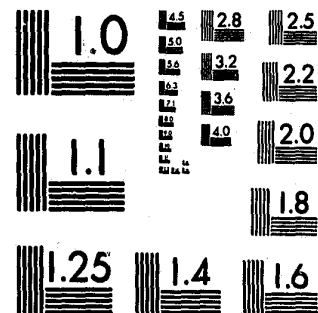


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# THE MEXICAN CONNECTION

HEARINGS  
BEFORE THE  
SUBCOMMITTEE TO INVESTIGATE  
JUVENILE DELINQUENCY  
OF THE  
COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE  
NINETY-FIFTH CONGRESS

SECOND SESSION  
ON  
UNITED STATES EFFORTS TO HALT HEROIN IMPORTATION:  
ERADICATION AND ENFORCEMENT IN MEXICO  
SOUTHWEST BORDER CONTROL

FEBRUARY 10 AND APRIL 19, 1978

Printed for the use of the Committee on the Judiciary



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## CONTENTS

FRIDAY, FEBRUARY 10, 1978

Statement of—	Page
Arellano, Richard, Deputy Assistant Secretary of State for Inter-American Affairs, Department of State.....	36
Bensinger, Peter, Administrator, Drug Enforcement Administration, accompanied by Jacques Kiere, regional director; David Woods, Trizo coordinator; and Jerry Kelly, special agent, Mexico City, Mexico.....	12
Bourne, Dr. Peter, Special Assistant to the President for Health Issues, Director, Office of Drug Abuse Policy.....	3
Culver, Hon. John C., a U.S. Senator from Iowa.....	1
Falco, Mathea, Senior Adviser to the Secretary of State and Director for International Narcotic Control Matters, Department of State.....	31
Written questions from Senator Culver to Peter Bensinger, answered April 18, 1978.....	44

WEDNESDAY, APRIL 19, 1978

Anderson, William J., Deputy Director, General Government Division, General Accounting Office, accompanied by Patrick Gormley, Los Angeles regional office.....	49
Armistead, Rex, Director, Regional Organized Crime Information Center, New Orleans, La.....	66
Bensinger, Peter, Administrator, Drug Enforcement Administration.....	82
Chasen, Robert, Commissioner, U.S. Customs Service, accompanied by George Corcoran, Assistant Commissioner, Office of Investigations; and Raymond Mintz, Director, Technical Support.....	85
Culver, Hon. John C., a U.S. Senator from Iowa.....	47
Davis, Rex D., Director, Bureau of Alcohol, Tobacco, and Firearms, U.S. Department of the Treasury.....	89
Grimble, Terry, director, Arizona Drug Control District.....	66
Hacker, Floyd, agent in charge, Narcotics Division, Texas Department of Public Safety.....	67
Pietrafesa, Ron, agent in charge, narcotics section, Colorado Organized Crime Strike Force.....	66
Sava, Charles, Associate Commissioner for Enforcement, Immigration and Naturalization Service, U.S. Department of Justice.....	87
Williams, Richard, Assistant Director, Drug Abuse Policy, Domestic Policy Staff, White House.....	55

## APPENDIX

Appendix A:  
 Prepared statements submitted for the record:

Statement of—	Page
Peter B. Bensinger, Administrator, Drug Enforcement Administration, Department of Justice.....	107
Mathea Falco, Senior Adviser to the Secretary of State and Director for International Narcotics Control Matters.....	114
Richard G. Arellano, Deputy Assistant Secretary of State for Inter-American Affairs.....	120

(III)

#### IV

WEDNESDAY, APRIL 19, 1978

✓ Statement of William J. Anderson, Deputy Director, General Government Division, General Accounting Office.....	22857	122
Richard L. Williams, Assistant Director (Drug Abuse Policy), Domestic Policy Staff.....		128
Robert E. Chasen, Commissioner of Customs.....	22858	128
Charles Sava, Associate Commissioner for Enforcement, Immigration and Naturalization Service.....		134
Rex D. Davis, Director, Bureau of Alcohol, Tobacco, and Firearms, U.S. Treasury Department.....		137

#### Appendix B:

Eradication and Enforcement in Mexico—Additional material submitted for the record:

##### I. Official Document

Results of the Government of Mexico and Aviation Associates International joint inspection of narcotics-growing areas.....	141
--	-----

##### II. Newspaper and Magazine Articles

The Continuing Traffic in Mexican Heroin, by Jack Anderson, from the Washington Post, January 8, 1978.....	145
Mexico Wars on Poppy Growers, by Jack Anderson, from the Washington Post, January 10, 1978.....	146
Mexican Connection Is Drying Up, by Jack Anderson, from the Washington Post, January 14, 1978.....	147
Mexico May Seek Aid To Replace Drug Crops, by Mike Gallagher, from the Albuquerque Journal, April 7, 1978.....	148
Mexico Helps United States Fight Drugs—Big Gains Reported in Cutting Down Opium Crop; End of Illegal Heroin Production by 1980 Seen, by James Nelson Goodsell, from the Christian Science Monitor, April 13, 1978.....	149
Parsquat and the Marijuana War, from The New York Times Magazine, August 13, 1978, by Jesse Kornbluth.....	150

#### Appendix C:

Southwest Border Control—Additional material submitted for the record:

##### I. Official Documents

Memorandum of Understanding Between U.S. Customs Service/Drug Enforcement Administration.....	157
Memorandum from Peter B. Bensinger, Administrator, Drug Enforcement Administration.....	161
Department of Justice—Agreement Between Immigration and Naturalization Service and the Drug Enforcement Administration.....	162
Agreement between the United States of America and the United Mexican States regarding mutual assistance between their Customs Services.....	164
An overview of arms smuggling into Mexico in exchange for narcotics, by the El Paso Intelligence Center, November 15, 1976.....	167
Border Management and Interdiction—an Interagency Review by the Office of Drug Abuse Policy, September 7, 1977.....	170
Illegal entry at United States-Mexican border—Multiagency Enforcement Efforts Have Not Been Effective in Stemming the Flow of Drugs and People, Comptroller General's Report to the Congress, December 2, 1977.....	294
Reorganization options related to Border Management, draft options by the President's Reorganization project, December 14, 1977.....	345

##### II. Newspaper and Magazine Articles

El Paso Drugs "Out of Control", by James Nelson Goodsell, from the Christian Science Monitor, January 19, 1978.....	355
Drug Agents Stress the Trafficker, Not the Traffic, by James Nelson Goodsell, from the Christian Science Monitor, January 25, 1978.....	356

#### V

Huge Radar Planes To Join "War" on Drug Smugglers, by Robert Kaylor, from the Washington Star, March 28, 1978.....	Page 357
U.S. Studies How To Plug Border, by Jack Anderson, from the Washington Post, April 7, 1978.....	358
Judiciary Hears Agent Dilemma, by Miller Bonner, from the San Angelo Standard, April 20, 1978.....	359
Drug Agents Feuding Over Bust, by Mark Volger, from the San Angelo Standard, April 20, 1978.....	360
Busting the Heroin Pipeline, by Dennis A. Williams and Sylvester Monroe, from Newsweek May 22, 1978.....	361
The Enemy Within, from the Texas Monthly, September 1978, by Kaye Northcott.....	363

62887

WEDNESDAY, APRIL 10, 1978

**STATEMENT OF WILLIAM J. ANDERSON, DEPUTY DIRECTOR, GENERAL GOVERNMENT  
DIVISION, GENERAL ACCOUNTING OFFICE**

Mr. Chairman and members of the subcommittee: You have requested that we discuss today a report of the General Accounting Office of December 2, 1977, dealing with illegal entry at the United States-Mexico border. Although our report discussed the entry of drugs and people, our comments today will deal primarily with efforts to halt the transit of illicit drugs across the border.

As you know, Mr. Chairman, in the past few years law enforcement efforts along the United States-Mexico border have grown in significance because of the increasing transit of illicit drugs and undocumented aliens across this border. United States authorities estimated that in 1971, heroin flowing from and through Mexico represented 20 percent of the heroin consumed in the United States. For 1976, they estimated that 89 percent of the heroin reaching the United States came from poppies grown in Mexico.

123

Current information shows that this percentage has dropped significantly in the last 2 years, due mainly to the Mexican-U.S. cooperative campaign to eradicate opium poppy cultivation through the use of herbicides. Mexico, however, is still considered to be the major source of heroin reaching this country.

Although meaningful figures on undocumented liens are hard to come by, INS data shows that from 1971 through 1975 the number of such aliens apprehended increased by about 85 percent—from 420,126 to 766,600. Most undocumented aliens apprehended are Mexican—about 90 percent.

The Federal policy on preventing illegal immigration emphasizes interdiction at the border rather than apprehension of illegal aliens after settlement. For drugs the policy calls for giving priority in both supply and demand reduction efforts to those drugs which inherently pose a greater risk to the individual and to society. Heroin is the top-priority drug.

**FEDERAL AGENCIES RESPONSIBLE FOR BORDER CONTROL**

Control of the border is basically a task of controlling the movement of people, vehicles, aircraft, boats, and goods. There are over 400 Federal laws and regulations governing entry and departure of people and goods across the border. Agencies with a role in controlling the Southwest border include the Federal Bureau of Investigation (FBI); Bureau of Alcohol, Tobacco, and Firearms (BATF); Department of Defense; Federal Aviation Administration (FAA); Coast Guard; Department of Agriculture; and Public Health Service. The principal agencies involved in law enforcement are the Customs Service, Immigration and Naturalization Service (INS), and the Drug Enforcement Administration (DEA).

From a law enforcement standpoint, the primary responsibilities of these three agencies at the border are:

- Preventing the illegal entry of persons into the United States,
- Preventing contraband from entering the country, and
- Investigating narcotics and dangerous drug violations.

In carrying out these responsibilities, both INS and Customs use patrol officers, port-of-entry inspectors, and investigators, DEA is the single Federal agency charged with responsibility for investigation pertaining to narcotics and dangerous drug violators.

Smugglers enter the United States by four modes: Through ports of entry; by boat into coastal areas between ports of entry; on foot or by vehicle between ports of entry; or over the border by air.

**Ports of entry**

Before crossing the border into the United States, vehicles and pedestrians are stopped at the primary inspection lanes where only the most cursory inspections of vehicles, persons, and baggage are conducted. The primary inspectors are responsible for determining whether a vehicle and its occupants or a pedestrian should be referred to the secondary inspection area for a thorough examination. Customs and INS share responsibility for staffing the primary lanes.

**Land patrols between ports of entry**

The vast areas between the ports of entry along the United States-Mexico border and the limited resources available to prevent illegal entry demand that available resources be deployed in a manner to gain optimum results. The INS, Border Patrol and the Customs Patrol have overlapping roles for control of illegal movement across the land borders between the ports. The patterns of illegal entry result in concentration of each agency's patrol officers in the same high-volume crossing areas.

**Air interdiction**

Air interdiction forces have had some success in apprehending smugglers using aircraft to cross the border. The results to date, however, are considered marginal.

The aircraft deployed by INS are not capable of air interception operations. These aircraft operate at low altitudes and at slow speeds in support of Border Patrol ground activities. Similar aircraft are operated by Customs in support of Customs Patrol ground operations.

DEA's air operations are devoted mainly to surveillance flights with an increasing number of pilots and aircraft being devoted to special operations.

**Marine interdiction**

Customs, DEA, and the Coast Guard all have roles in preventing drug smuggling by sea. The agencies have had some success in interdicting marihuana being smuggled by sea. The Coast Guard, as you know, has made some large seizures off



the East Coast in recent months. Generally, however, marine enforcement efforts have rarely resulted in hard narcotics seizures in other than user amounts.

#### ACHIEVEMENTS OF BORDER LAW ENFORCEMENT

While it is not possible to measure the deterrent effect of the current level of border law enforcement, the available supply of drugs and the estimated number of illegal aliens attest to the fact that it has not been a serious impediment to illegal entry. The substantial Federal investment for enforcement at the Southwest border is achieving only a limited measurable impact on the drug and alien problem.

Border forces interdict only a small quantity of the estimated heroin and cocaine entering the United States from Mexico. Most seizures are of marihuana. In fiscal year 1970, Customs and INS seized about 2 percent of the heroin, less than 1 percent of the cocaine, and 10 percent of the marihuana estimated to come from and through Mexico. When DEA's border area seizures are added, these interceptions equal 6 percent of the heroin, 3 percent of the cocaine, and 13 percent of the marihuana. It is fairly obvious that the quantity of drugs being interdicted is not having a significant impact on the drug problem. This is especially true when one considers that these figures presume the drug seizures to be 100-percent pure while the purity of border seizures are generally significantly less—usually below 50 percent purity.

Border apprehensions seldom involve high-level traffickers. The overwhelming majority of persons crossing the border in possession of drugs who are apprehended by Customs and INS are drug users, small-time operators, couriers, or low-level members of drug trafficking organizations. DEA's data show that less than 2 percent of the interdictions referred from INS and Customs involve major violators, and about three-fourths of these were marihuana violators.

The results with respect to apprehension of aliens are more impressive but the problem remains serious. More illegal aliens are successful in getting into the United States than are prevented from entering. Many aliens apprehended are repeaters; some have been apprehended as many as 10 times.

#### PROBLEMS AFFECTING BORDER LAW ENFORCEMENT

Although border control alone will not solve the drug or illegal alien problems, it is a necessary element if the Nation is ever to control these problems. We believe that much more could be done if Federal border law enforcement activities were better planned, coordinated, integrated, and executed. The efficiency and effectiveness of law enforcement efforts at the border would be enhanced if intelligence support was improved and the costly overlapping and poor coordination of enforcement activities and support systems were corrected.

These are some of the specific problems we identified:

There was a shortage of inspectors at the four ports of entry we visited along the Southwest border, even though most seizures of hard narcotics were made at the ports of entry. Inspection manpower has a significant impact on the thoroughness of inspections performed at these locations.

The only detection devices available to assist inspectors at the ports of entry are TECS data—Treasury's automated intelligence system, which is used by Customs for disseminating information to inspection and enforcement personnel—and trained detection dogs. The value of TECS data for ports-of-entry interdictions is limited because it is primarily keyed to vehicle license numbers.

Detector dogs are effective time-saving drug interdiction aids. However, border officials believe that much of the hard narcotics which comes through the ports is packaged and inserted into the human body. Detector dogs are not used to search people, and inspectors are reluctant to perform intensive personal searches.

The INS Border Patrol and the Customs Patrol have overlapping roles for control of illegal movements across the land borders between the ports. Poor coordination and cooperation between the Customs and INS border patrols, as well as costly overlapping facilities, have contributed to conflicts and tension and produced only marginal results.

Although a Memorandum of Understanding exists between INS and Customs mandating "full cooperation between the two Services," this cooperation does not, in reality, exist. To illustrate, while waiting and watching with a Customs Patrol officer at a border canyon where a sensor hit occurred, the supervisory patrol officer told us that a lack of personnel might cause them to miss the intruder. Right after he made this statement, an INS Border Patrol car cruised slowly by our position, but no attempt was made to contact it and ask for assistance. Patrol officers could not recall a single example of assistance to one agency by the other on an as-needed basis.

#### JOINT OPERATIONS BETWEEN AGENCIES HAVE NOT BEEN EFFECTIVE

The Presidential White Paper on Drug Abuse issued in 1975 recommended that a program for more effective border control be developed and that the principal law enforcement agencies along the border improve their coordination activities to include joint task force operations.

There have been several of these joint operations since 1975. These were to be cooperative coordinated efforts among the various law enforcement agencies, but in actuality they very rarely turned out that way. There have been minimal or no coordination efforts among agencies involved and interdiction results have been varied and not very impressive. There were some large marihuana seizures but heroin seizures were disappointing. A discussion of a few of the operations follows:

Operation Diamond Back, which took place April 20-May 26, 1976, was initiated to augment Customs resources with those of other Federal agencies—DEA, FAA, Border Patrol, and the U.S. Coast Guard—to increase interdiction capability. In post-operative evaluations the participants reported a lack of planning, coordination, cooperation and intelligence. Fundamental planning and coordination never got out of the idea stage. The decision making process was very poor due to confusion as to who had the authority to direct action. Customs Air Support Branch and Customs patrol officers considered the air and sea operations a failure. No arrests or seizures were made.

Operations Star Trek I and II were initiated by Customs along the California and Arizona borders with Mexico. Star Trek I took place in 1975 and Star Trek II a year later. DEA was to provide the intelligence information needed for the operation.

Star Trek I, an intensified air, land, and sea operation primarily aimed at interdictions between ports-of-entry resulted in some large marihuana seizures and small quantities of various other drugs.

Customs officials felt that the weakness of the operation was the scant information provided by DEA. A DEA official at the El Paso Intelligence Center said they were not asked to support the Star Trek I operation and actually received only two phone calls from Star Trek personnel.

Star Trek II involved DEA, FAA, Customs Service, the Air Force, and the Coast Guard. Cooperation was poor and lack of intelligence was still a major weakness. U.S. Coast Guard participation was much less than in Star Trek I. There were no joint patrols by Customs and the Coast Guard. The Coast Guard followed its own patrol program and operated independently of Customs. Drug seizures during Star Trek II increased over the first operation, but total seizures had very little impact on the constant flow of dangerous drugs coming from Mexico.

#### BORDER NEEDS AN INTEGRATED STRATEGY AND OVERALL CONTROL PLAN

Control of the United States-Mexico border is a complex and most difficult task that requires a comprehensive, coordinated effort by all segments of the border law enforcement community.

The executive branch of the Federal Government has not developed an integrated strategy or a comprehensive border control plan to consider all aspects of the problem and establish clear, measurable objectives indicating what it intends to accomplish with the various law enforcement resources. A plan of this type is critical because of the many agencies with overlapping responsibilities.

Over the past few years the Congress, the executive branch, and GAO have issued reports identifying problems among Federal border enforcement agencies and containing suggestions for improving their cooperation and coordination. While some recommendations have been implemented and outward appearances have changed as a result of these efforts, the essential characteristics of the problem remain. Separate agencies with different orientations continue to identify the best means to meet their specific missions, with limited consideration for the activity of the others. This has led to the development of separate but similar lines of effort that continue to dilute border coverage and impact. Little consideration is given to overall border security.

There is obviously a need for an integrated Federal strategy and comprehensive border control plan. Assignment of border control responsibilities to a single agency would be the surest way of achieving this. Pending any decision in this regard, we believe:

The executive branch should provide the Congress, along with its appropriations requests, an overview of law enforcement along the United States-Mexico border. Included in this overview should be an analysis which brings together the budget requests and law enforcement strategies of the various border law enforcement agencies.

The Office of Management and Budget, Office of Drug Abuse Policy, and the principal border agencies should develop an integrated strategy and comprehensive operational plan for border control. This plan should consider the various alternatives to managing border operations ranging from the present management structure to single-agency management.

The President's Reorganization Project has circulated a document containing reorganization options related to border management to various individuals and groups for comment and suggestions. Until agreement is reached on the fundamental question of purpose or mission at the border, the selection of reorganization options would appear to be premature.

Ironically, and perhaps predictably, since the current efforts toward reorganization were initiated the agencies involved in border enforcement have placed an increased emphasis on voluntary cooperative agreements. Similar abortive efforts in the past do not convince us that any lasting good will result.

Some hard decisions remain to be made regarding how this country can best respond to its Southwest border problems. The options range from the extreme of a politically and economically infeasible "Berlin-wall" arrangement that would almost guarantee no illicit intrusion to the loose controls over entry along the Canadian border. Somewhere in between lies an optimum mix of people and resources that should be applied to the border. Development of an overall Federal strategy is the first step that needs to be taken in coming to grips with this major problem.

STATEMENT OF RICHARD L. WILLIAMS, ASSISTANT DIRECTOR (DRUG ABUSE POLICY), DOMESTIC POLICY STAFF

Mr. Chairman and members of the committee, it is a pleasure to be here today to discuss Border Management and Interdiction. When the President established the Office of Drug Abuse Policy in March of last year, he asked Dr. Peter Bourne, the Director, to assume the lead role in studying the organization and management of Federal drug abuse prevention and control functions. Our report on Border Management represents one of a series of policy reviews conducted by the Office of Drug Abuse Policy of all Federal drug abuse functions.

A major part of the Federal effort to reduce the availability of illegal drugs is directed towards disrupting the supply chain at any point where it may be vulnerable, from overseas sources to domestic interstate drug trafficking networks. The United States border provides a unique opportunity in this chain of drug trafficking to intercept the drugs, arrest the person, and perhaps trace the source or the ultimate destination of the illegal drugs. Our border also serves many other important national interests in regulating the international flow of persons, merchandise and commercial carriers.

Our border control is a piecemeal activity with numerous Federal agencies responsible for specific interests and specific functions in the border areas. Several studies of border control have been conducted in recent years. However, each of these studies focused on a specific function or problem rather than taking a comprehensive view of the entire border control effort. As part of the President's goal to achieve greater effectiveness in government operations, our review was directed toward the broad and long-term goal of improving the overall border control effort.

We formed an interagency review team with representation from the principal Departments and agencies involved in control of the borders of the United States. The Departments of Justice, Treasury and Transportation, the U.S. Customs Service, the Immigration and Naturalization Service, and the Drug Enforcement Administration provided full time representatives. The Departments of State and Agriculture, as well as Health, Education, and Welfare, and representatives of the U.S. Coast Guard and the Fish and Wildlife Service of the Department of the Interior also contributed to the study effort. I will summarize the major points of the team report.

Our report describes the vastness and distinctness of the border areas and the functions performed by the Federal agencies responsible for border control. In the past, we have responded to border management problems in a fragmented manner. When a problem arose, new budget resources and manpower were allocated to the agency immediately responsible without deliberate consideration of how changes would affect overall border management. The current organizational structure contributes to the problem with personnel from eight agencies representing seven different Departments directly involved in border operations.

The basic assumption of our review is that improved effectiveness of border control will enhance all related programs including drugs, aliens, guns, etc. Further, an improved management structure could serve as the foundation for all border control efforts and would be likely to accomplish far more than a self-limited effort directed at improving control over one particular commodity.

After an extensive review of the problems and issues as seen by the agencies responsible for border control, the review team conducted a series of field trips to develop firsthand information on operating practices and problems. We also interviewed field managers and individual officers at all types of border locations.

The report is directed at the two principal functions of border control: inspection of persons and goods at ports of entry, and patrolling between ports of entry. The Agencies with primary responsibility for these two key functions are the U.S. Customs Service in the Department of the Treasury and the Immigration and Naturalization Service in the Department of Justice. Other agencies provide specialized skills and functions in support of their areas of interest. The review team identified two major issues: the lack of coordinated border management, and significant overlap and duplication of effort in both of the principal border control functions. There is an obvious overlap and duplication in patrolling activities between land ports of entry, with both the Immigration Service and the Customs Service responsible for providing a patrol force in these areas in support of each of their separate missions. There is also overlap and duplication in inspection responsibilities and management structures at ports of entry, particularly at airports and larger land ports. In seeking a solution to these problems, several options were considered.

The first option was assigning a higher budget priority to selected border control functions. We concluded that simply adding more budget resources to the existing agencies was not likely to provide any major improvement in the system.

A second option would provide single agency management over key functions by consolidating the inspection function in one agency and the patrolling function in another. The review team concluded that while this would reduce duplication, it would not be effective in eliminating the potential for conflict between the agencies. Further, we noted that this approach had been recommended on previous occasions but had never successfully reached implementation.

The review team also considered an option of establishing a multi-purpose border management agency which would include all of the existing responsibilities and resources of the Immigration and Naturalization Service and the U.S. Customs Service. By combining the two principal border enforcement agencies, a new agency would be created to provide the basic foundation for a full service organization for control over entry of persons and goods. It would also allow consolidation of some support functions and could be handled so as to minimize opposition and turbulence so often associated with reorganization efforts.

The Review Team considered a fourth option which would go beyond control over entry to consolidate management of the major Federal resources involved in the control of the borders and U.S. waters forming the perimeters of the United States. This option would expand the size and responsibilities of the new organization by including the U.S. Coast Guard. It assumed that the Coast Guard would remain a separate entity within the border management agency to facilitate its transfer for national security purposes during time of war.

As the last step in the process of developing the report, the options were furnished to the involved agencies for review and comment, and the responses received were attached as appendices to the report. After consideration of these responses, the review team made the following recommendations:

(1) A multi-purpose border management agency should be created by consolidating the Immigration and Naturalization Service and the U.S. Customs Service in a new agency (the third option).

(2) An appropriate reorganization plan should be developed by the President's Reorganization Project to include placement of the consolidated border management agency in a Cabinet Department consistent with overall government reorganization planning.

(3) A consolidation of the agencies and functions involved should be achieved through an umbrella management concept with the reorganization plan providing a set of initial priorities. However, the new Director should be allowed flexibility in determining the internal structure of the new agency. The following functions should receive high priority for early consolidation:

- (a) Primary inspection at all ports;
- (b) Patrolling of the land borders;

(c) The operational support activities, particularly communications and computer systems; and

(d) The management structure and administrative support activities.

The review team suggested that the new Director be given these priorities and be required to report back to the President and to the Congress at the end of 18 months on the accomplishments during the transition period and his plan for the next phase.

The President's Reorganization Project in the Office of Management and Budget has the ultimate responsibility for developing reorganization plans in conjunction with its on-going reorganization study of the entire Federal Government. Our report provides OMB with a current evaluation of border control activities and recommendations for improvement. The Reorganization Project staff currently is preparing recommendations for the President regarding border management. Our report will also be used in conjunction with the other on-going drug policy reviews in developing a new Federal Drug abuse prevention strategy for 1978.

I wish to thank you for your support of the drug abuse prevention programs and for the opportunity to present the significant features of our Border Management report. I will be glad to respond to any questions you may have or furnish any additional information that you desire.

**END**