugs seized at the border seem to show that we are becoming increasingly ineffective. The inspections process should be less reliant on human resources. Instead, we need to invest in intelligence-driven processes which employ emerging technologies to conduct non-intrusive searches.
- (3) The need for better coordination.** At least ten federal agencies and scores of state and local governments are involved in drug control efforts along the SWB. However, no individual or agency has overall coordination responsibility for drug control operations along the length of the border or even within individual POEs. Regional offices of different federal agencies do not always have matching areas of responsibility. Too often, federal organizational schema do not take into account state and local jurisdictions. That being said, federal agencies at major POEs are forming quality improvement committees as an *ad hoc* measure to improve coordination. Functional and sectoral accountability must be established.
- (4) The need for synchronization.** As federal agencies reinforce their efforts, they must consider the effects of their actions on federal, state, and local agencies. Over or under emphasis on any component of the overall drug control effort without corresponding adjustments elsewhere detracts from overall effectiveness. For example, increasing the number of inspectors and agents without a corresponding increase in capabilities within the prosecutorial and detention systems can overwhelm the latter.
- (5) The need for more inspection capability.** Even as commerce and movement between the United States and Mexico has rapidly expanded in recent years, the federal ability to properly screen all movement has not increased commensurately. Federal resources do not have to increase in proportion to the number of movements. Federal technical capabilities, however, must stay abreast of the requirement to prevent drugs from being hidden among increasing cross-border traffic.
- (6) The need to work across federal, state and local lines.** Our constitution and our legal traditions ensure the doctrine of federalism. Both state and local officials have a

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strong voice in how drug control efforts will be applied within their boundaries. Federal agencies must respect state and local laws and procedures. Federal agencies can also act as a catalyst to promote unity of effort among state and local efforts.

- (7) **The need for good U.S. - Mexico bi-lateral relations.** America has been blessed with peaceful relations with its two contiguous neighbors throughout the majority of our history. Seldom have nations lived in such harmony along such expansive borders. But the relations between sovereign nations cannot be taken for granted. Only through dignified and proper relations that evince proper respect for sovereignty can we hope to pressure the beneficial contacts that have long endured. The great common ground we have with Mexico in regard to the illegal drug trade is the recognition that neither country can tolerate such wanton violation of the rule of law. Neither society can tolerate the ruin and destruction that the drug trade brings. We must build on these mutual recognitions and forge relationships that allow us to develop common purpose in reducing the demand for drugs and for bringing those that trade in them to justice.
- (8) **The need to thwart corruption.** America is well-served by its dedicated law enforcement officers who have committed themselves to the preservation of its laws. Countless examples of selfless service, physical courage, devotion to duty and integrity mark the record of their service. But it is clear that in a society that spends more than fifty billion dollars on illegal drugs corruption is a reality on both sides of the border. Individual corruption is always a possibility. Left unchecked, it can lead to systemic corruption. It is necessary on both sides of the border to create a system of checks and balances to guard against corruption. The men and women of U.S. law enforcement who work so diligently to uphold the law deserve such supporting anti-corruption mechanisms. So do the people they serve.
- (9) **The need to integrate related issues:**
- (a) **International Trade.** We are a trading nation. The importance of free trade across our borders cannot be overestimated. We must stop drugs, however we must continue to facilitate the free exchange of goods which forms the underlying basis of our economy.
- (b) **Immigration.** Any effort to better coordinate federal counter-drug efforts along the Southwest Border will simultaneously affect federal immigration-control efforts. Presently, the Border Patrol estimates that 18 percent of its activities have a drug nexus. Drug-trafficking organizations capitalize on the illegal flow of people to camouflage and transport drugs. Any effective drug-control regime must also stop the uncontrolled movement of people moving money, drugs and weapons across the Southwest Border in both directions.

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(c) **Arms trafficking.** The illegal drug trade also generates a demand for weapons in both Mexico and the United States. The demand for illegal weapons in Mexico is essentially satisfied through the illegal exportation of weapons from the United States. The domestic sources of weapons satisfies the U.S. demand. Federal drug-control efforts must also address this related problem and appropriately support Government of Mexico efforts to stem the illegal flow of weapons from the United States to Mexico.

(d) **Money laundering.** One of the most pernicious effects of drug trafficking is the way in which money laundering distorts the economy of affected areas. Federal drug control efforts must deny traffickers the proceeds from their trade to both deter trafficking as well as preserve legitimate business.

3. ORGANIZING PRINCIPLES. The growing seriousness of the drug-trafficking problem across the Southwest Border has already elicited a vigorous federal response. In recent years, federal drug interdiction capabilities have improved. U.S.-Mexican cooperation has also increased as both nations have underscored their commitment to the rule of law and the security of our respective citizens. These efforts and improvements, however, have been insufficient. We must do more to stem the flow of illegal drugs. The following principles, tenants and actions are proposed as a preliminary guide to action:

a. PRINCIPLES

(1) **Sovereignty.** We demand respect for our national sovereignty. We will not tolerate transgressions of illegal goods and activities across our borders. We acknowledge that Mexico demands and is entitled to this same respect. We, therefore, pledge our commitment to the sovereign rights of both of our nations. Both the U.S. and Mexico have the obligation to act unilaterally within their own sovereign air, land, and sea space to protect their citizens from drug-related crime. At the same time, both nations must cooperate closely to ensure that drug trafficking organizations do not exploit sovereignty issues on either side of the border to avoid prosecution. Close coordination between national, regional, and local authorities on both sides of the border can ensure consensual and cooperative anti-drug ventures and allow both Mexican and U.S. officials to effectively target and prosecute drug-trafficking organizations whose activities straddle the SWB.

(2) **Constitutionality.** While the illegal drug trade poses a serious threat to our people and our society, we will only respond to it in strict adherence to the principles and values inherent in our constitutional traditions. Four states comprise our border with Mexico, as do scores of counties and local governments. Each of them is entitled to their rights

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reserved to them by the constitutions. Our response to the illegal drug trade will always respect:

(a) **States' rights.** Local law enforcement remains a state and local function. Drug traffickers that violate local laws or commit offenses against communities should be prosecuted visibly so that it is clear that justice has been carried out.

(b) **Federal authority.** Securing the border and controlling movement of personnel, goods, and services across it is essentially a federal responsibility. The federal government has an obligation to effectively secure the SWB.

(c) **Due process.** Every individual must be accorded his or her full constitutional rights. Foreign citizens apprehended in the United States must be treated in accordance with pertinent U.S. migration laws and their government(s) must be promptly notified of the status of their citizens who come into contact with law enforcement agencies.

(d) **No militarization.** Militarization of the border is an inappropriate response to the drug trafficking problem at the SWB. Preventing the violation of domestic U.S. laws is a function that must be performed by federal, state, and local law-enforcement agencies. The U.S. Armed Forces are already providing invaluable support to federal, state, and local law enforcement agencies in the Southwest Border region. This support function is appropriate and should continue. However, the federal government must ensure that its law-enforcement agencies are equal to the task at hand and that the U.S. military is never assigned domestic police functions. Military operations along the border in direct prosecution of law enforcement activities is an inappropriate use of our military forces.

(3) **Free trade.** The greatest potential for mutually beneficial relations between the United States and Mexico lies in free trade. The North American Free Trade Agreement has brought increased prosperity to peoples of both nations. Whatever steps we take to slow the flow of drugs across the Southwest Border cannot be allowed to slow the flow of legitimate commerce.

b. OBJECTIVES:

(1) **Ensure the rule of law.** We are a nation of laws. We reject the lawlessness that comes with the illegal drug trade. We believe that democratic heritage is shared by our neighbors south of the SWB. We have common ground, therefore, for uniting our efforts against illegal drug traffickers. No sovereign nation can cede control over any portion of its territory to criminal organizations. Nor can any community be left unprotected and subject to the influence of drug-trafficking organizations. Federal agencies must be

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prepared to quickly deploy resources to reinforce the efforts of state and local law-enforcement agencies anywhere along the Southwest Border to assure that the rule of law is not compromised.

- (2) Act in a coherent, coordinated manner.** No single entity by itself can solve the multi-faceted drug trafficking problem. Any solution will result from coordinated efforts between Mexican authorities and U.S. federal, state, and local agencies. Reducing drug trafficking is a sub-set of a larger federal obligation -- the requirement to control our sovereign border. We must ensure that scarce federal resources are allocated in an efficient and timely manner to ensure a less porous, drug-free border.
- (3) Employ each agency to the utmost.** Each federal agency possesses unique strengths that should be optimized and used in complementary ways. In addition, while we cannot and will not tolerate a militarized border, we must consider the capabilities offered by the armed forces of both nations. The military can aid the federal effort to reduce illegal drug trafficking by: supporting surveillance, monitoring or patrolling activities along remote stretches of the border; providing mobility and quick reaction; providing interpretation support and intelligence sharing and analysis; providing training to domestic law enforcement agencies. The same is true for state and local agencies. Each must use existing assets in a coordinated and coherent manner.
- (4) Organize in depth.** Defense of the border cannot begin and end at the border itself. All cross-border movements have three elements: a point or origin, a crossing point, and an intended destination. An effective counter-drug border control regime should be able to influence all movements contraband drugs, precursor chemicals, illegal weapons, human couriers and illegal funds throughout this "spectrum." Legal movements can be inspected throughout this process rather than solely at the border. Illegal drug movements also should be subject to interdiction in either country before, during, or after transit. Action against drug traffickers should be taken when and where it is most advantageous. Any Southwest Border counter-drug strategy must be executed in concert with a domestic law enforcement threat assessment. As the Department of Justice, for example, progresses with its national plan for disruption and dismantlement of drug distribution organizations, we must be careful to integrate their efforts into the overall approach we take.
- (5) Partnership with Mexico.** The Governments of the United States and Mexico have recognized that the international drug trafficking and related crimes extend beyond national boundaries and exceed the capacity of any nation to face them in isolation. At their meeting in May 1997, the Presidents of the United States and Mexico established a commitment to cooperate more closely to combat the problem of drugs and associated crimes. This commitment was formalized in the Declaration of the United States-Mexico Alliance Against Drugs signed during the Presidents' meeting. The Declaration established principles under which bilateral cooperation will be carried out, and specific

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areas in which cooperation will be strengthened were identified. The Declaration includes areas of key collaboration pertaining to the Southwest border drug control efforts. The United States-Mexico High Level Contact Group for Drug Control drafted a binational strategy designed to achieve the objectives identified in the Declaration of Alliance. This strategy will be a key pillar for a coordinated border control strategy.

- (6) **Harness counter-drug technology.** Technology heightens the probability of successful interdiction of contraband. Integrated with the entire network of systems to secure our citizens from illegal drugs, technology can improve intelligence and information sharing; lessen the vulnerability of remote areas; penetrate otherwise unobserved space; sense, detect, and track specific substances; and supplement human resources committed to interdiction efforts. In concert with the entire counter-drug strategy, technological investments must be long-term, designed to thwart drug traffickers' efforts to defeat them, and sensitive to new trends in the two-sided struggle to stem the flow of illegal drugs across our border.
- (7) **Control all of the border.** Illegal cross-border traffic inexorably follows the path of least resistance and highest pay-off -- the crossing sites and modes where interdiction is least likely and the highest volume of contraband can get through. Uncontested space along the border is automatically ceded to those who wish to violate our laws and regulations. "Space" must take on a new dimension to involve not only areas of air, land, and sea constituting an international border. The critical area in question also includes interior space created by humans, motor vehicles, aircraft, ships, and containers that cross a border and can be used to carry merchandise and other forms of commerce. No stretch of the Southwest Border can be left uncontested; every dimension must be considered. No cross-border shipment or movement should be immune from scrutiny or inspection. All illegal entries should be subject to detection and interruption. Ports of entry must be made more efficient; intervening spaces must be secured.

c. ACTIONS:

- (1) **Establish a drug defense coordinating authority.** A *U.S. Southwest Border Drug-Control Coordinating Authority* will allow us to integrate efforts, complement individual inspection and interdiction operations, focus resources, provide timely and accurate intelligence, and reinforce threatened areas. Such an organization must be vested with appropriate authorities that allow it to coordinate the employment of assets belonging to all federal drug-control program agencies. A presidentially appointed *Southwest Border Drug-Control Coordinator* must be the accountable federal official. This coordinating entity would operate from a base in El Paso (the present base of Operation Alliance, the Southwest Border HIDTA, JTF - 6 and EPIC). This Federal coordinator would work with all federal, state, and local law enforcement agencies and coordinate with appropriate Mexican authorities.

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- (2) Create a shared appreciation of the challenge.** The many federal, state, and local agencies must have a shared bond among them that transcend their natural inclinations to compete and jealously guard their institutional prerogatives. The commitment against the illegal drug trade is not enough in itself to accomplish that. A key step would be a common educational experience that brings disparate Federal Southwest Border agents together to share techniques and procedures to counter illegal drugs. This common training experience would enable them to develop a common culture and appreciate the fact that no one agency can be successful in the struggle against drugs without the integrated efforts of all the others. The success of HIDTA is a good example of a program which capitalizes on a shared appreciation of a common mission. Such a common training experience will also focus all individual law enforcement officers on a single-mission environment that will promote coordination and cooperation.
- (3) Calculate and minimize risk.** Although we intend to lessen the flow of illegal drugs across our border, we cannot disrupt the enormously beneficial cross border economic trade that generates such wealth in both nations. Risk is inherent in any counter-drug border control regime that does not seek to inspect every movement. Risk can be minimized by focusing resources on movements deemed more likely to be concealing illegal drugs and by developing systems of inspection conducive to moving a high volume of traffic while pinpointing probable illegal drug activity. The risk of drug contraband penetrating our borders will always be present. We need to manage this problem and increase the likelihood that we will intercept enough of it to discourage drug traffickers and force them away from the Southwest Border where drug violence and corruption causes such dismay on both sides of the border.
- (4) Develop a supporting drug control intelligence structure.** Counter-drug intelligence must support border control efforts in both countries by allowing appropriate agencies to identify and track suspect movements. Knowing what to look for as well as where and when can simplify the tasks of those charged with establishing an exclusionary counter-drug regime. Surveillance can offset a lack of physical presence. Sensors can help detect and track the presence of illegal human movement and of contraband. Information and intelligence, properly protected, must be shared in a timely and accurate manner so that those acting against the traffic in illegal drugs can move safely and efficiently.
- (5) Focus on drug criminal organizations.** Much illegal drug trafficking across the Southwest Border is conducted by sophisticated criminal organizations that pose threats to local and state authorities because of their wealth and propensity for violence. These organizations are not constrained by sovereignty considerations as they move illegal drugs, weapons, precursor chemicals and money between Mexico and the United States. In fact, they seek to exploit jurisdictional lines, be they national, state, or local. These

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drug criminal organizations must be broken up. Our counter-drug organizational efforts must similarly cross national federal, state, and local lines with greater operational flexibility than the criminal organizations we face.

- (6) Facilitate legal traffic; block illegal traffic.** An effective border control policy must facilitate appropriate interaction and constrain illegal drug transactions. Any system designed to stop illegal drug movement across a border, whether consisting of contraband or persons, must be designed in such a way that penalties exacted on legal traffic are minimized. There must be a balance between the imperative of facilitating legal cross-border transactions and the requirement to regulate it in order to stop drugs, raise revenue, protect public health, and uphold laws. There is no reason why stringent drug-control inspection regimes should interfere in any serious way or impede properly cleared commercial or private movement or transactions.
- (7) Build on existing drug control initiatives.** Ongoing initiatives such as the Southwest Border High Intensity Drug Trafficking Area, Operation Alliance, and JTF-Six provide a foundation for the future. These initiatives have evolved over the years from lessons learned from both successes and failures. We need to build on what works and find continued ways to improve our operations against drugs.
- (8) Maintain integrity of investigations.** Nothing in this document should be taken to construe any usurpation of delineated authority in the conduct of investigations nor should it be taken to amend the discretionary powers of agency supervisors and leadership as they relate to investigations.

4. PROPOSED STEPS.

a. General. This approach will ensure that our efforts along the SWB:

- (1) Conform to the *National Drug Control Strategy*.** The *National Drug Control Strategy* summarizes national drug-control goals and objectives. All federal drug-control efforts, to include those along the SWB, must be supportive of Goal 4 of the *Strategy*, “Shield America’s air, land, and sea frontiers from the drug threat” and its supporting objectives.
- (2) Integrated drug control efforts.** As we continue to increase federal drug control resources in the Southwest Border area, we must ensure the build-up is feasible to execute and coordinated. In particular, we must ensure that:
 - (a)** Drug control programs are appropriate to the challenge.
 - (b)** Our programs continue to respond to the dynamic nature of the drug threat.

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(c) Department and agency build-ups are coordinated.

(3) Match drug control resources with threats. We must:

(a) Develop the capability to track the drug threat, drug control assets, and sectoral responsibilities into an automated, digital, grid-based schematic format covering both sides of the border.

(b) Update this information on a real time basis and link it to a centralized Southwest Border intelligence and coordination headquarters.

(c) Create an intelligence system through the five SW Border HIDTAs that will allow law enforcement and policy-makers to monitor the changing nature of the trafficking threats and adapt efforts accordingly.

(d) Use this carefully protected counter-drug information to prioritize and conduct counter-drug operations and assess new manpower and technology needs.

(4) Drug control efforts are long term. There is no short-term solution to the drug trafficking problem along the SWB. The federal response must recognize that there must be a permanent capability to deter traffickers from transporting illegal drugs across any portion of the border to include its maritime flanks or air space.

(5) Drug control efforts must be continuously adjusted over time. The illegal drug threat is a continuously evolving one. Trafficking organizations will respond to federal drug-control efforts by shifting modes and conveyances. The growth of rail traffic, for example, allows traffickers new routes as long as effective screening/inspection techniques are not developed. Federal drug control efforts must anticipate changes in legal commerce as well as those of drug traffickers. Success in one section will cause shifts in trafficking patterns elsewhere. The federal drug control effort must be seen in its entirety in order to make appropriate adjustments over time.

b. The Southwest Border organizing plan to confront drug smuggling across the border.

(1) Address drug-control efforts along the Southwest Border in context. All of the United States' borders, sea ports, and airports are vulnerable to the drug threat. Even if we were to be successful in preventing drug trafficking activities along the SWB, trafficking organizations would shift to other entry points as they have in the past. Puerto Rico, the U.S. Virgin Islands, South Florida, major international airports in cities such as Chicago and Orlando, seaports along the Atlantic Seaboard, in the Gulf of Mexico, and on our Pacific coast have experienced problems with drug trafficking.

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The U.S. - Canadian border is increasingly being targeted by traffickers. Successes in better coordinating the federal response to the drug trafficking threat along the Southwest Border must also be applied to other vulnerable regions within the so-called “arrival zone.

Federal drug control efforts at the Southwest Border must also consider that U.S. and Mexican trafficking organizations do not just move drugs across the SWB. They also distribute them throughout the United States, often seeking to hide among migrant populations. Information and intelligence derived by federal drug-control program agencies must be shared promptly with state and local authorities in the heartland of America. If necessary, federal law enforcement agencies must deploy resources to address the activities of transnational trafficking organizations far from our borders.

(2) Establish a Southwest Border Counter-drug Coordinating Authority (SWBCCA). Federal drug-control efforts along the Southwest Border must be properly coordinated. An SWBCCA can fulfill this function and can also coordinate drug control efforts with state and local authorities and Mexican governmental institutions. We must:

(a) Assign direct responsibility for coordinating all federal drug control efforts along the Southwest Border to one federal official (a Southwest Border Drug-Control Coordinator). This individual would:

(i) Be selected by the President from a list prepared by the Attorney General, Treasury Secretary, and Director, ONDCP.

(ii) Be appointed by the President for a three-year term and confirmed by the Senate.

(iii) Be required to submit to the Congress a coordinated annual report on federal drug control efforts along the Southwest Border as an annex to the *National Drug Control Strategy*. This report should address: budget, manpower, technology, construction, intelligence and operations of counter-drug agencies along the SWB.

(iv) Have the following delegated coordinating authorities assigned by Director ONDCP, under existing law to:

- Establish drug-control objectives and priorities for all federal drug-control program agencies along the SWB.
- Recommend to heads of Southwest Border Federal drug-control program

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agencies changes to the organization, allocation of personnel, management, and budget of federal departments and agencies engaged in drug enforcement along the SWB.

- Certify adequacy of agency and department drug-control efforts along the Southwest Border and recommend required corrective actions.

- (b) Provide the Southwest Border Drug-Control Coordinator an organizational capability to assess the effectiveness of federal drug-control program agencies and coordinate promising or successful initiatives

- (c) Designate a Federal Customs official at each port of entry and a Border Patrol official along all sectors of the Southwest Border to coordinated all counter-drug interdiction efforts across, at and behind the border. All federal drug-control program agencies should capitalize on the leadership of a single accountable coordinating official. This Federal coordinator would have coordinating authority over the drug-control activities of other federal agencies and would also be expected to coordinate with state and local counterparts as well as Mexican authorities. These Federal coordinating officials will respond to guidance from the Southwest Border Drug-Control Coordinator.

- (3) **Incorporate specific recommendations for federal agencies.** (*Note: To be developed by each federal drug-control program agency with responsibilities along the SWB.*)
 - (a) **Department of the Treasury.**
 - (i) **Bureau of Alcohol, Tobacco, and Firearms.**
 - (ii) **Customs Service**

 - (b) **Department of State.**

 - (c) **Department of Commerce.**

 - (d) **Department of Defense.**
 - (i) **The National Guard.**
 - (ii) **Active Duty Military Forces.**

 - (e) **Department of Transportation.**

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-Coast Guard.

(f) Department of Justice.

(i) Drug Enforcement Administration.

(ii) Federal Bureau of Investigation.

(iii) Immigration and Naturalization Service.

-The Border Patrol.

(iv) U.S. Attorneys' Offices.

(g) Department of the Interior.

(i) Bureau of Land Management.

(ii) National Park Service.

(iii) Bureau of Indian Affairs.

(h) Department of Agriculture.

-U.S. Forest Service.

(i) Intelligence Community.

(i) CNC

(ii) DIA

(iii) EPIC

(iv) NDIC

(v) NSA

(4) Use existing interagency structures.

(a) HIDTA. The five Southwest Border HIDTAs are each substantially improving the ability of law enforcement officials to combat drug trafficking. The effectiveness

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of HIDTA programs along the border can be improved by:

- (i) Ensuring the five HDTAs help coordinate all federal, state and local counter-drug activities in their jurisdictions.
 - (ii) Increasing coordination among the border HDTAs (for example, facilitating the flow of intelligence information on a real time basis, creating exchanges about programs that work, and coordinating programs on a regional basis).
 - (iii) Improve coordination among HDTAs, U.S. drug control program agencies, and state and local prevention, treatment, and enforcement agencies.
- (b) **Organized Crime Drug Enforcement Task Forces (OCDETF).** *Discussion to be developed by DOJ.*
 - (c) **El Paso Intelligence Center (EPIC).** *Discussion to be developed by EPIC.*
 - (d) **Joint Task Force Six.** *Discussion to be developed by JTF-Six.*
 - (e) **United States Interdiction Coordinator.** *Discussion to be developed by USIC.*
 - (f) **Joint Interagency Task Forces.** *Discussion to be developed by JIATFs East, South and West.*
- (5) **Develop an integrated intelligence structure that supports policy decisions and operations.** Southwest Border operations are hobbled by the existing national counter-drug intelligence architecture which does not effectively and efficiently serve the needs of policy makers or investigators and operators. There is no national counter-drug intelligence requirements process that effectively directs law enforcement and foreign intelligence assets against common objectives. Case information at the state and local level is not systematically exploited for its potential usefulness to other investigations and operations. This information is not integrated with Federal information and analyzed to discern possible operational and strategic patterns.

Intelligence must form the basis for an integrated, campaign planning effort as well as support for coordinated, multi-agency investigative and operational activities. An improved organizational structure on the Southwest border must be enabled by a cogent *national counter-drug intelligence system* that meets the needs of (1) federal, state and local officers and (2) policy-makers, planners and resource allocators.

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- (6) **Harness technology.** The enormous growing volume and importance of legitimate commercial trade in goods and services between the United States and Mexico is good news for America. However, with this volume of trade, no number of new agents alone can manually prevent the influx of drugs into the United States. Technological advances hold the key to allowing the relatively unfettered flow of legitimate trade, while capturing from this flow illicit traffic in drugs, drug money, and precursor chemicals. The technology currently being deployed is, for the most part, inadequate and/or already outdated. Hundreds of Border Patrol agents conduct dangerous night operations without basic equipment, such as night vision optics, border roads and fencing. The three operational x-ray machines (two are at fixed sites, one is a mobile prototype) provide inadequate coverage and are easily avoided by traffickers. Another six are scheduled to be operational by mid 1999. We need to ensure that authorities manning this border have access to the most up-to-date counter-drug technologies possible so that:
- (a) Every suspect truck and train that crosses the border into the United States could be subjected to as many as three different non-intrusive inspections that can detect illegal drugs.
 - (b) The physical and or electronic transfer of drug monies out of the United States can be detected.
 - (c) Sensors, lighting and remote night vision devices monitor areas between POEs.
 - (d) Law enforcement officials along the border are equipped with digital communications equipment, observation devices, detection devices, and other technologies necessary to their tasks.
- (7) **Build required infrastructure.** Barriers and surveillance devices work. Along the Imperial Beach, San Diego section of the border for example, there were sixty murders and 10,000 pounds of marijuana seized four years ago. In 1996, after the installation of fences and lights backed up by more Border Patrol Agents, there were no murders, and just six pounds of marijuana were seized. Specific suggestions include:
- (a) Develop a strategic five-year plan to build access roads to allow patrolling of the border and to erect fences and lights in high trafficking areas.
 - (b) Assign the U.S. Border Patrol complete responsibility for planning, budgeting, building, and maintaining roads and barriers.

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- (8) **Nurture U.S. - Mexico relations.** The United States alone cannot stop drug trafficking across the SWB. Expanded cooperation with Mexico is essential. Ongoing cooperative initiatives at the local, state, and national levels – such as FBI training of Mexican law enforcement officials and Bilateral Liaison Mechanisms (BLMs) that link cross-border communities -- should be our building blocks. Specific suggestions might include:
- (a) Encourage BLMs to address drug trafficking and drug-related problems.
 - (b) Establish Mexican law enforcement liaisons with U.S. Southwest Border HIDTAs while maintaining appropriate strict security measures.
- (9) **Involve the private sector.** The scope of this challenge will require private sector support, particularly from those who hold substantial stakes in the success of U.S.-Mexico relations. The private sector can help by:
- (a) Assisting in the development and deployment of new technologies that can detect drugs without slowing the two-way movement of goods and services.
 - (b) Implementing self-regulatory procedures to prevent drugs from being hidden in legal transactions.
- (10) **Develop a Southwest Border Law Enforcement Interagency Academy at Fort Bliss, Texas.** Each federal drug-control program agency has a unique culture and history which are a source of continuing strength and influence its organization and procedures. Many of our federal officers have not had sufficient interagency experience to appreciate these institutional differences or to understand the mutually-supportive roles other drug-control program agencies bring to bear. While this White Paper has argued forcefully against militarization, it is appropriate to consider that the 1986 Goldwater-Nichols Defense Department Reorganization Act was the result of a recognition that our Armed Forces' efficiency was impaired by lack of coordination and unity of purpose. The legislatively mandated integration of the services under unified commands has had a positive effect on military operations in both peace and war.

An interagency educational/training academy can help newly assigned agents and officers better understand federal drug control priorities along the SWB, appreciate the setting for their individual functions, and facilitate better operational coordination throughout the period of assignment. Such an academy could also develop courses appropriate for senior level officials from all federal drug-control program agencies, state and local law enforcement agencies, and Mexican officials. The academy

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should be operated by the Southwest Border Coordinating Authority. It will help assure that assigned federal officials are highly skilled and well-disciplined and that they embrace the highest standards of integrity, professionalism, and devotion to duty.

5. MILESTONES.

- | | |
|---------------|---|
| Aug 98 | Further development of Southwest Border concept.
IAWG meetings / Office visits (August/ September)
SWB Trips (3-5 Aug, 24 - 26 Aug). |
| Sep 98 | PDPC to develop concept/recommendations (Sep 22d?). |
| Oct 98 | Interagency development of supporting federal budget. |
| Feb 99 | ONDCP implementation plan study. |
| Jun 99 | ONDCP legislative plan implemented. |

- 6. CONCLUSION:** The flow of drugs across the Southwest Border has not been significantly curtailed despite tactical success that have caused changes in smuggling routes and techniques. Drug trafficking and violence remain persistent and growing threats to border region residents. While the obstacles our law enforcement officials face in stemming these threats are significant, they are not insurmountable. Our significant investments along the Southwest Border are beginning to pay off. Future success is dependent on adjusting existing organizations to better support ongoing federal, state, and local law enforcement efforts. Harnessing emerging technology is a must.

The Southwest Border is but one avenue for illegal drug trade into our country. We must anticipate that the greater our success at this particular border, the more drug traffickers will attempt to penetrate elsewhere. Therefore, we must see Southwest Border organization efforts as but one step in the journey to seal all our borders from illegal drugs. We should learn from our successes and failures, applying these lessons to future efforts to stem the flow of transnational illegal drugs into our country. Federal, state, and local authorities in the Northeastern United States and in the Great Lakes region are facing similar organizational and coordination challenges as they seek to work with Canadian counterparts to stop the flow of illegal drugs from Canada into the United States.

WHITE PAPER: Organizing Drug Control Efforts Along the Southwest Border

**APPENDIX A:
THE PROBLEM**

General Trends

Four major trends have complicated efforts to stop drug trafficking across the Southwest Border:

- **Incompatible communications systems.** Operational units must be able to communicate with higher headquarters, with other units and with sources of information. Too many of our systems are either operating in isolation or are dependent upon jerry-rigged solutions, such as Coast Guard deck officers calling for information on private cellular telephones.
- **Lack of intelligence in the right hands.** Separate agencies collecting intelligence often do not share information that may be relevant for another agency with that agency. At the same time, agencies are sometimes unable to disseminate intelligence within their own organization in time to stop a shipment. Information must be pooled and made available to all who need it in time to stop shipments of drugs.
- **Lack of efficient technology to screen cross-border traffic and detect drugs.** Currently there are only three truck scanners in place along the SWB. Traffickers quickly adjust to the construction of such devices, and shift drugs elsewhere. We must develop, test and field technology that can detect drugs while not hindering legitimate commerce.
- **Mixed history of U.S. - Mexico relations.** The record of relations between the border partner nations has in the past been stained by various affronts to national sovereignty, mixed histories of dealing with corruption, and a less-than-optimal degree of cooperation. Our challenge is to assist our ally in solving its problem while working in a cooperative manner to solve our common drug problem and at the same time addressing concerns of Mexico.

The Burkhalter Report of 1988

The Vice President's Task Force on Border Control reported to then Vice President Bush in 1988 the following problems:

- Need for an interagency structure which can adequately mobilize and commit the talents and resources of the nation to meet the border-control

WHITE PAPER: Organizing Drug Control Efforts Along the Southwest Border

challenge.

- Need for closer coordination between the Border Patrol, and Customs to ensure that the optimum uniformed presence is dedicated to the interdiction effort at and between the Ports of Entry along the borders.
- Need guidelines to ensure a cohesive collection effort.
- Need for improved human intelligence.
- Need for interagency cooperation in our embassies
- Need to encourage intelligence sharing among law enforcement agencies at the Federal, state and local levels.
- Combining foreign intelligence with domestic information to target drug trafficking organizations.

Seizure Data

Our efforts to date have not yielded the benefits we had hoped for. Last year we inspected 900,000 of the 3.7 million trucks which crossed into the U.S. from Mexico. Cocaine was found in just 16 trucks.

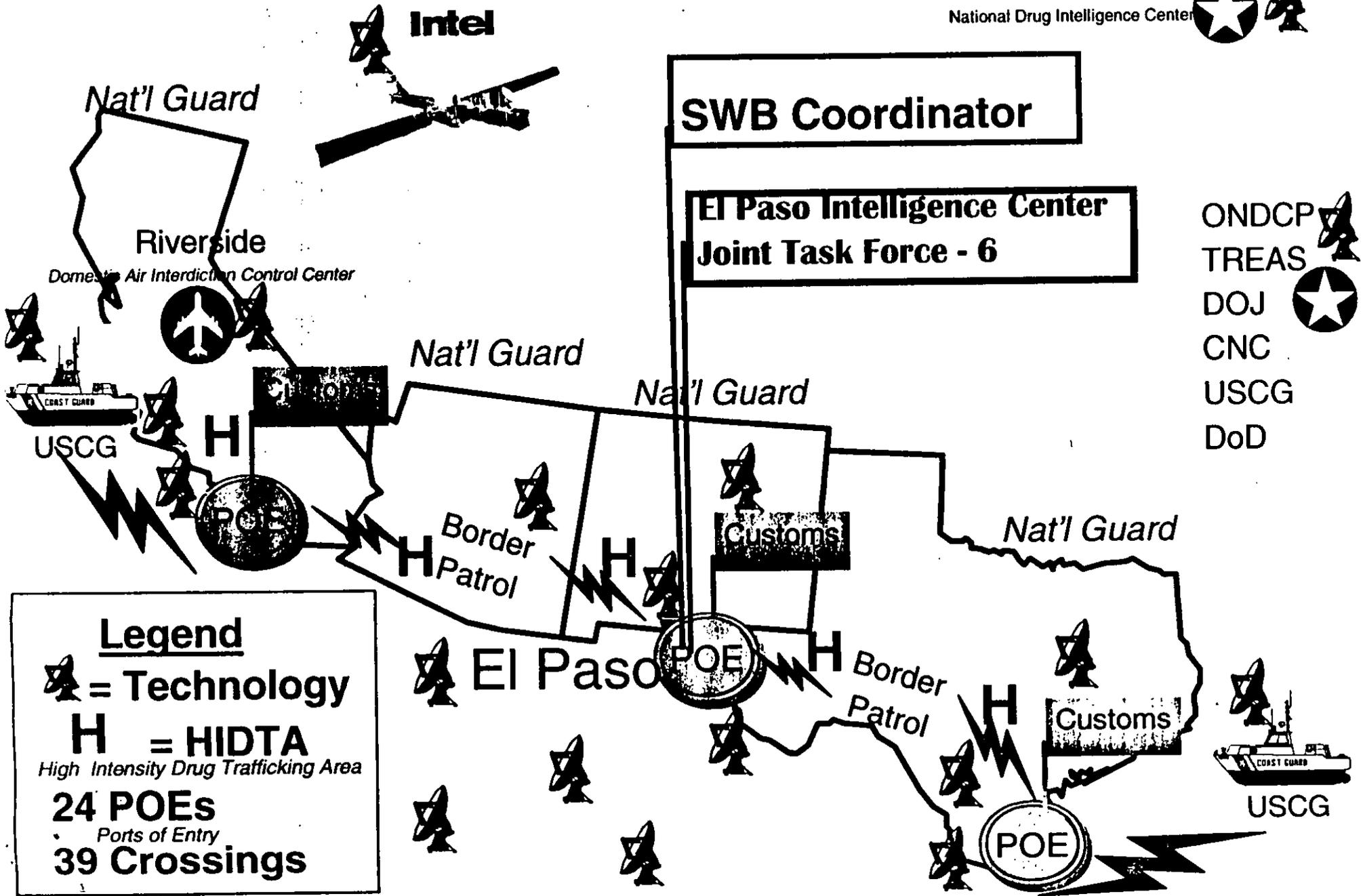
Seizures throughout the Southwest region have declined precipitously in recent years.

- Cocaine seizures at POEs in 1997 were about half of what they were in 1996.
- Cocaine seizures as a result of investigations in 1997 were about one-quarter of what they were in 1995.
- Cocaine seizures at checkpoints and traffic stops in 1997 were less than half of what they were in 1995.

This pattern of declining seizures is consistent for all categories of seizures. Such a broad trend indicates a challenge posed by drug traffickers that is not being met by law enforcement personnel.

South West Border Drug-Control Concept ONDCP 13 August 1998

National Drug Intelligence Center



Crime - early release legis
and
Days
~~Crime~~ - Southwest border



Jose Cerda III

05/18/98 08:18:11 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Michelle Crisci/WHO/EOP
cc: Julie A. Fernandes/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP
Subject: Two Crime/Drug SAPs

Rahm/Bruce/Elena:

While these are only suspensions that will pass overwhelmingly, and our SAPs are often ignored, I can't believe that they don't have the potential to come back and haunt us.

Jose'

----- Forwarded by Jose Cerda III/OPD/EOP on 05/18/98 08:17 PM -----



Jose Cerda III

05/18/98 08:14:24 PM

Record Type: Record

To: Michael Deich/OMB/EOP, Jacob J. Lew/OMB/EOP, Peter G. Jacoby/WHO/EOP
cc: Michelle Crisci/WHO/EOP, Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
Subject: Two Crime/Drug SAPs

Michael/Jack:

I know that tomorrow's suspension calendar for the House is hardly the most pressing thing around here right now, but I suggest we don't "take the bait" being offered to us by the R's -- and oppose two bills that will pass overwhelmingly. They are:

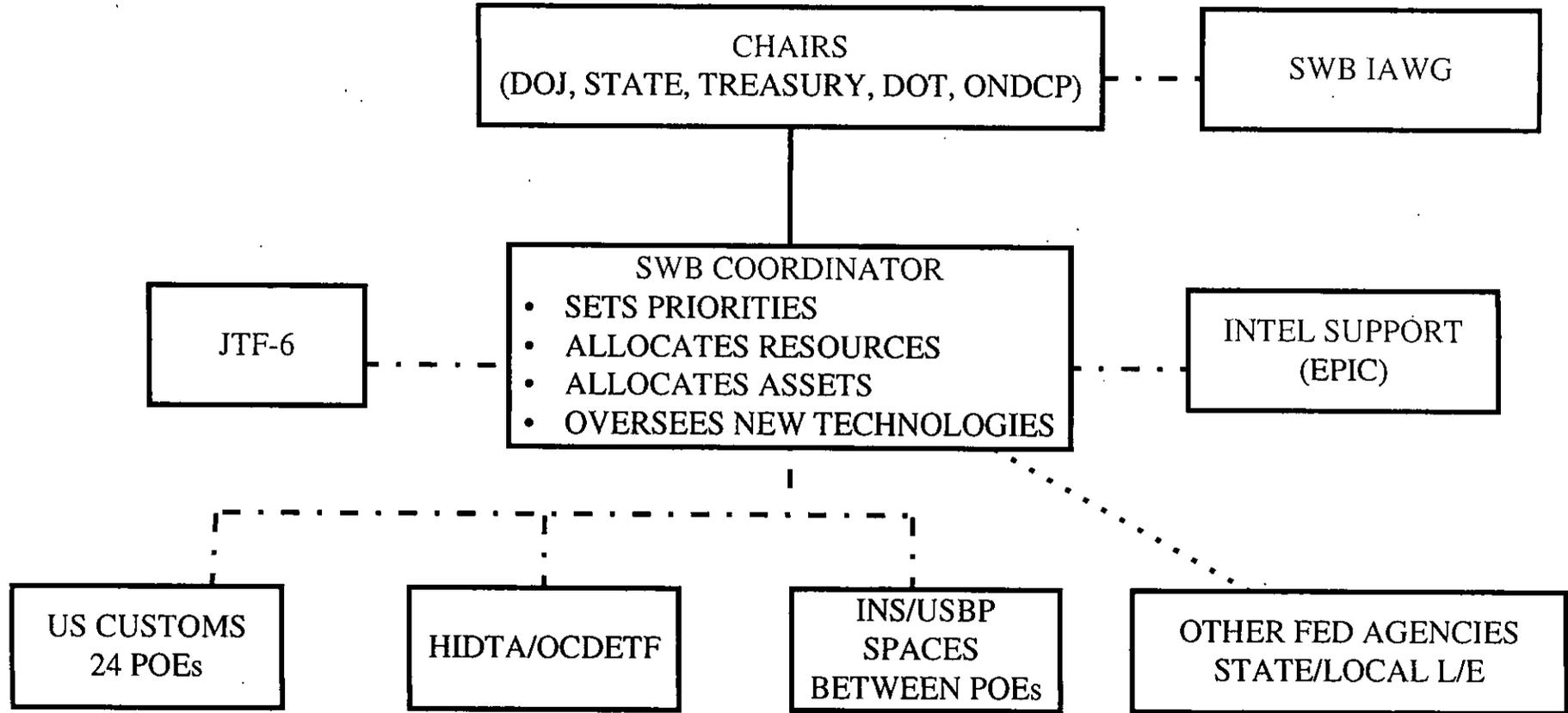
(1) H.R. 3718 -- We should send no SAP on this bill to prevent federal judges from releasing prisoners early. While this is a bad piece of legislation, we have a strong record in this area and shouldn't send up a SAP in simple opposition that might undermine our record. Besides, according to Peter, this is not likely to move in the Senate anytime soon, so we'll have some time to think about our position.

(2) H.R. 3809 -- Can't we find a way to be more supportive for Custom's role in fighting Drugs at the Southwest Border? Opposing this bill because it undermines collective bargaining and calls for more overtime, while a legitimate concern, only feeds the R's argument that we're not serious about fighting drugs at the Border. Besides, you may want to double-check w/Rahm, but last I heard the President was very eager for us to focus more on the border, drugs, technology, and I'm not sure he'll want to oppose the R's Drug-Free Borders Bill.]

Let me know what you think.

Drugs -- southwest border

THE SOUTHWEST BORDER US-MEXICO DRUG INTERDICTION DRAFT ORGANIZING CONCEPT



- POLICY GUIDANCE
- - - - COORDINATION
- LIAISON

- ALL AGENCIES STILL REPORT TO RESPECTIVE DEPARTMENTS FOR PURPOSES OF BUDGETING, OPERATIONS, STAFFING, AND DEPLOYMENT OF RESOURCES.
- ONE US CUSTOMS OFFICIAL IN CHARGE OF EACH POE
- USBP SECTOR CHIEFS REMAIN IN CHARGE OF SPACES BETWEEN POEs

cc EL, Jox



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

January 20, 1998

ONDCP
Southwest Border Counter Drug
Concept

Mission Statement

Enhance drug detection capabilities of law enforcement while simultaneously improving the flow of legal commerce. This mission will be achieved by adhering to the following principles: utilizing the latest technology; providing timely intelligence to law enforcement; creating streamlined and accountable management structures; building the necessary infrastructure to support the rule of law; and building upon relationships with the Government of Mexico.

The Threat

- * More than half of the cocaine on our streets, and large quantities of heroin, marijuana, and methamphetamine also enter the U.S. across this same border. These and other drugs claim 16,000 Americans lives each year and cost America \$67 billion dollars in social, health care, and criminal costs.

Technology

- * We must develop and deploy new technologies along the Southwest border to detect drugs before they enter the United States. Currently, the three operational x-ray machines (two fixed sites, one mobile prototype) provide coverage along the Southwest Border, but are easily avoided by narcotics traffickers. Over the next five years, we will add over 100 high technology detection systems to protect all our Southwest border ports of entry. Our goal is simple, enhance drug detection capabilities of law enforcement while simultaneously improving the flow of legal commerce.

Coordination

- * We must create a management structure that is streamlined and accountable, with one person in charge of coordinating our counter drug efforts at the border and one person in charge of each of our 24 Southwest border ports of entry.

**Southwest Border Technology and Infrastructure
Funding Proposal
FY 1999 - FY 2003***

(\$ millions)

	FY 99	FY 00	FY 01	FY 02	FY 03
Customs Service					
NEXTEA eligible	\$72.219	\$81.286	\$123.350	\$130.656	\$148.277
Expanded NEXTEA required	10.200	11.333	13.565	14.743	12.888
Non-NEXTEA requirements	31.160	37.478	23.010	19.016	15.727
Subtotal, Customs Service	113.579	130.097	159.925	164.416	176.892
Immigration and Naturalization Service					
NEXTEA eligible	3.449	4.748	3.809	2.826	2.888
Expanded NEXTEA required	—	—	—	—	—
Non-NEXTEA requirements	143.676	206.756	211.304	193.424	187.568
Subtotal, INS	147.125	211.503	215.113	196.250	190.456
Coast Guard					
NEXTEA eligible	—	—	—	—	—
Expanded NEXTEA required	—	—	—	—	—
Non-NEXTEA requirements	24.850	61.873	58.142	56.680	15.095
Subtotal, Coast Guard	24.850	61.873	58.142	56.680	15.095
GSA					
NEXTEA eligible	—	—	—	—	—
Expanded NEXTEA required	—	—	—	—	—
Non-NEXTEA requirements	24.000	15.315	6.261	21.328	10.899
Subtotal, GSA	24.000	15.315	6.261	21.328	10.899
All Sources					
NEXTEA eligible	75.668	86.034	127.158	133.482	151.165
Expanded NEXTEA required	10.200	11.333	13.565	14.743	12.888
Non-NEXTEA requirements	223.686	321.421	298.717	290.449	229.289
Subtotal, All Sources	\$309.554	\$418.788	\$439.440	\$438.674	\$393.342

Notes:

Funding requirements identified in this table include capital costs and follow-on Operations & Maintenance costs only.

ONDCP DRAFT
January 20, 1998

- Kidder
1. SW Border initiative (L...)
 2. How to proceed on new infrastr support?
 3. Organiz. chart -
 4. Do we have right process (ONDCP-run)?

Enhancing Interdiction While Improving Trade
Comments for State of the Union Address, January 27, 1998

- Budget includes:
- 1) 1000 new border - doubled since 93
 - 2) New tech
 - 3) 90m for Mexico-idea pilot

The dramatically growing volume of legitimate trade between the United States and Mexico is good news for America. In 1997, over 250 million people, 75 million cars, and 3.5 million trucks and rail cars entered the United States from Mexico. Our nations share cultural, family, and trade relationships built upon generations of mutual trust and friendship.

Sadly, however, more than half of the cocaine on our streets, and large quantities of heroin, marijuana, and methamphetamine also enter the U.S. across this same border. These and other drugs claim 16,000 Americans lives each year and cost America \$67 billion dollars in social, health care, and criminal costs. We cannot tolerate this cancer on our people. While progress has been made by the hard working and dedicated men and women of law enforcement along the Southwest border, improvements are still necessary. The committed professionals on the front lines, who tonight in places like Otay Mesa, Nogales, Columbus, El Paso, and Brownsville are risking their lives to stem the flow of this poison into the United States, deserve our full support.

We must do more to both secure our border and encourage commerce. To accomplish this mission we must focus our efforts on three goals: 1) Developing and deploying new technologies along the Southwest border to detect drugs before they enter the United States; 2) Creating a management structure that is streamlined and accountable, with one person in charge of coordinating our efforts at the border; 3) Strengthening our border and at the same time improving the flow of legal commerce into the United States.

This year 1,000 additional officers will be added to further deter those who would harm our children. Since 1993 we have increased the United State Border Patrol from 3,389 agents to 6,213 agents. New agents alone, however, cannot prevent the influx of drugs into the United States. Technological advances can open the border to the unfettered flow of legitimate trade, while stopping illicit traffic in drugs, drug money, and chemicals used to make drugs.

Currently, the three operational x-ray machines (two fixed sites, one mobile prototype) provide coverage along the Southwest Border but are easily avoided by narco traffickers. Over the next five years, we will add over 100 high technology detection systems so that all our Southwest border ports of entry are protected.

Coordination and integration of the activities and responsibilities of the Federal drug control program agencies involved in keeping illegal drugs out of the United States must also be improved. A streamlined and accountable management structure along the Southwest border is essential to success, with one person in charge of coordinating our Federal counter drug activities along the Southwest border. Those who push deadly drugs across our Southwest border have the ability to adapt and change their course quickly, it is essential we create the same dynamic on our side of the border.

*** FOR IAWG ONLY**

ONDCP recommends we delay providing the specific technology and infrastructure funding numbers for the State of the Union. However, based on the January 15, 1998 meeting between ONDCP, Department of Transportation, and OMB the total for NEXTEA eligible, expanded NEXTEA eligible, and Non-NEXTEA requirements for FY '99 is \$309.554 million dollars. The average over the next five years is \$399.96 million dollars per year.

Southwest Border Technology and Infrastructure Funding Proposal FY 1999 - FY 2003*

(\$ millions)

	FY 99	FY 00	FY 01	FY 02	FY 03
Customs Service					
NEXTEA eligible					
Fixed X-ray Systems - Truck	\$3.504	\$3.578	\$11.274	\$11.989	\$24.283
Mobile Truck X-ray Systems	16.800	17.118	27.124	38.643	41.298
Relocatable X-ray Systems - Cargo	3.900	8.693	15.800	14.527	6.744
Relocatable X-ray Systems - Containers	—	—	4.070	8.892	10.260
Gamma Imaging Systems - Truck	4.500	7.647	8.615	11.287	12.370
Rail Car Examination Systems	4.400	5.183	15.184	8.297	14.011
Automated Targeting Systems	1.750	1.327	3.339	5.332	4.959
Dedicated Commuter Lanes	6.000	4.697	10.852	7.572	8.174
Infrastructure to Support Technology	3.606	2.655	4.817	6.256	6.525
Infrastructure for Efficient Traffic Man.	5.859	3.537	3.389	3.254	2.651
Roads & Access Infrastructure	7.500	7.658	5.113	5.225	9.809
Outbound Commuter Infrastructure	14.400	19.195	13.774	9.384	7.193
Subtotal, NEXTEA eligible	72.219	81.286	123.350	130.656	148.277
Expanded NEXTEA required					
Mobile X-ray Vans	1.750	0.970	1.096	0.480	1.253
Bulk Marijuana Detection Systems	2.800	4.697	6.156	7.038	7.575
Handheld Drug Detection Devices	3.850	3.165	3.496	3.839	2.997
Anti-spotter Surveillance Systems	1.800	2.501	2.817	3.386	1.063
Subtotal, Expanded NEXTEA required	10.200	11.333	13.565	14.743	12.888
Non-NEXTEA requirements					
Currency Detector Dogs	0.880	1.205	0.991	0.267	0.272
Other Infrastructure: Fences, Lighting, etc.	5.328	5.124	4.970	4.844	3.893
Mobile Support Trucks	2.100	4.605	1.200	1.269	0.883
Investigative Technologies	5.500	5.871	2.755	2.799	3.526
Intelligence Collection & Analysis Systems	0.922	5.595	2.645	0.571	0.583
Voice Privacy Interagency Radio Comm.	12.000	8.168	5.217	5.332	4.360
Drug & Contraband Destruction Systems	2.000	4.429	5.232	3.935	2.210
Laboratory Infrastructure	2.430	2.481	—	—	—
Subtotal, Non-NEXTEA requirements	\$31.160	\$37.478	\$23.010	\$19.016	\$15.727

Notes:

Funding requirements identified in this table include capital costs and follow-on Operations & Maintenance costs only.

**Southwest Border Technology and Infrastructure
Funding Proposal
FY 1999 - FY 2003***

(\$ millions)

	FY 99	FY 00	FY 01	FY 02	FY 03
Immigration and Naturalization Service					
NEXTEA eligible					
Integrated Surv Info System (ISIS), ports	\$1.449	\$2.706	\$2.765	\$2.826	\$2.888
Dedicated Commuter Lanes	2.000	2.042	1.043	---	---
Subtotal, Non-NEXTEA requirements	3.449	4.748	3.809	2.826	2.888
Expanded NEXTEA required					
None	---	---	---	---	---
Non-NEXTEA requirements					
Integrated Surv Info Sys (ISIS), non-port	13.038	24.351	24.887	25.434	25.994
Stadium Lighting	—	13.388	13.683	13.984	14.292
Road Construction Improvements	23.720	24.218	24.751	25.295	25.852
Border Barriers	---	34.127	34.878	35.645	36.429
Sterile Train Check Area	—	1.508	1.541	1.575	1.610
Detention Costs—Contract Facilities	87.770	89.613	91.585	74.575	67.762
Detention, Transportation	12.080	12.334	12.605	11.188	10.427
Detention, Removal Costs	7.068	7.216	7.375	5.728	5.203
Subtotal, Non-NEXTEA requirements	\$143.676	\$206.756	\$211.304	\$193.424	\$187.568

Notes:

Funding requirements identified in this table include capital costs and follow-on Operations & Maintenance costs only.

**Southwest Border Technology and Infrastructure
Funding Proposal
FY 1999 - FY 2003***

(\$ millions)

	FY 99	FY 00	FY 01	FY 02	FY 03
Coast Guard					
NEXTEA eligible					
None	---	---	---	---	---
Expanded NEXTEA required					
None	---	---	---	---	---
Non-NEXTEA requirements					
WHEC/WMEC Shipboard Sensors	\$12.750	\$12.456	\$12.104	\$1.066	\$1.090
Aircraft Sensors	9.900	49.212	45.829	55.400	13.787
Accoustic Array System	2.200	0.204	0.209	0.213	0.218
Subtotal, Non-NEXTEA requirements	\$24.850	\$61.873	\$58.142	\$56.680	\$15.095

Notes:

* Funding requirements identified in this table include capital costs and follow-on Operations & Maintenance costs only.

Southwest Border Technology and Infrastructure Funding Proposal FY 1999 - FY 2003*

(\$ millions)

	FY 99	FY 00	FY 01	FY 02	FY 03
General Services Administration					
NEXTEA eligible					
None	---	---	---	---	---
Expanded NEXTEA required					
None	---	---	---	---	---
Non-NEXTEA requirements					
Laredo IV	\$24.000	---	---	---	---
Eagle Pass II	---	\$15.315	---	---	---
Colombia BS	---	---	\$2.087	---	---
Pharr	---	---	4.174	---	---
Bridge of the Americas and Paso Del Norte	---	---	---	\$21.328	---
Ft. Hancock	---	---	---	---	\$3.270
Nogales	---	---	---	---	4.360
Nogales/Mariposa	---	---	---	---	3.270
None	\$24.000	\$15.315	\$6.261	\$21.328	\$10.899

Notes:

* Funding requirements identified in this table include capital costs and follow-on Operations & Maintenance costs only.

Draft - southwest border

NATIONAL SECURITY COUNCIL

*Brown / Rose -
FYI.*

FAX COVER SHEET

**NATIONAL
SECURITY
COUNCIL**

17th & Penn, N.W.
Washington, D.C.
20504

Did you get a complete,
clear transmission? If not,
please call:

(202) 456-9136

From: Karl Hofmann

**To: Tony Blinken, Strategic Planning, 69370
Elena Kagan, DPC, 62878**

Date/Time: Jan 23

No. of pages to follow: 2

Message:

Tony, Elena: Attached, FYI, are ONDCP's latest draft language on the SW border, for the State of the Union, and our counterproposal. We are not arguing for mention of the SW border; only recommending text in case it must be mentioned.

*NSC Inter-American proposal
(in case border is mentioned)*

In 1997 alone, over 250 million people, 75 million cars and 3.5 million trucks and railcars entered the United States from Mexico legally. This stream of commerce, people and culture represents tremendous economic growth and opportunity for each of our two great nations. But over half the cocaine and marijuana entering the United States overland also crosses this border. Just as we are successfully reducing the demand for drugs at home, we must further stem the flow by land and by sea. Since taking office, my Administration has doubled the size of the Border Patrol, significantly increased commercial inspections, and increased federal counter-drug spending in this region by almost \$600 million. This year we will add another 1,000 new Border Patrol and Customs Service agents. We will also continue to develop and deploy the sophisticated new technologies that will speed the movement of legitimate cargo and documented visitors, even as they counter the threat of illegal drugs. Our borders will remain the world's most open to commerce, culture and knowledge, but our technology and vigilance will close the gate on drugs. We can prevail in this struggle.

ONDCP DRAFT

Attachment A: Southwest Border Language for State of the Union Speech

In 1997 alone, over 250 million people, 75 million cars and 3.5 million trucks and railcars entered the United States from Mexico. This stream of commerce, people and culture represents tremendous economic growth and opportunity for each of our two great nations. Sadly, over half the cocaine and marijuana that enters the United States does so via our Southwest border. The challenge before us is to expand the beneficial exchange of industry and ideas, but stem the flow of illegal drugs.

Since taking office, this Administration has significantly strengthened our Southwest border. We have doubled the size of the Border Patrol; [expanded by a third the number of commercial inspections]; added sophisticated technologies to the drug fighting arsenal; and, increased federal counter-drug resources in this region by almost \$600 million. This year's Southwest border law enforcement budget will double 1993 spending levels. In 1998, we will increase the strength of the Border Patrol and Customs Service by over 1,000 new officers and agents. We will also continue to develop and deploy the most advanced technologies to ferret out contraband from commerce. And we will create a unified, streamlined and coordinated structure for the border that is accountable and dynamic enough to meet the evolving nature of the drug threat. Our borders will remain the world's most open to commerce, culture and knowledge, but the gate will close on drugs.

~~From the~~
~~Border Patrol~~
~~will still be~~
~~needed~~

January 13, 1998

MEMORANDUM TO THE CHIEF OF STAFF

FROM BRUCE REED
 ELENA KAGAN

SUBJECT SOUTHWEST BORDER MEETING

Last week, DPC, NSC and White House Counsel met to discuss General McCaffrey's proposed plans to coordinate federal efforts along the Southwest Border. We all agree that General McCaffrey has raised some legitimate issues, and that he is in a good position to push the bureaucracy and improve coordination of drug enforcement and interdiction policies at the border. Specifically, we like his proposals for increased Customs and Border Patrol resources, improved coordination of the intelligence architecture, and enhanced drug-detection technology. We have some significant concerns, however, with other provisions in General McCaffrey's proposal. These include:

- creation of a new Senate-confirmed "Border Czar;"
- ONDCP's role in overseeing law enforcement investigations; and
- overall budget implications.

As important as the drug issue is, it should not singularly drive all of the Administration's policy and budget decisions relating to the Southwest border. Key foreign policy, trade, crime, and immigration issues may need to be considered separately by NSC, DPC, and/or NEC.

We would like to discuss these issues with you and agree on a process that ensures that the concerns of White House policy offices are factored into General McCaffrey's final recommendations to the President.

Southwest Border Meeting
January 12, 1997

- Last week, we (DPC, NSC and WH Counsel) met to discuss General McCaffrey's proposed plans to coordinate federal agencies along Southwest Border. We are all in strong agreement that General McCaffrey has raised some very legitimate issues, and that he is in a good position to push the bureaucracy and make some improvements in how the federal government coordinates immigration, drug enforcement, interdiction and trade at the border. Still, we have some substantive and procedural concerns that he should know.

Substantive Issues:

- From DPC's perspective, we are in general agreement with McCaffrey on many aspects of his Southwest border proposal: the need for better border coordination at the ground level; heightened resources for enforcement such as Customs and Border Patrol; improvements to intelligence architecture; and updated drug-detection technology.
- However, we (DPC and other White House components) have some significant problems with key pieces of his proposal:

Creation of a new Senate-confirmed position. McCaffrey's proposal would create a single "border czar", confirmed by the Senate. The new czar would effectively be managing other agencies' personnel but with no clear line of accountability to impacted agency heads (the AG, Treasury Secretary). In addition, having a Senate-confirmed position gives rise to the concern that the czar would be more beholden to Congress than accountable to the Cabinet Secretaries or the White House.

ONDCP Role Over Investigations. McCaffrey's proposal would give ONDCP a role in law enforcement investigations at the border. We question the appropriateness of putting this type of function at the drug office.

INS Reorganization. Over the last couple of months, the DPC has led an interagency process to review proposals to reform the INS. The process will ultimately impact the structure of INS' enforcement resources. The ONDCP proposal has moved forward without consideration for immigration or coordination with the DPC process.

Budget Impact. OMB has expressed concerns that McCaffrey's proposal could have vast impacts on future budgets (e.g., doubling # of Border Patrol agents) -- and therefore other Administration funding priorities.

- While we believe that the drug issue is of key importance to this administration, it should not singularly drive all our policy at the border-- such as foreign policy, trade and economic policies, crime, and immigration policies.

Procedural Issues:

- McCaffrey has excluded perhaps the two WH offices that work the most w/DOJ and Treasury in his SWB process. It would be like having OSTP drive an economic initiative and not include the NEC and OMB. It isn't necessary for all of us to attend every meeting he calls, but somebody from the WH must be involved and it must be made clear that he needs to include other components of the WH. To date, he has not been open to coordinating with us (e.g., crack sentencing).
- Historically, McCaffrey has gone straight to you or the President with new policies. It needs to be made clear that he should coordinate w/other WH offices such as OMB.

*Paul State
was State
connected? Dir?
Sign to Koff*

JAN - 6 1998

January 6, 1998

*This was featured
at the latest ONDCP SWB
meeting today. DOJ and
Treasury still disagree
with many of ONDCP's organizational
principles, but this reflects
surprising agreement on
the "border czar" concept.*

INFORMATION

MEMORANDUM FOR THOMAS UMBERG

FROM: *PS* JOHN LINDSAY

SUBJECT: Summary of January 5, 1998 SWB Re-organization Meeting with DoJ and Treasury

The purpose of this memorandum is to provide the Director with a summary of the January 5, 1998 SWB meeting with DoJ and Treasury. The meeting was chaired by Tom Umberg, also present from ONDCP were Bob Brown and John Lindsay. DoJ was represented by Eileen Mayer and Mary Lee Warren. Treasury was represented by Elizabeth Bresee and David Medina. The primary topic of discussion was the SWB re-organization concept. Pending approval of Director of ONDCP, Attorney General, and Secretary of Treasury the following items were agreed upon:

- 1) One person will be designated SWB coordinator. This individual will have responsibility for coordinating US Government actions along the land border between the United States and Mexico.
- 2) SWB coordinator will have, at a minimum, senior level management experience and/or law enforcement credentials.
- 3) SWB coordinator will have authority to set priorities and allocate certain resources and assets along the border.
- 4) SWB coordinator will make recommendations regarding development and deployment of new technologies.
- 5) SWB coordinator must be supported with staff.
- 6) SWB coordinator needs single intelligence support structure.
- 7) SWB coordinator will be located along SWB.
- 8) SWB IAWG will request Intelligence Architecture Review to report specifically on SWB intelligence infrastructure.
- 9) JTF-6 will continue to provide DoD support.

*separately, there was more
inconclusive discussion on ISTER/NEXTEA
funding and the need to quantify counterdrug
resource needs by the State of the Union. I
expressed concern with implications of fencing.*

The next SWB IAWG is scheduled for January 6, 1998. The next SWB re-organization meeting is scheduled for January 12, 1998.

Attachment

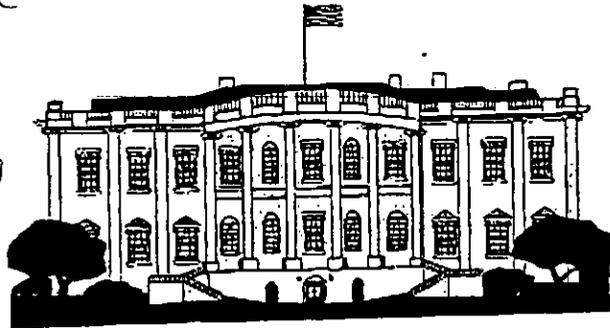
Tab A Draft Treasury/ Justice Southwest Border Concept
Tab B Updated ONDCP SWB Draft Notional Concept

EXECUTIVE OFFICE OF THE PRESIDENT

Office of National Drug Control Policy
Washington, D.C. 20503

1/5/98

*Elana -
FYI, this is an indicator of how McCaffrey is proceeding w/ his SWB effort. We can discuss tomorrow at your meeting.*



cc: K/H

*Karl Hyfman
Inter-Ash*

FACSIMILE MESSAGE

December 31, 1997

MEMORANDUM FOR:

SAM BANKS
Acting Commissioner of Customs
United States Customs Service

ROBERT BRYANT
Deputy Director Criminal Investigative
Division
Federal Bureau of Investigation

BG JOHN CAMPBELL
Deputy Director Operations
Joint Chiefs of Staff

DICK CLARKE
Special Assistant to the President & Sr.
Director for Global Issues and
Multilateral Affairs
National Security Council

JAMES DOBBINS
Special Assistant to the President & Sr.
Director for Inter-American Affairs
National Security Council

MICHAEL DEICH
Associate Director for General
Government and Finance
Office of Management and Budget

PAUL DONOVAN
Chief of Staff
Department of Commerce

RAYMOND KELLY
Under Secretary for Enforcement
Department of Treasury

DONNIE MARSHALL
Chief of Operations
Drug Enforcement Administration

EILEEN MAYER
Associate Deputy Attorney General
Department of Justice

DORIS MEISSNER
Commissioner
Immigration & Naturalization Service

ROBERT NEWBERRY
Principal Director Drug Enforcement
Policy & Support
Department of Defense

RADM PAUL PLUTA
Director
Intelligence & Security
Department of Transportation

RADM RIUTTA
Assistant Commandant for Operations
United States Coast Guard

AMB. PETER ROMERO
Principal Deputy Assistant Secretary
Inter-American Affairs

FROM: *RB* Robert Brown, ONDCP/OSR
AG Dennis Greenhouse, ONDCP/BSLA

SUBJECT: Southwest Border Interagency Working
Group (SWB-LAWG) Meeting

Addressees are requested to attend a SWB-LAWG Meeting Tuesday, January 6,
2:00 to 3:30 p.m., 5th floor Conference Room, ONDCP. Proposed agenda topics for
discussion are:

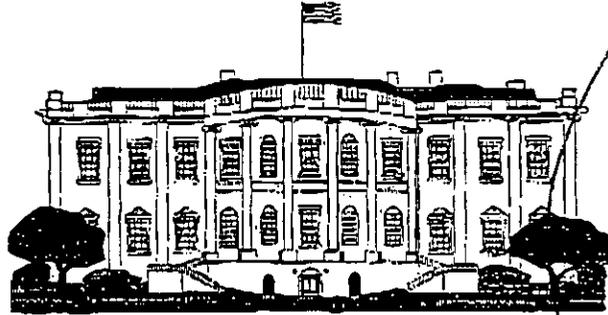
- Back-brief on SWB management work group meeting to be held January 5th
 - ONDCP (Tom Umberg)
 - DOJ (Eileen Mayer)
 - Treasury (Elizabeth Bresee)
- Intelligence Architecture - Work group update (Hank Marsden)
- Legal parameters of ISTEANEXTEA funding (Chuck Blanchard)
- Other work groups reports:
 - Technology/infrastructure (Al Brandenstein)
 - Resources/ISTEA (John Carnevale)
 - U.S./Mexico bi-lateral cooperation (Brad Hittle)
- Next SWB-LAWG meeting

The ONDCP point of contact for SWB-IAWG Meeting is Art Whorley,
(202) 395-0789 or (202) 395-5197 (fax). Please confirm attendees NLT 3:00 p.m.,
Monday, January 5, 1998.

EXECUTIVE OFFICE OF THE PRESIDENT

Office of National Drug Control Policy

Washington, D.C. 20503



Handwritten note:
Karl
Sumner
Roth

FACSIMILE MESSAGE

January 12, 1998

MEMORANDUM FOR:

GARY ALLEN
Law Enforcement Specialist
Department of the Interior

SAM BANKS
Acting Commissioner of Customs
United States Customs Service

ELISABETH BRESEE
Deputy Assistant Secretary
Law Enforcement
Department of Treasury

BG JOHN CAMPBELL
Deputy Director Operations
Joint Chiefs of Staff

DICK CLARKE
Special Assistant to the President & Sr.
Director for Global Issues and
Multilateral Affairs
National Security Council

JAMES DOBBINS
Special Assistant to the President & Sr.
Director for Inter-American Affairs
National Security Council

MICHAEL DEICH
Associate Director for General Government
and Finance
Office of Management and Budget

PAUL DONOVAN
Chief of Staff
Department of Commerce

NEIL GALLAGHER
Acting Assistant Director Criminal
Investigative Division
Federal Bureau of Investigation

DONNIE MARSHALL
Chief of Operations
Drug Enforcement Administration

EILEEN MAYER
Associate Deputy Attorney General
Department of Justice

DORIS MEISSNER
Commissioner
Immigration & Naturalization Service

ROBERT NEWBERRY
Principal Director Drug Enforcement Policy
& Support
Department of Defense

RADM PAUL PLUTA
Director
Intelligence & Security
Department of Transportation

RADM RAY RIUTTA
Assistant Commandant for Operations
United States Coast Guard

AMB. PETER ROMERO
Principal Deputy Assistant Secretary
Inter-American Affairs

ROGER SEEWALD
Deputy Director
Law Enforcement and Investigations
USDA-Forest Service

cc: KH

FROM: Robert Brown, ONDCP/OSR
Dennis Greenhouse, ONDCP/BSLA

Handwritten signatures and dates: RB 1/12, DG 1/12/98

SUBJECT: Southwest Border Interagency Working
Group (SWB-IAWG) Meeting

JD: DO YOU PLAN TO
ATTEND?

Y _____ N _____

Addressees are requested to attend a SWB-IAWG Meeting Wednesday, January 14,
1:30 to 2:30 p.m., 5th floor Conference Room, ONDCP (Please note the time change
from previous meetings). Proposed agenda topics for discussion are:

- Report from SWB management working group
- SWB Intelligence update (Hank Marsden)
- ISTEAN/NEXTEA funding update (Chuck Blanchard)
- Report from Working groups:
 - Technology/infrastructure (Al Brandenstein)
 - Resources (John Carnevale)
 - U.S./Mexico bi-lateral cooperation (Brad Hittle)
- Next SWB-IAWG meeting

The ONDCP point of contact for SWB-LAWG Meeting is Art Whorley, (202) 395-0789 or (202) 395-5197 (fax). Please confirm attendees by COB Tuesday, January 13, 1998.

Encl: Summary of Conclusions SWB-LAWG Meeting, January 6, 1998



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF NATIONAL DRUG CONTROL POLICY

Washington, D.C. 20503

Summary of Conclusions

SWB IAWG Meeting

DATE: Tuesday, January 6, 1998

LOCATION: ONDCP, 6th Floor Conference Room

TIME: 2:00-3:30 p.m.

Tom Umberg back briefed the group on the January 5, 1998 meeting between ONDCP, DoJ, and Treasury. The following is a summary of the January 5, 1998 meeting.

- 1) One person will be designated SWB coordinator. This individual will have responsibility for coordinating US Government actions along the land border between the United States and Mexico.
- 2) SWB coordinator will have, at a minimum, senior level management experience and/or law enforcement credentials.
- 3) SWB coordinator will have authority to set priorities and allocate certain resources and assets along the border.
- 4) SWB coordinator will make recommendations regarding development and deployment of new technologies.
- 5) SWB coordinator must be supported with staff.
- 6) SWB coordinator needs single intelligence support structure.
- 7) SWB coordinator will be located along SWB.
- 8) SWB IAWG will request Intelligence Architecture Review to report specifically on SWB intelligence infrastructure.
- 9) JTF-6 will continue to provide DoD support.

Continuing Summary of January 6, 1998 meeting

- Hank Marsden, ONDCP, provided brief intelligence update on drugs entering United States through Mexico.
- Chuck Blanchard, ONDCP, provided brief on parameters of ISTEAN/NEXTEA. Support of capital items that facilitate transportation are within parameters, funding for personnel would not be. Blanchard's position was supported by Ken Schwartz, OMB.

-2-

- Department of Transportation offered their subject expertise to the SWB IAWG regarding the ongoing ISTEANEXTEA process.
- Sub group on technology and infrastructure will meet on January 7, will have funding numbers by January 13.
- All present agreed that as SWB IAWG examines improvements to infrastructure and technology ISTEANEXTEA funding should be taken into account as one factor, however, the overarching goal of improvements to the SWB should be based on an analysis that provides the necessary resources to adequately secure the spaces between the POEs and provide the proper amount of technology and resources to the POEs. Additionally, the efforts of the SWB IAWG must take into account, improvements that enhance drug detection capabilities of law enforcement at the POEs must simultaneously improve the flow of legal commerce through those same POEs.

Group agreed to conduct next SWB IAWG January 14, 1998 at 2:00 p.m., at ONDCP.

- * Due to scheduling conflicts the meeting time has been moved to 1:30 p.m.. The attached fax cover sheet also reflects the change in time.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D. C. 20503

December 10, 1997

FACT SHEET

SUBJECT: Achieving unity of Effort Across the 2000-Mile Southwest Border

Purpose. To describe challenges that must be overcome to achieve greater coherence in the federal response to the drug trafficking challenge along the Southwest Border.

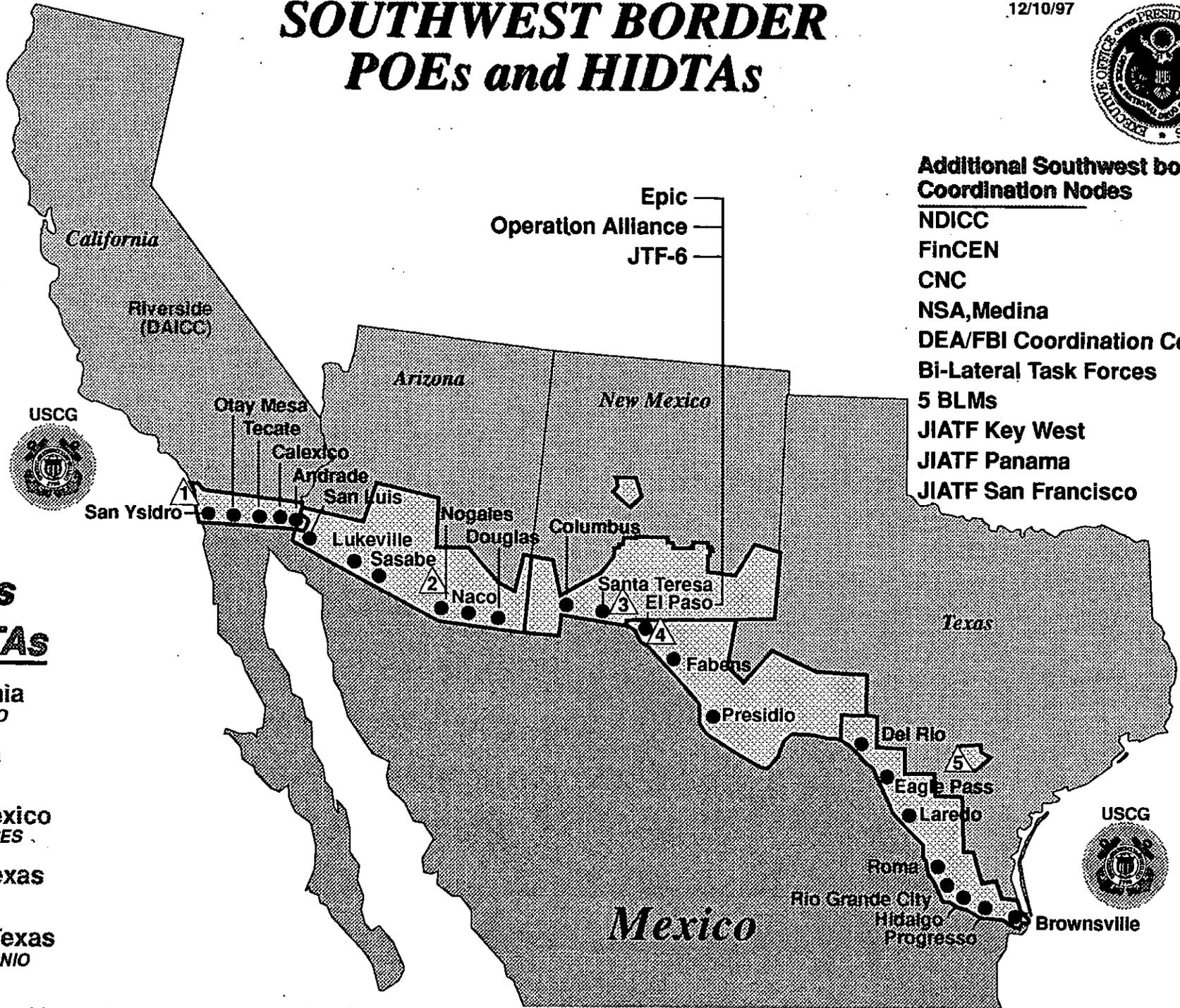
Facts.

- **Seven** governmental departments with overlapping responsibilities: Justice, Treasury, State, Transportation, Defense, Interior, Agriculture.
- **Twenty-two** agencies and programs with overlapping responsibilities: ATF, Border Patrol, Border Research Technology Center (NIJ), Coast Guard, Customs, DEA, EPIC, FBI, FORSCOM, HIDTAs, INS, IRS, INL (State), JIATFs, JTF-Six, Marshals Service, National Guard, ONDCP, OCDETFs, Operation Alliance, USACOM, U.S. Attorneys. More than **11,000** federal agents, inspectors, and officials committed to the SWB.
- Federal departments, agencies, and programs spend approximately **\$2B** each fiscal year to address the drug problem along the SWB.
- On the U.S. side, **four states** and **twenty-three counties** create overlapping jurisdictional challenges.
- Retail value of drugs entering the U.S. across the SWB is approximately **\$30B**. These drugs kill about **10,000** Americans a year and cause some **\$35B** in damages to our society.
- Major plus-ups are underway:
 1. Customs' budget for Southwest border programs has increased 72 percent since FY93.
 2. The number of assigned DEA special agents has increased 37 percent since FY90.
 3. The number of assigned INS agents has almost doubled since FY90.
 4. DOD's drug control budget for the Southwest border has increased 53 percent since FY91.
 5. The number of U.S. Attorneys handling cases in the Southwest border region has increased by 80 percent since FY90.

CONCLUSION: We need a better coordinated and coherent response to the problem.

SOUTHWEST BORDER POEs and HIDTAs

12/10/97

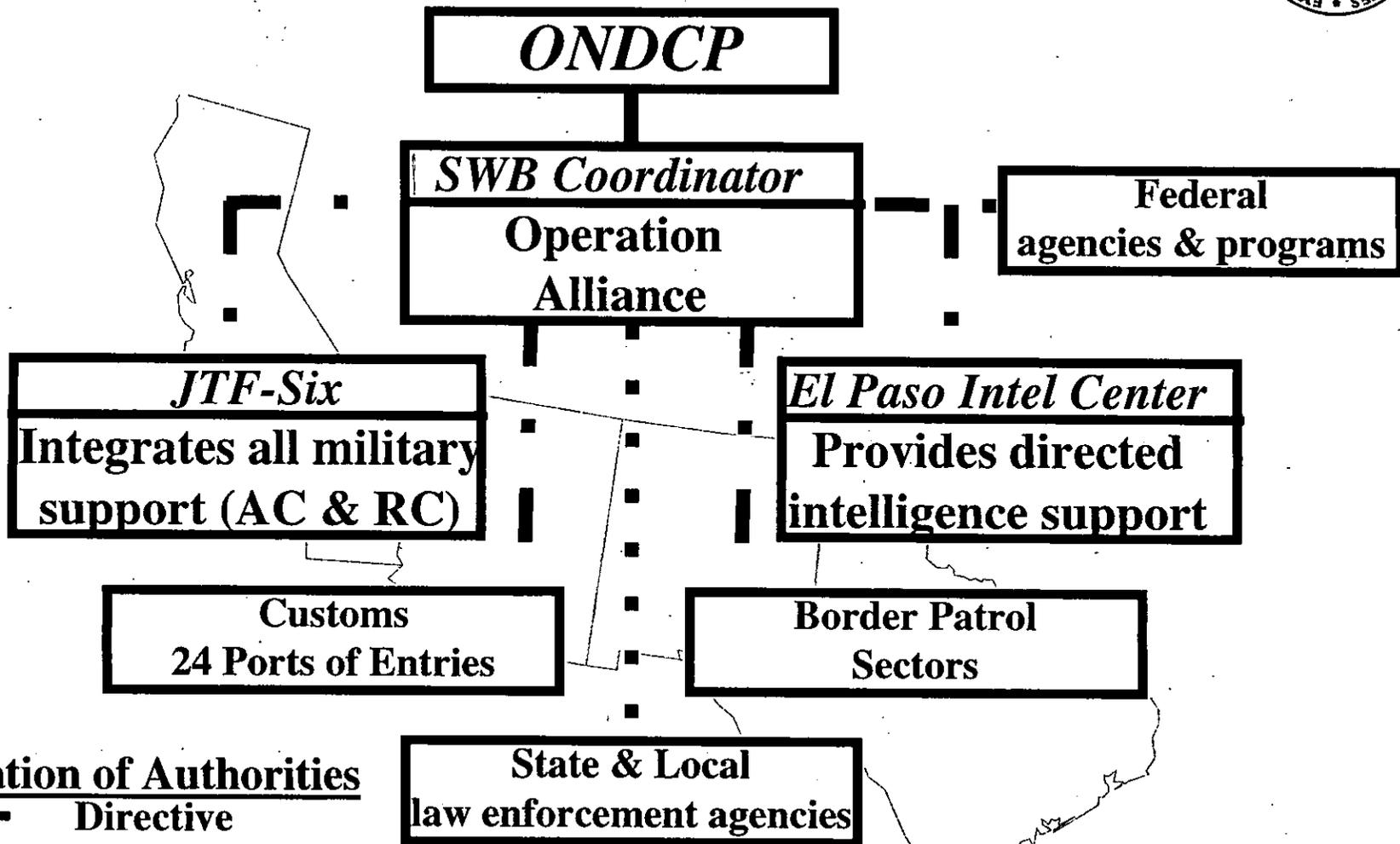


- Additional Southwest border Coordination Nodes**
- NDICC
 - FinCEN
 - CNC
 - NSA, Medina
 - DEA/FBI Coordination Center
 - Bi-Lateral Task Forces
 - 5 BLMs
 - JIATF Key West
 - JIATF Panama
 - JIATF San Francisco

- **POEs**
- HIDTAs**
- ① California
SAN DIEGO
- ② Arizona
TUCSON
- ③ New Mexico
LAS CRUCES
- ④ West Texas
EL PASO
- ⑤ South Texas
SAN ANTONIO

Total federal law enforcement personnel on Southwest border approximately 11,000

A Preliminary Organizing Concept



Explanation of Authorities

- Directive
- . -** Coordinating
- ■ ■ |** Liaison

12/10/97

Office of National Drug Control Policy

SWB Coordinator Functions



- **Bring to bear coordinating authority similar to ONDCP's on a national problem.**
- **Senate confirmee status would make him a natural administration spokesperson to the congress and state and local authorities.**
- **Specific actions:**
 1. Submit annual reports.
 2. Set federal priorities.
 3. Provide budgetary guidance to federal agencies.
 4. Establish standards and accountability.

THE PRESIDENT HAS SEEN
11-3-97

Reed / McCaffrey

THE WHITE HOUSE
WASHINGTON

57 OCT 27 45168

October 22, 1997

MEMORANDUM FOR THE PRESIDENT

FROM BRUCE REED *BR*
CHUCK RUFF *CR*

RE: Attached ONDCP Memorandum on the Southwest Border Region

*I am more sympathetic
of his mes. than you are and I
fear too much delay in policy
process - esp on technology point
type on how to report the
way it can avoid accountability
think you are right
Let's discuss soon*

Attached is a memorandum that General McCaffrey sent to you outlining recommendations on how to improve the Administration's drug interdiction efforts along the Southwest border. Although we share the General's concerns, we do not support his recommendations at this time and do not believe this issue should be tasked to the Drug Policy Council for resolution.

First, the Treasury and Justice Departments have strong reservations about ONDCP's recommendations. In fact, less than a month ago, we met with Secretary Rubin, Attorney General Reno, and General McCaffrey to discuss coordination of border-related issues. At that time, General McCaffrey was preparing to send a report to Congress on the Southwest border that made the same recommendations as the attached memorandum. Secretary Rubin and the Attorney General expressed their opposition to sending this report to Congress, and General McCaffrey agreed to hold it. Rubin and Reno -- who oversee the enforcement agencies that carry out the drug, crime, trade and immigration laws along the border -- have concerns that assigning a single, federal official at each point of entry to coordinate drug interdiction will negatively affect or conflict with our immigration and trade policies.

Second, several other border-related issues are currently being discussed in the White House and among the agencies, and will need to be resolved over the next few months. Most notably, the Commission on Immigration Reform recently released its final report recommending that the Immigration and Naturalization Service (INS) be disbanded and its responsibilities -- including border enforcement -- parceled out to various agencies. In the wake of this report, Members of Congress have introduced INS reform plans and included appropriations language requiring the Administration to submit similar plans by early next year.

Because of all the above, we proposed at our recent meeting with Secretary Rubin, the Attorney General, and General McCaffrey that a White House-led working group consider all border-related proposals and the issues of drug and crime enforcement, immigration, and trade that they raise. We have met internally and concluded that the White House group will be led by DPC; include Counsel's Office, OMB, NSC and NPR; and will closely coordinate with all the affected agencies to ensure that their issues are fully considered. Although we recognize ONDCP's specific mandate to oversee the High-Intensity Drug Trafficking Areas and coordinate certain counterdrug technologies and intelligence -- and support these issues being discussed by

CR

the Drug Policy Council -- border issues that go beyond the reach of drug policy would be more appropriately handled by the process we have outlined. At OMB's request, we expect to have some initial recommendations before the budget process is concluded. We recommend that you support this process for coordinating border-related issues.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY

Washington, D.C. 20503

October 7, 1997

THE PRESIDENT HAS SEEN

11-3-97

1997 OCT 9 10:48

MEMORANDUM FOR THE PRESIDENT

FROM: BARRY McCaffrey

SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

1. PURPOSE. The purposes of this memorandum are to: (a) summarize Office of National Drug Control Policy observations made during the recent ONDCP-led trip to the Southwest border; (b) report on the status of counter-drug efforts in this region; and (c) suggest interagency consideration of how federal drug control efforts along the border can be improved.

2. EXECUTIVE SUMMARY

- a. From August 24, 1997-August 29, 1997, ONDCP led a delegation of federal officials on a fact-finding trip along the U.S. Southwest border. Our purpose was to review federal drug control program agency efforts to stop drug trafficking and stem drug-related violence and corruption. We also met with state and local officials in each of the border states to hear their perspectives of the drug threat. Finally, we discussed cooperative drug control efforts with Mexican officials in four major Mexican border cities (Ciudad Juarez, Nuevo Laredo, Nogales, and Tijuana).
- b. Establishing adequate control of our Southwest border is an increasingly important U.S. national security interest. As U.S.-Mexico trade continues to grow -- it has increased 122 percent since 1990 (going from \$59B to almost \$130B in 1996) -- so do the opportunities for drug trafficking. This 2,000-mile border is one of the most open and busiest in the world. Last year, 254 million people, 75 million cars, and 3.5 million trucks and rail cars entered the United States from Mexico through 39 crossings and 24 ports of entries (POEs). We estimate that more than half of the cocaine on our streets, and large quantities of heroin, marijuana, and methamphetamines also enter the U.S. across this border. The enormous profits associated with this drug trade and the propensity of U.S. and Mexican criminal drug trafficking organizations to use violence and bribes to further their operations foster both corruption and lawlessness. A manifestation of this problem is the wave of murders in the Mexican border town of Ciudad Juarez following the recent death of Mexican trafficker Amado Carrillo Fuentes.
- c. Over the past four years, the administration has significantly increased the federal presence along the Southwest border. Some examples:
 - Customs' budget for Southwest border programs has increased 72 percent since FY93.

October 7, 1997

SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

✓ DOD's drug control budget for the Southwest border has increased 53 percent since FY91.

✓ The number of U.S. Attorneys handling cases in the Southwest border region has increased by 80 percent since FY90.

✗ This federal attention is making a difference. For example, violent crime is down in California, New Mexico, and Texas. Federal drug seizures have also increased; USBP FY96 marijuana seizures were up 50 percent over FY94's 50,000 pounds.

d. Despite these successes, much remains to be done. For example, added inspection resources have not increased our ability to adequately screen trucks. Last year about 900,000 (about a quarter of the total) U.S.-bound trucks were subjected to drug control inspections. Cocaine was found in just sixteen. Our current interdiction efforts almost completely fail to achieve our purpose of reducing the flow of cocaine, heroin, and methamphetamines across the border. We need to shift from a manpower/physical inspection approach to one that is intelligence-driven and that employs emerging technologies to conduct non-intrusive searches. Based on our observations during this trip, ONDCP suggests the following measures will help improve federal drug control capabilities along the Southwest border:

- Improve accountability.
- Expand cooperation with Mexico.
- Develop a comprehensive intelligence architecture.
- Develop a system that matches resources with threats.
- 2 ✓ • Integrate technology.
- ✓ • Strengthen the High Intensity Drug Trafficking Area (HIDTA) program.
- ✓ • Build infrastructure to support the rule of law.
- Encourage private sector support of our efforts.
- ✓ • Implement a systems approach to drug control efforts.
- Continue DOD's support role.

3. DISCUSSION

a. **Improve accountability.** At least ten federal agencies and scores of state and local governments are involved in drug control efforts along the Southwest border. However, no individual or agency has overall coordination responsibility for drug control operations along the length of the border or even within individual POEs. That being said, federal

October 7, 1997

SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

agencies at major POEs are forming quality improvement committees as an ad hoc measure to improve coordination. Functional and sectoral accountability must be established. Specific ONDCP suggestions include:

- Assign direct responsibility for coordinating all federal drug control efforts along the Southwest border to one federal official.
 - Designate an "in-charge" federal official at each POE.
- b. Expand cooperation with Mexico.** The United States alone cannot stop drug trafficking across the Southwest border. Expanded cooperation with Mexico is essential. Ongoing cooperative initiatives at the local, state, and national levels -- such as FBI training of Mexican law enforcement officials and Bilateral Liaison Mechanisms (BLMs) that link cross-border communities -- should be our building blocks. Specific suggestions include:
- Encourage BLMs to address drug trafficking and drug-related problems.
 - Establish Mexican law enforcement liaisons with U.S. Southwest border HIDTAs while maintaining appropriate strict security measures.
- c. Develop a comprehensive intelligence architecture.** Current U.S. intelligence capabilities along the Southwest border are clearly inadequate. Federal, state and local law enforcement officials conducting drug control operations do not normally receive timely or actionable intelligence or information. Intelligence is not adequately shared among Federal and state agencies. NDIC and EPIC roles are not supportive of operating elements. Our intelligence and information systems must:
- Bring together all federal, state and local intelligence collection, analysis and dissemination efforts.
 - Create a seamless intelligence operation covering the entire 2000-mile border and contiguous waters.
 - Encourage law enforcement officials at all levels to conduct intelligence-driven/information-based operations.
 - Encourage appropriate, strictly protected sharing of information with vetted counterpart Mexican organizations.
- d. Develop a system that matches resources with threats.** Available information about the drug threat is fragmented and incomplete. It is difficult to obtain a succinct, up-to-date assessment of the drug threat either along the entire border or in any specific state or sector. Similarly, there is no readily-available integrated overview of federal efforts to address the drug threat. The end result is that there is often no direct link between current operations and an intelligence analysis of the dynamic threats we face. Specific ONDCP suggestions include:

October 7, 1997

SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

- Develop the capability to track the drug threat, drug control assets, and sectoral responsibilities into an automated, digital, grid-based schematic format covering both sides of the border.
- Update this information on a real time basis and link it to a centralized Southwest border intelligence and coordination headquarters.
- Create an intelligence system through the five SW Border HIDTAs that will allow law enforcement and policy-makers to monitor the changing nature of the trafficking threats and adapt efforts accordingly.
- Use this carefully protected counter-drug information to prioritize and conduct counter-drug operations and assess new manpower and technology needs.

e. Integrate counter-drug technology. The enormous growing volume and importance of legitimate commercial trade in goods and services between the United States and Mexico is good news for America. However, with this volume of trade, no number of new agents alone can manually prevent the influx of drugs into the United States. Technological advances hold the key to allowing the relatively unfettered flow of legitimate trade, while capturing from this flow illicit traffic in drugs, drug money, and precursor chemicals. The technology currently being deployed is, for the most part, inadequate and/or already outdated. Hundreds of Border Patrol agents conduct dangerous night operations without basic equipment, such as night vision optics. The three operational x-ray machines (two are at fixed sites, one is a mobile prototype) provide inadequate coverage and are easily avoided by traffickers. Another six are scheduled to be operational by mid 1999. We need to ensure that authorities manning this border have access to the most up-to-date counter-drug technologies possible so that:

- Every truck and train that crosses the border into the United States can be subjected to at least three different non-intrusive inspections that can detect illegal drugs.
- The physical and or electronic transfer of drug monies out of the United States can be detected.
- Sensors, lighting and remote night vision devices monitor areas between POEs.
- Law enforcement officials along the border are equipped with digital communications equipment, observation devices, detection devices, and other technologies necessary to their tasks.

f. Strengthen the High Intensity Drug Trafficking Area (HIDTA) program. Although degrees of success vary, the five Southwest border HIDTAs are each substantially improving the ability of law enforcement officials to combat drug trafficking. The effectiveness of HIDTA programs along the border can be improved by:

- Ensuring the five HIDTAs coordinate all federal, state and local counter-drug activities in their jurisdictions.

October 7, 1997

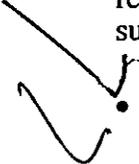
SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

- Increasing coordination among the border HIDTAs (for example, facilitating the flow of intelligence information on a real time basis, creating exchanges about programs that work, and coordinating programs on a regional basis).
- Establish strictly-protected coordination between HIDTAs and counterpart Mexican authorities.
- Improve coordination between HIDTAs, U.S. drug control program agencies, and state and local prevention, treatment, and enforcement agencies.

g. Build infrastructure to support the rule of law. In 1907, President Theodore Roosevelt issued a proclamation establishing federal control of a strip of land sixty feet wide along the entire U.S.-Mexico border. His intent was to assure the federal ability to secure the border. There was no follow-through on his proclamation. We must address serious infrastructure shortfalls in order to prevent the flow of illegal goods and persons -- in particular drugs and drug traffickers -- into the United States. Barriers and surveillance devices work. Along the Imperial Beach, San Diego section of the border for example, there were sixty murders and 10,000 pounds of marijuana seized three years ago. Last year, after the installation of fences and lights backed up by more Border Patrol Agents, there were no murders, and just six pounds of marijuana were seized. Specific suggestions include:

- Develop a strategic five-year plan to build access roads to allow patrolling of the border and to erect fences and lights in high trafficking areas.
- Assign one federal agency responsibility for planning, building, and maintaining roads and barriers.

h. Encourage private sector support of our efforts. The scope of this challenge will require private sector support, particularly from those who hold substantial stakes in the success of U.S.-Mexico relations. The private sector can help by:

- 
- Assisting in the development and deployment of new technologies that can detect drugs without slowing the two-way movement of goods and services.
 - Implementing self-regulatory procedures to prevent drugs from being hidden in legal transactions.

i. Implement a systems approach to drug control efforts. Over or under emphasis on any component of the overall drug control effort detracts from overall effectiveness. Increasing, for example, the number of inspectors and agents without a corresponding increase in capabilities within the prosecutorial and detention systems can overwhelm the latter. As we continue to increase federal drug control resources in the Southwest border area, we must ensure the build-up is steady across the board. In particular, we must ensure that:

- Drug control programs are appropriate to the challenge.

October 7, 1997

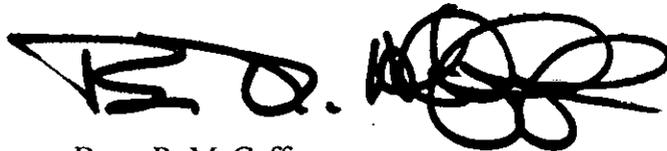
SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

- Our programs continue to respond to the dynamic nature of the drug threat
- Department and agency build-ups are coordinated.

✓ j. **Continue DoD's support role.** The U.S. Armed Forces are providing invaluable support to federal, state, and local law enforcement agencies in the Southwest border region. This support should continue. However, all Title 10 (active components) and Title 32 (Guard and Reserves) support missions must be carefully scrutinized to ensure assigned missions are compatible with unit and individual capabilities. We should also consider making appropriate investments in those areas where our troops are being employed as a result of federal drug control program agency shortfalls.

4. **CONCLUSIONS.** The flow of drugs across the Southwest border has not been significantly curtailed despite tactical success that have caused changes in smuggling routes and techniques. Drug trafficking and violence remain persistent and growing threats to border region residents. While the obstacles our law enforcement officials face in stemming these threats are significant, they are not insurmountable. Our significant investments along the Southwest border are beginning to pay off. Future success is dependent on adjusting existing organizations to better support ongoing federal, state, and local law enforcement efforts. Harnessing emerging technology is a must. The ten initiatives outlined in this report might usefully orient the already extensive federal anti-drug effort in the region. ONDCP will table them with your Drug Policy Council over the coming months. Our intent is to provide you a fully-coordinated and supportable plan of action in the spring.

V/R



Barry R. McCaffrey
Director
Office of National Drug Control Policy



CERDA_J @ A1
12/11/97 07:40:00 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Power Grab II -- Bruce for your SOTU package

Date: 12/11/97 Time: 19:08

US to unveil five-year plan to end drug trade along Mexican border

MIAMI, Florida, Dec 11 (AFP) - The US government will unveil a detailed plan next month to drastically curb drug-trafficking along its border with Mexico within the next five years, officials said Thursday.

The initiative will be officially announced on January 27, during President Bill Clinton's State of the Union speech to Congress.

Still, White House officials were willing to share a few early details about the plan.

"We're going to try and stop drug smuggling into the United States across the Mexican-US border in the next five years, substantially stop it, while still allowing our second biggest trading partner to continue economic cooperation," said US drug "czar", retired general Barry McCaffrey.

Each year, millions of people cross the US border with Mexico, which stretches some 3,000 kilometers (1,860 miles.)

But the US southern border also has become one of the country's main points of entry for illegal drugs, McCaffrey said, pointing out that it is "the biggest open border in the world."

"There's nothing like it anywhere on the face of the Earth," McCaffrey observed.

McCaffrey said details about the anti-drug program would be made public next month, but said one idea under consideration is to employ new X-ray technology that can peer into the interior of metal, and even concrete receptacles, which might conceal illicit drugs.

"We said, 'let's use them on trucks, let's use them on rail cars.' They work. They absolutely work," McCaffrey said.

chz/sg/pfm

Drugs - southwest border



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D.C. 20503

December 10, 1997

MEMO FOR THE HONORABLE ERSKINE BOWLES,
WHITE HOUSE CHIEF OF STAFF

FROM: BARRY McCaffrey, DIRECTOR ONDCP

SUBJECT: THE SOUTHWEST BORDER COUNTER-DRUG CONCEPT

PURPOSE. To outline to the White House Chief of Staff an ONDCP concept to chair an interagency task force to address the drug trafficking problem along the Southwest border.

PROPOSED TASK FORCE OBJECTIVES.

1. Conduct a federal review of the drug trafficking problem along the SWB (report to the President's Drug Policy Council (PDPC) within 90 days).
2. Submit specific recommendations (to the PDPC by 1 June) on:
 - a. Organization of Customs' POEs to confront drug smuggling.
 - b. Augmentation of barriers and surveillance devices along the SWB to counter the drug threat.
 - c. Appropriate roles for Op. Alliance and EPIC to coordinate SWB drug-control efforts.
 - d. Responsibilities of a SWB Coordinator for the counter-drug effort.
 - e. Specific FY2000 - 2004 programmatic plus-ups (i.e. end-state of Border Patrol and other significant agencies) in support of Goal 4 of the President's *National Drug Control Strategy*.

RECOMMENDATION. That you support conclusions of the ONDCP-chaired interagency study to better organize SWB efforts in support of Goal 4 of the President's *National Drug Control Strategy* - "Shield America's air, land, and sea frontiers from the drug threat."



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
Washington, D. C. 20503

October 7, 1997

97 OCT 9 10:48

MEMORANDUM FOR THE PRESIDENT

FROM: BARRY McCAFFREY

SUBJECT: ONDCP Field Visit to Drug Control Efforts in the Southwest Border Region

1. PURPOSE. The purposes of this memorandum are to: (a) summarize Office of National Drug Control Policy observations made during the recent ONDCP-led trip to the Southwest border; (b) report on the status of counter-drug efforts in this region; and (c) suggest interagency consideration of how federal drug control efforts along the border can be improved.

2. EXECUTIVE SUMMARY

- a. From August 24, 1997-August 29, 1997, ONDCP led a delegation of federal officials on a fact-finding trip along the U.S. Southwest border. Our purpose was to review federal drug control program agency efforts to stop drug trafficking and stem drug-related violence and corruption. We also met with state and local officials in each of the border states to hear their perspectives of the drug threat. Finally, we discussed cooperative drug control efforts with Mexican officials in four major Mexican border cities (Ciudad Juarez, Nuevo Laredo, Nogales, and Tijuana).
- b. Establishing adequate control of our Southwest border is an increasingly important U.S. national security interest. As U.S.-Mexico trade continues to grow -- it has increased 122 percent since 1990 (going from \$59B to almost \$130B in 1996) -- so do the opportunities for drug trafficking. This 2,000-mile border is one of the most open and busiest in the world. Last year, 254 million people, 75 million cars, and 3.5 million trucks and rail cars entered the United States from Mexico through 39 crossings and 24 ports of entries (POEs). We estimate that more than half of the cocaine on our streets, and large quantities of heroin, marijuana, and methamphetamines also enter the U.S. across this border. The enormous profits associated with this drug trade and the propensity of U.S. and Mexican criminal drug trafficking organizations to use violence and bribes to further their operations foster both corruption and lawlessness. A manifestation of this problem is the wave of murders in the Mexican border town of Ciudad Juarez following the recent death of Mexican trafficker Amado Carrillo Fuentes.
- c. Over the past four years, the administration has significantly increased the federal presence along the Southwest border. Some examples:
 - Customs' budget for Southwest border programs has increased 72 percent since FY93.

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- DOD's drug control budget for the Southwest border has increased 53 percent since FY91.
- The number of U.S. Attorneys handling cases in the Southwest border region has increased by 80 percent since FY90.

This federal attention is making a difference. For example, violent crime is down in California, New Mexico, and Texas. Federal drug seizures have also increased; USBP FY96 marijuana seizures were up 50 percent over FY94's 50,000 pounds.

d. Despite these successes, much remains to be done. For example, added inspection resources have not increased our ability to adequately screen trucks. Last year about 900,000 (about a quarter of the total) U.S.-bound trucks were subjected to drug control inspections. Cocaine was found in just sixteen. Our current interdiction efforts almost completely fail to achieve our purpose of reducing the flow of cocaine, heroin, and methamphetamines across the border. We need to shift from a manpower/physical inspection approach to one that is intelligence-driven and that employs emerging technologies to conduct non-intrusive searches. Based on our observations during this trip, ONDCP suggests the following measures will help improve federal drug control capabilities along the Southwest border:

- Improve accountability.
- Expand cooperation with Mexico.
- Develop a comprehensive intelligence architecture.
- Develop a system that matches resources with threats.
- Integrate technology.
- Strengthen the High Intensity Drug Trafficking Area (HIDTA) program.
- Build infrastructure to support the rule of law.
- Encourage private sector support of our efforts.
- Implement a systems approach to drug control efforts.
- Continue DOD's support role.

3. DISCUSSION

a. **Improve accountability.** At least ten federal agencies and scores of state and local governments are involved in drug control efforts along the Southwest border. However, no individual or agency has overall coordination responsibility for drug control operations along the length of the border or even within individual POEs. That being said, federal

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agencies at major POEs are forming quality improvement committees as an ad hoc measure to improve coordination. Functional and sectoral accountability must be established. Specific ONDCP suggestions include:

- Assign direct responsibility for coordinating all federal drug control efforts along the Southwest border to one federal official.
 - Designate an "in-charge" federal official at each POE.
- b. Expand cooperation with Mexico.** The United States alone cannot stop drug trafficking across the Southwest border. Expanded cooperation with Mexico is essential. Ongoing cooperative initiatives at the local, state, and national levels -- such as FBI training of Mexican law enforcement officials and Bilateral Liaison Mechanisms (BLMs) that link cross-border communities -- should be our building blocks. Specific suggestions include:
- Encourage BLMs to address drug trafficking and drug-related problems.
 - Establish Mexican law enforcement liaisons with U.S. Southwest border HIDTAs while maintaining appropriate strict security measures.
- c. Develop a comprehensive intelligence architecture.** Current U.S. intelligence capabilities along the Southwest border are clearly inadequate. Federal, state and local law enforcement officials conducting drug control operations do not normally receive timely or actionable intelligence or information. Intelligence is not adequately shared among Federal and state agencies. NDIC and EPIC roles are not supportive of operating elements. Our intelligence and information systems must:
- Bring together all federal, state and local intelligence collection, analysis and dissemination efforts.
 - Create a seamless intelligence operation covering the entire 2000-mile border and contiguous waters.
 - Encourage law enforcement officials at all levels to conduct intelligence-driven/information-based operations.
 - Encourage appropriate, strictly protected sharing of information with vetted counterpart Mexican organizations.
- d. Develop a system that matches resources with threats.** Available information about the drug threat is fragmented and incomplete. It is difficult to obtain a succinct, up-to-date assessment of the drug threat either along the entire border or in any specific state or sector. Similarly, there is no readily-available integrated overview of federal efforts to address the drug threat. The end result is that there is often no direct link between current operations and an intelligence analysis of the dynamic threats we face. Specific ONDCP suggestions include:

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- Develop the capability to track the drug threat, drug control assets, and sectoral responsibilities into an automated, digital, grid-based schematic format covering both sides of the border.
 - Update this information on a real time basis and link it to a centralized Southwest border intelligence and coordination headquarters.
 - Create an intelligence system through the five SW Border HIDTAs that will allow law enforcement and policy-makers to monitor the changing nature of the trafficking threats and adapt efforts accordingly.
 - Use this carefully protected counter-drug information to prioritize and conduct counter-drug operations and assess new manpower and technology needs.
- e. **Integrate counter-drug technology.** The enormous growing volume and importance of legitimate commercial trade in goods and services between the United States and Mexico is good news for America. However, with this volume of trade, no number of new agents alone can manually prevent the influx of drugs into the United States. Technological advances hold the key to allowing the relatively unfettered flow of legitimate trade, while capturing from this flow illicit traffic in drugs, drug money, and precursor chemicals. The technology currently being deployed is, for the most part, inadequate and/or already outdated. Hundreds of Border Patrol agents conduct dangerous night operations without basic equipment, such as night vision optics. The three operational x-ray machines (two are at fixed sites, one is a mobile prototype) provide inadequate coverage and are easily avoided by traffickers. Another six are scheduled to be operational by mid 1999. We need to ensure that authorities manning this border have access to the most up-to-date counter-drug technologies possible so that:
- Every truck and train that crosses the border into the United States can be subjected to at least three different non-intrusive inspections that can detect illegal drugs.
 - The physical and or electronic transfer of drug monies out of the United States can be detected.
 - Sensors, lighting and remote night vision devices monitor areas between POEs.
 - Law enforcement officials along the border are equipped with digital communications equipment, observation devices, detection devices, and other technologies necessary to their tasks.
- f. **Strengthen the High Intensity Drug Trafficking Area (HIDTA) program.** Although degrees of success vary, the five Southwest border HIDTAs are each substantially improving the ability of law enforcement officials to combat drug trafficking. The effectiveness of HIDTA programs along the border can be improved by:
- Ensuring the five HIDTAs coordinate all federal, state and local counter-drug activities in their jurisdictions.

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- Increasing coordination among the border HIDTAs (for example, facilitating the flow of intelligence information on a real time basis, creating exchanges about programs that work, and coordinating programs on a regional basis).
 - Establish strictly-protected coordination between HIDTAs and counterpart Mexican authorities.
 - Improve coordination between HIDTAs, U.S. drug control program agencies, and state and local prevention, treatment, and enforcement agencies.
- g. Build infrastructure to support the rule of law.** In 1907, President Theodore Roosevelt issued a proclamation establishing federal control of a strip of land sixty feet wide along the entire U.S.-Mexico border. His intent was to assure the federal ability to secure the border. There was no follow-through on his proclamation. We must address serious infrastructure shortfalls in order to prevent the flow of illegal goods and persons -- in particular drugs and drug traffickers -- into the United States. Barriers and surveillance devices work. Along the Imperial Beach, San Diego section of the border for example, there were sixty murders and 10,000 pounds of marijuana seized three years ago. Last year, after the installation of fences and lights backed up by more Border Patrol Agents, there were no murders, and just six pounds of marijuana were seized. Specific suggestions include:
- Develop a strategic five-year plan to build access roads to allow patrolling of the border and to erect fences and lights in high trafficking areas.
 - Assign one federal agency responsibility for planning, building, and maintaining roads and barriers.
- h. Encourage private sector support of our efforts.** The scope of this challenge will require private sector support, particularly from those who hold substantial stakes in the success of U.S.-Mexico relations. The private sector can help by:
- Assisting in the development and deployment of new technologies that can detect drugs without slowing the two-way movement of goods and services.
 - Implementing self-regulatory procedures to prevent drugs from being hidden in legal transactions.
- i. Implement a systems approach to drug control efforts.** Over or under emphasis on any component of the overall drug control effort detracts from overall effectiveness. Increasing, for example, the number of inspectors and agents without a corresponding increase in capabilities within the prosecutorial and detention systems can overwhelm the latter. As we continue to increase federal drug control resources in the Southwest border area, we must ensure the build-up is steady across the board. In particular, we must ensure that:
- Drug control programs are appropriate to the challenge.

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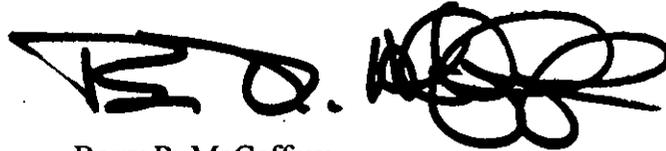
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- Our programs continue to respond to the dynamic nature of the drug threat
- Department and agency build-ups are coordinated.

j. Continue DoD's support role. The U.S. Armed Forces are providing invaluable support to federal, state, and local law enforcement agencies in the Southwest border region. This support should continue. However, all Title 10 (active components) and Title 32 (Guard and Reserves) support missions must be carefully scrutinized to ensure assigned missions are compatible with unit and individual capabilities. We should also consider making appropriate investments in those areas where our troops are being employed as a result of federal drug control program agency shortfalls.

4. CONCLUSIONS. The flow of drugs across the Southwest border has not been significantly curtailed despite tactical success that have caused changes in smuggling routes and techniques. Drug trafficking and violence remain persistent and growing threats to border region residents. While the obstacles our law enforcement officials face in stemming these threats are significant, they are not insurmountable. Our significant investments along the Southwest border are beginning to pay off. Future success is dependent on adjusting existing organizations to better support ongoing federal, state, and local law enforcement efforts. Harnessing emerging technology is a must. The ten initiatives outlined in this report might usefully orient the already extensive federal anti-drug effort in the region. ONDCP will table them with your Drug Policy Council over the coming months. Our intent is to provide you a fully-coordinated and supportable plan of action in the spring.

V/R



Barry R. McCaffrey
Director
Office of National Drug Control Policy

Druys - Southwest border



Jose Cerda III

12/19/97 03:17:57 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Cathy R. Mays/OPD/EOP, Laura Emmett/WHO/EOP
Subject: 4pm Border Mtg.

BR/EK:

Cathy called to ask me about the SW Border meeting at 4pm. I'm afraid I don't know much about it. All I know is that it's w/Rubin and Kelly from Treasury, Reno and Holder from Justice, McCaffrey, and probably Rahm and a few others. As I mentioned, McCaffrey had a meeting w/Reno, Kelly and enforcement types on Tuesday. Much of its was focused on how ONDCP was not planning to put itself in charge of the Border, and that the proposed SW Border Czar would probably be a DOJ or Treasury employee. Also, McCaffrey passed out an organizational chart, different from what he gave EB, that had the agencies listed over the proposed SW Border Czar. Interesting, huh?

Let me know how it goes. I know DOJ and Treasury are talking about the need for their own proposal, but I don't expect them to put anything solid on the table today. I'll shoot over another note if I find anything else out in the next 1/2 hour.

Jose'

Druys - Southwest Border



Jose Cerda III

12/19/97 03:28:13 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP

cc:

Subject: SW Border

BR/EK:

According to the AG's folks, this meeting was scheduled at Rubin's request. After McCaffrey's meeting this Tuesday, Rubin told the AG that he would call EB and have him set-up a meeting to make sure Treasury/Justice concerns about McCaffrey's SW Border proposal were clear to the WH.

Jose'

Bruce - Southwest Leader



Jose Cerda III

12/19/97 03:41:43 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP

cc: Laura Emmett/WHO/EOP, Cathy R. Mays/OPD/EOP

Subject: SW Border

Last note: the AG will want to suggest that a Southern Frontier Working Group that is already in place, and that already focuses on the border, Caribbean, and South America, should be the vehicle to put together a strategy and make improvements along the SW Border.

Jose'

12-17 Evchime mtg - SW Border

Reno: crisis in law enf. to coord suggested by BM - outside law enf.

Need law enf person to coordinate

Need. Southern frontier strategy (bec. it deal w/ SW only - ~~with~~ it will just move elsewhere.

Need to deal w/ operational interests

Kelly: We need someone in charge of SW - Someone to call shots needs to be rotating person b/w Justice + Treasury (like Interp II) (e.g. every yr) joint staff

McClaffrey: No disag - just some bumps along way.

ISTEA - everyone agrees to.

Ought to be law enf person

Not just Treas/DOJ - also Defens/Mar/Comm etc.

Strategic re rotation

Reno: Just like to see it worked out

Spent lots of time talking structure

Like to get to substance.