

DOCUMENT WITHDRAWAL RECORD [NIXON PROJECT]

DOCUMENT NUMBER	DOCUMENT TYPE	SUBJECT/TITLE OR CORRESPONDENTS	DATE	RESTRICTION
1	memo	Jacklyn Jones to James W. Musket, re: "GTR Book and Unused Airline Ticket"	2/27/74	poss A

FILE GROUP TITLE

FG 17

BOX NUMBER

11

FOLDER TITLE

EX FG 17-18 Drug Enforcement Administration

RESTRICTION CODES

- A. Release would violate a Federal statute or Agency Policy.
- B. National security classified information.
- C. Pending or approved claim that release would violate an individual's rights.
- D. Release would constitute a clearly unwarranted invasion of privacy or a libel of a living person.

- E. Release would disclose trade secrets or confidential commercial or financial information.
- F. Release would disclose investigatory information compiled for law enforcement purposes.
- G. Withdrawn and return private and personal material.
- H. Withdrawn and returned non-historical material.

gah
file

EXECUTIVE 14
FG 6-19/A
FG 17-18
FG 17-16
PR 7

June 22, 1973

MEMORANDUM FOR: GEOFF SHEPARD

FROM: TERRENCE O'DONNELL

VIA: DAVID PARKER

SUBJECT: Your Schedule Proposals of June 15

Your proposals for a swearing-in ceremony for Robert^x DuPont and for a Signing Ceremony to effectuate Reorganization Plan No. 2 of 1973 have been disapproved. The latter will be handled in an announcement on Friday, June 29.

As to the proposal for a farewell meeting with Myles^x Ambrose, it will not be possible to arrange this before July 6th, as requested, but we are keeping it in mind to try to work out possibly at a later date.

CC: Jerry Warren

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EXECUTIVE

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FG 21

THE WHITE HOUSE
WASHINGTON

June 22, 1973

MEMORANDUM FOR:

MIKE SCHRAUTH

FROM:

TERRY O'DONNELL

VIA:

DAVE PARKER

Mike,

Attached is the background information on the Shipbuilding Contracts to be signed and announced next week sometime between June 26 and June 29. Since the President will not participate, Dave has asked me to turn this matter over to you.

It's Jerry's call as to when the contracts will be signed, and you should communicate that decision to Hufcut at Commerce. Dave favors their doing it on Friday, the 29th. From the standpoint of the weekly news flow, he feels it will be a much better story on Friday.

We have turned down Shepard's proposal for a signing ceremony of Executive Orders effectuating the Drug Reorganization Plan, which goes into effect on July 1 in favor of handling this by announcement on June 29. The Executive Orders should be signed privately on the morning of June 29, prior to the announcement.

cc: Bruce Kehrli
cc: Steve Bull

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(2)

EXECUTIVE

THE WHITE HOUSE
WASHINGTON

FG17-18

Thompson, James R

FG17

June 25, 1973

MEMORANDUM FOR:

JOHN BENNETT
BRUCE KEHRLI

FROM:

LIN ARROYO

SUBJECT:

Drug Enforcement Administration

The attached memo was dexted to San Clemente at George Joulwan's request. Jerry had spoken to both George and Elliot Richardson about this on Saturday. Richardson feels that General Haig needs to "sell" Thompson on the DEA job, and that Thompson should fly to California this week.

I'll continue to send you FYI copies on anything dexted directly to San Clemente unless you feel it's unnecessary.

Attachment

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JUL 2 1973

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THE WHITE HOUSE
WASHINGTON

~~Carol~~

① Thompson lands 9:21-
coming directly to your
office

② Ken need only read
last 3 pages of the
doesn't have time to read
all

③ 2nd copy ^{is} for Land.
Jerry Jones will be calling

to try and arrange for
Laird to see Thompson
the last thing today

Jo Anne

THE WHITE HOUSE

WASHINGTON

June 25, 1973

MEMORANDUM FOR: ALEXANDER HAIG
FROM: JERRY H. JONES
SUBJECT: Administrator, DEA

Pursuant to the recently passed legislation creating the Drug Enforcement Administration, on July 1, 1973 (Tab A), we have conducted a search for the top job in the new agency. Former Governor Ogilvie of Illinois was the leading candidate but, when contacted by Attorney General Richardson, informed Elliot it would be impossible for him to serve.

The number two candidate on our list was James R. Thompson, Jr. currently serving as U.S. Attorney for the Northern District of Illinois (Tab B). Thompson is a young (37), aggressive criminal lawyer who has earned his reputation by successfully weeding out scandal in Illinois government, particularly in Cook County and within Mayor Daley's machine. His efforts have resulted in a number of convictions and a national reputation.

While he has spent his entire career in Illinois and has never practiced law privately, he did serve as a professor of law for five years at Northwestern University. The Northern District of Illinois shares the top spot with the Southern District of New York for prestige, workload and importance among all U.S. Attorney's Offices. Thompson is articulate, attractive and extremely tough. He also has an excellent reputation as to character and integrity.

Although Thompson is young and has limited experience outside the public law enforcement field, he would bring an excellent image to DEA, is a new face, and serve as an effective spokesman for the President in his continuing battle against narcotics.

It should be remembered that John Bartels, Ambrose's current deputy, will probably have the number two job in DEA to provide

administrative continuity, detailed knowledge of the players involved and strong backup support for Thompson.

Elliot strongly supports Thompson for this position as does this office. Thompson is a reluctant candidate, however, and when he was under consideration for the FBI Directorship, indicated a strong desire to remain in his current position.

It is also important that we have public acceptance of a qualified candidate prior to July 1.

I am, therefore, recommending that James Thompson be selected as Administrator, DEA.

_____ Agree

_____ Disagree

In the event that the above recommendation is accepted, I strongly recommend that you personally contact Thompson immediately and secure his acceptance. Ogilvie turned us down largely I think because the Justice Department called him and not the White House. It is my opinion that Thompson will accept the job if offered it by you or perhaps by the President, should you decide to bring him to San Clemente for a meeting.

To assist you in this, I have prepared a short description of the job and its scope (Tab C) and suggested talking points (Tab D).

Attachments: A- D

resources are being marshaled in the most intensive campaign ever waged against malignant disease.

I have on numerous occasions expressed my strong, personal commitment to the attack on cancer. Cancer is now killing Americans at the rate of 350,000 a year and causing untold suffering for many others. Everything that can effectively be done to find better ways of detecting, treating, and ultimately preventing cancer must be done so that we can substantially reduce its impact.

As a means of giving continued emphasis to the cancer problem, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148), requested the President to issue annually a proclamation setting aside the month of April as Cancer Control Month.

Now, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of April, 1973, as Cancer Control Month, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and the appropriate officials of all other areas under the United States flag to issue similar proclamations.

To give new emphasis to this serious problem, and to encourage the determination of the American people to meet it, I also ask the medical and health professions, the communications industries, and all other interested persons and groups to unite during this appointed time in public reaffirmation of our Nation's strong commitment to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of March, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-seventh.

RICHARD NIXON

[Filed with the Office of the Federal Register, 10:22 a.m., March 29, 1973]

Drug Law Enforcement Reorganization

The President's Message to the Congress Transmitting Reorganization Plan No. 2 of 1973 To Establish the Drug Enforcement Administration in the Department of Justice. March 28, 1973

To the Congress of the United States:

Drug abuse is one of the most vicious and corrosive forces attacking the foundations of American society today. It is a major cause of crime and a merciless destroyer of human lives. We must fight it with all of the resources at our command.

This Administration has declared all-out, global war on the drug menace. As I reported to the Congress earlier this month in my State of the Union message, there is

evidence of significant progress on a number of fronts in that war.

Both the rate of new addiction to heroin and the number of narcotic-related deaths showed an encouraging downturn last year. More drug addicts and abusers are in treatment and rehabilitation programs than ever before.

Progress in pinching off the supply of illicit drugs was evident in last year's stepped-up volume of drug seizures worldwide—which more than doubled in 1972 over the 1971 level.

Arrests of traffickers have risen by more than one-third since 1971. Prompt Congressional action on my proposal for mandatory minimum sentences for pushers of hard drugs will help ensure that convictions stemming from such arrests lead to actual imprisonment of the guilty.

Notwithstanding these gains, much more must be done. The resilience of the international drug trade remains grimly impressive—current estimates suggest that we still intercept only a small fraction of all the heroin and cocaine entering this country. Local police still find that more than one of every three suspects arrested for street crimes is a narcotic abuser or addict. And the total number of Americans addicted to narcotics, suffering terribly themselves and inflicting their suffering on countless others, still stands in the hundreds of thousands.

A UNIFIED COMMAND FOR DRUG ENFORCEMENT

Seeking ways to intensify our counteroffensive against this menace, I am asking the Congress today to join with this Administration in strengthening and streamlining the Federal drug law enforcement effort.

Funding for this effort has increased sevenfold during the past five years, from \$36 million in fiscal year 1969 to \$257 million in fiscal year 1974—more money is not the most pressing enforcement need at present. Nor is there a primary need for more manpower working on the problem, over 2100 new agents having already been added to the Federal drug enforcement agencies under this Administration, an increase of more than 250 percent over the 1969 level.

The enforcement work could benefit significantly, however, from consolidation of our anti-drug forces under a single unified command. Right now the Federal Government is fighting the war on drug abuse under a distinct handicap, for its efforts are those of a loosely confederated alliance facing a resourceful, elusive, worldwide enemy. Admiral Mahan, the master naval strategist, described this handicap precisely when he wrote that "Granting the same aggregate of force, it is never as great in two hands as in one, because it is not perfectly concentrated."

More specifically, the drug law enforcement activities of the United States now are not merely in two hands but in half a dozen. Within the Department of Justice, with

no overall direction below the level of the Attorney General, these fragmented forces include the Bureau of Narcotics and Dangerous Drugs, the Office for Drug Abuse Law Enforcement, the Office of National Narcotics Intelligence, and certain activities of the Law Enforcement Assistance Administration. The Treasury Department is also heavily engaged in enforcement work through the Bureau of Customs.

This aggregation of Federal activities has grown up rapidly over the past few years in response to the urgent need for stronger anti-drug measures. It has enabled us to make a very encouraging beginning in the accelerated drug enforcement drive of this Administration.

But it also has serious operational and organizational shortcomings. Certainly the cold-blooded underworld networks that funnel narcotics from suppliers all over the world into the veins of American drug victims are no respecters of the bureaucratic dividing lines that now complicate our anti-drug efforts. On the contrary, these modern-day slave traders can derive only advantage from the limitations of the existing organizational patchwork. Experience has now given us a good basis for correcting those limitations, and it is time to do so.

I therefore propose creation of a single, comprehensive Federal agency within the Department of Justice to lead the war against illicit drug traffic.

Reorganization Plan No. 2 of 1973, which I am transmitting to the Congress with this message, would establish such an agency, to be called the Drug Enforcement Administration. It would be headed by an Administrator reporting directly to the Attorney General.

The Drug Enforcement Administration would carry out the following anti-drug functions, and would absorb the associated manpower and budgets:

- All functions of the Bureau of Narcotics and Dangerous Drugs (which would be abolished as a separate entity by the reorganization plan);
- Those functions of the Bureau of Customs pertaining to drug investigations and intelligence (to be transferred from the Treasury Department to the Attorney General by the reorganization plan);
- All functions of the Office for Drug Abuse Law Enforcement; and
- All functions of the Office of National Narcotics Intelligence.

Merger of the latter two organizations into the new agency would be effected by an executive order dissolving them and transferring their functions, to take effect upon approval of Reorganization Plan No. 2 by the Congress. Drug law enforcement research currently funded by the Law Enforcement Assistance Administration and other agencies would also be transferred to the new agency by executive action.

The major responsibilities of the Drug Enforcement Administration would thus include:

- development of overall Federal drug law enforcement strategy, programs, planning, and evaluation;
- full investigation and preparation for prosecution of suspects for violations under all Federal drug trafficking laws;
- full investigation and preparation for prosecution of suspects connected with illicit drugs seized at U.S. ports-of-entry and international borders;
- conduct of all relations with drug law enforcement officials of foreign governments, under the policy guidance of the Cabinet Committee on International Narcotics Control;
- full coordination and cooperation with State and local law enforcement officials on joint drug enforcement efforts; and
- regulation of the legal manufacture of drugs and other controlled substances under Federal regulations.

The Attorney General, working closely with the Administrator of this new agency, would have authority to make needed program adjustments. He would take steps within the Department of Justice to ensure that high priority emphasis is placed on the prosecution and sentencing of drug traffickers following their apprehension by the enforcement organization. He would also have the authority and responsibility for securing the fullest possible cooperation—particularly with respect to collection of drug intelligence—from all Federal departments and agencies which can contribute to the anti-drug work, including the Internal Revenue Service and the Federal Bureau of Investigation.

My proposals would make possible a more effective anti-drug role for the FBI, especially in dealing with the relationship between drug trafficking and organized crime. I intend to see that the resources of the FBI are fully committed to assist in supporting the new Drug Enforcement Administration.

The consolidation effected under Reorganization Plan No. 2 would reinforce the basic law enforcement and criminal justice mission of the Department of Justice. With worldwide drug law enforcement responsibilities no longer divided among several organizations in two different Cabinet departments, more complete and cumulative drug law enforcement intelligence could be compiled. Patterns of international and domestic illicit drug production, distribution and sale could be more directly compared and interpreted. Case-by-case drug law enforcement activities could be more comprehensively linked, cross-referenced, and coordinated into a single, organic enforcement operation. In short, drug law enforcement officers would be able to spend more time going after the traffickers and less time coordinating with one another.

Such progress could be especially helpful on the international front. Narcotics control action plans, developed

under the leadership of the Cabinet Committee on International Narcotics Control, are now being carried out by U.S. officials in cooperation with host governments in 59 countries around the world. This wide-ranging effort to cut off drug supplies before they ever reach U.S. borders or streets is just now beginning to bear fruit. We can enhance its effectiveness, with little disruption of ongoing enforcement activities, by merging both the highly effective narcotics force of overseas Customs agents and the rapidly developing international activities of the Bureau of Narcotics and Dangerous Drugs into the Drug Enforcement Administration. The new agency would work closely with the Cabinet Committee under the active leadership of the U.S. Ambassador in each country where anti-drug programs are underway.

Two years ago, when I established the Special Action Office for Drug Abuse Prevention within the Executive Office of the President, we gained an organization with the necessary resources, breadth, and leadership capacity to begin dealing decisively with the "demand" side of the drug abuse problem—treatment and rehabilitation for those who have been drug victims, and preventive programs for potential drug abusers. This year, by permitting my reorganization proposals to take effect, the Congress can help provide a similar capability on the "supply" side. The proposed Drug Enforcement Administration, working as a team with the Special Action Office, would arm Americans with a potent one-two punch to help us fight back against the deadly menace of drug abuse. I ask full Congressional cooperation in its establishment.

IMPROVING PORT-OF-ENTRY INSPECTIONS

No heroin or cocaine is produced within the United States; domestic availability of these substances results solely from their illegal importation. The careful and complete inspection of all persons and goods coming into the United States is therefore an integral part of effective Federal drug law enforcement.

At the present time, however, Federal responsibility for conducting port-of-entry inspections is awkwardly divided among several Cabinet departments. The principal agencies involved are the Treasury Department's Bureau of Customs, which inspects goods, and the Justice Department's Immigration and Naturalization Service, which inspects persons and their papers. The two utilize separate inspection procedures, hold differing views of inspection priorities, and employ dissimilar personnel management practices.

To reduce the possibility that illicit drugs will escape detection at ports-of-entry because of divided responsibility, and to enhance the effectiveness of the Drug Enforcement Administration, the reorganization plan which I am proposing today would transfer to the Secretary of the Treasury all functions currently vested in Justice Depart-

ment officials to inspect persons, or the documents of persons.

When the plan takes effect, it is my intention to direct the Secretary of the Treasury to use the resources so transferred—including some 1,000 employees of the Immigration and Naturalization Service—to augment the staff and budget of the Bureau of Customs. The Bureau's primary responsibilities would then include:

- inspection of all persons and goods entering the United States;
- valuation of goods being imported, and assessment of appropriate tariff duties;
- interception of contraband being smuggled into the United States;
- enforcement of U.S. laws governing the international movement of goods, except the investigation of contraband drugs and narcotics; and
- turning over the investigation responsibility for all drug law enforcement cases to the Department of Justice.

The reorganization would thus group most port-of-entry inspection functions in a single Cabinet department. It would reduce the need for much day-to-day inter-departmental coordination, allow more efficient staffing at some field locations, and remove the basis for damaging inter-agency rivalries. It would also give the Secretary of the Treasury the authority and flexibility to meet changing requirements in inspecting the international flow of people and goods. An important by-product of the change would be more convenient service for travellers entering and leaving the country.

For these reasons, I am convinced that inspection activities at U.S. ports-of-entry can more effectively support our drug law enforcement efforts if concentrated in a single agency. The processing of persons at ports-of-entry is too closely interrelated with the inspection of goods to remain organizationally separated from it any longer. Both types of inspections have numerous objectives besides drug law enforcement, so it is logical to vest them in the Treasury Department, which has long had the principal responsibility for port-of-entry inspection of goods, including goods being transported in connection with persons. As long as the inspections are conducted with full awareness of related drug concerns it is neither necessary nor desirable that they be made a responsibility of the primary drug enforcement organization.

DECLARATIONS

After investigation, I have found that each action included in Reorganization Plan No. 2 of 1973 is necessary to accomplish one or more of the purposes set forth in Section 901(a) of Title 5 of the United States Code. In particular, the plan is responsive to the intention of the Congress as expressed in Section 901(a)(1): "to promote

better execution of the laws, more effective management of the executive branch and of its agencies and functions, and expeditious administration of the public business;" Section 901(a)(3): "to increase the efficiency of the operations of the Government to the fullest extent practicable;" Section 901(a)(5): "to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions as may not be necessary for the efficient conduct of the Government;" and Section 901(a)(6): "to eliminate overlapping and duplication of effort."

As required by law, the plan has one logically consistent subject matter: consolidation of Federal drug law enforcement activities in a manner designed to increase their effectiveness.

The plan would establish in the Department of Justice a new Administration designated as the Drug Enforcement Administration. The reorganizations provided for in the plan make necessary the appointment and compensation of new officers as specified in Section 5 of the plan. The rates of compensation fixed for these officers would be comparable to those fixed for officers in the executive branch who have similar responsibilities.

While it is not practicable to specify all of the expenditure reductions and other economies which may result from the actions proposed, some savings may be anticipated in administrative costs now associated with the functions being transferred and consolidated.

The proposed reorganization is a necessary step in upgrading the effectiveness of our Nation's drug law enforcement effort. Both of the proposed changes would build on the strengths of established agencies, yielding maximum gains in the battle against drug abuse with minimum loss of time and momentum in the transition.

I am confident that this reorganization plan would significantly increase the overall efficiency and effectiveness of the Federal Government. I urge the Congress to allow it to become effective.

RICHARD NIXON

The White House,
March 28, 1973.

REORGANIZATION PLAN NO. 2 OF 1973

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 28, 1973, pursuant to the provisions of Chapter 9 of Title 5 of the United States Code.

LAW ENFORCEMENT IN ILLICIT DRUG ACTIVITIES

SECTION 1. Transfers to the Attorney General. There are hereby transferred from the Secretary of the Treasury, the Department of the Treasury, and any other officer or any agency of the Department of the Treasury; to the Attorney General all intelligence, investigative, and law enforcement functions, vested by law in the Secretary,

the Department, officers, or agencies which relate to the suppression of illicit traffic in narcotics, dangerous drugs, or marihuana, except that the Secretary shall retain, and continue to perform, those functions, to the extent that they relate to searches and seizures of illicit narcotics, dangerous drugs, or marihuana or to the apprehension or detention of persons in connection therewith, at regular inspection locations at ports of entry or anywhere along the land or water borders of the United States: *Provided*, that any illicit narcotics, dangerous drugs, marihuana, or related evidence seized, and any person apprehended or detained by the Secretary or any officer of the Department of the Treasury, pursuant to the authority retained in them by virtue of this section, shall be turned over forthwith to the jurisdiction of the Attorney General; *Provided further*, that nothing in this section shall be construed as limiting in any way any authority vested by law in the Secretary of the Treasury, the Department of the Treasury, or any other officer or any agency of that Department on the effective date of this Plan with respect to contraband other than illicit narcotics, dangerous drugs, and marihuana: and *Provided further*, that nothing in this section shall be construed as limiting in any way any authority the Attorney General, the Department of Justice, or any other officer or any agency of that Department may otherwise have to make investigations or engage in law enforcement activities, including activities relating to the suppression of illicit traffic in narcotics, dangerous drugs, and marihuana, at ports of entry or along the land and water borders of the United States.

SEC. 2. Transfers to the Secretary of the Treasury. There are hereby transferred to the Secretary of the Treasury all functions vested by law in the Attorney General, the Department of Justice, or any other officer or any agency of that Department, with respect to the inspection at regular inspection locations at ports of entry of persons, and documents of persons, entering or leaving the United States: *Provided*, that any person apprehended or detained by the Secretary or his designee pursuant to this section shall be turned over forthwith to the jurisdiction of the Attorney General: and, *Provided further*, that nothing in this section shall be construed as limiting, in any way, any other authority that the Attorney General may have with respect to the enforcement, at ports of entry or elsewhere, of laws relating to persons entering or leaving the United States.

SEC. 3. Abolition. The Bureau of Narcotics and Dangerous Drugs, including the Office of Director thereof, is hereby abolished, and section 3(a) of Reorganization Plan No. 1 of 1968 is hereby repealed. The Attorney General shall make such provision as he may deem necessary with respect to terminating those affairs of the Bureau of Narcotics and Dangerous Drugs not otherwise provided for in this Reorganization Plan.

SEC. 4. *Drug Enforcement Administration.* There is established in the Department of Justice an agency which shall be known as the Drug Enforcement Administration, hereinafter referred to as "the Administration."

SEC. 5. *Officers of the Administration.* (a) There shall be at the head of the Administration the Administrator of Drug Enforcement, hereinafter referred to as "the Administrator." The Administrator shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter prescribed by law for positions of level III of the Executive Schedule Pay Rates (5 U.S.C. 5314). He shall perform such functions as the Attorney General shall from time to time direct.

(b) There shall be in the Administration a Deputy Administrator of the Drug Enforcement Administration, hereinafter referred to as "the Deputy Administrator," who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Attorney General may from time to time direct, and shall receive compensation at the rate now or hereafter prescribed by law for positions of level V of the Executive Schedule Pay Rates (5 U.S.C. 5316).

(c) The Deputy Administrator or such other official of the Department of Justice as the Attorney General shall from time to time designate shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

SEC. 6. *Performance of transferred functions.* (a) The Attorney General may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this Reorganization Plan by any officer, employee, or agency of the Department of Justice.

(b) The Secretary of the Treasury may from time to time make such provisions as he shall deem appropriate authorizing the performance of any of the functions transferred to him by the provisions of this Reorganization Plan by any officer, employee, or agency of the Department of the Treasury.

SEC. 7. *Coordination.* The Attorney General, acting through the Administrator and such other officials of the Department of Justice as he may designate, shall provide for the coordination of all drug law enforcement functions vested in the Attorney General so as to assure maximum cooperation between and among the Administration, the Federal Bureau of Investigation, and other units of the Department involved in the performance of these and related functions.

SEC. 8. *Incidental transfers.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available or to be made available in connection with the functions transferred to the Attorney General and to the Secretary of the Treasury by this Reorganization Plan as the Director of the Office of Manage-

ment and Budget shall determine shall be transferred to the Department of Justice and to the Department of the Treasury, respectively, at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such Federal agencies as he shall designate.

SEC. 9. *Interim Officers.* (a) The President may authorize any person who, immediately prior to the effective date of this Reorganization Plan, held a position in the Executive Branch of the Government to act as Administrator until the office of Administrator is for the first time filled pursuant to the provisions of this Reorganization Plan or by recess appointment as the case may be.

(b) The President may similarly authorize any such person to act as Deputy Administrator.

(c) The President may authorize any person who serves in an acting capacity under the foregoing provisions of this section to receive the compensation attached to the office in respect to which he so serves. Such compensation, if authorized, shall be in lieu of, but not in addition to, other compensation from the United States to which such person may be entitled.

SEC. 10. *Effective date.* The provisions of this Reorganization Plan shall take effect as provided by section 906(a) of title 5 of the United States Code or on July 1, 1973, whichever is later.

Crime Statistics

Statement by the President on the FBI's Uniform Crime Reports for 1972. March 28, 1973

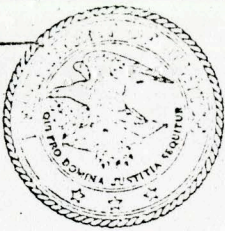
The crime figures released today by the Department of Justice are very heartening.

The FBI's Uniform Crime Reports indicate that for the first time in 17 years, America has experienced an absolute decrease in serious crime.

In 1972, serious crime decreased by 3 percent over 1971. In the last quarter of 1972, there was a full 8 percent decrease.

Reflected in these figures is a pattern of steady progress over the past 4 years. In 1968, serious crime increased by 17 percent, the largest rate of increase in the last quarter century. Gradually that rate of increase has been reduced, coming down to 11 percent in 1970, 6 percent in 1971, and finally to this complete reversal in 1972.

These results are a tribute to the men and women in the frontlines of the war against crime—our law enforcement officers. Public opinion is untying their hands, and they are once again being given the public support they



Office of the Attorney General

Washington, D. C. 20530

October 8, 1971

My dear Mr. President:

I have the honor to enclose a nomination in favor of James R. Thompson, Jr., of Illinois, to be United States Attorney for the Northern District of Illinois for the term of four years vice William J. Bauer.

Mr. Thompson was born May 8, 1936 in Chicago, Illinois, and is single. He attended the University of Illinois from 1953 to 1955, Washington University in St. Louis from 1955 to 1956, and Northwestern University School of Law in Chicago, from which he received his LL.B. degree in 1959. He was admitted to the Illinois State Bar that same year.

From 1959 to 1964 he was Assistant State's Attorney of Cook County, Illinois; from 1964 to 1969 he was an Assistant Professor and then Associate Professor of Law at Northwestern University; and from 1969 to 1970 he served in the Office of the Attorney General, State of Illinois, as Chief, Department of Law Enforcement, Chief of Criminal Justice Division, and Assistant Attorney General, respectively. In June 1970 he became employed by the Department of Justice as an Assistant United States Attorney, Chicago, Illinois, and served as the United States Attorney for the Northern District of Illinois on a court appointment from June to July. He is presently serving as First Assistant United States Attorney.

Mr. Thompson bears an excellent reputation as to character and integrity, and is well qualified, I believe, to be the United States Attorney for the Northern District of Illinois.

I recommend the nomination.

Respectfully,

A handwritten signature in dark ink, appearing to read "J. Edgar Hoover", is written over a horizontal line.

The President

The White House

JAMES R. THOMPSON, Jr.

Born:	5-8-1936	Chicago, Illinois
Legal Residence:		Illinois
Marital Status:	Single	
Education:	1953--55	University of Illinois, Chicago, Ill.
	1955--56	Washington University, St. Louis, Mo.
	1956--59	Northwestern University School of Law Chicago, Ill. - LL.B. degree
Bar:	1959	Illinois
Employment:	1959--64	Assistant State's Attorney Cook County, Illinois
	1964--69	Assistant Professor; Associate Professor of Law Northwestern University School of Law Chicago, Ill.
	1969--70	Assistant Attorney General State of Illinois Chief, Dept. of Law Enforcement Chief, Criminal Justice Div.
	6-7---7-70	United States Attorney, Dept. of Justice, Northern District of Ill. (court appointment) Chicago, Ill.
	7-70--present	First Assistant United States Attorney Department of Justice Chicago, Ill.
Office:	219 S. Dearborn St. Chicago, Ill. 60604	
Home:	4880 N. Marine Drive (Apt. 501) Chicago, Ill.	
Political Affiliation:	Republican	
Present Position:	FIRST ASSISTANT UNITED STATES ATTORNEY	

Administrator

Drug Enforcement Administration

The Administrator will oversee an international organization of almost 4,000 persons with a budget of approximately 107 million dollars and will be responsible for directing an overall program designed to strengthen and streamline the Federal drug law enforcement effort.

He will develop the overall Federal drug law enforcement strategy and programs, including a program for the full investigation and preparation for prosecution of suspects for violations under all Federal drug trafficking laws; conducting relations with drug law enforcement officials of foreign governments under the policy guidance of the Cabinet Committee on International Narcotics Controls; and for leading the effort to gain the full coordination and cooperation of State and local law enforcement officials on joint drug enforcement matters.

The Administrator must be a person who combines strong management and leadership capability with important law enforcement experience and capability so as skillfully to meld the resources of disparate organizations and perspectives into a cohesive effort capable of effectively dealing with the drug problem.

TALKING POINTS

GENERAL

Office # (312) 353-5333

1. The President views the narcotics problem as the single most important national and international social problem facing the leaders of the world.
2. DEA will be the single oversight agency within the federal structure to deal with all aspects of the narcotics problem. It will incorporate all the existing drug enforcement offices and agencies presently in existence.
3. The Administrator of DEA, although technically following under the Attorney General, will be the President's major spokesman on narcotics and drug related matters and will be instrumental in designing and carrying out national policy in this field.
4. While initially the job will emphasize the resolution of administrative problems and of jurisdictional disputes between the agencies and bureaus, Thompson will have a strong Deputy, skilled in dealing with government bureaucracy, which will ensure that the DEA gets off on the right foot.
5. The Administrator's job is a PAS Level III which is an increase in pay and prestige for Thompson.

PERSONAL

1. He is being selected by the President for this position.
2. Opportunity for Thompson to expand his prestige and reputation in the National Press.
3. Substance of the position is extremely heavy and pertinent to the country's development, therefore, the opportunity exists to make a significant contribution to humanity.
4. We need a commitment of at least two years to get DEA off the ground. Of course, he is welcome to stay as long as he wants, but two years is the minimum.

EF

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

Pres. did not see ①
EXECUTIVE
FG-17-18
FG6-16

INFORMATION

June 27, 1973

MEMORANDUM FOR: THE PRESIDENT
FROM: ROY L. ASH
SUBJECT: DRUG REORGANIZATION

The new Drug Enforcement Administration (DEA) comes into existence July first.

Its creation was made possible by Congressional acceptance of Reorganization Plan No. 2 of 1973. This consolidation will end the twenty year Customs/BNDD dispute by merging all Federal drug enforcement into a single new agency in the Department of Justice. Included will be the Bureau of Narcotics and Dangerous Drugs, the Office of National Narcotics Intelligence, the Office of Drug Abuse Law Enforcement, and the drug intelligence and investigative activities of the Bureau of Customs. We hope to be in a position to select a new Administrator this week or next.

The Plan came under strong partisan attack in the House of Representatives. It was also initially opposed by organized labor which objected to a provision transferring Immigration inspectors to the Bureau of Customs.

After losing in the House Government Operations Committee, we worked out with Chairman Holifield and Frank Horton (ranking minority member) a common approach to labor in which we agreed to support repeal of the (relatively unimportant) section of the Plan dealing with the Immigration transfer. We then launched an intensive two-week lobbying effort of our own. The final vote was 281 to 130 in our favor.

Creation of the Drug Enforcement Administration completes the job of rationalizing the badly fragmented \$780 million Federal anti-drug effort.

Treatment and prevention continues to be centralized under the Special Action Office for Drug Abuse Prevention. International drug control is a responsibility of the State chaired Cabinet Committee on International Narcotics Control. To

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FILES

coordinate these three independent and coequal program elements, OMB has created a new Federal Drug Management Division which works in tandem with the Domestic Council.

We will also have a completely new team in charge.

Bill Handley (former Ambassador to Turkey) has been given the international control responsibilities previously exercised by Bud Krogh and Nelson Gross. Bob DuPont (formerly in charge of the highly successful Narcotics Treatment Administration in the District of Columbia) has replaced Jerry Jaffe at the Special Action Office. The new DEA Administrator will assume the drug enforcement duties previously split among Mike Acree (Customs); Jack Ingersoll (BNDD); Myles Ambrose (ODALE); and Bill Sullivan (ONNI). Walt Minnick (previously of Bud Krogh's staff) heads the new OMB coordinating division.

This organizational structure makes sense and the personnel assignments are first rate. I am thus confident that during the next year or two we should see significant progress in controlling the country's drug abuse problem.


The Western White House
San Clemente

July 6, 1973

②+
EXECUTIVE

HES-1

PR1

FG17-18

Dear Mr. Lovenheim:

The diligence and skill with which you marshaled support in the House for Reorganization Plan No. 2 of 1973 was very much appreciated. Without your able staff support it is doubtful that this badly needed reform of the Federal drug law enforcement effort would have been approved. Every American who shares our mutual concern about the threat drug abuse poses to this country has reason to be grateful for what you have done.

Sincerely,


RICHARD NIXON

✓
Mr. David Lovenheim
Room 2229
Rayburn House Office Building
Washington, D. C. 20015

cc: Mr. Walter Minnick, Office of Budget and Management

RN:OMB(Minnick):MBS:mah

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JUL 11 1973
CENTRAL FILES

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EXECUTIVE

HES-1

PR 1

FG17-18

ms
The Western White House
San Clemente

July 6, 1973

DEAR MIKE,

I deeply appreciated your superb work in helping to win House approval of Reorganization Plan No. 2 of 1973. Without your assistance and counsel, this much overdue reform of the Federal drug enforcement machinery might not have gained legislative passage. Every American who shares our mutual concern about the menace of drug abuse has reason to be grateful for what you have done.

Sincerely,

RICHARD NIXON

X
Mr. Michael McKevitt

Room 4115

The Department of Justice

Washington, D. C. 20530

✓cc: Mr. Walter Minnick, The Office of Budget and Management

14 RN:OBM(Minnick):MBS:mah

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JUL 11 1973
CENTRAL FILE

EXECUTIVE

HES-1

PR 1

FG 17-18

The Western White House
San Clemente

July 6, 1973

Dear Colonel Williams:

This note is to express my personal appreciation for the long hours and hard work you devoted in securing Congressional approval for Reorganization Plan No. 2 of 1973. Without the dedicated staff support which you provided, this badly needed consolidation of Federal drug law enforcement agencies could never have occurred.

Please accept my thanks for all that you did.

Sincerely,

RICHARD NIXON

Lieutenant Colonel Richard Williams, USA
Federal Drug Management Division
Office of Management and Budget
Washington, D. C. 20503

cc: Mr. Walter Minnick, The Office of Budget and Management
RN:OMB(Minnick:MBS:mah)

RECEIVED

JUL 11 1973

WALTER MINNICK



The Western White House
San Clemente

July 6, 1973

EXECUTIVE

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PR1

FG17-18

② +

Dear Mr. Weiss:

I have deeply appreciated your excellent work with the Congress during the past two years in furthering my drug control programs. I am especially grateful for all that you did in gaining House approval of Reorganization Plan No. 2 of 1973. This was a significant achievement of great importance to the nation's efforts against drug abuse.

Congratulations on a job well done.

Sincerely,

RICHARD NIXON

X
Mr. W. F. Weiss
Room 7330
Department of State
Washington, D. C. 20520

cc: Mr. Walter Minnick, The Office of Management and Budget
RN:OMB(Minnick):MBS:mah

RECEIVED
JUL 11 1973
CENTRAL FILES

②
EXECUTIVE

HES-1

PR 1

FG17-18

The Western White House
San Clemente

July 6, 1973

Dear Pat:

Your efforts in helping to secure House approval of my Reorganization Plan bringing all Federal drug enforcement into a new Administration in the Justice Department are deeply appreciated. Without your hard work in persuading the Congress of the merits of the Reorganization Plan, this long overdue law enforcement consolidation might well have never taken place.

Please accept my congratulations on a job well done.

Sincerely,

~~RICHARD~~ NIXON

X
Mr. Patrick O'Donnell
Room 4115
The Department of Justice
Washington, D. C. 20530

cc: Mr. Walter Minnick, The Office of Management and Budget
RN:OMB(Minnick):MBS:mah

RECEIVED
JUL 11 1973
CENTRAL FILES

EXECUTIVE

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FG17-8

FG17-18

FG12

FG12-5

FG34

THE WHITE HOUSE

WASHINGTON

7/1/73

The Speaker of the
House of Representatives

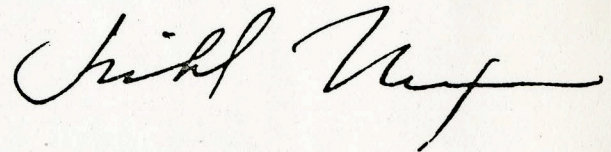
Sir:

In the enclosed letter, the Director of the Office of Management and Budget recommends various amendments to the budget which I have submitted to the Congress for fiscal year 1974. These amendments would reallocate amounts totaling \$103,229,000 in our requests for appropriations. Both outlay estimates and budget authority in the 1974 budget would be increased by \$14,988,000.

These increases and reallocations are necessary to pay for unanticipated costs incurred during recent disturbances at Wounded Knee, South Dakota, finance the work of the Special Prosecution Force, and carry out the recent reorganizations and reassignments affecting the Departments of Treasury and Justice.

I concur with the comments and observations of the Director of the Office of Management and Budget and ask that the Congress act favorably on these amendments.

Respectfully,



EXECUTIVE

FG17-18

FE6

FG17-17

FG17-16

HE5-1

FG17

July 7, 1973

Dear Mr. Attorney General:

The enclosed copy of an Executive Order by the President entitled "Drug Law Enforcement" is transmitted for the files of the Department of Justice.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable
The Attorney General
Washington, D. C. 20530

Enclosure

Signed: 7/6/73

RECEIVED

JUL 9 1973

CENTRAL FILES

THE PRESIDENT HAS SEEN *DOB*

THE WHITE HOUSE
WASHINGTON

June 25, 1973

ACTION

MEMORANDUM FOR: THE PRESIDENT
FROM: KEN COLE
SUBJECT: Proposed Executive Order Entitled
"Drug Law Enforcement"

Attached is an Executive Order which would establish a Drug Enforcement Administration in the Department of Justice. The attached order would revoke the two Executive Orders that provided for the establishment of the Office of Drug Abuse Law Enforcement and the Office of National Narcotics Intelligence, together with other functions, and merge these in the new Drug Enforcement Administration.

OMB, Justice, the Counsel's office, Geoff Shepard, Bill Timmons and Dave Gergen concur.

RECOMMENDATION

That you sign the Executive Order (Tab A).

announced in California 7/4/73
Stenalled
to Archives: 7/6/73

No ceremony
per W. Minnich

6.26.73

Kennedy

June 22, 1973

*Bob
Linder*

MEMORANDUM FOR:

MIKE SCHRAUTH

FROM:

TERRY O'DONNELL

VIA:

DAVE PARKER

Mike,

Attached is the background information on the Shipbuilding Contracts to be signed and announced next week sometime between June 26 and June 29. Since the President will not participate, Dave has asked me to turn this matter over to you.

It's Jerry's call as to when the contracts will be signed, and you should communicate that decision to Huffaut at Commerce. Dave favors their doing it on Friday, the 29th. From the standpoint of the weekly news flow, he feels it will be a much better story on Friday.

We have turned down Shepard's proposal for a signing ceremony of Executive Orders effectuating the Drug Reorganization Plan, which goes into effect on July 1 in favor of handling this by announcement on June 29. The Executive Orders should be signed privately on the morning of June 29, prior to the announcement.

✓cc: Bruce Kehrli

*Please
where
THANISS
ALIVE
Have
STAND.
B. Kehrli*

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 5203

Date: June 22, 1973

Time: 10:00 a. m.

FOR ACTION: Geoff Shepard ✓
Len Garment ✓
Bill Timmons ✓
Dave Gergen ✓

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Monday, June 25, 1973

Time: 2:00 p. m.

SUBJECT: Proposed Executive Order Entitled "Drug Law Enforcement"

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☐ For Your Comments☐ Draft Remarks

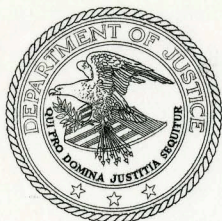
REMARKS:

Please return to Kathy Jensen
Grd. Flr., West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



Office of the Attorney General
Washington, D. C. 20530

JUN 21 1973

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Drug Law Enforcement."

This proposed order was prepared in the Office of Management and Budget and has been forwarded, with the approval of the Director, for the consideration of this Department as to form and legality. The order has been revised in this Department in consultation with a representative of the Office of Management and Budget.

The proposed Executive order is approved as to form and legality.

Respectfully,

Robert G. Dixon, Jr.
Assistant Attorney General
Office of Legal Counsel

JUN 21 1973

MEMORANDUM

Re: Proposed Executive order entitled
"Drug Law Enforcement"

The attached proposed order was prepared in the Office of Management and Budget and has been forwarded, with the approval of the Director, for the consideration of this Department as to form and legality. The order has been revised in this Department in consultation with a representative of the Office of Management and Budget.

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, establishes a Drug Enforcement Administration in the Department of Justice. The President's message which accompanied the Reorganization Plan stated that the functions of the Office for Drug Abuse Law Enforcement and the Office of National Narcotics Intelligence, established in the Department of Justice pursuant to Executive Order No. 11641 of January 28, 1972, and Executive Order No. 11676 of July 27, 1972, respectively, would be merged into the new Drug Enforcement Administration.

This proposed order would revoke E.O. 11641 and E.O. 11676 and would authorize the Attorney General to reassign the functions of ODALE and ONNI and to abolish those Offices. It would also authorize the Attorney General to provide for the winding up of the affairs of those Offices.

Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, which places certain positions in Level IV of the Executive Schedule, would be amended by deleting from the list of Level IV positions the directors of ODALE and ONNI.

As presented by the Office of Management and Budget, the order would have directed the Attorney General to assign to the Drug Enforcement Administration and to the Administrator, such functions as may be necessary to carry out the purposes of the Reorganization Plan. We have deleted that provision, inasmuch as it is not legally necessary and could be construed to limit the Attorney General's authority to assign drug related functions to another organizational unit of the Department. It is contemplated that a narcotics division will be established to handle litigation.

Section 2 and 3 of the proposed order have been revised in this Department to provide for the reassignment of functions of ODALE and ONNI. The order as presented by OMB only provided for their abolishment. This change would preserve the functions under the revoked Executive orders.

The proposed Executive order is acceptable as to form and legality.

Robert G. Dixon, Jr.
Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

- - - - -

DRUG LAW ENFORCEMENT

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, among other things establishes a Drug Enforcement Administration in the Department of Justice. In my message to the Congress transmitting that plan, I stated that all functions of the Office of Drug Abuse Law Enforcement (established pursuant to Executive Order No. 11641 of January 28, 1972) and the Office of National Narcotics Intelligence (established pursuant to Executive Order No. 11676 of July 27, 1972) would, together with other related functions, be merged in the new Drug Enforcement Administration.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, including section 5317 of Title 5 of the United States Code, it is hereby ordered as follows:

Section 1. The Attorney General, to the extent permitted by law, is authorized to coordinate all activities of Executive Branch departments and agencies which are directly related to the enforcement of laws respecting narcotics and dangerous drugs. Each department and agency of the Federal Government shall, upon request and to the extent permitted by law, assist the Attorney General in the performance of functions assigned to him pursuant to this order, and the Attorney General

may, in carrying out those functions, utilize the services of any other agencies, Federal and State, as may be available and appropriate.

Section 2. Executive Order No. 11641 of January 28, 1972, is revoked and the Attorney General shall provide for the reassignment of the functions of the Office for Drug Abuse Law Enforcement and for the abolishment of that Office.

Section 3. Executive Order No. 11676 of July 27, 1972, is hereby revoked and the Attorney General shall provide for the reassignment of the functions of the Office of National Narcotics Intelligence and for the abolishment of that Office.

Section 4. Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, placing certain positions in level IV of the Executive Schedule is hereby further amended by deleting--

- (1) "(6) Director, Office for Drug Abuse Law Enforcement, Department of Justice."; and
- (2) "(7) Director, Office of National Narcotics Intelligence, Department of Justice."

Section 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the reassignment of their functions.

Section 6. This order shall be effective as of
July 1, 1973.

THE WHITE HOUSE

, 1973

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 20 1973

Honorable Elliot L. Richardson
Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Herewith, in accordance with Executive Order No. 11030, as amended, is a proposed Executive Order entitled "Drug Law Enforcement."

This order was prepared in this office. Reorganization Plan No. 2 of 1973 establishes a Drug Enforcement Administration in the Department of Justice. In the message that accompanied that plan, the President stated that the functions of the Office of Drug Abuse Law Enforcement and the Office of National Narcotics Intelligence would, together with other functions, be merged in the new Drug Enforcement Administration.

The enclosed order would revoke the two Executive Orders that provided for the establishment of those two offices and would authorize you to abolish those offices and provide for the winding up of their affairs.

Section 1 of the order would require the Attorney General to assign functions to the new Drug Enforcement Administration in conformity with the President's transmittal message. It would require other agencies to assist the Administrator, to the extent permitted by law, in performing his functions. It would also authorize the Attorney General, to the extent permitted by law, to coordinate activities of other departments and agencies that are directly related to functions assigned to the new Administration. The latter two provisions comply with commitments made to the Congress during the consideration of Reorganization Plan No. 2 of 1973.

This order should be issued before July 1, 1973, so that you can make whatever arrangements are necessary to launch the new Administration. We are hopeful that it can be issued this week; consequently we would appreciate it if this order could be forwarded for the consideration of the President by close of business, June 21, 1973.

This proposed order has the approval of the Director of the Office of Management and Budget.

Sincerely,

(Signed) Stanley Ebner

Stanley Ebner
General Counsel

Attachment

EXECUTIVE ORDER

DRUG LAW ENFORCEMENT

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, among other things establishes a Drug Enforcement Administration in the Department of Justice. In my message to the Congress transmitting that plan, I stated that all functions of the Office of Drug Abuse Law Enforcement (established pursuant to Executive Order No. 11641 of January 28, 1972) and the Office of National Narcotics Intelligence (established pursuant to Executive Order No. 11676 of July 27, 1972) would, together with other related functions, be merged in the new Drug Enforcement Administration.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, including section 5317 of Title 5 of the United States Code, it is hereby ordered as follows:

Section 1. (a) The Attorney General shall assign to the Drug Enforcement Administration, and the Administrator thereof, such functions as may be necessary to carry out the purposes of Reorganization Plan No. 2 of 1973.

(b) Each department and agency of the Federal Government shall, upon request and to the extent permitted by law, assist the ^{Attorney General} Administrator in the performance of functions assigned to him pursuant to this order, and the ^{Attorney General} Administrator may, in

*Insert
next page*

carrying out those functions, utilize the services of any other agencies, Federal and State, as may be available and appropriate.

Section 1.

(c) The Attorney General, to the extent permitted by law, is authorized to coordinate all activities of Executive Branch departments and agencies which are directly related to ^{the enforcement} functions ^{of laws respecting narcotics and dangerous drugs.} assigned to the Drug Enforcement Administration. (Insert)

Sec. 2. Executive Order No. 11641 of January 28, 1972, is revoked and the Attorney General shall provide for ^{the reassignment of the functions} abolishment of the Office for Drug Abuse Law Enforcement ^{and for the abolishment of that Office.}

Sec. 3. Executive Order No. 11676 of July 27, 1972, is hereby revoked and the Attorney General shall provide for the ^{reassignment of the functions} abolishment of the Office of National Narcotics Intelligence ^{and for the abolishment of that Office.}

Sec. 4. Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, placing certain positions in level IV of the Executive Schedule is hereby further amended by deleting--

- (1) "(6) Director, Office for Drug Abuse Law Enforcement, Department of Justice."; and
- (2) "(7) Director, Office of National Narcotics Intelligence, Department of Justice."

Sec. 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the ^{reassignment} transfer of their functions to the Drug Enforcement Administration.

Sec. 6. This order shall be effective as of
July 1, 1973.

THE WHITE HOUSE

, 1973

Date: June 22, 1973

Time: 10:00 a. m.

FOR ACTION: Geoff Shepard
Len Garment
Bill Timmons
Dave Gergen ✓

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Monday, June 25, 1973

Time: 2:00 p. m.

SUBJECT: Proposed Executive Order Entitled "Drug Law Enforcement"

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☐ For Your Comments☐ Draft Remarks

REMARKS:

Pam Giles CG
AG Am for

Please return to Kathy Jensen
Grd. Flr., West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

CRAIG GOSDEN
For the President



Office of the Attorney General
Washington, D. C. 20530

JUN 21 1973

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive order entitled "Drug Law Enforcement."

This proposed order was prepared in the Office of Management and Budget and has been forwarded, with the approval of the Director, for the consideration of this Department as to form and legality. The order has been revised in this Department in consultation with a representative of the Office of Management and Budget.

The proposed Executive order is approved as to form and legality.

Respectfully,

A handwritten signature in cursive script, reading "Robert G. Dixon, Jr.", is written over the typed name.

Robert G. Dixon, Jr.
Assistant Attorney General
Office of Legal Counsel

Research

EXECUTIVE ORDER

- - - - -

DRUG LAW ENFORCEMENT

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, among other things establishes a Drug Enforcement Administration in the Department of Justice. In my message to the Congress transmitting that plan, I stated that all functions of the Office of Drug Abuse Law Enforcement (established pursuant to Executive Order No. 11641 of January 28, 1972) and the Office of National Narcotics Intelligence (established pursuant to Executive Order No. 11676 of July 27, 1972) would, together with other related functions, be merged in the new Drug Enforcement Administration.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, including section 5317 of Title 5 of the United States Code, as amended, it is hereby ordered as follows:

Section 1. The Attorney General, to the extent permitted by law, is authorized to coordinate all activities of Executive Branch departments and agencies which are directly related to the enforcement of laws respecting narcotics and dangerous drugs. Each department and agency of the Federal Government shall, upon request and to the extent permitted by law, assist the Attorney General in the performance of functions assigned to him pursuant to this order, and the Attorney General

may, in carrying out those functions, utilize the services of any other agencies, Federal and State, as may be available and appropriate.

X ~~Section~~ ^{ok} 2. Executive Order No. 11641 of January 28, 1972, is revoked and the Attorney General shall provide for the reassignment of the functions of the Office for Drug Abuse Law Enforcement and for the abolishment of that Office.

X ~~Section~~ ^{ok} 3. Executive Order No. 11676 of July 27, 1972, is hereby revoked and the Attorney General shall provide for the reassignment of the functions of the Office of National Narcotics Intelligence and for the abolishment of that Office.

X ~~Section~~ ^{ok} 4. Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, placing certain positions in level IV of the Executive Schedule is hereby further amended by deleting--

^{ok} (1) "(6) Director, Office for Drug Abuse Law Enforcement, Department of Justice."; and

^{ok} (2) "(7) Director, Office of National Narcotics Intelligence, Department of Justice."

X ~~Section~~ ^{ok} 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the reassignment of their functions.

Section 6. This order shall be effective as of
July 1, 1973.

THE WHITE HOUSE

, 1973

EXECUTIVE ORDER

- - - - -

DRUG LAW ENFORCEMENT

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, among other things establishes a Drug Enforcement Administration in the Department of Justice. In my message to the Congress transmitting that plan, I stated that all functions of the Office of Drug Abuse Law Enforcement (established pursuant to Executive Order No. 11641 of January 28, 1972) and the Office of National Narcotics Intelligence (established pursuant to Executive Order No. 11676 of July 27, 1972) would, together with other related functions, be merged in the new Drug Enforcement Administration.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, including section 5317 of Title 5 of the United States Code, it is hereby ordered as follows:

Section 1. The Attorney General, to the extent permitted by law, is authorized to coordinate all activities of Executive Branch departments and agencies which are directly related to the enforcement of laws respecting narcotics and dangerous drugs. Each department and agency of the Federal Government shall, upon request and to the extent permitted by law, assist the Attorney General in the performance of functions assigned to him pursuant to this order, and the Attorney General

may, in carrying out those functions, utilize the services of any other agencies, Federal and State, as may be available and appropriate.

Section 2. Executive Order No. 11641 of January 28, 1972, is revoked and the Attorney General shall provide for the reassignment of the functions of the Office for Drug Abuse Law Enforcement and for the abolishment of that Office.

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Section 4. Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, placing certain positions in level IV of the Executive Schedule is hereby further amended by deleting--

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- (2) "(7) Director, Office of National Narcotics Intelligence, Department of Justice."

Section 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the reassignment of their functions.

Section 6. This order shall be effective as of
July 1, 1973.

THE WHITE HOUSE

, 1973

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 20 1973

Honorable Elliot L. Richardson
Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Herewith, in accordance with Executive Order No. 11030, as amended, is a proposed Executive Order entitled "Drug Law Enforcement."

This order was prepared in this office. Reorganization Plan No. 2 of 1973 establishes a Drug Enforcement Administration in the Department of Justice. In the message that accompanied that plan, the President stated that the functions of the Office of Drug Abuse Law Enforcement and the Office of National Narcotics Intelligence would, together with other functions, be merged in the new Drug Enforcement Administration.

The enclosed order would revoke the two Executive Orders that provided for the establishment of those two offices and would authorize you to abolish those offices and provide for the winding up of their affairs.

Section 1 of the order would require the Attorney General to assign functions to the new Drug Enforcement Administration in conformity with the President's transmittal message. It would require other agencies to assist the Administrator, to the extent permitted by law, in performing his functions. It would also authorize the Attorney General, to the extent permitted by law, to coordinate activities of other departments and agencies that are directly related to functions assigned to the new Administration. The latter two provisions comply with commitments made to the Congress during the consideration of Reorganization Plan No. 2 of 1973.

This order should be issued before July 1, 1973, so that you can make whatever arrangements are necessary to launch the new Administration. We are hopeful that it can be issued this week; consequently we would appreciate it if this order could be forwarded for the consideration of the President by close of business, June 21, 1973.

This proposed order has the approval of the Director of the Office of Management and Budget.

Sincerely,

(Signed) Stanley Ebner

Stanley Ebner
General Counsel

Attachment

THE WHITE HOUSE
WASHINGTON

June 25, 1973

MEMORANDUM FOR: CRAIG GOSDEN
FROM: WILLIAM E. TIMMONS *BT*
SUBJECT: Action Memorandum - Log No. 5203
Proposed Executive Order Entitled "Drug
Law Enforcement"

Our office has reviewed the attached action memorandum and has
no comment.

Attachment

Date: June 22, 1973

Time: 10:00 a. m.

FOR ACTION: Geoff Shepard
Len Garment
Bill Timmons ✓
Dave Gergen

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Monday, June 25, 1973Time: 2:00 p. m.

SUBJECT: Proposed Executive Order Entitled "Drug Law Enforcement"

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☐ For Your Comments☐ Draft Remarks

REMARKS:

Please return to Kathy Jensen
Grd. Flr., West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

CRAIG GOSDEN
For the President

June 22, 1973

MEMORANDUM FOR:

CRAIG GOSDEN

FROM:

FRED FIELDING

SUBJECT:

Proposed Executive Order Entitled
"Drug Law Enforcement"

We have reviewed this proposed executive order and have no objection to it from a legal standpoint.

THE WHITE HOUSE

WASHINGTON

Date _____

TO: D.C.

FROM: Fred F. Fielding

ACTION: _____

_____ Approval/Signature

_____ Comments/Recommendations

_____ Prepare Response

_____ Please Handle

_____ For Your Information

_____ File

REMARKS:

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 5203

Date: June 22, 1973

Time: 10:00 a. m.

FOR ACTION: Geoff Shepard
Len Garment ✓
Bill Timmons
Dave Gergen

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Monday, June 25, 1973Time: 2:00 p. m.

SUBJECT: Proposed Executive Order Entitled "Drug Law Enforcement"

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☐ For Your Comments☐ Draft Remarks

REMARKS:

Please return to Kathy Jensen
Grd. Flr., West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

CRAIG GOSDEN
For the President

THE WHITE HOUSE
WASHINGTON

Date 6/20

TO: D.C.

FROM: FRED F. FIELDING *J*

Preview - no action
required at this time -

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

JUN 19 1973

DATE:
REPLY TO
ATTN OF:

DO:OGC

SUBJECT:

Proposed Executive Order entitled "Drug Law Enforcement."

Mr. Mark W. Alger
Mr. Walter C. Minnick

Mr. Dudley C. Mecum (Mr. Bingman)
Mr. David P. Taylor (Mr. Parker)

Please review the attached proposed Executive Order and transmittal letter which are revisions of the draft I sent you on June 8, 1973. Let me or Mr. Simms know if you have any problem with either.

Unless I hear from you to the contrary, I propose to forward this draft order to Justice for clearance on Wednesday, June 20.

(Signed) Stanley Ebner

Stanley Ebner
General Counsel

Attachments

cc: E.O. Records
OGC Chron
General Counsel
Mr. Garment ✓
Mr. Shepard (Domestic Council)
Mr. Ulman - Justice
DO:OGC:CFSimms:mjr:6/18/73

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 5203

Date: June 22, 1973

Time: 10:00 a. m.

FOR ACTION: Geoff Shepard ✓
 Len Garment
 Bill Timmons
 Dave Gergen

cc (for information):

FROM THE STAFF SECRETARY

DUE: Date: Monday, June 25, 1973

Time: 2:00 p. m.

SUBJECT: Proposed Executive Order Entitled "Drug Law Enforcement"

TO: Jerry Jones
 FROM: BRUCE KEHRLI

ACTION REQUESTED:

☐ For Necessary Action ☒ XX For Your Recommendations
☐ Prepare Agenda and Brief ☐ Draft Reply
☐ For Your Comments ☐ Draft Remarks

REMARKS:

- ① OK as drafted
- ② Schedule proposed has been rejected. Please return to Kathy Jensen
Grd. Flr., West Wing
- ③ Can proceed w/ signature
 at OMB option.

L.C.S.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

CRAIG GOSDEN
 For the President

THE WHITE HOUSE
WASHINGTON

Date June 27

TO: Jerry Jones
FROM: BRUCE KEHRLI

We need your comments on this
by 12:30 as it is to go on the
courier at 1:00.

OK

A.B. DICK
MIMEOGRAPHA.B. DICK
MIMEOGRAPHA.B. DICK
MIMEOGRAPHA.B. DICK
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FOR IMMEDIATE RELEASE

Office of the White House Press Secretary

THE WHITE HOUSE

EXECUTIVE ORDER

DRUG LAW ENFORCEMENT

Reorganization Plan No. 2 of 1973, which becomes effective on July 1, 1973, among other things establishes a Drug Enforcement Administration in the Department of Justice. In my message to the Congress transmitting that plan, I stated that all functions of the Office for Drug Abuse Law Enforcement (established pursuant to Executive Order No. 11641 of January 28, 1972) and the Office of National Narcotics Intelligence (established pursuant to Executive Order No. 11676 of July 27, 1972) would, together with other related functions, be merged in the new Drug Enforcement Administration.

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and laws of the United States, including section 5317 of title 5 of the United States Code, as amended, it is hereby ordered as follows:

Section 1. The Attorney General, to the extent permitted by law, is authorized to coordinate all activities of executive branch departments and agencies which are directly related to the enforcement of laws respecting narcotics and dangerous drugs. Each department and agency of the Federal Government shall, upon request and to the extent permitted by law, assist the Attorney General in the performance of functions assigned to him pursuant to this order, and the Attorney General may, in carrying out those functions, utilize the services of any other agencies, Federal and State, as may be available and appropriate.

Sec. 2. Executive Order No. 11641 of January 28, 1972, is revoked and the Attorney General shall provide for the reassignment of the functions of the Office for Drug Abuse Law Enforcement and for the abolishment of that Office.

Sec. 3. Executive Order No. 11676 of July 27, 1972, is hereby revoked and the Attorney General shall provide for the reassignment of the functions of the Office of National Narcotics Intelligence and for the abolishment of that Office.

Sec. 4. Section 1 of Executive Order No. 11708 of March 23, 1973, as amended, placing certain positions in level IV of the Executive Schedule is hereby further amended by deleting--

- (1) (6) Director, Office for Drug Abuse Law Enforcement, Department of Justice; and
- (2) (7) Director, Office of National Narcotics Intelligence, Department of Justice.

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Sec. 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the reassignment of their functions.

Sec. 6. This order shall be effective as of July 1, 1973.

RICHARD NIXON

THE WHITE HOUSE,

#

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EXECUTIVE ORDER

#11727

DRUG LAW ENFORCEMENT

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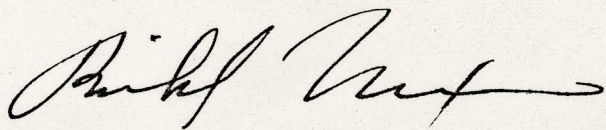
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Sec. 5. The Attorney General shall provide for the winding up of the affairs of the two offices and for the reassignment of their functions.

Sec. 6. This order shall be effective as of July 1, 1973.



THE WHITE HOUSE,

July 6, 1973.

BB
MEMORANDUM OF INFORMATION FOR THE FILE

DATE 8/15/73

EXECUTIVE

HE5-1

FG12-5

FG17-18

FG6-16

LETTER, MEMO, ETC.

TO:

Al Haig - Bryce Harlow
Mel Laird

FROM:

Roy Ash

SUBJECT:

Unresolved Drug Reorganization
Issues

CORRESPONDENCE FILED CENTRAL FILES - CONFIDENTIAL FILE

THE WHITE HOUSE

WASHINGTON

August 17, 1973

MEMORANDUM FOR AL HAIG

SUBJECT: DRUG ENFORCEMENT ADMINISTRATION

We have reached a critical point in this Administration's drug enforcement efforts. We are on the verge of near total disruption of existing heroin trafficking patterns. Further delay in naming a permanent Administrator of the newly created Drug Enforcement Administration (DEA) risks our five years of effort in this area.

Over 150 candidates have been examined and rejected by either the White House or the Department of Justice, and the choice has apparently narrowed to either John Bartels, present Acting Administrator of DEA, or General Chapman, former Commandant of the Marine Corps.

I understand the Attorney General has already offered the position to General Chapman, but I would like to express my following reservations:

First, I think we may be risking all of this Administration's drug enforcement efforts to date by appointing someone so lacking in law enforcement and legal experience. Drug enforcement is a deceptively complex legal subject, as well as one whose operations are both unique and highly dangerous. We have had to learn a lot of lessons in the tenfold expansion of our drug enforcement effort over the past four years. Further, the integration of Customs and BNDD agents puts all enforcement techniques, traditions, and operations into question. Bartels' knowledge and experience in the drug enforcement area would seem to place him in a far better position to make intelligent choices than someone with no previous experience.

Second, and perhaps even more important in the short run, I think General Chapman may experience very substantial confirmation problems. Drugs is a very political subject, and one on which the

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Nixon Administration has performed superbly. The appointment of a novice, however, leaves an opening for many Senators to come out strongly on the drug issue while questioning the competence of the Nixon Administration.

Moreover, General Chapman's military career presents an unfortunately inviting target: (1) The military has always had substantial difficulty in dealing with problems of drug abuse: They ignored the Vietnam drug situation until the President's own actions on June 17, 1971. Figures now show that an estimated 44 percent of the Army's infantry in Vietnam felt they were addicted to heroin at one time or another during their stay. The present problem of GI drug abuse in Europe is a brewing scandal. (2) Chapman, I believe, was Commandant during the "secret" invasion of Laos (Dewey Canyon 1) now in the news. I have attached articles from this week's New York Times which exemplify the notoriety of this military operation.

John Bartels is the experienced professional who has performed well in the drug abuse area. We have professionals heading both the FBI and the CIA and there is no apparent reason to me for not naming a professional to head DEA -- especially one who is so familiar with President Nixon's feelings and efforts in this area.

I realize some of the above problems could be alleviated if Bartels were to become Deputy Administrator. I am convinced, however, he is adamant in his determination to only accept the Deputy position if he is convinced he would be working for an administrator who could do a better job as Administrator than he could.

Since I may be away during this decision, I recommend you seek any additional information from Geoff Shepard of my staff. He has spent the last three years working on President Nixon's drug programs and has a fairly good grasp of the current problems in that area.


Ken Cole

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

EXECUTIVE
HE5-1
PR 7-1

FG6-16
FG6-15
FG17-18

Mary
File

Dave

SCHEDULE PROPOSAL
FOR THE PRESIDENT

Date: September 7, 1973

From: Walter C. Minnick

Via: David Parker

MEETING:

With your new Federal drug team.

DATE:

Sept. 10 or Sept. 11 a.m. (prior to addressing
drug conference in East Room)

PURPOSE:

To meet the men recently appointed to head
the three major components of the Federal
drug control effort prior to introducing
them at the Treatment Alternatives to Street
Crime conference in the East Room the morning
of Sept. 11.

FORMAT:

- Oval Office
- Participants (see Tab "A")
- 5 minutes

TALKING POINTS:

Talking points on drug abuse will be supplied.

PRESS COVERAGE:

None.

STAFF:

Walt Minnick
Geoff Shepard

RECOMMEND:

Fred Malek

BACKGROUND:

During the past six months the Federal anti-
drug effort has been completely reorganized
into three major components: (1) International,
(2) law enforcement, (3) treatment. New ap-
pointees have been named to head the organiza-
tions in charge of each area and a special
division has been created within OMB to facilitate
coordination among three components.

The international program is headed by Ambassador
William Handley who previously negotiated the
poppy ban in Turkey. He is now Executive
Director of the Cabinet Committee on International

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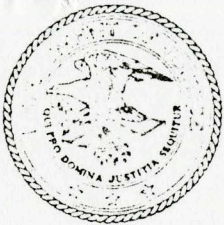
EXECUTIVE

FG17-18

FG17

FG12

(2)



Office of the Attorney General
Washington, D. C. 20530

September 7, 1973

MEMORANDUM FOR THE HONORABLE ALEXANDER M. HAIG, JR.

SUBJECT: Justice/Treasury Differences on DEA

You asked that I report on the results of my meeting with Secretary Shultz Wednesday on outstanding differences between our two Departments on the jurisdiction and functions of the Drug Enforcement Administration, so that you could inform the President as appropriate.

The principal issue which remains unresolved is the proposed cross-designation of Customs search authority to DEA, which we feel is necessary for the new drug agency to fulfill the mandate which the President has given it in Reorganization Plan No. 2. For some period of time, representatives of the two Departments, including Customs and DEA, and members of the White House and OMB staffs have toiled unsuccessfully to resolve the issue. My meeting with Secretary Shultz was no exception.

I forward the attached memorandum for your consideration, which presents background and arguments for cross-designation and constitutes my own recommendation. It was prepared at my request by John Bartels, who since he was named Acting Administrator has held the position that cross-designation was essential for DEA to carry out the responsibilities assigned to it. Please note the compromise formula which is described in the paper whereby only those former Customs agents of DEA be cross-designated with the Customs search authority.

Elliot L. Richardson
Attorney General

Attachment

September 7, 1973

MEMORANDUM FOR: The Honorable
Elliot L. Richardson
Attorney General

FROM: John R. Bartels, Jr.
Acting Administrator
Drug Enforcement Administration

SUBJECT: Cross Designation of Special Agents
of the Drug Enforcement Administration
to Serve as Customs Officers

I. History

As a result of acrimony between OMB and Treasury in the drafting and implementation of Reorganization Plan No. 2, Treasury/Customs leadership has given only token cooperation to the Drug Enforcement Administration (DEA). Specifically, they have refused to cross-designate any DEA agents as Customs Officers for utilization of their search authority. Numerous meetings and exchange of correspondence have occurred between Justice/DEA and Treasury/Customs since last June 21. No agreement or compromise has been reached.

One of the reasons behind the creation of DEA was a long history of jurisdictional disputes between FBN/Customs, and later, BNDD/Customs. Commissioner Acree, in his statement of March 28, 1973, to Congress, stated "Reorganization Plan No. 2 is the product of the President's decisive action to resolve the long-standing problem of overlapping drug control jurisdiction . . . drug smuggling and drug traffic have frequently become indistinguishable . . . by merging these responsibilities into a single new organization, even greater progress . . . should be possible in the future. The new assignment of drug responsibility is thus both rational and workable. The Bureau of Customs will do everything within its power to make it a success."

II. Reorganization Plan No. 2

Section 1 of the plan transferred to the Attorney General "all intelligence, investigative, and law enforcement functions, vested by law in the Secretary (of the Treasury), the Department (of the Treasury), officers, or agencies which relate to the suppression of illicit traffic in narcotics, dangerous drugs, or marihuana"

The President has previously called the drug problem a Number One domestic priority and in his message to Congress on the reorganization plan, described the responsibilities of DEA as follows:

" . . . development of overall Federal drug law enforcement strategy, programs, planning, and evaluation;

" . . . full investigative and preparation for prosecution of suspects for violation under all Federal drug trafficking laws;

" . . . full investigation and preparation for prosecution of suspects connected with illicit drugs seized at United States ports of entry and international borders. . . ."

III. Cross Designation Authority

The Commissioner of Customs by virtue of authority under Treasury Order No. 165, Revised (T.D. 53654, 19 F. R. 7241) may authorize persons employed by other Federal agencies, among others, to perform the duties of Customs Officers within the meaning of 19 U.S.C. 1401 (i) with all the powers and authority attendant to that position, to wit authority for search and seizure.

The Customs search authority is not an exclusive right of that agency. On authorization of Treasury this search authority is presently delegated to the

The Honorable
Elliot L. Richardson
Page Three

United States Immigration and Naturalization Service, the United States Border Patrol, the United States Department of Agriculture Quarantine Enforcement Inspectors, and the Papago Indian Police on the Arizona border. Additionally, by statute the United States Coast Guard may also act in the capacity of Customs Officers. Given its new overall authority in the drug area, why should DEA be denied this valuable tool?

IV. DEA Need for Customs Cross Designation

The primary mission of DEA is to control the availability of drugs on the United States illicit market. There is a direct relationship between drug availability and the smuggling of drugs into the United States--for all of the heroin, all of the cocaine, all of the hashish, a major portion of the high quality marihuana, and millions of dangerous drugs dosage units are smuggled.

The primary mission of Customs under the reorganization plan is to interdict drugs at established ports of entry based on lookout or modus operandi intelligence supplied by DEA or by accidental discovery. But under the Reorganization Plan, DEA shares with Customs interdiction responsibility between the ports of entry.

The reason for cross designation of search authority by Treasury to other Federal agencies is more effectively to prevent the smuggling of contraband and to protect our vast and unprotected land and water borders. In my opinion, as many officers as possible with proper training should be cross designated. The border smuggling problem today is drugs (not watch movements, diamonds, jewelry, etc.) because of demand and high profit motivation.

DEA's responsibility for overall Federal drug law enforcement clearly includes the responsibility for narcotics law enforcement formerly handled by

The Honorable
Elliot L. Richardson
Page Four

Customs Special Agents and therefore should have the same powers. This is why Reorganization Plan No. 2 transferred 509 Customs agents--highly trained in border search procedures and expert in the area of drug smuggling investigations--to the Drug Enforcement Administration. These agents are now seriously handicapped by a critical lack of authority they did not experience when performing the same function prior to the Reorganization Plan. It is inconceivable that the President or Congress intended to reduce the law enforcement capabilities of these agents in Reorganization Plan No. 2.

Treasury has taken the legal position that the authorization is unnecessary and DEA should only search with probable cause. But without Customs search authority DEA will be precluded in some instances from carrying out functions clearly contemplated under the Reorganization Plan, to wit: (a) investigating smuggling between points of entry where there is no probable cause; (b) initiating cold convoy surveillance from the border to inland receiving points; (c) investigating smuggling by private aircraft, again where the elements of probable cause may be lacking, and the smuggler over flies the border and lands, for example, on a dry lake bed in Nevada; and. (d) protecting the confidentiality of a source of information whose identity would be revealed at a subsequent suppression hearing. On this last point, there are many informants who would not provide smuggling information if they knew that they might later be identified in court. A continuous flow of information, even though it might not always be specific enough to establish probable cause, is the life blood of successful drug enforcement.

Underlying the Treasury position is the fear that DEA will duplicate Customs jurisdiction for narcotics interdiction at established ports of entry and that DEA will become "a second Customs Service . . . for catching all narcotics smugglers at all points."

The Honorable
Elliot L. Richardson
Page Five

This is wrong. Let me assure you that DEA will not attempt to become a second Customs Service or work side by side with Customs Inspectors at points of entry. The point is that Reorganization Plan No. 2 gives Customs and DEA the opportunity to work cooperatively together in mutually supporting roles if we will only seize it. The alternative is to hobble DEA, which is given the overall responsibility for drug enforcement under the Reorganization Plan, to the extent that it cannot effectively fulfill this mandate.

V. Summary and Recommendation

The Reorganization Plan created a single agency for all intelligence, investigative, and law enforcement drug functions, and anticipated a most necessary tool which is needed by DEA to accomplish its mission in the smuggling area but which has not yet been provided. We must attempt to resolve bureaucratic frustrations and differences of interpretation in favor of getting the job done. DEA looks toward a blending of enforcement philosophies and techniques previously used by both Customs and BNDD agents. Without Customs search authority in border smuggling cases, where probable cause is lacking, it will be most difficult to fulfill the purpose of the Reorganization Plan and to achieve success in our fight against drugs on the streets of our country.

The compromise formula that we recommend is that only the former Customs Agents assigned to DEA be cross designated as Customs Officers--which is only about one quarter of the total agent strength of 2,000. This will at least give DEA an operating capability to cope with the border smuggling problem.

The Reorganization Plan makes sense and will work if we have a total commitment within the government to interdict drugs along our borders. To deprive the 500 agents from Customs of their previous authority will only weaken our total effort. Reorganization Plan No. 2 was born out of bureaucratic haggling which must not continue today, for it is the welfare of our country that is at stake.

THE WHITE HOUSE
WASHINGTON

Date 9/8/73

TO: ROY ASH
~~KEN COLE~~

FROM: BRUCE KEHRLI

Please prepare jointly a paper
outlining your comments and
recommendations on the attached
for General Haig by 9:00 a.m.,
Monday, September 10.

Thanks.

cc: Walt Minnick
Geoff Shepard

SEP 10 1973
CENTRAL FILES

EXECUTIVE

HE5-1
PR7-1
FG17-18

②

THE WHITE HOUSE

WASHINGTON

February 21, 1974

MEETING WITH JOHN^x BARTELS

Thursday, February 21, 1974

11:00 a.m. (5 minutes)

The Oval Office

From: Geoff Shepard^S

I. PURPOSE

Photo opportunity before John Bartels briefs on your proposed Narcotics Trafficking Legislation.

II. BACKGROUND, PARTICIPANTS AND PRESS PLAN

A. Background: Bartels is Administrator of your newly created Drug Enforcement Administration in the Department of Justice. He has just returned from the U.N. Conference on Narcotic Drugs in Geneva, and will brief the press on today's Drug Message to the Congress.

B. Participants: John Bartels and Geoff Shepard.

C. Press Plan: Press photo opportunity.

III. TALKING POINTS

1. Although we are now hearing encouraging signs in our battle against drug abuse, I want you to keep the pressure on and keep the drug traffickers on the run. We have spent a lot of money providing treatment for the victims so I want to be sure we never again let the drug abuse problem get out of control.

2. I know you are working hard to meld a new team of drug enforcement agents from the previously separate Justice

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Secret 1969 Foray Into Laos Reported

By SEYMOUR M. KERSH

Special to The New York Times

WASHINGTON, Aug. 11—President Nixon personally authorized a secret Marine Corps combat operation inside Laos two days after his inauguration in 1969, Government sources said today.

Similar large-scale ground assaults, aimed at North Vietnamese supply lines and base camps inside Laos, had been repeatedly proposed and rejected by the Johnson Administration, the sources said.

The authorized penetration into Laos was part of a major Marine operation in enemy-controlled territory near the Ashau Valley in northern South Vietnam. Military sources said that at least one marine battalion—about 1,500 men—was

sent into Laos, where it suffered extremely heavy casualties during pitched battles with North Vietnamese troops.

Officially announced American casualties for the six-week operation, listed as only being in South Vietnam, were set at 453—67 marines killed and 391 wounded. Survivors said that some of the infantry units sent into Laos reported half of their men killed or wounded.

Losses Put at 453

The cross-border operation was publicly acknowledged by Adm. Thomas H. Moorer, Chairman of the Joint Chiefs of Staff, in testimony Thursday before the Senate Armed Services Committee about the falsification of B-52 bomber strikes into Cambodia. Those raids, which the committee is now investi-

gating, were also secretly authorized by President Nixon and began around March 18, 1969.

Admiral Moorer told the committee that elements of the Ninth Marine Division had been authorized "by higher authorities" to go more than a mile inside Laos, beginning on Jan. 22, 1969, "to protect the flanks" of a major combat operation.

"This was the first and only time where United States ground combat forces went into Laos," the admiral said.

The operation, code-named Dewey Canyon I, was a tightly kept secret both in Saigon and in the United States, although the large-scale 1972 invasion of Laos was given the code name

Continued on Page 5, Column 1

SECRET '69 FORAY IN LAOS REPORTED

Continued From Page 1, Col. 7

Dewey Canyon 2.

In a New York Times dispatch on Feb. 12, 1969, nearly three weeks after the penetration of Laos, the United States military command was said to have revealed that a large marine operation was under way in "part of a river valley that stretches north and south about seven miles from the Laotian border."

One Battalion's Role

A variety of sources have characterized the operation beginning on Jan. 22, 1969, as an all-out, preplanned assault into the border areas of Laos, involving the 2d Battalion of the Ninth Marine Regiment.

"The entire regiment didn't go across, but the 2nd battalion was sent into Laos," said David S. Harrington of Washington, a former Marine infantry captain who was serving as a special pacification adviser in the area in early 1969.

"The 2d really got hit badly," Mr. Harrington recalled, "and they didn't want to risk putting the whole regiment into the area and getting it into a heavy fire-fight. And so they bailed out."

Mr. Harrington, 29 years old, said in an interview that he had not officially received any reports on the secret ground operation but had learned of it in discussions with some of the marines who were inside Laos.

2 Testify at Veterans' Quiz

Two of those marines testified about their role in Dewey Canyon I during a series of public hearings conducted by the Vietnam Veterans Against the War in early 1971 in Detroit.

The ex-marines, all members of the 2d battalion, told of penetrating four miles along Route 922, considered to be one of the main infiltration routes along the Ho Chi Minh trail supply network from North Vietnam. Transcripts of their testimony, which received little notice in the press, were inserted into the Congressional Record on April 6-7, 1971, by Sen. Mark O. Hatfield, Republican of Oregon.

"I was given the order that if we met any war correspondents in our read [base camps], we were not to speak to them at all about Operation Dewey Canyon," said Christopher Soares, who identified himself as being a 20-year-old unemployed resident of New York.

"The American people perhaps knew about Operation Dewey Canyon," he added, "but certainly did not know that it took place in Laos."

Casualties were heavy, he said.

Gordon Stewart, another marine veteran who said he was from Royal Oak, Mich., told how his company "pulled an ambush in Laos on a North Vietnamese convoy destroying a tank, bulldozer, trucks, and a lot of personnel. Where we got the permission to do this, I didn't know," he added. "I heard over the radio that undoubtedly it came from higher sources, as everything did."

At one point, he said, his company set up a base camp inside Laos, and "for the next three days it was pretty much hell—we ran through a lot of contact and lost a lot of men."

A Death Is Confirmed

No American ground casualties in Laos were publicly admitted until March of 1970, when the White House confirmed a newspaper report that an Army captain had been killed there the previous February, apparently while operating in connection with Dewey Canyon I.

The newspaper report came a few days after President Nixon declared that "no American stationed in Laos has ever been killed in ground-combat operations." The White House insisted that the President's statement was correct because the Army captain had not stationed in Laos.

In an interview, Senator Harold E. Hughes, the Iowa Democrat who initiated the hearings, said the testimony before the Armed Services Committee has shown that President Nixon approved the Laos operation soon after taking office, initiated at least half a dozen meetings in Washington and in Saigon, beginning in early February over the Cambodian bombing, and then approved the B-52 campaign in March, as well as authorizing the use of tactical aircraft for combat missions both east and west of the Mekong River in Cambodia.

"We had an all-out war going," the Senator asserted.

Throughout the first few months of Mr. Nixon's Presidency, the administration adopted a public posture of restraint with regard to such events as the heavy Vietcong and North Vietnamese shelling of South Vietnamese cities and towns in late February, 1969.

On March 4, 1969, four days before the B-52 bombing began, Mr. Nixon told newsmen that he had delayed and response to the enemy offensive, and added:

"My response has been measured, deliberate, and, some think, too cautious. But it will continue to be that way, because I am thinking of those peace talks every time I think of a military option in Vietnam."

Military Under Fire

By William V. Shannon

WASHINGTON, Aug. 13—This country's professional military men are going through a hard time. The Senate Armed Services Committee has shown that the Air Force secretly bombed Laos and Cambodia when both were neutral countries. Similarly, the Marines crossed the border into Laos in early 1969 and engaged in secret, heavy fighting there.

An elaborate system of dual reporting was devised to conceal the secret bombing. This deception coming after the Army's attempted cover-up of My Lai and other massacres in Vietnam has damaged the honor and undermined the self-esteem of the fighting forces. Military officers offer a seemingly endless round of explanations and rationalizations.

This is not how military people like to think of themselves or how most Americans are accustomed to thinking of their military. Those of us old enough to remember clearly World War II can recall the pride which everyone felt in the armed forces. There was awe and gratitude for the Marines who stormed the beaches of Tarawa and for the soldiers who fought for Omaha Beach on D-Day. The pilots and their crews who nightly bombed the factories, supply lines and, yes, the cities of Germany were unquestioned heroes.

In the emergency of war, the small regular Army and Navy, largely ignored in peacetime, cast up leaders—Eisenhower, Bradley, Patton, Nimitz,

*"There is need
for an impartial
review of the
military over the
last ten years."*

Halsey—of astonishingly high quality. In his dignity and simplicity, George C. Marshall recalled an earlier Virginian, George Washington.

This sense of total identity between the country and its armed forces persisted through the Korean war. Who can forget the thrill of the Inchon landings or the heroic bravery of the soldiers and Marines who fought off the Chinese in the bitter winter of 1950-51?

The events from the recent past are worth recalling because they place in perspective the plight of the armed forces caught, as they are, in the lies, evasions, cruel excesses and moral confusion of the Indochina wars. The professional military today are as great a reservoir of bravery, talent and dedication as they ever were. In the right context, they would serve the country in the future as well as they did in World War II or Korea. Moreover, in this dangerous world, their services are indispensable.

Yet it is also true that a democracy dare not risk a military system that is out of control or habituated to the practice of deceit. Who is responsible for compromising the military's integrity and good name?

The career officers themselves and particularly the generals at the top can be blamed for recommending ruthless policies and for complying with political directives which they knew to be wrong. They are also responsible for penalizing the dissenters in their own ranks.

But it has to be recognized that the hierarchy of values which the military live by — physical courage, duty to country, obedience to the chain of command, deep loyalty to one's comrades—are not the same as the liberal values which civilians cherish— independence of mind, skepticism, tolerance for disagreement. An open society is in deep trouble if it looks to its military men to be the only defenders within the government of values that its civilian leaders are supposed to practice and defend.

The military are analogous to the police. Society gives them a tough job. If society wants the job done only by certain methods and within certain limits, then it is up to society to enforce those methods and limits. That is why the courts enforce the restraints of due process on the police. That is why civilians are in command of the military.

Yet it was Presidents Johnson and Nixon—and not anyone in a uniform—who instructed the military to proceed in secrecy and to cooperate in deliberately misleading the press and the people concerning major military operations. High civilian officials such as Deputy Secretary of Defense William Clements are still defending those deceptions and defiantly bellowing, "I don't think anybody has anything to apologize about."

High-ranking officers who were willing participants in those deceptions should be retired. But what would benefit the nation is not a hunt for scapegoats but a search for wisdom. There is need for an impartial, dispassionate review of the military conduct of the war in Vietnam over the last ten years. A post-mortem, if conducted by someone such as Gen. Mathew Ridgway in whom both the country and the military profession have confidence, could well draw useful lessons about what to do and what to avoid in future wars.

No such inquiry can be undertaken, however, as long as President Nixon and his civilian appointees insist that no errors have been committed and that they were right to tell lies. Until the nation's civilian leaders withdraw their compromising embrace, the military men cannot readily move out of the shadow of Indochina.

THE WHITE HOUSE
WASHINGTON

Bill,

8/20

Ken asked that Laird receive a copy of this memo. Please do not circulate it further. Since Chapman is supposed to be Laird's candidate for the post, Ken felt he should be appraised of the background.

Elliot called and asked me about Chapman — I gave him high marks as ^{soff} a man. I would suggest him.

Ken read my press

conference in Viet

Nam of March 10, 1969

— there was nothing secret about Dewey's ^{can} ~~was~~

MEMORANDUM OF INFORMATION FOR THE FILE

EXECUTIVE

DATE

9/1/73

FG 17-18

HE 5

PR 7-1

LETTER, MEMO, ETC.

TO:

General Haig

FROM:

Major Joulwan

SUBJECT:

Talking points for
meeting with John R. Bartels

Chapman, General

Special Files

CORRESPONDENCE FILED CENTRAL FILES - CONFIDENTIAL FILE

file -

THE WHITE HOUSE

WASHINGTON

October 5, 1973

MEMORANDUM TO:

GEOFF SHEPARD

FROM:

JOHN GUTHRIE

SUBJECT:

*Int'l Narcotic Enforcement
Officers Association, Inc.

Per our conversation, please send your recommendation.

Thank you.

382-5551

Law Enforcement

739-4236

Now

Recommend: 1. Bartel - Keynote - 9. opening
2. Luckhaus
(3. Kelly)

① Contact Bellizzi to see what his interests are.

② Find to

Contact: Bellizzi, John J.

speaker choice:

group - 500. Various levels of
gov. near enforce

Size

Time 7:30

date Nov. 13, Banquet

Speech topic - Adm. in rel. to
Nar Eng. Thru Country

Press full

13601

THE WHITE HOUSE
WASHINGTON

September 25, 1973

MEMORANDUM FOR JOHN GUTHRIE

FROM: W. RICHARD HOWARD

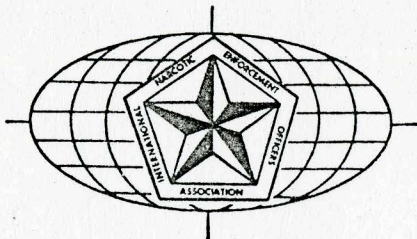
Dick

I am sending the attached to you for your consideration.

While Dave Parker will probably want to decline for the President, this may be a good forum for some other Administration spokesman. I understand Nanyau is lovely in November.

International Narcotic Enforcement Officers Association, Inc.

DIAL 518 INEOA-32
463-6232
AREA CODE 518



178 WASHINGTON AVE.
ALBANY, N. Y. 12210
U. S. A.

JOHN J. BELLIZZI
EXECUTIVE DIRECTOR

September 11, 1973

Hon. Charles Colson
1735 New York Avenue
Washington D.C.

Dear Mr. Colson:

Chuck

~~Attached was forwarded at Art K... 's~~
~~suggestion.~~ Also enclosed are copies of publications
reflecting our support of President Nixon.

We are holding our 14th Annual Conference
at the Paradise Island Hotel, Nassau, Bahamas, November
8-14, 1973.

Do you think the President would consider
addressing the conference? We could show him that our
members in enforcement from throughout the country are
in complete accord in backing him with a vote of confi-
dence. Would appreciate hearing on this.

Cordially,

John

John J. Bellizzi
Executive Director

File Memo
11/10/73
GAH/cc

EXECUTIVE
FG 6-11-1/O'Donnell, Patrick
FG 31
FG 17-18
HE 5-1

See ^xOversize Attachment 12819 for 3 folders sent to file by Mr. Patrick O'Donnell. 1 folder contains material re: Sen. Henry ^xJackson's letter inquiring about internal procedures for handling Congressional mail. 2 folders contain material relating to Reorganization Plan #2 of 1973 (Drug Reorganization Plan).

Customs (5)

EX-100-100

FG12-5

FG17-18

PE

HE5-1

5L4-1

FG17-15

December 13, 1973

File PH

MEMORANDUM FOR

ALEXANDER M. HAIG, JR.
ASSISTANT TO THE PRESIDENT

FROM

JOHN BARTELS, JR.
ADMINISTRATOR

Over three months have now passed since you met with Secretary Shultz and Commissioner Acree to inform them of the President's decision that certain DEA agents would receive full cross-designation search authority along lines of prior designations to the INS Border Patrol. Acting in good faith, I have given Customs the benefit of the doubt and have continued the meetings and exchange of correspondence on the question.

I did not raise this delay at the November 27 meeting on drugs with the President, even though he specifically asked about bureaucratic "turf protecting", because I felt that Customs was acting in good faith.

Now, however, rather than cross-designating DEA agents as agreed, Customs has proposed some unacceptable terms and has even restricted the prior delegation to INS.

Customs "final" proposal raised for the first time the requirement of (i) the unavailability of a Customs officer and (ii) Customs concurrence prior to any search. Their proposal subverts the intent of the reorganization plan to create a single agency responsible for drug enforcement. In effect, it would cause the border to become a barrier to effective drug enforcement by allowing Customs to control and exercise a veto power on investigative matters. It would require DEA to have a Customs officer tag along on every investigation, not only adding to bureaucratic confusion but depriving the border from needed manpower.

NIXON PRESIDENTIAL MATERIALS PROJECT
DOCUMENT CONTROL RECORD

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(GSA FORM 7279 OR NA FORM 1421) OR NARA WITHDRAWAL SHEET
(GSA FORM 7122) LOCATED IN THE FRONT OF THIS FILE FOLDER.

EXECUTIVE

JUNE 20, 1974

PR12-1

FG17-18

Dear Mr. Haislip:

On May 14 when I signed into public law S. 1115, the Narcotic Addict Treatment Act of 1974, we gained another necessary tool to deal effectively with the treatment of narcotic addicts.

I know that you played a significant role in ensuring passage of this vital legislation. I am sending you the enclosed pen which I thought you would like to have as a memento of the tangible results of your special efforts on its behalf.

Sincerely,

Mr. Gene R. Haislip
Special Assistant to the
Deputy Administrator
Drug Enforcement Administration
Room 1103
1405 I Street N.W.
Washington, D.C. 20537

RN:WET:TCK/POD:EF:VO:vo