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DRUG CONTROL

DEA's Strategies and
Operations in the 1990s

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Drug Control: DEA's Strategies and Operations in the 1990s

Mr. Chairman and Members of the Subcommittee:

I am pleased to be here today to discuss the results of our recently completed comprehensive review of the Drug Enforcement Administration's (DEA) strategies and operations in the 1990s. We undertook this work at the request of this Subcommittee and the Senate Caucus on International Narcotics Control. As agreed with the Subcommittee and the Caucus, we focused our work primarily on determining (1) what major enforcement strategies, programs, initiatives, and approaches DEA has implemented in the 1990s to carry out its mission; and (2) whether DEA's strategic goals and objectives, programs and initiatives, and performance measures are consistent with the Office of National Drug Control Policy's (ONDCP) National Drug Control Strategy. Also, as requested, we reviewed how DEA determined its fiscal year 1998 staffing needs and allocated the additional staff.

My statement is based on and will outline the detailed results of our July 21, 1999 report¹ (which I would now like to submit for the record). Overall, we determined that, consistent with its mission, DEA enhanced or changed important aspects of its operations during the 1990s, including expanding its focus to target local drug dealers in addition to major drug trafficking organizations. In this regard:

- DEA expanded its domestic enforcement operations to work more with state and local law enforcement agencies and help combat drug-related violence in local communities.
- DEA implemented an investigative approach focusing on intercepting the communications of major drug traffickers.
- DEA enhanced its foreign operations by (1) participating in two interagency programs to target major drug trafficking organizations in Latin America and Asia and (2) screening and training special foreign police units to combat drug trafficking in certain key foreign countries. We also determined that DEA's strategic goals and objectives, and enhanced programs and initiatives, in the 1990s were consistent with the National Drug Control Strategy. However, DEA has not developed measurable performance targets for its programs and initiatives that are consistent with those adopted for the National Strategy.

I will now briefly outline the results of our work.

¹ Drug Control: DEA's Strategies and Operations in the 1990s (GAO/GGD-99-108, July 21, 1999).

Background

As you know, DEA has significant responsibilities for the drug supply reduction portion of ONDCP's National Drug Control Strategy. DEA's overall mission is to enforce the nation's drug laws and regulations and to bring drug traffickers to justice. DEA is the lead agency responsible for enforcing the federal drug control laws and for coordinating and pursuing U.S. drug investigations in foreign countries. DEA's primary responsibilities include (1) investigating major drug traffickers operating at interstate and international levels and criminals and drug gangs who perpetrate violence in local communities; (2) managing a national drug intelligence system; (3) seizing and forfeiting traffickers' assets; (4) coordinating and cooperating with federal, state, and local law enforcement agencies on mutual drug enforcement efforts; and (5) carrying out, under the policy guidance of the Secretary of State and U.S. Ambassadors, programs associated with drug law enforcement counterparts in foreign countries.

Funding for all federal drug control efforts has increased by about 49 percent, in constant 1999 dollars, in the 1990s to the fiscal year 1999 level of about \$18 billion. Funding for DEA almost doubled, in constant dollars, from about \$806 million in fiscal year 1990 to about \$1.5 billion in fiscal year 1999. The number of DEA staff increased from about 6,000 in fiscal year 1990 to about 8,400 in fiscal year 1998.

Nevertheless, during the 1990s, the demand for and supply of illegal drugs have persisted at very high levels and have continued to adversely affect American society. For example, on the basis of the National Household Survey on Drug Abuse, the Substance Abuse and Mental Health Services Administration estimated that in 1997 there were 13.9 million current users² of illegal drugs in the United States aged 12 and older, representing 6.4 percent of the total population. This number has fluctuated somewhat but has remained fairly constant overall since 1990, as have the numbers of current users of cocaine and marijuana, with 1.5 million cocaine users and 11.1 million marijuana users in 1997.

Also, a report prepared for ONDCP showed that drug users in the United States spent an estimated \$57 billion for illegal drugs in 1995.³ ONDCP, in its 1999 National Drug Control Strategy, noted that illegal drugs cost our

² A current user is an individual who consumed an illegal drug in the month prior to being interviewed.

³ What America's Users Spend on Illegal Drugs, 1988-1995; prepared for the Office of National Drug Control Policy by William Rhodes, Stacia Langenbahn, Ryan Kling, and Paul Scheiman; September 29, 1997.

society approximately \$110 billion annually. The societal costs include lost jobs and productivity, health problems, and economic hardships to families. In addition, many violent crimes are drug related, according to ONDCP.

Drug trafficking organizations have continued to supply drug users in the United States despite short-term achievements by DEA and other law enforcement agencies in apprehending drug traffickers and disrupting the flow of drugs. In the 1990s, DEA pointed to many drug enforcement accomplishments. But, despite these accomplishments, national and international drug trafficking organizations continued to smuggle large amounts of illegal drugs, including cocaine, heroin, marijuana, and methamphetamine, into the United States. In addition, methamphetamine, a powerful stimulant that has had a devastating impact in many cities across the nation during the 1990s, is clandestinely produced in this country; and marijuana is grown here. Local gangs and individuals deal in these and other drugs in local communities and have caused violence in doing so.

DEA's Enforcement Operations Reach From the International Level to the Local Level

Since it was established in 1973, DEA's top priority has been to disrupt and dismantle major drug trafficking organizations. During the 1990s, DEA broadened the focus of its enforcement operations. DEA now focuses on what it calls the "seamless continuum" of drug trafficking, with programs and initiatives directed at major regional, national, and international trafficking organizations; violent, street-level drug gangs and other local community problems; and domestically cultivated and manufactured illegal drugs.

During the 1990s, DEA, primarily through its Kingpin Strategy and then its Special Operations Division, increased its emphasis on intercepting communications between top-level drug traffickers and their subordinates to identify and target the leaders and dismantle their operations. This resulted in a 183-percent increase, from fiscal years 1990 through 1998, in the number of electronic surveillance court orders requested and conducted by DEA.

DEA also started working with other federal agencies on two programs—the Linear Approach and Linkage Approach Programs—to target and investigate major drug trafficking organizations in Latin America and Asia, respectively. In 1996, to improve its effectiveness in several key foreign countries, DEA began to screen and train special foreign police units. The intent of this effort is to improve the capabilities of foreign police and to

build trustworthy and reliable foreign antidrug units with which DEA works.

At the same time, DEA attempted to improve its effectiveness in addressing the "seamless continuum" of drug trafficking by giving domestic drug trafficking a higher priority, including focusing resources on regional and "local impact" drug problems. In this regard, during the 1990s, DEA devoted more resources to its State and Local Task Force Program. Also, in 1995, DEA established the Mobile Enforcement Team Program to assist local police with violent drug gangs and other local drug problems.

DEA Has Not Yet Developed Performance Targets Consistent With the National Strategy

DEA's strategic goals and objectives and its enhanced programs and initiatives in the 1990s have been consistent with the National Drug Control Strategy. Both the National Strategy and DEA hope to reduce the illegal drug supply and drug-related crime and violence by disrupting and dismantling domestic and international drug trafficking organizations.

The principal objectives in the National Drug Control Strategy relating to DEA are:

- combat drug-related violence, disrupt criminal organizations, and arrest the leaders of illegal drug syndicates; and
- disrupt and dismantle major international drug trafficking organizations and arrest, prosecute, and incarcerate their leaders.

For domestic drug trafficking organizations, the National Strategy calls for increasing by 5 points the percentage of drug trafficking organizations disrupted or dismantled by 2002 as measured against the percentage recorded in the base year using a prioritized list of designated targets. It calls for at least a 10 percentage point increase above the base year by 2007.

For international drug trafficking organizations, the National Strategy calls for achieving by 2002 a 50 percent success rate in the number of organizations disrupted or dismantled as measured against a designated target list established in the base year. The Strategy also calls for increasing the success rate to 100 percent by 2007 as measured against the base year list. According to ONDCP and DEA, neither the domestic nor international designated target lists referred to above have been developed.

Unlike the National Strategy, DEA's performance plans for fiscal years 1999 and 2000 do not contain performance targets for assessing its

progress in disrupting and dismantling drug trafficking organizations. DEA has no annual, mid-, or long-range measurable performance targets for disrupting and dismantling drug trafficking organizations. In commenting on a draft of our report, DEA indicated that (1) it had developed preliminary performance targets for inclusion in its fiscal year 2001 budget submission to the Department of Justice (DOJ) and (2) it could not finalize its targets and measures until the responsible federal agencies complete a designated targeted list of international drug trafficking organizations, as called for in the National Strategy. Nevertheless, in the absence of finalized performance targets, it is difficult to quantitatively assess DEA's overall effectiveness in achieving its strategic goals.

**DEA's Fiscal Year 1998
Staffing Needs
Determination Process Was
Consistent with Federal
Processes and Procedures**

In order to carry out its mission and operations during the 1990s, including the programs and initiatives I have mentioned, DEA received funds to staff its operations through various sources, including its annual appropriations salaries and expenses budget, as well as DOJ's Violent Crime Reduction Program⁴ and other reimbursable programs, such as the Organized Crime Drug Enforcement Task Force Program. Our report discusses in detail the process used in fiscal year 1998 to determine and allocate additional DEA positions provided through its salaries and expenses budget. DEA and DOJ officials considered this process to be generally typical of the process DEA has used in other years.

The fiscal year 1998 DEA staffing needs determination process was systematically linked to its budget formulation process. It was typical of and consistent with the processes and procedures that federal agencies are expected to follow, according to federal laws and regulations and procedures promulgated by the Office of Management and Budget (OMB). Moreover, the process considered factors related to DEA's ability to carry out its mission, including emerging drug abuse and trafficking trends, staffing requests from the field, the DEA Administrator's vision statement, and the Special Agent in Charge's vision statement from each field office.

DEA's fiscal year 1998 budget submission to DOJ estimated the need for a total of 989 new positions, including 399 special agent positions. As a result of reviews by DOJ, OMB, and ONDCP and consideration of the resources provided in DEA's fiscal year 1997 appropriation,⁵ the President's fiscal year 1998 budget, which was submitted to Congress in February

⁴ The Violent Crime Reduction Program was established by the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322, as amended).

⁵ See Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1997, P.L. 104-208 and H.R. Conf. Rep. No. 104-863 (1996).

1997, requested a total of 345 new positions for DEA, including 168 special agent positions. In its fiscal year 1998 DEA appropriation, Congress provided 531 additional positions, of which 240 were special agent positions, with guidance as to how the positions were to be allocated. Then, DEA senior management systematically determined the allocation of the additional staff to headquarters and field offices, taking into consideration congressional guidance and such factors as field office requests.

Conclusions and Recommendation

Mr. Chairman, let me close by emphasizing that although DEA's strategic goals and objectives, as well as its enhanced programs and initiatives, are consistent with the National Drug Control Strategy, DEA has not developed measurable performance targets for disrupting and dismantling drug trafficking organizations. Without such performance targets, it is difficult for DEA, the Department of Justice, Congress, and the public to quantitatively assess (1) how effective DEA has been in using resources provided by Congress to achieve its strategic goals and (2) the extent to which DEA's programs and initiatives in the 1990s have contributed to reducing the illegal drug supply. Measurable performance targets would also help in determining what DEA resources, including staff, are needed and how resources should be allocated and used to produce the expected results of DEA's strategies, goals, programs, and initiatives.

In this regard, our report recommended that the Attorney General direct the DEA Administrator to work closely with DOJ and ONDCP to develop measurable DEA performance targets for disrupting and dismantling drug trafficking organizations consistent with the performance targets in the National Drug Control Strategy.

This concludes my prepared statement, Mr. Chairman. I would be pleased to answer any questions.

Contact and Acknowledgment

For further information regarding this testimony, please contact Norman J. Rabkin at (202) 512-8777. Individuals making key contributions to this testimony included Daniel C. Harris, Ronald G. Viereck, Samuel A. Caldrone, Lemuel N. Jackson, and Barbara A. Stolz.