

Section A: National Counterdrug Intelligence Coordination

Introduction

The central theme confronted in the White House Task Force (WHTF) Review was the need for clear, consistent intercommunity and interagency coordination of the counterdrug intelligence effort. A concern most often echoed was, “No one is in charge.” The Review established that it was neither possible nor appropriate for any one person or component to be “in charge” in a monolithic coordinating body. The law enforcement and intelligence communities each have very distinct and legitimate legal and operational authorities that must be preserved in the joint management of counterdrug investigative and intelligence activities.

What is possible and appropriate, however, is the establishment of a strengthened inter-component coordinating mechanism that fosters and facilitates both greater information sharing and operational coordination between the law enforcement and intelligence counterdrug communities. This mechanism recognizes and optimizes the capabilities, equities, and authorities of all Federal departments engaged in this effort, and also strengthens the important counterdrug partnership among the Federal, state, and local law enforcement communities.

The coordinating structure defined below forms the core of a three-tiered coordination mechanism designed to specifically meet the above objectives. The centerpiece of this collaborative coordinating structure is the new Counterdrug Intelligence Coordinating Group (CDICG), with its supporting staff, the Counterdrug Intelligence Executive Secretariat (CDX). The CDICG will draw its policy guidance from the President’s Council on Counter-Narcotics and from the five goals and supporting objectives of the *National Drug Control Strategy* and derives its ability to resolve issues through the authorities and prerogatives of its respective members from the law enforcement and intelligence communities.

National Counterdrug Intelligence Coordination

I. PURPOSE. The coordinating structure for carrying out the functions and for implementing the recommendations contained in this General Counterdrug Intelligence Plan (GCIP) is set forth below. This structure is intended to maximize timely information sharing, intelligence exchange, and operational coordination—fully within statutory limitations—among the policymaking, military, law enforcement, and Intelligence Community components that collectively make up our national counterdrug intelligence architecture. The new architecture will build on the important progress that has been made over the past decade, and provide a framework that promotes even further

counterdrug intelligence coordination and information flow, at the Federal, state, and local levels, in the 21st Century.

II. THE PRESIDENT'S COUNCIL ON COUNTER-NARCOTICS.

The Council, originally established by Executive Order, was given statutory authorization under section 709 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708). With the Director of ONDCP serving as Executive Director, this cabinet-level Council advises and assists the President in providing direction and oversight for the *National Drug Control Strategy*, and in ensuring coordination among departments and agencies of the Federal Government concerning implementation of the *National Drug Control Strategy*. Consistent with those responsibilities, the Council shall serve as the preeminent body for providing oversight on all issues relating to drug intelligence policy. There is established within the Council an eight-member body (the Attorney General, the Director of Central Intelligence, the Director of ONDCP, the Secretary of the Treasury, the Secretary of Defense, the Secretary of Transportation, the Secretary of State, and the Assistant to the President for National Security Affairs) known as the Counterdrug Intelligence Executive Committee, whose purpose is to provide a focal point for all counterdrug intelligence policy issues within the PCCN. Other PCCN members may attend meetings of this Executive Committee as appropriate to the issues under consideration. Through existing counternarcotics fora noted in Section III, below, and subordinate bodies prescribed in Sections IV and V, below, the Council will monitor implementation of the GCIP, and, more particularly, it will oversee the development and dissemination of law enforcement and intelligence requirements to meet the goals and objectives of the *National Drug Control Strategy*.

III. COUNTERDRUG INTERAGENCY POLICY AND PROGRAM COORDINATION.

The interdepartmental bodies listed below meet to identify and coordinate counterdrug issues. Each focuses on a distinct area of the counterdrug arena, described below, and may provide input into the CDICG or CDX, as appropriate. While the Counter-Narcotics Interagency Working Group deals exclusively with policy guidance issues, the remaining entities deal primarily with operational and programmatic issues.

A. The Counter-Narcotics Interagency Working Group (CN-IWG), chaired by ONDCP, is the principal interagency, senior working-level forum for coordinating policy guidance related to counterdrug issues. As described below, it is also a principal forum for identifying counterdrug intelligence-related requirements and taskings that may cross jurisdictional lines or involve multiple components within the Federal law enforcement community and the Intelligence Community.

B. The Southern Frontiers Committee is chaired by the Attorney General and provides operational focus and direction to law enforcement organizations

regarding operations along the Southwest Border and the Caribbean and the Gulf of Mexico.

C. The Interdiction Committee (TIC), which is currently chaired by the Commissioner, U.S. Customs Service, provides advice to the U.S. Interdiction Coordinator (USIC) in support of his role of overseeing the adequacy and optimum use of Federal interdiction assets. Additionally, the TIC provides a forum for coordination and optimization of border interdiction and promotes seamless and effective integration of interdiction efforts in support of the National Drug Control Strategy.

D. The J-3/USIC Quarterly Counterdrug Conference, which is co-chaired by the Department of Defense Joint Staff Director for Operations and the U.S. Interdiction Coordinator, promotes coordination between military counterdrug support efforts and the needs of interdiction organizations.

E. The Committee on Narcotics Intelligence Issues (CNII) is chaired by the Director, DCI Crime and Narcotics Center, and promotes counterdrug coordination within the Intelligence Community.

Whenever these or other Federal counterdrug-related interagency committees and working groups identify counterdrug intelligence-related issues, requirements, or taskings that are cross-jurisdictional,⁵ such matters may be referred to the CDICG, described in Section IV, below, for attention and necessary action. Matters that cannot be resolved by the CDICG will be referred to the Council.

IV. COUNTERDRUG INTELLIGENCE COORDINATING GROUP.

A. ESTABLISHMENT. There is established under the Council an interagency group known as the Counterdrug Intelligence Coordinating Group, or CDICG.

B. MEMBERSHIP.

1. COMPOSITION. The CDICG shall be composed of 13 members, of whom:

- a. 1 will be designated by the DCI;
- b. 1 will be designated by the Attorney General;
- c. 1 will be designated by the Secretary of the Treasury;
- d. 1 will be designated by the Secretary of Transportation;
- e. 1 will be designated by the Director of ONDCP;
- f. 1 will be designated by the Secretary of Defense;
- g. 1 will be designated by the Secretary of State;

⁵As used here and elsewhere in the GCIP, the term "cross-jurisdictional" refers to counterdrug intelligence issues that affect or involve both the law enforcement community and the Intelligence Community, or, within the law enforcement community, that affect or involve more than one department, or that affect both the U.S. Government and state and/or local officials.

- h. 1 will be designated by the Assistant to the President for National Security Affairs;
- i. 1 will be designated by the Administrator of the Drug Enforcement Administration;
- j. 1 will be designated by the Director of the Federal Bureau of Investigation;
- k. 1 will be designated by the Commissioner of the United States Customs Service;
- l. 1 will be designated by the Commissioner of the Internal Revenue Service; and,
- m. 1 will be designated by the Commandant of the United States Coast Guard.

2. **LEADERSHIP.** The CDICG shall be led by co-chairs from the Intelligence Community and from the Federal law enforcement community. The Intelligence Community co-chair will be the member designated by the DCI. The law enforcement co-chair will be designated from among other members of the CDICG by mutual agreement of the Attorney General, the Secretary of the Treasury, and the Secretary of Transportation. Co-chair designations will be made in consultation with the Director of ONDCP.

3. **OTHER ATTENDEES.** With the concurrence of the co-chairs, individual members may invite other officials, representing the major counterdrug intelligence centers and components of the participating departments and agencies, to attend meetings or participate in CDICG deliberations as appropriate to the issues under consideration. In particular, the Deputy Director for State and Local Affairs/ONDCP may attend meetings of the CDICG to discuss counterdrug intelligence issues that concern state and local officials. With the concurrence of the co-chairs, said Deputy Director may invite no more than two state and/or local law enforcement representatives to attend appropriate CDICG deliberations.

C. **FUNCTIONS.** The CDICG, in support of the Council or its individual members, will, among other things:

1. Ensure coordination among departments and agencies of the Federal Government responsible for conducting intelligence programs that support the *National Drug Control Strategy*;
2. Receive policy guidance and taskings from the Council; additional issues for CDICG consideration may be received from other fora as described in Section III or may be raised by individual members of the CDICG. The CDICG will refer to the Council those issues that it cannot resolve;

3. Receive and recommend to appropriate CDICG members domestic and foreign drug intelligence taskings and requirements in support of national counterdrug policymakers;
4. Provide a forum to resolve or refer for adjudication those cross-jurisdictional counterdrug intelligence issues that cannot be resolved at a lower level;
5. Study and advocate enhancements to promote the effectiveness and efficiency of both foreign and domestic counterdrug programs and activities, including the adequacy of intelligence services;
6. Commission national and regional drug threat assessments and studies as requested by senior policymakers;
7. Promote improvements to counterdrug intelligence centers and activities to strengthen mission focus, reduce functional overlap, and promote joint analytic products;
8. Assume the functions heretofore performed by the National Drug Intelligence Center (NDIC) Executive Advisory Board, the NDIC Intelligence Priorities Board; and the El Paso Intelligence Center (EPIC) Advisory Board;
9. Use the Counterdrug Intelligence Executive Secretariat (CDX) (described in Section V, below) to carry out the functions of the CDICG under this section, and other taskings, as appropriate; and,
10. Submit a semiannual written report concerning drug intelligence issues and recommendations to the Council.

D. **AUTHORITY.** The CDICG derives its ability to resolve issues through the authorities and prerogatives of its respective members.

V. COUNTERDRUG INTELLIGENCE EXECUTIVE SECRETARIAT.

A. **ESTABLISHMENT.** In order to improve the overall effectiveness of counterdrug intelligence, there is established a full-time interagency staff known as the Counterdrug Intelligence Executive Secretariat, or CDX, which shall operate directly under the CDICG.

B. CDX DIRECTOR AND CDX DEPUTY DIRECTOR.

1. **CDX DIRECTOR.** There shall be a CDX Director, who will be responsible for carrying out the functions of the CDX. The CDX Director shall be designated by mutual agreement among the Attorney General, the

Secretary of the Treasury, and the Secretary of Transportation, in consultation with the Director of ONDCP, for a renewable term of two years. The CDX Director will fill an SES position.

2. CDX DEPUTY DIRECTOR. There shall be a CDX Deputy Director, who will assist the CDX Director in carrying out the functions of the CDX. The CDX Deputy Director shall be designated by the DCI, in consultation with the Director of ONDCP, for a renewable term of two years. The CDX Deputy Director will fill an SES or SIS position.

C. CDX STAFF. The CDX staff shall be initially composed of approximately 30 personnel—selected by the CDX Director from departmental nominees—on two- to three-year details, and such additional detailees as needed to fill an executive officer, legal advisor, and other administrative support positions. Within one year, and annually thereafter, the CDICG will review CDX staffing to decide if the CDX needs a mix of detailees and permanent appropriated staff positions. The CDX staff shall be organized to address:

1. Foreign drug information and intelligence;
2. Domestic drug information and intelligence;
3. Information systems and technology; and,
4. Analyst career professionalization, education, and training.

D. FUNCTIONS. The CDX shall primarily provide staff support to the CDICG, and shall act for the CDICG, as appropriate, in monitoring the implementation of the GCIP; coordinating the implementation of multiagency, cross-jurisdictional counterdrug intelligence taskings and requirements levied by or through the CDICG; and promoting resolution of cross-jurisdictional counterdrug intelligence-related issues. In so doing, the CDX shall, among other things:

1. Promote stronger information flow, information sharing, and fusion relationships among Federal, state, and local agencies, between U.S. law enforcement agencies and the Intelligence Community, and with foreign nations or international organizations;
2. Promote development of technology standards and interoperable information systems, and monitor implementation of and report on information technology and communications plans;
3. Promote improved drug intelligence career professionalization, education, and training throughout the intelligence and law enforcement communities;
4. Receive cross-jurisdictional counterdrug intelligence issues from multiple sources, review and analyze the issues, and prepare appropriate staff studies with recommendations for resolution;

5. Promote improved mechanisms for counterdrug intelligence exchange with foreign nations and international organizations;
6. Attempt to resolve issues and disputes at the lowest practical organizational level; and,
7. Draft reports and recommendations, as appropriate, including a semiannual, written report addressing issues raised and recommendations made over the past six months, to the CDICG for review and submission to the Council.

Recommendations by the CDX shall take care to protect and preserve the safeguards between U.S. law enforcement and the Intelligence Community, shall be advisory and non-binding, and may be formally and informally disputed by the applicable departments or agencies.

E. ADMINISTRATION.

1. EVALUATIONS. The co-chairs of the CDICG shall evaluate the annual performance of the CDX Director and CDX Deputy Director. Other CDX personnel shall be evaluated within the CDX. Evaluations shall be provided to the detailing agencies.

2. COOPERATION FROM OTHER AGENCIES. The CDX will receive from each department and agency of the Executive Branch:

- a. Access to the information it requires to fulfill its mission, with applicable safeguards for protection of sources and methods;⁶
- b. Cooperation in carrying out the functions of the CDX; and,
- c. Such assistance, information, and advice as the CDX may request, to the extent permitted by law.

3. SUPPORT AND PLACEMENT. CDX will be administratively supported by the Department of Justice, housed in Justice-owned or -leased non-headquarters space in the Washington metropolitan area, and funded by ONDCP, as prescribed below. ONDCP will, through the Office of Management and Budget (OMB) and the Office of Personnel Management (OPM), assist parent agencies in obtaining and maintaining temporary SES and SIS billets for CDX.

F. FUNDING. The CDX shall be funded as a line item through the ONDCP budget per fund availability. These funds shall be used to reimburse the Justice Department for expenses associated with CDICG and CDX operating, travel, administrative, supply, security, and support services, and those agencies that provide administrative support detailees or services. Additionally, if any funds

⁶Disputes regarding CDX access to information should be referred to the head of the department or agency concerned for resolution.