

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

WASHINGTON, D.C. 20503

April 18, 1969

MEMORANDUM FOR MR. KENNETH COLE

Subject: Bureau comments on draft message on narcotics

We have the following brief comments on the draft of the narcotics message dated April 14:

(1) As we have advised White House staff before, there appear to be serious issues between the Departments of Justice and HEW on the content of the narcotics bill which is described in item 3 on page 4 of the message. We have not yet received HEW's formal comments on these issues, but we have urged Creed Black to take them up with Secretary Finch and to have the Secretary discuss them directly with the Attorney General if he feels that their importance so warrants. The description of the legislation on page 4 is, however, general and would not affect the settlement of the issues. Therefore, the principal concern is whether the issues can be resolved quickly so that a bill could be sent to the Congress promptly after the message goes forward.

(2) Item No. 9 on page 7 indicates that the President will issue an Executive order removing from the competitive service the law enforcement personnel of the Bureau of Narcotics and Dangerous Drugs. We understand informally that the Bureau of Narcotics is working with the staff of the Civil Service Commission to get greater flexibility for the Bureau through a change in Commission regulations, rather than through complete exemption of the Bureau staff from the competitive service through an Executive order. If this is so, the alternatives are to drop out this point or to reword it to reflect the regulation approach. (We would question the desirability of exempting the Bureau staff from the competitive service since this seems to be contrary to the general trend of including more criminal justice personnel in the competitive service.)

Welf Rousnel
Assistant Director for
Legislative Reference



THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE
WASHINGTON, D. C. 20201

APR 18 1969

MEMORANDUM FOR THE PRESIDENT

Subject: Reaction to Draft Message to Congress (4/14/69):
Narcotics and Dangerous Drugs

While I fully support the encouragement of far greater law enforcement efforts against the importation, interstate trafficking, and local selling of drugs and narcotics, I believe this message could be greatly improved if it encompassed both law enforcement and rehabilitation. Further, the message should display an understanding of distinctions among the narcotics and dangerous drugs.

I suggest that the message be restructured into four major sections:

- I Law Enforcement
- II Distinctions Among Narcotics and Dangerous Drugs
- III Treatment and Rehabilitation of Addicts
- IV Public Education

Within the section on Law Enforcement, it should be stated that the effectiveness of law enforcement depends upon improving communications between concerned communities and law enforcement agencies. By "improving communications", I mean:

--make known that users of narcotics will be regarded as sick people, which should make it easier for individuals within communities to cooperate with law enforcement officials;

--urge local law enforcement agencies to encourage users to turn themselves in without fear of criminal prosecution;

--increase the visibility of law enforcement agencies and improve access to them; and

--encourage law enforcement people to work with the people in their communities on this problem.

In Section II, Distinction Among Narcotics and Dangerous Drugs, we want to note that marijuana, LSD, and the opiates pose three separate problems. Marijuana is probably the most complex because anyone can grow it in his backyard, because of the publicity, and because hard data on the deleterious effects is not presently available.

Among the young, marijuana is looked upon as no worse than the use of alcoholic beverages by adults. We should point out that marijuana has a similar effect to alcohol on vision and reactions, and could become as much a cause of automobile fatalities and injuries as alcohol, which presently accounts for more than 50% of the traffic fatalities in the United States.

LSD effects have been more carefully described, the effects are more severe (apparently) than those of marijuana, and publicity on these effects has reduced use somewhat. However, while it can't be grown in every yard, those with a good knowledge of chemistry can make it, and, therefore, like marijuana it will be difficult to control access to the drug through law enforcement: public education will have to play a strong role. Moreover, LSD users are probably better educated than marijuana users, so that the educational thrust will have to vary between these two.

The opiates constitute the worst problem, and it has been obscured by the publicity about marijuana and LSD. The central purpose of this message should be to focus far greater energy and resources on the hard narcotics.

In Section III, Treatment and Rehabilitation of Addicts, we should draw attention to the fact that the use of narcotics is fundamentally a social and health problem, not a criminal problem (although users may be driven to crime to pay for their supplies). Our objective should be the mental, social, and physical rehabilitation of users.

In this connection the message should ask the National Institute of Mental Health to focus all possible resources on the development of adequate treatment facilities easily accessible to drug users.

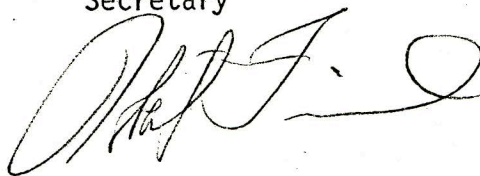
Recognizing that whole communities suffer from the problems of the addicts, we should encourage communities to assist in efforts to help prevent and control the abuse of drugs and narcotics. This will be most difficult if this problem is approached solely in terms of crime and law enforcement.

Within this section should be included comments now in the message on increasing our research on the effects of narcotics and drugs and on the discovery of new means of treatment.

Finally, in Section IV, on Public Education, in addition to the words now contained in the message on this subject, we should also encourage understanding among employers of the productive possibilities of the rehabilitated addict. It is within the power of employers to assist the rehabilitated addict in his search for social acceptance, and to prevent him from back-sliding into addiction.

We should also call for the strengthening of the present campaign which the National Institute of Mental Health has undertaken to reach youth and others through TV and radio spots.

Secretary

A handwritten signature in dark ink, appearing to be "R. F. D.", written in a cursive style.

Draft
4/14/69

3
NARCOTICS AND DANGEROUS DRUGS

To the Congress of the United States:

Drug abuse and its widespread proliferation among many segments of our society is a tragic problem. It has attained a magnitude of such proportions that immediate and drastic action is required. Particularly among our young people, this insidious cancer is threatening to become a way of life. The facts document the grave dimensions of this problem.

Between 1960 and 1967 there has been a 778 percent increase in juvenile arrests involving drugs. In 1967, more than half the arrests for violations of the drug laws were persons under 21 years of age. While we know that drug abuse is increasing among the young, we do not know just how great it really is. Estimates indicate that several million young people have experimented with or used such drugs as marihuana, LSD, amphetamines and barbiturates.

With respect to narcotic drug addiction, estimates range from 65,000 known narcotic addicts, including the young as well as others, to as many as several hundred thousand. The New York City Health Department Central Narcotic Registry files contain a record of more than 40,000 hard core, mainline heroin addicts, and indicate an appalling rate of increase of 7,000 to 9,000 addicts a year. It is estimated that for every one who comes to the attention of the authorities two or three persons addicted remain unknown.

Continued use of these extremely dangerous substances can debilitate and destroy the inner fabric of a man and cause him to be not only a waste to himself but to his family, community and country. The addict must frequently turn to theft, assault, prostitution and even murder to obtain money for the drugs or the drug itself. Police chiefs in some of our larger cities estimate

that approximately fifty percent of the crime problem in their communities is attributable to narcotic drug addiction and the criminal activity carried out by addicts to support their habit.

According to New York City's Chief Medical Examiner, diseases related to narcotic addiction cause more deaths among New Yorkers between 15 and 35 years of age than murder, suicide, accidents or natural causes. Indeed, these are horrible facts.

This widespread and increasing use of narcotic and other dangerous drugs must be halted. Immediate and effective action must be taken now to reverse this trend.

Let me touch briefly on some of the steps already taken to achieve more effective control.

Pursuant to Reorganization Plan No. 1 of 1968, the former Federal Narcotics Bureau, Treasury Department, and Bureau of Drug Abuse Control, Department of Health, Education, and Welfare, were consolidated into the Bureau of Narcotics and Dangerous Drugs within the Department of Justice. Concomitant with this action, a new prosecution unit has been created in the Criminal Division of the Department of Justice to deal solely with the enforcement of the laws relating to narcotics and dangerous drugs.

The Treasury Department's Bureau of Customs, which is charged with protecting our borders against the illegal importation of these substances, under my Administration has formed a contraband drug section [special narcotic unit whose activities are monitored by an Assistant Secretary of that Department.] and ordered special training programs for customs officers engaged in anti-smuggling activities.

This Administration will also pursue an active role in international narcotic control. The United States is a signatory to the Single Convention on Narcotic Drugs of 1961 and it appears from the relatively large number of ratifications and accessions to the Single Convention that it will become the most widely accepted of the narcotic control treaties. Because of this and because all international controls will be exercised through the

organs specified in the document, accession to the Single Convention by the United States is in keeping with this country's long-standing leadership in international control of narcotic drugs. Our government also will actually participate in the United Nations Commission on Narcotic Drugs, which studies the world drug situation and recommends steps to eradicate abuses.

This Administration will give all possible support and cooperation to foreign governments working toward eradicating the production of illicit drugs at the source. Indeed, considerable effort and funds have been expended on programs to encourage other governments to discontinue even the production of opium for the licit market, on the theory that such production invariably supplies the illicit market through diversion and, of course, the production of synthetic substitutes can easily be increased to supply the world's legitimate medical requirements.

No single effort can solve this staggering problem over night. The resources of Federal, State and local Government must be marshalled if we are to make inroads on and, ultimately, eliminate entirely drug abuse and its tragic consequences. I am, therefore, proposing a nine point program which I feel will move us to attainment of that objective.

1. Manpower and Resources

I have directed the Attorney General to create within the Bureau of Narcotics and Dangerous Drugs a number of special investigative forces, whose point of concentration will be against major criminal enterprises principally engaged in the ^{internal} ~~illicit~~ drug traffic. These special forces will afford a capability to move quickly into an area when intelligence indicates the existence of such activity. I have also directed the Attorney General to take appropriate steps to insure the prompt and vigorous prosecution of these major traffickers.

also
I have directed the Secretary of the Treasury to create
within the Bureau of Customs a number of special investigative
forces, whose point of concentration will be against major
criminal enterprises principally engaged in smuggling this
contraband.

2. Suppression of Illegal Importation

Because the bulk of narcotics and marihuana is produced
in foreign countries and smuggled into the United States,
I have directed the Secretary of the Treasury to initiate a
major effort through the Bureau of Customs to suppress
smuggling of this contraband. To be fully effective, this
effort requires increased manpower in the Bureau of Customs.
Therefore, I shall be recommending significant additional
enforcement personnel for the Bureau of Customs.

*[This footnote is not part of proposed message.] The
President, in his campaign statement of September 16, 1968,
at Anaheim, California, called for tripling the number of
Customs agents from 331 to 1,000. He made the following
statement:

"...let us recognize that the frontiers of the
United States are the primary responsibility
of the United States Bureau of Customs. I
recommend that we triple the number of customs
agents in this country from 331 to 1,000.
This is not any irresponsible recommendation,
it was urged upon this country by the
President's own Crime Commission, and as
President of the United States in January of
1969 I will follow through with that recommendation."

[Copy of full statement attached.]

23. International Cooperation

Since the bulk of hard narcotics and marihuana in the illicit market is of foreign origin, I have requested the Attorney General, [and] the Secretary of State and the Secretary of the Treasury to seek additional avenues of international cooperation, designed to stop the traffic in these substances. [at their source.] At the present time a number of the Federal Government's most experienced agents are assigned to overseas operations. Working with authorities in the host countries, they attempt to locate and seize illicit opium, heroin and marihuana supplies destined for smuggling into the United States. Customs Agents assigned abroad in smuggling investigations will also seek the cooperation of host countries' enforcement agencies.

I have specifically authorized the Secretary of State, [and] the Attorney General and the Secretary of the Treasury to formulate plans that will lead to meetings between this country and those nations involved in the drug traffic, at the law enforcement level, so that better liaison and more prompt lines of communication can be established.

4. [3.] Federal Legislation

The Attorney General will soon be forwarding to the Congress for its consideration a comprehensive legislative proposal for the control of narcotics and dangerous drugs. This measure will place in one integrated statute a revised and modern regulatory scheme for controlling these drugs. It has long been recognized that our present laws in this field are inconsistent, inadequate and outdated. We believe that enactment of the proposal will be a substantial forward step in our all-out efforts to curtail the spread of drug abuse. Effective law enforcement begins with effective laws.

5. [4.] Model State Narcotic and Dangerous Drug Legislation

To render technical assistance to the States, the Department of Justice is preparing a model State Narcotic and Dangerous Drug Act. This draft will be made available to the States through the National Commission on Uniform State Laws and the Council of State Governments for use in updating or improving

[5.] Local Law Enforcement Conferences

The Attorney General is formulating plans to set up conferences with law enforcement executives from the various states to obtain first hand information regarding the scope of the drug problem at that level. These meetings will provide a forum to discuss the areas where assistance and mutual aid concerning the drug problem can be provided. There is a need for increased communication and exchange of intelligence. These meetings will foster an exchange of ideas and policies, resulting in a unification of effort which will be beneficial to all concerned.

[6.] Training Program

The enforcement of narcotic and dangerous drug laws requires considerable expertise and training. In order to provide assistance in this area, the Bureau of Narcotics and Dangerous Drugs conducts training programs for agent personnel, State and local police officers, forensic chemists, foreign nationals, college deans, campus security officials and members of the industry who are engaged in the legal distribution of narcotic and controlled drugs. These programs are essential if we are to develop a comprehensive and coordinated attack upon the drug problem.

Last year the Federal Government provided such special
2704 state and local law
training to/enforcement officials. This year we hope to provide such training to 11,000 officials and next year we plan to increase our effort by 100 percent and provide training to 22,000 State and local officers.

[7] Education

There is a need for a massive education program to insure that the public, especially our youth, get the facts before they regretfully learn the truth the hard way. Law enforcement alone cannot end this problem.

demand for these drugs by erasing the misconceptions, misinformation and fallacies currently in circulation concerning their effects and by making the ugly story of narcotic addiction and drug abuse known to all who might be attracted to experiment with them.

The Federal Government can provide the core of this educational program and serve as a catalyst for extensive state and local action. In the past our efforts have been limited, fragmented and sporadic. Mobilization of our resources, including all forms of the mass communications media, must be beamed to reach more people effectively with the facts on drug abuse.

I am, therefore, requesting the Secretary of Health, Education and Welfare and the Attorney General to coordinate and expand the Federal educational program. I consider this a crucial and necessary activity in our efforts toward drug abuse reduction.

9. [8.] Research

Research as to the underlying effects of these drugs both short term and long range must be increased. We must determine why persons use drugs. Until we discover the root causes of this problem we can never eliminate it, prevent others from becoming drug users, or effectively rehabilitate those who have become addicted. There is a real need for more facts on how these drugs affect human beings and what approaches, if any, might be devised to combat them. The National Institute of Mental Health has the primary responsibility in this area, and I am directing the Secretary of Health, Education and Welfare to maximize its effort so that greater knowledge will be available as a tool in dealing more realistically with the overall problem.

The Bureau of Narcotics and Dangerous Drugs is also involved in a more limited way in this endeavor. It has established

regional laboratories, five of which have been authorized in appropriations for fiscal year 1969. These are located at Washington, D. C., New York City, Chicago, Dallas and San Francisco. These laboratories provide many services such as analysis of evidence, special research and testing for new drugs and the identification of new compounds. Experimentation on new methods of analysis will be performed. The services of these laboratories will also be available to state and local authorities to assist them in criminal cases and to give them the benefit of this research and experimentation. The necessary funds to continue and expand this important aspect of our program are included in the Bureau's appropriation request for fiscal year 1970, and I urge the Congress to act on it favorably.

10. [9.] Enforcement Personnel

My last item for discussion is one which I think from an organizational point of view will be most helpful in improving our enforcement capability. By executive order, I am removing from the competitive service the law enforcement personnel of the Bureau of Narcotics and Dangerous Drugs. This will afford the Bureau greater flexibility in hiring practices and permit speedy termination in cases where such action is warranted. This will place the Bureau of Narcotics and Dangerous Drugs in the same exempt category as the Federal Bureau of Investigation and will insure that only those who meet the highest professional standards are selected to perform the arduous and sensitive duties imposed.

This, then, is my plan of action. Much of it is already being implemented. Much of it depends on you, the Congress. I, therefore, earnestly reiterate my requests that you act favorably with respect to the legislative proposals to be submitted along with the budgetary appropriations required to attain the desired goals. The problem is one of national concern

and, as both public officials and individual citizens, I am sure

we all share the same desire to rid our nation of the debilitating effects of drug abuse and addiction.

DEPARTMENT OF JUSTICE

ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	M. SONNENREICH			
2.				
3.				
4.				

☐ SIGNATURE	☐ COMMENT	☐ PER CONVERSATION
☐ APPROVAL	☐ NECESSARY ACTION	☐ AS REQUESTED
☐ SEE ME	☐ NOTE AND RETURN	☐ NOTE AND FILE
☐ RECOMMENDATION	☐ CALL ME	☐ YOUR INFORMATION
☐ ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
☐ PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

PLEASE RETURN THE
ENCLOSED MATERIALS. THEY
ARE MY ORIGINAL COPIES.

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	J. DEAN			6/20



THE GENERAL COUNSEL OF THE TREASURY
WASHINGTON, D.C. 20220

APR 15 1969

Sir:

Your office has asked for the views of this Department on a Department of Justice draft bill, "To protect the public health and safety by amending the narcotic, depressant, stimulant and hallucinogenic drug laws, and for other purposes." The Treasury Department's comments refer to the draft of March 26, 1969.

The proposed legislation would provide a comprehensive legislative framework for the control of all narcotics and dangerous drugs and would repeal many of the presently existing Federal drug statutes. Specifically, it would repeal the tax provisions of title 26 of the United States Code relating to narcotics and marihuana. The Treasury Department does not object to the proposed repeal particularly as the Treasury notes with approval that the Department of Justice's proposal would not change the role, or modify the authority, of the Treasury Department with respect to its responsibilities regarding the importation of narcotics and dangerous drugs and would not reduce in any way the possibility for strong enforcement of the law.

As the Treasury Department reads the draft bill, there is no intention to change Treasury Department's existing enforcement and investigative responsibilities as exercised through the Bureau of Customs, to deal with offenses under Customs and related laws, whether or not some or all of the merchandise involved may consist of narcotics and dangerous drugs. In this connection, the Treasury notes with approval the proposed amendment of 26 U.S.C. 7607, which, among other things, would preserve the existing authority of officers of the customs to make arrests without warrant for violation of any law of the United States relating to narcotic drugs or marihuana as defined in the proposed Controlled Dangerous Substances Act of 1969.

We feel very strongly that specific language should be included in the bill to prevent any possibility of misunderstanding with respect to the crucial matter of Treasury's enforcement and investigative responsibilities. Accordingly, we have proposed additions in the preamble, and also in the body of the draft bill, which make clear the intention that the Department of Justice and the Treasury Department share a joint responsibility in controlling traffic in narcotics and dangerous drugs. We are also suggesting important specific language to be included in the draft bill which will, in our opinion, make clear the nature of these joint responsibilities.

There is attached a memorandum setting forth the specific changes recommended by the Treasury Department in the draft bill.

Sincerely yours,



Paul W. Eggers
General Counsel

The Director

Bureau of the Budget

Attachment

TREASURY DEPARTMENT MEMORANDUM

Re: Controlled Dangerous Substances Act of 1969

The following changes are recommended in the draft bill.

1. Delete the third paragraph of Sec. 101, Findings and Declaration, and substitute the following therefor:

The Congress finds and declares that a major portion of the traffic within the United States in controlled dangerous substances flows from the smuggling of such substances from abroad, and to this extent involves movement in foreign commerce.

The Congress finds and declares likewise that a major portion of the traffic within the United States in controlled dangerous substances also flows through interstate commerce.

Incidents of the traffic which are not an integral part of the foreign or interstate flow, or both, such as manufacture, local distribution and possession, nevertheless have a substantial and direct effect upon interstate commerce.

- (a)
- (b)
- (c)
- (d)
- (e)

Unchanged.

The Congress finds and declares that Federal control of the primarily intrastate incidents of the traffic in controlled dangerous substances is essential to the effective control of the interstate incidents of such traffic.

not needed [The Congress finds and declares that the Department of Justice and the Department of the Treasury must, of necessity, share a joint responsibility in controlling traffic in controlled dangerous substances. The responsibility of the Department of the Treasury relates to the historic role of the Bureau of Customs affecting all importations, and in particular in enforcing the laws against smuggling. The responsibility of the Department of Justice relates to its general law enforcement responsibilities and to the role of the Bureau of Narcotics and Dangerous Drugs in controlling all other elements of the traffic in controlled dangerous substances.

2. Add to Title VII:

Enforcement Responsibility of the Attorney General
and the Secretary of the Treasury

Sec. ____

(a) ~~Except as provided in subsection (b),~~ the Attorney General shall be responsible for the enforcement of this Act. *However,*

(b) ~~Nothing in this Act shall derogate from the existing~~ *not the* responsibilities and ~~authority of the Secretary of the Treasury~~ *authority of the* under the customs ~~and related laws~~ *at ports and borders.*

Amend section 701(e) to read "(e) Perform such other duties of the Attorney General relating to law enforcement as he may direct."

In the proviso to section 704(d), change "collector of customs" to "customs officer" and add to the end of the proviso: "except to the extent that such duties arise from seizures and forfeitures effected by any customs officer."

Amend section 802(b) as follows:

"(b) section 1952 of Title 18 of the United States Code is amended by --

"(1) ***

"(2) striking subsection (c) and substituting the following new subsections:

"(c) Investigation of violations under this section involving liquor shall be conducted under the supervision of the Secretary of the Treasury.

"(d) Investigation of violations under this section involving narcotics and other controlled dangerous drugs shall be conducted under the supervision of the Attorney General, except such investigation shall be conducted under the supervision of the Secretary of the Treasury to the extent that a violation of the customs laws is involved. *at ports and borders -*

done! | 3. The Treasury also suggests that the Department of Justice may wish to consider adding at the end of the second sentence of section 201(a) of the draft bill the phrase: "except that heroin, marihuana, tetrahydrocannabinol and lysergic acid diethylanide may not be deleted from Schedule I or moved from Schedule I to another schedule." In view of the nature of these drugs, the Department of Justice might conclude, upon reconsideration, that it would be undesirable to have authority to change their status by administrative action.



TREASURY DEPARTMENT

WASHINGTON, D.C. 20220

ASSISTANT SECRETARY

APR 29 1969

MEMORANDUM TO THE HONORABLE JOHN W. DEAN, III
ASSOCIATE DEPUTY ATTORNEY GENERAL

Subject: Presidential Message to Congress
Entitled "Narcotics and Dangerous
Drugs": Justice Department draft
dated April 14, 1969

The captioned draft has been reviewed and suggested revisions have been forwarded to you. Transmitted herewith is a revision of page 9 thereof. The Treasury Department's revision is structured to set forth the facts of the drug problem, stressing the tragedy to our people, particularly our youth, and then to outline a multi-front effort--enforcement, rehabilitation, education and research.

We suggest a rearrangement of the specific points of the President's program, placing International Cooperation first, because the major source of narcotics is foreign. The rearrangement continues with emphasis upon the following points:

1. The problem of smuggling of narcotics and the central role of the Bureau of Customs regarding smuggling (see memorandum to Hon. Kenneth Cole attached hereto).
2. The need to stress a multi-departmental approach. The revision reflects throughout what in our judgment is a necessity if we are to be successful--namely, the broadest possible base for the Federal attack on narcotics and other dangerous drug abuses, which mandates full use of the resources of the Departments of State, Treasury, Justice, and Health, Education and Welfare.
3. Elimination of references implying approval of those Johnson Administration actions which were of doubtful validity and which impeded proper and effective law enforcement. The actions of the Johnson Administration in this area

have been criticized. Any reference to the amalgamation of the Bureau of Narcotics and the Bureau of Drug Abuse Control under reorganization plan Number 1 of 1968 may be read as implying approval and is ill-advised in view of the persistence of the controversy surrounding this move; the very close congressional vote on the plan (the resolution to reject the plan failed to pass the House by only 200 to 190); the additional law enforcement problems generated because the Bureau of Narcotics and the Bureau of Customs are no longer under the direction of a single department; and the strong objection thereto by the Treasury Appropriations Subcommittee.

4. The addition of a section on rehabilitation and the stress, in general, upon compassion for the victims of drug abuse.

The original draft was overwhelmingly law enforcement oriented; while the problem of drug abuse certainly presents a critical challenge to law enforcement, it is an equally serious human problem. We must bear in mind also that young people will be examining the Presidential message closely and it is important that it speak to them in such a way that an educational dialogue can exist. To this end, the introduction of the Message has been modified to include a note of compassion.

In keeping with the compassionate tone, a separate section has been devoted to rehabilitation. I cannot emphasize too strongly that the drug abuse problem differs greatly from the problem of organized crime. The practitioners of the latter deserve no quarter, while a substantial number of those involved in the former are victims as well as transgressors, and deserving of some recognition of the fact that they are sick people.

There is, therefore, a crying need for development of effective methods of rehabilitation. In my judgment, a Presidential message on the subject of drug abuse, which did not acknowledge that its victims are ill, and which did not make a substantial provision for rehabilitation, would be seriously defective and subject to widespread criticism.

Miscellaneous

The portion of the Message devoted to the effects upon the crime rate has been reworded. The references to the deaths among New Yorkers in the 15 to 35 age group were omitted as the phrase "diseases related to narcotic addiction" is vague. More information is needed as to the meaning of the phrase before the President should commit himself to it.

You will note that the section devoted to local law enforcement conferences has been modified so as to include the Secretary of the Treasury as one of those formulating the plans to hold the conferences. This has been done because it is highly desirable, for obvious reasons, that those conferences which are held in or adjacent to United States ports of entry have the full participation of the Bureau of Customs.

Minor modifications have been made in the section on training programs, and there are other minor modifications made throughout the revision.

As we have discussed, I would appreciate an opportunity to review any additional drafts of this Message, and I will be available on short notice for this purpose.

It is important that the Treasury, which will play a major role in the Administration's attack upon the drug abuse problem, be fully represented at any press conferences or background briefings which may be conducted in connection with the forwarding of the Presidential Message to Congress.

In this connection, I do appreciate your comments regarding the organized crime message and know the pressures you were under to get it moving.

You mentioned that the Presidential Message on organized crime, and the manner in which it was presented, had enhanced the morale of the Department of Justice.

As you can imagine, I had a number of calls from our enforcement officials as to the scarcity of reference to Treasury, which has furnished in the past about 90 percent of the personnel engaged in the strike force effort (even with the current welcome addition of FBI personnel, Treasury will probably supply over 50 percent of the manpower).

I played the matter down and assured them that Treasury will be participating on a full and equal partnership basis in the effort. I can only comment that the morale of the Department of the Treasury is also affected by such matters and, in this instance, it was affected adversely. It makes our participation in the narcotics message and briefings all the more important.

We at the Treasury are pledged to full cooperation with Justice and the other Departments and agencies involved in law enforcement efforts. The main thing is to profit from past experience and move ahead.

I am sending a copy of this memorandum to Hon. Kenneth Cole at the White House to keep him advised of progress.


Eugene T. Rossides

Attachments--2

The Department of the Treasury's Law Enforcement School, in addition to furnishing specialized narcotic and drug abuse training to its own agents, provides the same courses for other federal enforcement personnel, such as the United States Coast Guard and certain Bureaus of the Department of Interior, as well as to foreign nationals. I have directed the Secretary of the Treasury to expand this curriculum.

X. Local Law Enforcement Conferences

The Attorney General and the Secretary of the Treasury are formulating plans to set up conferences with law enforcement executives from the various states regarding the drug abuse problem. These meetings will provide a forum to discuss the areas where assistance and mutual aid can be provided. There is a need for increased communication and mutual dissemination of intelligence. These meetings will also foster an exchange of ideas and policies, resulting in a unification of effort which will be beneficial to all concerned.

This, then, is my plan of action. Much of it is already being implemented under my Administration. Much of it depends upon you, the Congress. I, therefore, request that you act favorably with respect to the legislative proposals to be submitted, along with the budgetary appropriations required to attain the desired goals. I am confident that the Congress is as aware of and concerned as I am about the critical problem

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THE SECRETARY OF THE TREASURY
WASHINGTON

April 18, 1969

MEMORANDUM TO THE HONORABLE KENNETH R. COLE, JR.
SPECIAL ASSISTANT TO THE PRESIDENT

Subject: Message to Congress on Narcotics and
Dangerous Drugs

Attached herewith are our comments on the draft which we received yesterday afternoon. The few additions which basically reflect Treasury's responsibilities in smuggling do not reflect adequately the depth of our concern as to the items and the background and history that are involved in this matter.

The draft message fails to stress the crucial factor of smuggling of narcotics and dangerous drugs and the central role of the Bureau of Customs in the suppression of smuggling of these substances.

The message, as written, fails to include the Bureau of Customs as one of the 9 program items. We strongly urge the acceptance of the additional item that we have suggested for inclusion.

The message fails to even comment on the President's campaign pledge (made on September 16, 1968, at Anaheim, California) to triple the number of customs agents from 331 to 1,000, and that this pledge was in accordance with a similar recommendation of the Presidential Crime Commission. (A copy of the full statement is attached.)

The message does not distinguish between internal narcotics trafficking in the United States, which is the responsibility of the Bureau of Narcotics and Dangerous Drugs, and smuggling, which is the responsibility of the Bureau of Customs.

In addition to the overriding protective mission of the Secret Service, the Treasury is placing special emphasis on the fight against (1) narcotics and marihuana smuggling; and (2) organized crime. These two areas overlap in that organized crime is involved in the smuggling of narcotics (but not marihuana).

There is general consensus that the Bureau of Customs is understaffed, particularly in enforcement personnel. To achieve a record of performance in suppressing drug smuggling, increased enforcement personnel in the Bureau of Customs are needed (Internal Revenue Service recommendations for substantial increases in personnel for the drive on organized crime have been approved).

The Treasury Department has upgraded the status of its law enforcement effort in general and is devoting substantial time and resources to this area, which was long neglected under the Democrats.

We have initiated a review of the smuggling laws to see if additional legislation is needed. This review was initiated because of the President's pledge to do it in the September 16, 1968 speech.

In the letter to Budget Director Mayo, dated April 7, 1969, from Acting Secretary Walker, requesting additional manpower for organized crime, it was stated in the final paragraph that the narcotics control program would require a major effort. That paragraph reads as follows:

"Consideration is being given to an increase of as many as 1,060 agent positions in Customs costing \$13,431,000 for added narcotics control activities. The matter has not yet been resolved and may later result in a supplemental appropriation request."

A chart detailing the additional personnel requirements is attached hereto.

We have been involved in discussions with Deputy Attorney General Kleindienst on the matter of cooperation between the Bureau of Customs and the Bureau of Narcotics and Dangerous Drugs. We are in the process of reviewing the relationships between the two bureaus with the aim of improving cooperation.

We have been in active discussions with the Department of Justice in connection with the proposed narcotics and drug abuse bill and have made recommendations for that bill

pertaining to customs and customs responsibility. A copy of our letter to the Budget Bureau, which was also sent to the Department of Justice, is enclosed herewith.

I cannot emphasize enough our feeling that to do a proper job in the suppression of narcotics in this country, we must do everything possible to maximize the efforts of the Bureau of Customs in its area of responsibility, namely, smuggling.

A handwritten signature in cursive script, reading "Paul A. Volcker".

Paul A. Volcker
Acting Secretary

Attachments - 3

3
NARCOTICS AND DANGEROUS DRUGS

To the Congress of the United States:

Drug abuse and its widespread proliferation among many segments of our society is a tragic problem. It has attained a magnitude of such proportions that immediate and drastic action is required. Particularly among our young people, this insidious cancer is threatening to become a way of life. The facts document the grave dimensions of this problem.

Between 1960 and 1967 there has been a 778 percent increase in juvenile arrests involving drugs. In 1967, more than half the arrests for violations of the drug laws were persons under 21 years of age. While we know that drug abuse is increasing among the young, we do not know just how great it really is. Estimates indicate that several million young people have experimented with or used such drugs as marihuana, LSD, amphetamines and barbiturates.

With respect to narcotic drug addiction, estimates range from 65,000 known narcotic addicts, including the young as well as others, to as many as several hundred thousand. The New York City Health Department Central Narcotic Registry files contain a record of more than 40,000 hard core, mainline heroin addicts, and indicate an appalling rate of increase of 7,000 to 9,000 addicts a year. It is estimated that for every one who comes to the attention of the authorities two or three persons addicted remain unknown.

Continued use of these extremely dangerous substances can debilitate and destroy the inner fabric of a man and cause him to be not only a waste to himself but to his family, community and country. The addict must frequently turn to theft, assault, prostitution and even murder to obtain money for the drugs or the drug itself. Police chiefs in some of our larger cities estimate

that approximately fifty percent of the crime problem in their communities is attributable to narcotic drug addiction and the criminal activity carried out by addicts to support their habit.

According to New York City's Chief Medical Examiner, diseases related to narcotic addiction cause more deaths among New Yorkers between 15 and 35 years of age than murder, suicide, accidents or natural causes. Indeed, these are horrible facts.

This widespread and increasing use of narcotic and other dangerous drugs must be halted. Immediate and effective action must be taken now to reverse this trend.

Let me touch briefly on some of the steps already taken to achieve more effective control.

Pursuant to Reorganization Plan No. 1 of 1968, the former Federal Narcotics Bureau, Treasury Department, and Bureau of Drug Abuse Control, Department of Health, Education, and Welfare, were consolidated into the Bureau of Narcotics and Dangerous Drugs within the Department of Justice. Concomitant with this action, a new prosecution unit has been created in the Criminal Division of the Department of Justice to deal solely with the enforcement of the laws relating to narcotics and dangerous drugs.

The Treasury Department's Bureau of Customs, which is charged with protecting our borders against the illegal importation of these substances, under my Administration has formed a [special narcotic unit whose activities are monitored by an Assistant Secretary of that Department.] contraband drug section and ordered special training programs for customs officers engaged in anti-smuggling activities.

This Administration will also pursue an active role in international narcotic control. The United States is a signatory to the Single Convention on Narcotic Drugs of 1961 and it appears from the relatively large number of ratifications and accessions to the Single Convention that it will become the most widely accepted of the narcotic control treaties. Because of this and because all international controls will be exercised through the

organs specified in the document, accession to the Single Convention by the United States is in keeping with this country's long-standing leadership in international control of narcotic drugs. Our government also will actually participate in the United Nations Commission on Narcotic Drugs, which studies the world drug situation and recommends steps to eradicate abuses.

This Administration will give all possible support and cooperation to foreign governments working toward eradicating the production of illicit drugs at the source. Indeed, considerable effort and funds have been expended on programs to encourage other governments to discontinue even the production of opium for the licit market, on the theory that such production invariably supplies the illicit market through diversion and, of course, the production of synthetic substitutes can easily be increased to supply the world's legitimate medical requirements.

No single effort can solve this staggering problem over night. The resources of Federal, State and local Government must be marshalled if we are to make inroads on and, ultimately, eliminate entirely drug abuse and its tragic consequences. I am, therefore, proposing a nine point program which I feel will move us to attainment of that objective.

1. Manpower and Resources

I have directed the Attorney General to create within the Bureau of Narcotics and Dangerous Drugs a number of special investigative forces, whose point of concentration will be against major criminal enterprises principally engaged in the ^{internal} illicit drug traffic. These special forces will afford a capability to move quickly into an area when intelligence indicates the existence of such activity. I have also directed the Attorney General to take appropriate steps to insure the prompt and vigorous prosecution of these major traffickers.

also
I have directed the Secretary of the Treasury to create
within the Bureau of Customs a number of special investigative
forces, whose point of concentration will be against major
criminal enterprises principally engaged in smuggling this
contraband.

2. Suppression of Illegal Importation

Because the bulk of narcotics and marihuana is produced
in foreign countries and smuggled into the United States,
I have directed the Secretary of the Treasury to initiate a
major effort through the Bureau of Customs to suppress
smuggling of this contraband. To be fully effective, this
effort requires increased manpower in the Bureau of Customs.
Therefore, I shall be recommending significant additional
enforcement personnel for the Bureau of Customs.

*[This footnote is not part of proposed message.] The
President, in his campaign statement of September 16, 1968,
at Anaheim, California, called for tripling the number of
Customs agents from 331 to 1,000. He made the following
statement:

"...let us recognize that the frontiers of the
United States are the primary responsibility
of the United States Bureau of Customs. I
recommend that we triple the number of customs
agents in this country from 331 to 1,000.
This is not any irresponsible recommendation,
it was urged upon this country by the
President's own Crime Commission, and as
President of the United States in January of
1969 I will follow through with that recommendation."

[Copy of full statement attached.]

[2] International Cooperation

Since the bulk of hard narcotics and marihuana in the illicit market is of foreign origin, I have requested the Attorney General, [and] the Secretary of State and the Secretary of the Treasury to seek additional avenues of international cooperation, designed to stop the traffic in these substances. [at their source.] At the present time a number of the Federal Government's most experienced agents are assigned to overseas operations. Working with authorities in the host countries, they attempt to locate and seize illicit opium, heroin and marihuana supplies destined for smuggling into the United States. Customs Agents assigned abroad in smuggling investigations will also seek the cooperation of host countries' enforcement agencies.

I have specifically authorized the Secretary of State, [and] the Attorney General and the Secretary of the Treasury to formulate plans that will lead to meetings between this country and those nations involved in the drug traffic, at the law enforcement level, so that better liaison and more prompt lines of communication can be established.

[3] Federal Legislation

The Attorney General will soon be forwarding to the Congress for its consideration a comprehensive legislative proposal for the control of narcotics and dangerous drugs. This measure will place in one integrated statute a revised and modern regulatory scheme for controlling these drugs. It has long been recognized that our present laws in this field are inconsistent, inadequate and outdated. We believe that enactment of the proposal will be a substantial forward step in our all-out efforts to curtail the spread of drug abuse. Effective law enforcement begins with effective laws.

[4] Model State Narcotic and Dangerous Drug Legislation

To render technical assistance to the States, the Department of Justice is preparing a model State Narcotic and Dangerous Drug Act. This draft will be made available to the States through the National Commission on Uniform State Laws and the Council of State Governments for use in updating or improving

6. [-5-] Local Law Enforcement Conferences

The Attorney General is formulating plans to set up conferences with law enforcement executives from the various states to obtain first hand information regarding the scope of the drug problem at that level. These meetings will provide a forum to discuss the areas where assistance and mutual aid concerning the drug problem can be provided. There is a need for increased communication and exchange of intelligence. These meetings will foster an exchange of ideas and policies, resulting in a unification of effort which will be beneficial to all concerned.

7. [-6-] Training Program

The enforcement of narcotic and dangerous drug laws requires considerable expertise and training. In order to provide assistance in this area, the Bureau of Narcotics and Dangerous Drugs conducts training programs for agent personnel, State and local police officers, forensic chemists, foreign nationals, college deans, campus security officials and members of the industry who are engaged in the legal distribution of narcotic and controlled drugs. These programs are essential if we are to develop a comprehensive and coordinated attack upon the drug problem.

Last year the Federal Government provided such special
2704 state and local law
training to/enforcement officials. This year we hope to provide such training to 11,000 officials and next year we plan to increase our effort by 100 percent and provide training to 22,000 State and local officers.

8. [-7-] Education

There is a need for a massive education program to insure that the public, especially our youth, get the facts before they regretfully learn the truth the hard way. Law enforcement alone cannot end this problem. We must also seek to prevent drug abuse before it becomes a criminal problem. We must end the

demand for these drugs by erasing the misconceptions, misinformation and fallacies currently in circulation concerning their effects and by making the ugly story of narcotic addiction and drug abuse known to all who might be attracted to experiment with them.

The Federal Government can provide the core of this educational program and serve as a catalyst for extensive state and local action. In the past our efforts have been limited, fragmented and sporadic. Mobilization of our resources, including all forms of the mass communications media, must be beamed to reach more people effectively with the facts on drug abuse.

I am, therefore, requesting the Secretary of Health, Education and Welfare and the Attorney General to coordinate and expand the Federal educational program. I consider this a crucial and necessary activity in our efforts toward drug abuse reduction.

9. [8.] Research

Research as to the underlying effects of these drugs both short term and long range must be increased. We must determine why persons use drugs. Until we discover the root causes of this problem we can never eliminate it, prevent others from becoming drug users, or effectively rehabilitate those who have become addicted. There is a real need for more facts on how these drugs affect human beings and what approaches, if any, might be devised to combat them. The National Institute of Mental Health has the primary responsibility in this area, and I am directing the Secretary of Health, Education and Welfare to maximize its effort so that greater knowledge will be available as a tool in dealing more realistically with the overall problem.

The Bureau of Narcotics and Dangerous Drugs is also involved in a more limited way in this endeavor. It has established

regional laboratories, five of which have been authorized in appropriations for fiscal year 1969. These are located at Washington, D. C., New York City, Chicago, Dallas and San Francisco. These laboratories provide many services such as analysis of evidence, special research and testing for new drugs and the identification of new compounds. Experimentation on new methods of analysis will be performed. The services of these laboratories will also be available to state and local authorities to assist them in criminal cases and to give them the benefit of this research and experimentation. The necessary funds to continue and expand this important aspect of our program are included in the Bureau's appropriation request for fiscal year 1970, and I urge the Congress to act on it favorably.

10. [9.] Enforcement Personnel

My last item for discussion is one which I think from an organizational point of view will be most helpful in improving our enforcement capability. By executive order, I am removing from the competitive service the law enforcement personnel of the Bureau of Narcotics and Dangerous Drugs. This will afford the Bureau greater flexibility in hiring practices and permit speedy termination in cases where such action is warranted. This will place the Bureau of Narcotics and Dangerous Drugs in the same exempt category as the Federal Bureau of Investigation and will insure that only those who meet the highest professional standards are selected to perform the arduous and sensitive duties imposed.

This, then, is my plan of action. Much of it is already being implemented. Much of it depends on you, the Congress. I, therefore, earnestly reiterate my requests that you act favorably with respect to the legislative proposals to be submitted along with the budgetary appropriations required to attain the desired goals. The problem is one of national concern

we all share the same desire to rid our nation of the debilitating effects of drug abuse and addiction.



REPUBLICAN NATIONAL COMMITTEE

1625 ONE STREET, NORTHWEST, WASHINGTON, D. C. 20004

NATIONAL 1-6300

NEWS

FOR RELEASE

IMMEDIATE

September 17, 1968

STATEMENT BY RICHARD M. NIXON
REPUBLICAN PRESIDENTIAL NOMINEE
ANAHEIM, CALIFORNIA
SEPTEMBER 16, 1968

Four weeks ago, after the convention at Miami Beach, I came out to Mission Bay to rest and to work. When I was there, a letter was delivered to me from a 19-year-old girl. She described to me her involvement with narcotics from the time she was sixteen years old; she told me how many of her teen-age friends had also become hooked on drugs; she gave the details of the horrible life they led, and the gruesome things they did to support their habit. She asked me what I could do to help her generation, and because she was still on drugs she never signed her name.

This was not some statistic that sent me this letter. It was a human being, someone's daughter -- and in a letter like this the evil of narcotics comes through a good deal clearer than it does from reading statistics or a local newspaper.

~~I~~ I don't have to tell you this story, many of you are aware of the wholesale destruction of lives within your own area. Six months ago, in Fullerton, California, 55 to 65 youngsters, half of them in high school, were arrested for selling narcotics. In Palos Verdes, just last June, a local high school student, the son of a good family, walked off a cliff to his death --- after he had taken LSD.

-more-

Let us begin to face facts -- and to act upon that knowledge. Narcotics are the modern curse of American youth. Just like the plagues and epidemics of former years, these drugs are decimating a generation of Americans.

Between 1960 and 1967 narcotics arrests in this country rose 15 times as rapidly as the population. In New York City, half of the crime is committed by addicts, most of them young. The major cause of death for those between 15 and 35 is heroin addiction.

That young girl asked me in her letter what I can do to help this generation.

Let me tell you what I intend to do.

First, we must move against the source of those drugs. In doing so we must seek out the cooperation and assistance of friendly nations which have been made conduits for drugs. Ninety-five percent of heroin and 100 percent of the marijuana that goes into the hands of the youngsters of Southern California comes from outside the United States. We must work to establish multi-national commissions with neighboring and other countries to stem the flow of drugs along our common borders and at other points of entry into the United States.

Second, let us recognize that the frontiers of the United States are the primary responsibility of the United States Bureau of Customs. I recommend that we triple the number of customs agents in this country from 331 to 1000. This is not any irresponsible recommendation, it was urged upon this country by the President's own Crime Commission, and as President of the United States in January of 1969 I will follow through with that recommendation.

Third, a new administration will accelerate the development of tools and weapons to detect narcotics in transit. It will undertake a long-overdue review of the smuggling laws of the United States.

-more-

Fourth, we need to assist the youngsters who have fallen prey to this disease. The Narcotics Addict Rehabilitation Act of 1966 has not been implemented as it might have been, or as it should have been.

Only some 305 addicts have been treated -- out of a national total of at least 60,000 -- in the two years since the legislation was passed.

Finally, as President, I will instruct the Attorney General to call a national convocation of law enforcement officials -- in the first days of the new Administration -- to discuss ways and means to curb this traffic which is the scourge of American youth.

My opponent has disagreed with me on this issue of crime. He has said that the President and Vice President and the Attorney General are not responsible for the breakdown in law because they, "...don't break the laws." He said we should have a moratorium on rhetoric about law and order.

My answer is this: We don't need an attitude of complacency and self-congratulation on the issue of crime at the national level. We need action on the part of the nation's highest officials -- that is what this crisis calls for and that is what I pledge the day after we take office in January.

NOTE: Since Mr. Nixon will be speaking without text this evening, there may be additions or changes in these excerpts as delivered, but he stands by them as stated above.

9/17/68

Treasury Department
Bureau of Customs

ADDITIONAL CUSTOMS NARCOTIC ENFORCEMENT PROGRAM

<u>Agency Service</u>	<u>No. Posn.</u>	<u>Cost</u>
Additional Agents	200	\$ 3,355,000
Additional CPI's	200	2,375,000
Additional Clerical	40	245,000
3 Airplanes	-	225,000
4 Boats	-	100,000
Space	-	300,000
Total Agency Service	<u>440</u>	<u>\$ 6,600,000</u>
 <u>Regions</u>		
Inspectors	450 (Mexican Border)	
	100 (Seaport)	6,050,000
Clerks, Tellers, Etc.	50	450,000
Total Regions	<u>600</u>	<u>6,500,000</u>
 <u>Executive Direction</u>		
	20	306,000
Space	-	25,000
Total Exec. Dir.	<u>20</u>	<u>331,000</u>
 Grand Total Customs		
	<u>1,060</u>	<u>\$13,431,000</u>



APR 15 1969

Sir:

Your office has asked for the views of this Department on a Department of Justice draft bill, "To protect the public health and safety by amending the narcotic, depressant, stimulant and hallucinogenic drug laws, and for other purposes." The Treasury Department's comments refer to the draft of March 26, 1969.

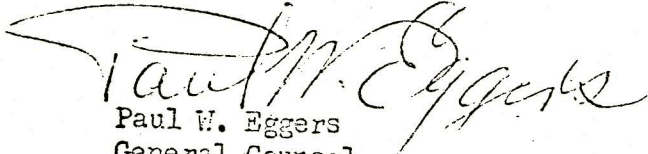
The proposed legislation would provide a comprehensive legislative framework for the control of all narcotics and dangerous drugs and would repeal many of the presently existing Federal drug statutes. Specifically, it would repeal the tax provisions of title 26 of the United States Code relating to narcotics and marihuana. The Treasury Department does not object to the proposed repeal particularly as the Treasury notes with approval that the Department of Justice's proposal would not change the role, or modify the authority, of the Treasury Department with respect to its responsibilities regarding the importation of narcotics and dangerous drugs and would not reduce in any way the possibility for strong enforcement of the law.

As the Treasury Department reads the draft bill, there is no intention to change Treasury Department's existing enforcement and investigative responsibilities as exercised through the Bureau of Customs, to deal with offenses under Customs and related laws, whether or not some or all of the merchandise involved may consist of narcotics and dangerous drugs. In this connection, the Treasury notes with approval the proposed amendment of 26 U.S.C. 7607, which, among other things, would preserve the existing authority of officers of the customs to make arrests without warrant for violation of any law of the United States relating to narcotic drugs or marihuana as defined in the proposed Controlled Dangerous Substances Act of 1967.

We feel very strongly that specific language should be included in the bill to prevent any possibility of misunderstanding with respect to the crucial matter of Treasury's enforcement and investigative responsibilities. Accordingly, we have proposed additions in the preamble, and also in the body of the draft bill, which make clear the intention that the Department of Justice and the Treasury Department share a joint responsibility in controlling traffic in narcotics and dangerous drugs. We are also suggesting important specific language to be included in the draft bill which will, in our opinion, make clear the nature of these joint responsibilities.

There is attached a memorandum setting forth the specific changes recommended by the Treasury Department in the draft bill.

Sincerely yours,


Paul W. Eggers
General Counsel

The Director

Bureau of the Budget

Attachment

TREASURY DEPARTMENT MEMORANDUM

Re: Controlled Dangerous Substances Act of 1969

The following changes are recommended in the draft bill.

1. Delete the third paragraph of Sec. 101, Findings and Declaration, and substitute the following therefor:

The Congress finds and declares that a major portion of the traffic within the United States in controlled dangerous substances flows from the smuggling of such substances from abroad, and to this extent involves movement in foreign commerce.

The Congress finds and declares likewise that a major portion of the traffic within the United States in controlled dangerous substances also flows through interstate commerce.

Incidents of the traffic which are not an integral part of the foreign or interstate flow, or both, such as manufacture, local distribution and possession, nevertheless have a substantial and direct effect upon interstate commerce.

- (a)
- (b)
- (c)
- (d)
- (e)

Unchanged.

The Congress finds and declares that Federal control of the primarily intrastate incidents of the traffic in controlled dangerous substances is essential to the effective control of the interstate incidents of such traffic.

The Congress finds and declares that the Department of Justice and the Department of the Treasury must, of necessity, share a joint responsibility in controlling traffic in controlled dangerous substances. The responsibility of the Department of the Treasury relates to the historic role of the Bureau of Customs affecting all importations, and in particular in enforcing the laws against smuggling. The responsibility of the Department of Justice relates to its general law enforcement responsibilities and to the role of the Bureau of Narcotics and Dangerous Drugs in controlling all other elements of the traffic in controlled dangerous substances.

2. Add to Title VII:

Enforcement Responsibility of the Attorney General
and the Secretary of the Treasury

Sec. ____

(a) Except as provided in subsection (b), the Attorney General shall be responsible for the enforcement of this Act.

(b) Nothing in this Act shall derogate from the existing responsibilities and authority of the Secretary of the Treasury under the customs and related laws.

Amend section 701(e) to read "(e) Perform such other duties of the Attorney General relating to law enforcement as he may direct."

In the proviso to section 704(d), change "collector of customs" to "customs officer" and add to the end of the proviso: "except to the extent that such duties arise from seizures and forfeitures effected by any customs officer."

Amend section 802(b) as follows:

"(b) section 1952 of Title 18 of the United States Code is amended by --

"(1) ***

"(2) striking subsection (c) and substituting the following new subsections:

"(c) Investigation of violations under this section involving liquor shall be conducted under the supervision of the Secretary of the Treasury.

"(d) Investigation of violations under this section involving narcotics and other controlled dangerous drugs shall be conducted under the supervision of the Attorney General, except such investigation shall be conducted under the supervision of the Secretary of the Treasury to the extent that a violation of the customs laws is involved."

3. The Treasury also suggests that the Department of Justice may wish to consider adding at the end of the second sentence of section 201(a) of the draft bill the phrase: "except that heroin, marihuana, tetrahydrocannabinol and lysergic acid diethylanide may not be deleted from Schedule I or moved from Schedule I to another schedule." In view of the nature of these drugs, the Department of Justice might conclude, upon reconsideration, that it would be undesirable to have authority to change their status by administrative action.