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THE WHITE HOUSE
WASHINGTON

March 28, 1991

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: D. ALLAN BROMLEY *Alan*

SUBJECT: EXECUTIVE ORDER PROPOSED BY JUSTICE DEPARTMENT,
"COORDINATION OF FEDERAL LAW ENFORCEMENT R&D IN
EVOLVING TECHNOLOGIES AND FORENSIC SCIENCE"

Although I strongly support the Attorney General's goal to improve the effectiveness of Federally funded R&D on law enforcement technologies, I am afraid that the mechanisms proposed in the draft Executive Order are not likely to achieve this goal. The mechanisms simply do not match the extremely broad scope of the Executive Order. For example, Section 1 directs the Attorney General to "coordinate all Federal law enforcement R&D in evolving technologies and forensic science", and Section 6 identifies these areas as including advanced computing techniques, micro-electronics, power generation sources, biological and chemical analysis, pattern recognition, and many other technologies. As you know, the bulk of the cutting-edge federal R&D in these areas is supported, not by DOJ and the law enforcement agencies, but by agencies such as DOD, DOE, NSF, NIH, and NASA.

I believe there is an existing mechanism that can accomplish the Attorney General's important objectives. It is the Cabinet-level Federal Coordinating Council on Science, Education and Technology (FCCSET), backed up by the interagency agreements that support the FCCSET working committees. FCCSET has a proven record of coordinating government-wide activities in areas as diverse as high performance computing and ground and space-based global climate research. I would welcome the opportunity to work with the Attorney General to improve the effectiveness of Federal expenditures on technologies that can help law enforcement.

I recommend, therefore, that a FCCSET committee on Law Enforcement Technology be formed, chaired perhaps by Frank Hodsoll of OMB and with deputy chairs William Barr of Justice and John Robson of Treasury. This would provide law enforcement officials with ready access to all Federally-supported R&D activities through a proven, existing mechanism. You may well have better suggestions for these particular positions.

To accomplish this expeditiously, I would recommend the following specific changes in the draft Executive Order, as revised 3/21/91.

In Section 1, second sentence, insert the words "the Director of the Office of Science and Technology Policy and" immediately prior to the words "with Federal law....".

In Section 1, second paragraph, replace the words "The Attorney General" with the words "The Chairman of the Federal Coordinating Council for Science, Education and Technology (FCCSET)", replace the words "Technology Council" with "Technology Committee of the FCCSET", and replace the words "above departments" with "relevant departments".

In Section 2, replace "Council" with "Committee".

In Section 3, replace the second occurrence of the words "Attorney General" with the word "Committee".

In Section 5, insert the words "the Director, OSTP," prior to "the Secretary of Defense" in the first sentence. In the second and third sentences, replace the words "Attorney General" with the words "the Chairman of the FCCSET" in each instance. In the second sentence, insert the words "Attorney General" prior to the words "the Secretaries".

Section 6 should be deleted in its entirety because the question of which technologies are relevant should be left to the FCCSET Committee to decide.

In view of all of the above, I believe it would be appropriate to add the Attorney General and the Secretary of the Department of Treasury to the membership roster of the FCCSET.