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REPORT FROM THE FRONT LINE: THE STATUS OF NORTHEAST TEXAS' FIGHT AGAINST DRUGS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE

OF THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

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REPORT FROM THE FRONT LINE: THE STATUS OF NORTHEAST TEXAS' FIGHT AGAINST DRUGS

MONDAY, JULY 21, 1997

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, INTERNATIONAL AFFAIRS, AND CRIMINAL JUSTICE,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Mesquite, TX.

The subcommittee met, pursuant to notice, at 10:48 a.m., at West Mesquite High School, Mesquite, TX, Hon. Mark Souder (vice chairman of the subcommittee) presiding.

Present: Representatives Souder and Sessions.

Staff present: Sean Littlefield and Ianthe Saylor, professional staff members; and Teresa Austin, full committee clerk.

Mr. SOUDER. The Subcommittee on National Security, International Affairs, and Criminal Justice will come to order.

Before we get underway, I want to say what an honor it is to be here in Mesquite as the guest of West Mesquite High School. We appreciate the hospitality. Many of our best hearings around the country have been in high schools and it gives us an opportunity to see what is going on in the schools and have a number of students—particularly during the school year—participate and observe how a congressional hearing works.

Let me also say to the members of this community that you have one of the hardest working Members of Congress representing you in Washington, DC. I have been well aware of Pete Sessions' concerns about rising drug use in America and am very pleased that he is part of this important field hearing here today.

I would especially like to thank Pete for helping us pass the Drug Free Communities Act of 1997. This bill, one that we had worked on for a number of years, establishes a program to support and encourage local communities in their efforts to reduce substance abuse among our youth. It will go a long way to bringing communities and resources together to keep drugs away from our children.

With that said, I would now like to make a brief opening statement.

Today, we will be examining the dire threat of drugs to our communities. It is a sad fact, but a harbinger of the times, that no young person in any community in America is out of the reach of cocaine, heroin, LSD and methamphetamine. Nor is any commu-

nity immune from the drug violence, street gangs and trafficking to teens which accompany the arrival of these poisons in our midst.

We have held hearings in New England, we have held hearings in Chicago, in the Detroit area and in Indiana. We have held hearings in the southwest and central and south Florida, in several parts of California, all over this Nation, and seen very similar types of problems with local variations. This problem is devastating and will require effort by all of us to reverse. We must do a better job of educating them about the dangers of these drugs, and protecting them from those who traffic in these poisons.

We must wake up to our collective responsibility in meeting this collective threat—and get serious about fighting drugs. On behalf of the U.S. House leadership, this subcommittee began trying to pull together Republicans and Democrats committed to finding real and lasting solutions to our Nation's drug problems. During the time we have been involved in this effort, this subcommittee has traveled throughout our Nation to see how drug use is being combatted.

We have also consciously looked for solutions in the places where these dangerous drugs are produced, including remote and dangerous places in South America. Both last year and this year, I, along with others from our subcommittee, traveled in Colombia and Peru, Bolivia, Panama and Mexico. We have learned a lot about the nature of the drug problem in America and abroad, but one item stands out. Every aspect of the drug war is interconnected—one aspect hooks it together like a chain link fence, and we have to attack every link in that fence. The success or failure of our policies in any specific area drastically affects the success or failure of our policies in all areas, whether it is treatment, prevention or law enforcement.

Today, I am pleased to say, Washington is waking up to the problem. Our subcommittee has worked hard in the past year to change Washington's thinking on this issue, and I think we are succeeding. We are rededicating ourselves to fighting drugs on all fronts as this Nation once did during the heyday of the Reagan administration's "War on Drugs" and "Just Say No" campaigns.

Today, I think we will learn about the threat drugs pose, and I hope this wisdom can be used in Washington. We must take this knowledge and build new partnerships between governments, businesses, schools, churches and families to fight drugs. We must reinforce efforts that are working, and learn how to translate local successes into national victories.

If we fail in our efforts to destroy drugs where they are produced in South America, more drugs reach our streets. If we fail to interdict those drugs in transit through the Caribbean, along our Southwest Border with Mexico, or on our northern border along the Great Lakes, more drugs reach our streets. If we fail to coordinate the efforts of law enforcement personnel at the Federal, State and local level, more drugs reach our streets, schools and kids. If we do not educate our kids to say no to drugs and no to gangs, the market for drugs on our streets grows, as does the number of those willing to sell drugs. If we fail to effectively treat those who are on drugs and need our help, they will continue their destructive cycle of drug use, despair, crime and demoralization. It is all one big pic-

ture and we cannot make the mistake of ignoring or neglecting any part of this puzzle, as we have so often done in the past. We must fight on all fronts and we must fight to win.

I would now like to recognize Congressman Sessions for his opening statement.

[The prepared statement of Hon. Mark E. Souder follows:]

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OPENING REMARKS OF VICE-CHAIRMAN MARK E. SOUDER

Field Hearing of the Subcommittee on National Security, International Affairs, and Criminal Justice

"Report from the Frontline: The Status of Northeast Texas' Fight Against Drugs"

July 21, 1997

Today, we will be examining the dire threat of drugs to our communities. It is a sad fact, but a harbinger of the times that no young person in any community in America is out of the reach of cocaine, heroin, LSD, and methamphetamine. Nor is any community immune from the drug violence, street gangs or trafficking to teens which accompany the arrival of these poisons in our midst.

This problem is devastating and will require effort by all of us to reverse. We must do a better job of educating them about the dangers of these drugs, and protecting them from those who traffic in these poisons.

We must wake up to our collective responsibility in meeting this collective threat -- and, get serious about fighting drugs. On behalf of the U.S. House leadership, this Subcommittee began trying to pull together Republicans and Democrats committed to finding real and lasting solutions to our nation's drug problems. During the time that we have been involved in this effort, this Subcommittee has traveled throughout our nation to see how drug use is being combated.

We have also consciously looked for solutions in the places where these dangerous drugs are produced, including remote and dangerous places in South America. We have learned a lot about the nature of the drug problem in America and abroad. But one item stands out. Every aspect of the Drug War is interconnected - one aspect hooks to another like a chain-link fence. We have to attack every link. The success or failure of our policies in any specific area drastically affects the success or failure of our policies in all areas.

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Mr. SESSIONS. Mr. Chairman, thank you so much, and on behalf of all people from the Fifth District of Texas, I welcome you to Texas and want to thank you not only for being here today, but for your fight against drugs.

I would like to have an opening statement if I could, Mr. Chairman.

First of all, what I would like to do is once again thank you for your participation and your trip down here to Mesquite, TX and the metropolitan area of Dallas. I can tell you in my short time of being in Congress, I have admired the tireless work that this subcommittee does across not only the United States but the globe in its fight against illegal drugs. It is an area of government and law enforcement that gets beaten up a great deal, but they deserve not only our support but also our continued encouragement, and I think they deserve a strong thank you, not only from Congress, but from each one of us.

So what today is all about is an opportunity for us to be together, to hear where we are currently on fighting drugs, not only in Texas and north Texas but also in the United States today, with an opportunity to say thank you to law enforcement. Also, for us to take back the message that is heard today to Washington that will result in not only better laws, but also the opportunity for us to effectively give you the resources that are necessary.

The importance of this is that drugs are rampant in our country; they are everywhere. They are rampant in north Texas. Cocaine availability is up, marijuana use is widespread. Heroin use, incredibly, is on the rise throughout this country, and methamphetamine made right here in north Texas, Oklahoma and Missouri are readily available in this area.

Today, we are going to hear from those heroes in the fight against this onslaught. Those who will testify before this subcommittee are those who I consider to be among the best in the country in the war on drugs. They have the expertise and the resources to push back the continuous flow of illegal narcotics into this and every community in this country. What they also have is the conviction and the will. I think that what you will find out as you hear this testimony today is that these are men and women who have been involved in law enforcement throughout their lives and they are here to protect our citizens from the insidious effects of drugs.

The first witness that we will hear from is my good friend, Paul Coggins. Mr. Coggins is the U.S. attorney for the northern district of Texas and he has done yeoman's work in keeping drug dealers behind bars and also working with communities in areas to fight and combat drugs and drug addiction. Also, we will have before us today officials from the Drug Enforcement Administration known as the DEA. The DEA is one of our Federal Government's most successful agencies. And I want to make sure that everybody knows that I consider this a compliment. Sometimes when we talk about government, it is not in the best of terms, but I can tell you that the DEA is a friend of not only the taxpayer but also parents and law-abiding citizens of our country.

The folks at DEA are everywhere in the fight against narcotics and they have assured me that they are ready to fight with every

city and every community that asks for help, not only in the State of Texas, but across this country. That level of commitment is going to be shown, as you will see, today by Donnie R. Marshall, the current Chief of Operations at the DEA. And he is just an incredible man. He has a law enforcement career that began in 1969 as Special Agent in Dallas with the Bureau of Narcotics and Dangerous Drugs, which was the predecessor for the DEA. Please know, Mr. Marshall, that we are delighted that you are here today and please accept from us the gratitude of people not only of the United States but also in this metropolitan area of Dallas.

I am also looking forward to the expertise that will be shared with us from Julio Mercado, Special Agent in Charge of the Dallas Field Division of the DEA. Agent Mercado can give us his unique perspective on both drug trafficking through Texas and the Caribbean, as well as drug prevention efforts, which I understand that the DEA will become more involved in as we work to sustain efforts to keep drugs off of our street and out of our children's hands.

Finally, this subcommittee will have the honor of hearing from another one of my good friends and a person who I have admired for many years, the Chief of Police from Richardson, Ken Yarbrough. Chief Yarbrough's expertise is extensive as it relates to fighting drugs and crime, and I am looking forward to listening, as I have done for many years, to Chief Yarbrough and how he has an insightful perspective on the effects of drugs, drug traffickers and also the effect on local communities.

The purpose of this hearing, as Chairman Souder has said, is to describe the focus of this work on the committee and of course, it is, to me, an opportunity for me to hear first-hand from law enforcement officials about the problem, the fight and the solutions that they see that we need.

I think you will agree that with Congressman Souder being here, there is no question that we can take back the very best that could be offered in America, the problems that we face here in north Texas and will result in positive things in Washington, DC.

I hope that we will also recognize that this is a complex problem, this is not one that will be solved overnight. It is going to take not only diligence on the part of the DEA, the U.S. attorney and local law enforcement, but it is also going to take those people like us, Congressman Souder and myself, to understand how complex the problem is.

I would like to say that these local initiatives that have been undertaken here are innovative. They deal with the guts of the problem because law enforcement is out working with people in the community to try and resolve these problems. One example is that the DEA has formed a partnership with Wal-Mart. They have gone to Wal-Mart to try and prevent the selling of illegal over-the-counter products, such as—and I am going to have to stumble through these words, they are not as easy to pronounce as some might assume—but Pseudoephedrine and Phenylpropanolamine—got through that. I am sure that Agent Mercado could correct me very carefully because you deal with those words every day, but essentially these are products that are used in the manufacture of methamphetamine and amphetamines. These are products that are very dangerous, they are dangerous not just in their substance and

how they are handled, but they are dangerous in how they are used.

I think that what we are going to learn today is that not only are these products available, but how we deal with them and how we go about changing the law and giving law enforcement those effective resources that they need.

So why are we here? Why are the children that are before us, these students here? They are here because we have asked them to be here and I want to thank each and every one of them, because I think that they should come to recognize and know that there are people who are adults and who are elected officials and who work for our government that care very deeply about their success. I want them to know that they should have the faith in our commitment to rid our country of drugs and to make sure that when they are parents, they do not have to go through the problems of worrying about what their kids are doing and the availability of drugs on our streets.

Last, Mr. Chairman, what I would like to do is that I would like to announce that I am going to be going back to Washington, DC, and will be introducing a bill. And what this bill is to do is to talk about how we need to deal more effectively with the problems of methamphetamine. Little did I know that today there was an article that was in the Austin American Statesman, and what this article talks about is it says, "Missouri becomes a methamphetamine capital." Now this is in a paper that is in Austin, TX. But those are the same headlines that we have had in Dallas, TX and across north Texas for many years, because we have been the focus of not only organized drug rings, but also what we call mom and pop shops, people who set up drug or methamphetamine houses.

What we are going to do in this effort that I am announcing is that we are going to say that anyone who is involved in the manufacture, distribution and sale of methamphetamine would be given life in prison without parole. Now many of you may think that that is rather stiff, a stiff sentence. But I think that if you look at, in the scheme of things, the drug problem that we as parents and as Congressmen, as your legislators, are looking at, we recognize that in 1994, there were over 700 methamphetamine related deaths in the United States—700 deaths. What we are dealing with is a product that is unsafe for any person, especially children.

So what I am trying to do is to send a strong message that will be given to every single drug thug that is in this country. The merchants of death will not be able to hide from the DEA and law enforcement. When a person is arrested who is involved in methamphetamine, it will be the one time that law enforcement comes into contact with them. They will be held accountable in our judicial system and they will be put away for life.

Many times in Washington, Congressman Souder and I sit through debates where we talk about other countries and how they deal with drugs. Well, we know what we are talking about is our drug problem here in the United States. So many times we do not understand why Colombia and Mexico do not effectively deal with the distribution, sale and manufacturing of drugs in their country. I think it is high time that we here in the United States recognize it is our problem too.

I believe this legislation is not only very timely, but I feel like it will be effective and I feel like it is reasonable. I hope as we hear throughout the hearings today from testimony that will be given by professionals in law enforcement, you will see that Washington, DC, and in particular your Representative is not only hearing what is said, but I get it. What I get is that it is our children and our citizens that are at risk from these merchants of death and we are going to do something very effectively about that.

Thank you so much, Mr. Souder. That is the end of my opening statement.

[The prepared statement of Hon. Pete Sessions follows:]

CONGRESSMAN
PETE SESSIONS
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OPENING REMARKS OF
THE HONORABLE PETE SESSIONS

Field Hearing of the
Subcommittee on National Security,
International Affairs, and Criminal Justice

"Report from the Frontline: The Status of Northeast Texas' Fight Against Drugs"

July 21, 1997

First of all, let me take this opportunity to thank Congressman Souder for the privilege of participating in this important event. In my short time in Congress, I have admired the tireless work that the Subcommittee does in the area of illegal drugs on the Subcommittee on National Security, International Affairs, and Criminal Justice. It is an area of government and law enforcement that gets beaten up a great deal, but deserves our strong support and our continued encouragement. Thank you for doing that, Congressman, and thank you for letting me be a part of it.

The reason I think it's so important is that drugs are rampant everywhere in this country, and they're rampant in Northeast Texas. Cocaine availability is up. Marijuana use is widespread. Heroin use, incredibly, is on the rise throughout the country. And methamphetamines, made right here in North Texas and Oklahoma, are readily available in this area.

Today, we are going to hear from the heroes in the fight against this onslaught. Those who will testify before this Subcommittee are among the best in the country in the war against drugs. They have the expertise and the resources to push back the continuous flow of illegal narcotics into this and every other community in this country. What they have also, is the conviction - in most cases a lifetime commitment - to protecting our citizens from the insidious effects of drugs.

My good friend Paul Coggins, has served this community admirably as U.S. Attorney. He has done yeowman's work in keeping drug dealers behind bars, and working with the communities in this area to find creative ways to combat crime and drugs. Rose Romera, also with the U.S.

Attorney's office, is probably responsible for a lot of that work, and I applaud the successes you have had in the Organized Crime Drug Enforcement Tax Force. We also have before us today officials with the Drug Enforcement Administration. The DEA is one of the federal government's most successful agencies. I want to make sure that everyone here knows that this is a compliment. The folks at DEA are everywhere in the fight against narcotics, and they have assured me that they are ready to work with every city, and every community that asks for help. The level of commitment shown by Donnie R. Marshall, the current Chief of Operations at DEA, is incredible to me. Mr. Marshall began his law enforcement career in 1969 as a Special Agent in Dallas with the Bureau of Narcotics and Dangerous Drugs -- a predecessor agency of the Drug Enforcement Administration. Sir, please know that you have the gratitude of the people of the United States, and especially of the Dallas, Texas area. I am looking forward to the expertise you can share with us today. We also have Julio Mercado, Special Agent in Charge of the Dallas Field Division of DEA. Special Agent Mercado can give us his unique perspective on both drug trafficking through Texas and the Caribbean, as well as drug prevention efforts, which I understand the DEA will become more involved with as we work to sustain efforts to keep drugs off our streets. Finally, this Subcommittee will have the honor of hearing from Chief Ken Yarbrough. Chief Yarbrough's curriculum vitae is extensive, especially as it relates to fighting drugs and crime. I am looking forward to listening, as I have done to some extent in the past, to Chief Yarbrough's inciteful perspective on the effects of drug trafficking on our local communities.

The purpose of this hearing, as Chairman Hastert has told described the focus of his work on the Committee to me, is to identify what is working, what's not, and to find out what we can do to help. Congress has a key role to play in crafting the nation's drug control policy. I think you'll agree, Congressman Souder, there is no question that it will take the team approach to solving this insidious problem. And if the way Northeast Texas is dealing with the problem can help in some way to communicate more clearly what is working best and what is needed most, then we are here to serve. The folks we hear from will deal straight with me, they will deal straight with you, Congressman, and they will deal straight with the American people.

What I hope we can contribute to the discourse on this issue is a compilation of creative tactics and creative solutions that have worked here and elsewhere in the country. I hope you will take from Mr. Coggins' and Mrs. Romero's testimony innovative ideas that they have employed to keep drugs off of our streets. They will tell us about the U.S. Attorney's participation in specific operations, such as weed and seed, where drug users and sellers are removed from a specific location and replaced with a more positive, productive environment. Indeed, we'll tour a former crack house, which is now an apartment complex and part of the burgeoning development on Swiss Avenue. We'll also hear about the success the U.S. Attorney's office has had with the Organized Crime Drug Enforcement Tax Force and with narcotics prosecutions in general. These examples are just the tip of the iceberg of the work that they are doing - working with this community to fight drugs.

I hope you will take from Mr. Marshall's and Mr. Mercado's testimony the fact that the DEA employs some of the most sophisticated technology on the planet, with a great deal of ingenuity, and scares a great many drug dealers out of the communities of Northeast Texas. But when those

drug dealers are gone, the DEA does not abandon the ship. The DEA, as exemplified by those testifying today, focuses much of its effort on keeping drugs out of communities once they are gone. They employ imaginative solutions and join in collaborative partnerships to get the job done. I know that the DEA has formed a partnership with Wal-Mart to prevent the illegal use of over-the-counter products, such as pseudoephedrine, ephedrine, and phenylpropanolamine, all used in the manufacture of methamphetamine and amphetamine. That's the kind of work that will keep drugs out of our homes and off our streets. I am especially heartened when I see the DEA join the Boys & Girls Clubs of America to focus on the area of drug abuse prevention. With the Boys & Girls Clubs of America's national network of 1,800 neighborhood-based facilities annually serving more than 2.4 million young people, I am proud to say the DEA took Willie Sutton's advice. When asked why he robbed banks he replied, "Because that's where the money is." Well, that's where the kids are. And if we can get there early on, we can stop the culture that allows this plague to continue.

I hope, Congressman Souder, you will hear from Chief Yarbrough, what a local official, one who is dedicated to stopping the trafficking of illegal drugs throughout this country, deals with on a daily basis in his effort to bring all of the drug fighting entities, and their bureaucracies, to fight productively together on a local level. That he has overcome such obstacles, and he has, is a testament to his ingenuity and fortitude. That's what motivated Governor Bush to appoint him to the Task Force on Juvenile Crime. And that's what motivated me to suggest him to you today.

The students in the audience should listen well, because you are our future. You are the ones who will change our culture from one that tolerates drugs to one that rejects them outright. I hope that message gets across. I have faith that you will make that commitment to your parents and your community and to us. But if you don't, then watch out, because the people who you'll hear from are gonna find you.

So, Congressman Souder, I am hear to learn as you are. We have a great deal of expertise if front of us. The people of Mesquite, and the Mesquite Independent School District, are our hosts this morning, and we owe them our gratitude. West Mesquite High School should be proud of this fantastic room. I wish we had rooms like this back in Washington.

Thank you, Mr. Chairman. I yield the balance of my time.

Mr. SOUDER. I want to congratulate Congressman Sessions on his effort because one of the things that in fact is going to happen if we are successful in interdicting these drugs and eradicating the drugs in a lot of the source countries, what we indeed will face is methamphetamine in our own Nation. We already see this in a lot of our national forests and national parks, in any place there is open spaces like in north Texas and in Oklahoma, the Ozark area in Missouri, you're going to see huge meth labs in addition to the mom and pop's. So I think your bill is very timely.

At this time, I would like to reintroduce our first guest and our sole guest on our first panel. Paul Coggins is the U.S. attorney for the northern district of Texas, he has been in his current position since 1993. Prior to that, he served as special assistant to the State of Texas attorney general. He also serves or has served previously on the mayor's Task Force on Criminal Justice, the Coalition for a Safer Dallas, and Attorney General Janet Reno's advisory committee.

In accordance with House rules, we must swear you in because this is an oversight committee. If you will stand and raise your right hand.

[Witness sworn.]

Mr. SOUDER. Let the record show that the witness answered in the affirmative. Mr. Coggins, it is an honor to have you here and please proceed with your opening statement.

STATEMENT OF PAUL E. COGGINS, U.S. ATTORNEY, NORTHERN DISTRICT OF TEXAS

Mr. COGGINS. Before I do, I would like to thank you, Mr. Chairman, for coming to Dallas. I knew Congressman Sessions had great gifts of persuasion, but to persuade you to come to Dallas in July, he is even more silver-tongued than I thought he was. But we will hope to get you out of here without getting too hot.

I do have a statement I would like to read. I will skip over the cases that I put in the written statement, except I think in light of Congressman Session's opening statement, I might like to touch on a few of the meth cases that have been made in the northern district of Texas, to show you what a danger this meth can be and how devastating the consequences of meth can be.

Mr. SOUDER. And if I may say, with unanimous consent, we will insert your whole written statement in the record and if you or any other witness has other materials, if you can get that to our committee, we will insert that as well.

Mr. COGGINS. Thank you.

I would also like to point out that Rose Romero, who heads our Narcotics Task Force in the U.S. attorney's office planned to be here. She was taken ill with food poisoning last night and called this morning and apologizes, and I apologize on behalf of Ms. Romero. She would liked to have been here.

With that, I will read the statement.

Mr. Chairman, members of the subcommittee, I appreciate the opportunity to appear before you today to address drug trafficking prosecutions in the northern district of Texas. As the U.S. attorney for the northern district of Texas, I will address the northern dis-

trict's role in the enforcement of Federal laws in drug trafficking and related cases.

As you know, the President's National Drug Control Strategy outlines a collective American effort to achieve the common purpose of reducing illegal drug use and its consequences in America. The law enforcement community in the northern district of Texas is committed to this effort and has worked aggressively to that end.

As part of the northern district of Texas, the Dallas/Forth Worth Metroplex ranks among the largest metropolitan areas in the Nation. During the past decade, the Metroplex has become a primary center for international commerce, telecommunications, high technology and finance. Due to its physical location, rapid growth and second busiest international airport in the world, Dallas/Fort Worth is one of the top ranking transportation hubs in the United States.

These characteristics have served as a magnet to today's most prominent international drug trafficking cartels. Since the Dallas/Fort Worth Metroplex is a nexus to the border, the Mexican polydrug trafficking groups have always maintained a presence here. With their rise to prominence and their attempt to avoid enforcement efforts targeting the Southwest Border, however, the cartels are increasingly using the Dallas/Fort Worth Metroplex as a strategic transshipment center for distribution of illegal narcotics throughout the United States. A recent DEA investigation suggested the presence of several drug cartel command and control elements located in Dallas/Fort Worth. In addition, the Metroplex has emerged as a significant point of distribution, with large quantities of narcotics being distributed locally before transshipment to other parts of the United States.

Since the mid-1980's, Federal, State and local agencies have in the area consistently pooled resources through the Organized Crime Drug Enforcement Task Force—OCDETF in short—to address the increasing international and local drug trafficking threat in the Dallas/Fort Worth Metroplex. And I would like to point out that OCDETF was begun under a Republican administration, it was continued under a Democratic administration. It has been perhaps the finest bipartisan effort in law enforcement that I am familiar with.

Federal agencies on our OCDETF team include the Drug Enforcement Administration, the Federal Bureau of Investigation, the Internal Revenue Service, the Immigration and Naturalization Service, the U.S. Customs Service, the Bureau of Alcohol, Tobacco and Firearms and the U.S. Postal Inspection Service. The above agencies work closely with local police departments and district attorneys' offices. In the northern district of Texas, Federal drug prosecutions are supervised by Deputy Criminal Chief Rose Romero and lead OCDETF attorney, St. Clair Theodore, both of the U.S. attorney's office.

Interagency cooperation has been fundamental to the many successful investigations and prosecutions of major drug trafficking organizations operating in the northern district, and it is the key to future success. The goal of the OCDETF program is to identify, investigate and prosecute members of high level drug trafficking and related enterprises and to dismantle the operations of those organi-

zations by: No. 1, supplementing Federal resources for the investigation and prosecution of major drug trafficking and related organizations; No. 2, fostering improved interagency coordination and cooperation in the investigation and prosecution of major drug trafficking and related cases; and, No. 3, working fully and effectively with State and local drug enforcement agencies.

Pursuing this goal has resulted in numerous cases against high-level drug traffickers, which in turn has had an appreciable impact on illegal drug trafficking.

The OCDETF program is recognized throughout the country, and certainly in the northern district, as the successful model for Federal, State and local participation in significant narcotics and narcotics-related investigations and prosecutions. Such investigations are often complex and require a significant amount of resources and personnel. Many of the investigations use highly technical and complicated investigative tools, such as wiretaps. As a result, only the most experienced and seasoned trial attorneys are assigned to the OCDETF cases. Another significant aspect of the OCDETF concept is that attorneys are assigned to work with investigative agents at the earliest stages of the investigations. This ensures that sufficient admissible evidence is gathered to obtain the convictions of each and every identified member of large scale drug trafficking organizations. As a result of such teamwork, agents and attorneys working on OCDETF cases establish levels of trust and communications that carry beyond individual cases and enhance future working relationships.

Another effective tool we use against high level drug traffickers is the money laundering statutes. The sums of U.S. currency connected to trafficking organizations is staggering. The Criminal Investigations Division of the Internal Revenue Service has played and continues to play a significant role in the prosecution of recent high-level, high-profile cases. For example, where the money trail led to the identification and ultimate conviction of several prolific marijuana traffickers.

It is the philosophy of this district to attack drug trafficking organizations on all fronts. Therefore, the northern district is very active in the forfeiture of drug proceeds and the forfeiture of assets used by drug traffickers to further and facilitate drug trafficking crimes. Forfeitures are instrumental in combating the drug trafficking problem in that such forfeitures inhibit the ability of drug traffickers to continue their illegal activities.

One of the most disturbing trends in the drug trafficking organizations that we have encountered recently is the increasing number of young individuals employed by highly sophisticated drug organizations. This is especially true in crack cocaine organizations. Current prosecutions involve several defendants between the ages of 20 and 25 and the drug organizations are recruiting teenagers. These young people undertake a variety of drug trafficking duties, including acting as managers and organizers for the drug trafficking organizations. The law enforcement community reports that younger drug traffickers are much more aggressive and violent in their trafficking activities.

In order to continue effectively to investigate, prosecute and dismantle the drug organizations in our area, it is imperative that we

continue the cooperative effort fostered by the OCDETF program. As a Federal/State/local partnership, OCDETF is beneficial to all. State and local resources, expertise and intelligence are considered invaluable to Federal drug investigations, especially in geographic areas where Federal resources are limited. Because OCDETF allows State and local officers to be deputized, these officers are empowered to participate as full partners with Federal agents and to pursue Title XXI violations across jurisdictional lines. In addition to law enforcement personnel, involvement of State prosecutors is also beneficial where State laws and local ordinances offer broader latitude.

Since 1994, the Dallas Field Division of the Drug Enforcement Administration has seen a tremendous increase in the quantities of methamphetamine available for distribution on the streets of Dallas/Fort Worth. The DEA estimates an approximate 150 percent increase in the number of methamphetamine-related case initiations from 1994 to 1995—that is a 150 percent increase. The vast majority of these cases involved either methamphetamine or amphetamines. Much of the methamphetamine encountered in the Dallas-Fort Worth area is transported from California, Arizona and Mexico. Recent intelligence attributes the increased trafficking of methamphetamine throughout the Southwest to the activities of international drug cartels. Identifying the command and control structures of these international drug trafficking organizations, targeting them effectively and dismantling them is a priority of drug enforcement agencies in the northern district of Texas. Such efforts are conducted jointly by Federal, State and local law enforcement agencies.

The availability and price of cocaine remains stable throughout the northern district of Texas. Cocaine is readily available and is widely used in all populations and social groups with no indication of decline in availability or popularity. Drug enforcement agencies in the northern district of Texas are aggressively pursuing structured and highly sophisticated cocaine trafficking organizations. As illustrated in the case summaries below, the drug enforcement community in this District has successfully disrupted and dismantled several trafficking organizations that had become deeply entrenched throughout the northern district. However, the drug trafficking business is highly lucrative and quickly recruits replacements.

Heroin availability in the northern district of Texas is on the rise. Quality is increasing and recent intelligence indicates that the Mexican border continues to increase in importance as a conduit into the United States. Over the last several years, law enforcement personnel involved in heroin enforcement activities have found that family based heroin trafficking organizations are using generations of intimate knowledge of the Texas/Mexican border to evade detection and interdiction. Mexican heroin, however, is not the only threat. As shown in the case summary below, importers of southeast Asia heroin are aggressively making in-roads in domestic markets. Smuggling and distribution are being directed by Nigerian and Vietnamese organizations. This heroin is often flown from Bangkok and Hong Kong to Mexico, where couriers bring it across the United States border. Once inside Texas, it is trans-

shipped to East and West Coast cities, especially New York and Los Angeles.

Crack cocaine is still a significant problem throughout the northern district from urban and rural areas. Drug enforcement investigations reveal that crack cocaine distribution organizations are highly sophisticated and organized. The market for crack has spread from the original lower income and primarily African-American users to include mid and higher income users and all ethic classes.

Marijuana continues to be the most rampant drug in the northern district of Texas. Multi-pound to multi-ton seizures of marijuana continue to be commonplace. Tractor-trailers and privately owned automobiles continue to be the smuggling means of preference. Marijuana distribution organizations have become more complex and sophisticated. Groups often move marijuana through Dallas and store it in several stash houses before it is repackaged for further distribution to Ohio, Oklahoma, Florida, Michigan and other Northern States.

I have set out a number of recent case summaries which will be added to the record, but I would like to, in those case summaries, given the focus on methamphetamine, to focus you on page 12 to a number—this is representative of the type of cases we are seeing in methamphetamine. The case involving *United States* v. *Willis Bradford Allen, et al.*

On June 25, 1996, after a 3-year investigation by the Dallas office of the DEA, assisted by the Garland Police Department and other local law enforcement agencies, 23 defendants were indicted in connection with the Willis Allen organization. The investigation spanned 3 years, beginning in 1994, during which time the organization distributed from 5 to 10 pounds of methamphetamine in Texas, Oklahoma and Louisiana per week for a period of 2 years. Eighteen defendants have pled guilty, three are fugitives and two defendants are pending trial. Although no defendants have been sentenced today, the guideline range for the conspiracy count alone is 21 to 27 years. In addition to drugs and drug paraphernalia, numerous guns were seized from this organization.

On September 25, 1996, John Groves was indicted following an investigation by the Dallas office of the DEA, which responded to a request for assistance from the Irving Police Department. Groves was the cook and property owner of a methamphetamine lab in Irving. His property and specifically the structure housing the lab, was immediately adjacent to the playground lot at Stephen F. Austin Junior High School. Groves pled guilty and is awaiting sentencing. The contents were so volatile in the cooking area of the lab that it was necessary to ventilate the area for hours before safely entering. Masks were worn by Groves in order to work in the lab.

On September 25, 1996, 12 members of the Campos organization were indicted. The organization operated out of California, Dallas and Alabama. During the 3-year DEA investigation, beginning in 1993, approximately 400 pounds of methamphetamine were seized. The leader of the organization was sentenced to 29 years, four sentences averaged from 4 to 8 years and the remaining defendants are awaiting sentencing.

Those represent some of the kind of methamphetamine activity and cases and investigations we are seeing in the northern district of Texas. I would, however, like to point out one other case of note, because it is a heroin case. And I think it gives you an idea of the level of heroin importation we are seeing in the northern district at this time, and it is on page 15.

United States versus Hamid Reza Sayadi—I am going to get you to pronounce that for me, Congressman Sessions—Takhtehkar.

On April 11, 1997, Aziz Ghanbari of Istanbul, Turkey, was sentenced to life imprisonment in connection with his role in an international drug smuggling venture, which resulted in the importation of 98 kilograms of heroin in the United States at Lubbock, TX. Evidence at trial showed that the conspirators negotiated with undercover San Francisco DEA agents to transport large shipping containers to Romania, where the conspirators, in turn, would fill each shipping container with from 500 kilograms to a ton and a half of heroin base. This seizure is believed to be the largest domestic seizure of southwest Asian heroin in the history of the United States and the sixth largest domestic seizure of any type of heroin in the United States. Hamid Reza Sayadi-Takhtehkar of Vienna, Austria was also convicted and sentenced to 30 years imprisonment. Two additional defendants, Hakki Aksoy of Istanbul, Turkey and Sezgin Yildizhan of the Netherlands, were also convinced and received substantial prison sentences.

In sum, between 1995 and the present, the Dallas Field Office of the DEA, working jointly with other law enforcement agencies, has conducted investigations that have led to arrests, indictments and convictions of more than 345 members of major drug organizations responsible for trafficking in over 129,000 pounds of marijuana, 4,375 kilograms of cocaine, 5,235 kilograms of crack, 700 kilograms of heroin, 1,100 pounds of methamphetamine and 50 gallons of PCP.

In conclusion, I want to thank you for the opportunity to appear at today's hearing and for your support to law enforcement agencies in bringing to justice drug organizations. We recognize that enforcement of drug laws, though important, is not the sole answer to the plague of illegal drugs. We must explore ways to combine strong enforcement with equally strong strategies for prevention, demand reduction and treatment.

Thank you for your time and your interest in this important issue.

[The prepared statement of Mr. Coggins follows:]

STATEMENT OF
PAUL E. COGGINS
UNITED STATES ATTORNEY
NORTHERN DISTRICT OF TEXAS
before the Subcommittee on National Security,
International Affairs, and Criminal Justice
July 21, 1997

Mr. Chairman, Members of the Subcommittee: I appreciate the opportunity to appear before you today to address drug trafficking prosecutions in the Northern District of Texas. As the United States Attorney for the Northern District of Texas, I will address the Northern District's role in the enforcement of federal laws in drug trafficking and related cases.

As you know, the President's National Drug Control Strategy outlines a collective American effort to achieve the common purpose of reducing illegal drug use and its consequences in America. The law enforcement community in the Northern District of Texas is committed to the effort and has worked aggressively to that end.

As part of the Northern District of Texas, the Dallas/Fort Worth Metroplex ranks among the largest metropolitan areas in the nation. During the past decade, the Metroplex has become a primary center for international commerce, telecommunications, high technology and finance. Due to its physical location, rapid growth, and second busiest international airport in the world, Dallas/Fort Worth is one of the top ranking transportation hubs in the United States.

These characteristics have served as a magnet to today's most prominent international drug trafficking cartels. Since the Dallas/Fort Worth Metroplex is a nexus to the border, the Mexican polydrug trafficking groups have always maintained a presence here. With their rise to prominence and their attempt to avoid enforcement efforts targeting the Southwest Border, however, the cartels are increasingly using the Dallas/Fort Worth Metroplex as a strategic

transshipment center for distribution of illegal narcotics throughout the United States. A recent DEA investigation suggested the presence of several drug cartel command and control elements located in the Dallas/Fort Worth area. In addition, the Metroplex has emerged as a significant point of distribution, with large quantities of narcotics being distributed locally before transshipment to other parts of the United States.

Since the mid-1980's, federal, state and local agencies have in the area consistently pooled resources through the Organized Crime Drug Enforcement Task Force (OCDETF) to address the increasing international and local drug trafficking threat to the Dallas/Fort Worth Metroplex. Federal agencies on our OCDETF team include the Drug Enforcement Administration, the Federal Bureau of Investigation, the Internal Revenue Service, the Immigration and Naturalization Service, the U.S. Customs Service, the Bureau of Alcohol, Tobacco and Firearms, and the U.S. Postal Inspection Service. The above agencies work closely with local police departments and district attorney's offices. In the Northern District of Texas, drug prosecutions are supervised by Deputy Criminal Chief Rose Romero and Lead OCDETF Attorney St. Clair Theodore, both of the U.S. Attorney's Office.

Inter-agency cooperation has been fundamental to the many successful investigations and prosecutions of major drug trafficking organizations operating in the Northern District, and it is the key to future successes. The goal of the OCDETF program is to identify, investigate, and prosecute members of high-level drug trafficking and related enterprises, and to dismantle the operations of those organizations by:

1. Supplementing federal resources for the investigation and prosecution of major drug trafficking and related organizations;

2. Fostering improved interagency coordination and cooperation in the investigation and

prosecution of major drug trafficking and related cases; and

3. Working fully and effectively with state and local drug enforcement agencies.

Pursuing this goal has resulted in numerous cases against high-level drug traffickers, which, in turn, has had an appreciable impact on illegal drug trafficking. The OCDETF program is recognized throughout the country, and certainly in the Northern District, as the successful model for federal, state and local participation in significant narcotics and narcotics-related investigations and prosecutions. Such investigations are often complex and require a significant amount of resources and personnel. Many of the investigations use highly technical and complicated investigative tools, such as wiretaps. As a result, only the most experienced and seasoned trial attorneys are assigned to work OCDETF cases. Another significant aspect of the OCDETF concept is that attorneys are assigned to work with investigative agents at the earliest stages of the investigations. This insures that sufficient admissible evidence is gathered to obtain the convictions of each and every identified member of large scale drug trafficking organizations. As a result of such teamwork, agents and attorneys working on OCDETF cases establish levels of trust and communication that carry beyond individual cases and enhance future working relationships.

Another effective tool we use against high level drug traffickers is the money laundering statutes. The sums of United States currency connected to trafficking organizations is staggering. The Criminal Investigation Division of the Internal Revenue Service has played, and continues to play, a significant role in the prosecution of recent high profile cases, for example, where the "money trail" led to the identification and ultimate conviction of several prolific marijuana traffickers.

It is the philosophy of this District to attack drug trafficking organizations on all fronts. Therefore, the Northern District is very active in the forfeiture of drug proceeds and the forfeiture of assets used by drug traffickers to further and facilitate drug trafficking crimes. Forfeitures are instrumental in combating the drug trafficking problem in that such forfeitures inhibit the ability of drug traffickers to continue their illegal activities.

One of the most disturbing trends in the drug trafficking organization that we have encountered recently is the increasing numbers of young individuals employed by highly sophisticated drug organizations. This is especially true in "crack" cocaine organizations. Current prosecutions involve several defendants between the ages of 21 and 25, and the drug organizations are recruiting teenagers. These young people undertake a variety of drug trafficking duties, including acting as managers and organizers for the drug trafficking organizations. The law enforcement community reports that younger drug traffickers are much more aggressive and violent in their trafficking activities.

In order to continue effectively to investigate, prosecute and dismantle the drug organizations in our area, it is imperative that we continue the cooperative effort fostered by the OCDETF program. As a federal/state/local partnership, OCDETF is beneficial to all. State and local resources, expertise, and intelligence are considered invaluable to federal drug investigations, especially in geographic areas where federal resources are limited. Because OCDETF allows state and local officers to be deputized, these officers are empowered to participate as full partners with federal agents and to pursue Title 21 violations across jurisdictional lines. In addition to law enforcement personnel, involvement of state prosecutors is also beneficial where state laws and local ordinances offer broader latitude.

Drug Trafficking Patterns

Methamphetamine

Since 1994, the Dallas Field Division of the DEA has seen a tremendous increase in the quantities of methamphetamine available for distribution on the streets of Dallas/Fort Worth. The DEA estimates an approximate 150% increase in the number of methamphetamine related case initiations from 1994 to 1995. The vast majority of these cases involved either methamphetamine or amphetamines. Much of the methamphetamine encountered in the Dallas/Fort Worth area is transported from California, Arizona and Mexico. Recent intelligence attributes the increased trafficking of methamphetamine throughout the Southwest to the activities of international drug cartels. Identifying the command and control structures of these international drug trafficking organizations, targeting them effectively and dismantling them, is a priority of the drug enforcement agencies in the Northern District of Texas. Such efforts are conducted jointly by federal, state and local law enforcement agencies.

Cocaine

The availability and price of cocaine remain stable throughout the Northern District of Texas. Cocaine is readily available and is widely used in all populations and social groups with no indication of decline in availability or popularity. Drug enforcement agencies in the Northern District of Texas are aggressively pursuing structured and highly sophisticated cocaine trafficking organizations. As illustrated in the case summaries below, the drug enforcement community in this district has successfully disrupted and dismantled several trafficking organizations that had become deeply entrenched throughout the Northern District. However, the drug trafficking business is highly lucrative and quickly recruits replacements.

Heroin

Heroin availability in the Northern District of Texas is on the rise. Quality is increasing, and recent intelligence indicates that the Mexican border continues to increase in importance as a conduit into the United States. Over the last several years, law enforcement personnel involved in heroin enforcement activities have found that family based heroin trafficking organizations are using generations of intimate knowledge of the Texas/Mexican border to evade detection and interdiction. Mexican heroin is not the only threat. As shown in the case summary below, importers of Southeast Asian heroin are aggressively making inroads in domestic markets. Smuggling and distribution are being directed by Nigerian and Vietnamese organizations. This heroin is often flown from Bangkok and Hong Kong to Mexico, where couriers bring it across the United States border. Once inside Texas, it is transshipped to East and West Coast cities, especially New York and Los Angeles.

Crack Cocaine

Crack cocaine is still a significant problem throughout the Northern District, from urban to rural areas. Drug enforcement investigations reveal that crack cocaine distribution organizations are highly sophisticated and organized. The market for crack has spread from the original lower income and primarily African-American users to include mid and higher income users and all ethnic classes.

Marijuana

Marijuana continues to be the most rampant drug in the Northern District of Texas. Multi-pound to multi-ton seizures of marijuana continue to be commonplace. Tractor-trailers and privately owned automobiles continue to be the smuggling means of preference. Marijuana

distribution organizations have become more complex and sophisticated. Groups often move marijuana through Dallas and store it in several "stash" houses before it is repackaged for further distribution to Ohio, Oklahoma, Florida and Michigan and other northern states.

RECENT CASE SUMMARIES

United States v. Dacron Reed, et al. - 4:-95-CR-036Y

On March 2, 1995, after a one year investigation by the Ft Worth Office of the DEA, together with the FBI, ATF, IRS and the Fort Worth Police Department, 17 members of the "Reed" Organization were indicted. This organization operated in various neighborhoods in Fort Worth and was responsible for the distribution of approximately 200 kilograms of "crack" cocaine over a two year period. All defendants were convicted. Some defendants are currently serving life sentences, and others are serving 30 year sentences.

United States v. John Celestino Villareal, et al. - 3:95-CR-098-G

On March 30, 1995, after a two year investigation by the Dallas Office of the DEA, together with the Dallas Police Department and the Dallas County Sheriff's Office, eight members of the "Glyn Earl Johnson" Organization were indicted. This organization operated in South Dallas and was responsible for obtaining in excess of 1,200 kilograms of cocaine and distributing it in the Oak Cliff neighborhood of Dallas, Arlington, and Arkansas. All defendants were convicted, and most are currently serving 10 year minimum/mandatory sentences.

United States v. John Salpas, et al. - 3:95-CR-187-G

On June 7, 1995, after a one year investigation, the Dallas Office of the DEA, together with the IRS, Dallas Police Department and the Dallas County Sheriff's Office, indicted 16 members of the "John Salpas" Organization. This organization operated in Mexico, Austin, Dallas and

throughout the northeastern part of the United States. The organization was responsible for importing, transporting and distributing in excess of 30 tons of marijuana. Three defendants remain fugitives in Mexico. Thirteen defendants were convicted, and several received over 20 year minimum/mandatory sentences.

United States v. Gregg Fason, et al. - 3:95-CR-284-X

On September 15, 1995, after a one year investigation by the Dallas Office of the DEA together with the IRS, FBI, and the Dallas Police Department, 25 members of the "Fason" Organization were indicted. This organization was responsible for obtaining approximately 150 kilograms of cocaine and crack cocaine and distributing it on the streets of Dallas during a three year period. All defendants were convicted, and most are currently serving over 20 year sentences.

United States v. Tommy Merrel Jackson - 3:95-CR-148-A

On November 1, 1995, after a two year investigation by the Dallas Office of the DEA, together with the ATF and the Grayson County Sheriff's Department, seven members of the "Tommy Merrel Jackson" Organization were indicted. This organization operated from California to Fort Worth, Texas and was responsible for obtaining and distributing approximately 180 pounds of methamphetamine in the Fort Worth area. All defendants were convicted. Two defendants are currently serving life sentences, and another is serving a 30 year minimum/mandatory sentence.

United States v. Paul Webb, et al. - 3:95-CR-359

On February 6, 1996, after a two year multi-state investigation by the Dallas Office of the DEA and the FBI, 13 defendants in the "Paul Webb" Organization were indicted. This organization was responsible for moving five to ten kilograms of cocaine per week over a two year period from Houston to Dallas, via airplanes and cars. Drugs were then moved further, from Dallas to Oklahoma

and Mississippi. Much of the cocaine was cooked into crack cocaine in Dallas before further distribution. Many residences were identified as distribution points. Of the 13 convicted defendants, approximately half received sentences ranging from six to ten years imprisonment.

United States v. John Clay, et al. - 4:96-CR-025

On February 28, 1996, after a one year investigation by the Fort Worth Office of the DEA, the FBI, IRS, ATF, and the Fort Worth Police Department, 26 defendants in the "John Clay" Organization were indicted. This organization was responsible for trafficking in over 400 kilograms of crack cocaine over a three year period in the Komo neighborhood of Fort Worth. One of the defendants was a parole officer who assisted John Clay in his operations. All defendants were convicted and received between sentences between 17 and 30 years.

United States v. Jose Paz Garcia, et al. - 3-95-264-P

On March 5, 1996, after a six-month investigation by the Dallas Office of the DEA, together with the FBI, the Department of Public Safety and the U.S. Customs Service, 31 members of the "Paz-Garcia" Organization were indicted. From about October or November of 1994, until the dismantling of the organization in August 1995, the Garcia organization smuggled from Mexico and distributed from 1,000 to 1,500 pounds of marijuana per week in the Dallas area. Based on confiscated drug ledgers, the organization distributed at least 15 tons of marijuana and at least 500 kilograms of cocaine. During the course of the investigation, DEA agents and other law enforcement officers seized over one ton of marijuana. Numerous defendants remain fugitives in Mexico. Seven defendants were convicted. Two defendants received life sentences. Several other defendants were sentenced to 30 years imprisonment.

United States v. Benito Flores, et al. - 3:-96-CR-129-P

On May 7, 1996, after a two year investigation, the Dallas Office of the DEA, together with the FBI, 30 members of the "Salinas" Organization were indicted. This organization operated in Mexico and the Dallas/Fort Worth area, and was responsible for importing, transporting and distributing in excess of 1,000 kilograms of cocaine in a two year period. Four defendants remain fugitives in Mexico. Twenty-six defendants were convicted, and several received 10 year minimum/mandatory sentences.

United States v. Alvaro Ceballos, et al. - 3-96-CR-172-G

On May 7, 1996, after a five month investigation, the Dallas Office of the DEA, together with the DPS, indicted three members of a cocaine smuggling organization after seizing 260 kilograms of cocaine that were secreted in a warehouse in the Seagoville, Texas area. This organization used the Dallas area as a transshipment point for transporting cocaine from Mexico to New York City. All defendants were convicted and are currently serving a minimum of 15 years. ***United States v. Bobby Wayne Reed - 4:96-CR-068A***

In the Fort Worth Office of the DEA, together with the Internal Revenue Service and the Fort Worth Police Department, investigated 19 defendants of the "Reed" Organization, who were indicted and convicted. The organization was responsible for obtaining over 50 kilograms of cocaine per month between 1989 and 1997, and cooking it into crack cocaine and distributing the crack throughout the neighborhoods of Ft. Worth. The organization had entrenched itself so strongly in Fort Worth that one whole apartment complex was used for the drug ring's illegal activities. The crimes committed at this apartment complex were so rampant that state authorities initiated abatement proceedings and shut down the complex. All of the defendants involved were convicted,

with four defendants receiving life sentences. Under federal sentencing guidelines, that literally means a life sentence. Several others received 30 year sentences.

United States v. Paul Z. Lowder, et al. - 3-96-070-G

On May 7, 1996, after a one year investigation by the Dallas Office of the DEA, working with the Dallas County District Attorney's Office, U.S. Customs, and the DPS, 13 members of the "Lowder" Organization were indicted. This organization operated in South Texas, Dallas, South Carolina and Florida and was responsible for the importation, transportation and distribution of over 10,000 pounds of marijuana and over 500 kilograms of cocaine. Eleven defendants were convicted, with the top ranking individuals receiving sentences ranging from 28 years to 30 years. The trial jury forfeited over $3 million from the leaders of this organization.

United States v. Trent Brewer, et al. - 3:96-CR-167-X

On June 25, 1996, after a one year investigation by the Dallas Office of the DEA supported by the Dallas Police Department and the Dallas County Sheriff's Department, 10 members of the "Trent Brewer" Organization were indicted. This organization operated in Dallas and Jackson, Tennessee, and was responsible for the distribution of at least 360 kilograms of crack cocaine during a six-month time frame. The crack was distributed throughout the United States. This organization supplied a violent street gang located in Jackson, Tennessee, which was responsible for 15 drive-by shootings in a two-week period. The "Brewer" organization also supplied another violent street gang located in Detroit, Michigan, which was responsible for 16 homicides in a two year period. Nine defendants have been convicted, with several serving in excess of 10 year sentences. One defendant awaits trial.

United States v. Willis Bradford Allen, et al. - 3:96-CR-224

On June 25, 1996, after a three year investigation by the Dallas Office of the DEA, assisted by the Garland Police Department and other local law enforcement agencies, 23 defendants were indicted in connection with the "Willis Allen" Organization. The investigation spanned three years, beginning in 1994, during which time the organization distributed from 5-10 pounds of methamphetamine in Texas, Oklahoma and Louisiana per week for a period of two years. Eighteen defendants have pled guilty; three are fugitives; and two defendants are pending trial. Although no defendants have been sentenced to date, the guideline range for the conspiracy count alone is 21-27 years. In addition to drugs and drug paraphernalia, numerous guns were seized from this organization.

United States v. John Groves - 3:96-CR-317-T

On September 25, 1996, John Groves was indicted following an investigation by the Dallas Office of the DEA, which responded to a request for assistance from the Irving Police Department. Groves was the cook and property owner of a methamphetamine lab in Irving. His property (and specifically, the structure housing the lab) was immediately adjacent to the playground at Stephen F. Austin Jr. High School. Groves pled guilty and is awaiting sentencing. The contents were so volatile in the cooking area of the lab that it was necessary to ventilate the area for hours before safely entering. Masks were worn by Groves in order to work in the lab.

United States v. Alberto Martinez Campos, et al. - 3-96-CR-326-P

On September 25, 1996, 12 members of the "Campos" Organization, were indicted. The organization operated out of California, Dallas and Alabama. During the three year DEA investigation, beginning in 1993, approximately 400 pounds of methamphetamine were seized. The

leader of the organization was sentenced to 29 years; four sentences averaged from 4 to 8 years; and the remaining defendants are awaiting sentencing.

United States v. Carlos Rosario, et al. - 3:96-CR-356

On October 8, 1996, after a three month investigation, the Dallas Office of the DEA, along with local law enforcement, nine defendants in the "Diana Monsalve" Organization were indicted. During its investigation, the DEA did a reversal, selling 150 kilograms of cocaine to Colombians through negotiations in Dallas in New York. The DEA recovered approximately $375,000 as a down payment for cocaine to be shipped from Dallas to New York. As a result, there are new investigations in New York, Puerto Rico and Miami. Important information regarding transport routes for cocaine from Colombia was gained from this investigation. All defendants pleaded guilty. The two defendants sentenced to date received eight and ten years, and each cooperated with the government in its investigation. Guideline ranges for all remaining defendants convicted on the conspiracy count run from 21 to 27 years.

United States v. Rickey Lee Smith, et al. - 3:96-CR-401-R

On December 1996, after a two year investigation by the Dallas Office of the DEA and the Dallas Police Department, 15 members of the "Rickey Smith" Organization were indicted. This organization, which operated in South Dallas, was responsible for the distribution of at least 50 gallons of PCP and was directly linked to numerous drug related murders in South Dallas. All defendants were convicted, and some of the main defendants are currently serving 15 year minimum/mandatory sentences.

United States v. Willie Frank King, et al. - 3:97-CR-083-D

On March 4, 1997, after a nine month investigation by the Dallas Office of the DEA, two

members of the "King" Organization were indicted. The King organization operated in and around Dallas. The organization distributed a total of 170 kilograms of cocaine. Both defendants were convicted and are awaiting sentencing. Both defendants face minimum/mandatory sentences of 10 years to life.

United States v. Miguel Angel De La Torre, et al. - 3:97-CR-158-P

On June 3, 1997, after a seven month investigation by the Dallas Office of the DEA, together with the FBI, IRS, Customs, INS and the Dallas Police Department 38 members of the "De La Torre" Organization were indicted. This organization operated in Mexico, Laredo, San Antonio, Dallas, Mississippi and Florida, and was responsible for importing, transporting and distributing in excess of 9,000 pounds of marijuana over a two year period. During the course of the investigation, approximately 2,311 pounds of marijuana were seized. Several defendants have plead guilty. The remaining defendants are set for trial on October 6, 1997. All of the defendants face a minimum/mandatory sentences of 10 years to life.

United States v. Mackay, et al. - 3:97-CR-208-T

On June 24, 1997, after a seven month investigation by the Dallas Office of the DEA, Customs, IRS, Dallas County Sheriff's Office, Irving Police Department and the Oklahoma Bureau of Narcotics, 18 members of the "Mackay" Organization were indicted. This organization was responsible for the importation, transportation and distribution of over 20,000 pounds of marijuana in an 18 month period. The organization operated in Mexico, Texas, Arkansas, Oklahoma and Canada. DEA agents worked closely with the Canadian Royal Mounted Police in bringing down the organization, seizing its assets and arresting its members in the United States and Canada. The case is set for trial on September 8, 1997. All of the defendants face sentences of a minimum/mandatory

10 years to life.

United States v. Hamid Reza Sayadi-Takhtehkar

On April 11, 1997, Aziz Ghanbari of Istanbul, Turkey, was sentenced to life imprisonment in connection with his role in an international drug smuggling venture, which resulted in the importation of 98 kilograms of heroin in the United States at Lubbock, Texas. Evidence at trial showed that the conspirators negotiated with undercover San Francisco DEA agents to transport large shipping containers to Romania, where the conspirators, in turn, would fill each shipping container with from 500 kilograms to a ton-and-a-half of heroin base. This seizure is believed to be the largest domestic seizure of Southwest Asian Heroin in the history of the United States and the sixth largest domestic seizure of any type of heroin in the United States. Hamid Reza Sayadi-Takhtehkar of Vienna, Austria was also convicted and sentenced to 30 years imprisonment. Two additional defendants, Hakki Aksoy of Istanbul, Turkey and Sezgin Yildizhan of The Netherlands were also convicted and received substantial prison sentences.

In addition, in several cases throughout 1995, the Dallas Field Division Office of the DEA, working with the United States Customs Service and international law enforcement agencies, investigated eight Nigerian nationals who were responsible for recruiting young females to "body carry" large quantities of heroin from Thailand into the United States. During a nine month period, the organization smuggled approximately 200 kilograms of heroin into Dallas, Atlanta, Detroit and New York. All defendants were convicted, and most are currently serving 30 year minimum/mandatory sentences.

United States v. Traylor, et al.

On February 28, 1997, a 47 count sealed indictment was returned against 25 individuals for

participating in an organization that was distributing crack cocaine in the Greenville, Texas area. The indictment was unsealed on March 6, 1997, and search and arrest warrants were executed. During the search and seizures, 25 weapons, cash and drugs were seized. All but one of the defendants were subsequently arrested. To date, 14 defendants have pleaded guilty; five defendants have been convicted at trial; one defendant was murdered before he could enter his guilty plea; and two defendants were placed on pre-trial diversion. The government moved for dismissal against two defendants, and one defendant remains a fugitive. Sentencings are scheduled for August 14, 1997. The defendants face looking at sentences ranging from five years to life.

In sum, between 1995 and the present, the Dallas Field Office of the DEA, *working jointly* with other law enforcement agencies, has conducted investigations that have lead to arrests, indictments and convictions of more than 345 members of *major* drug organizations responsible for trafficking in over 129,000 pounds of marijuana, 4,375 kilograms of cocaine, 5,235 kilograms of crack cocaine, 700 kilograms of heroin, 1100 pounds of methamphetamine and 50 gallons of PCP.

In conclusion, I want to thank you for the opportunity to appear at today's hearing and for your support to law enforcement agencies in bringing to justice drug organizations. We recognize that enforcement of drug laws, though important, is not the sole answer to the plague of illegal drugs. We must explore ways to combine strong enforcement with equally strong strategies for prevention, demand reduction and treatment.

Thank you for your time and interest in this important issue.

Mr. SOUDER. Thank you very much. I yield to Congressman Sessions.

Mr. SESSIONS. Thank you very much, Mr. Chairman.

Mr. Coggins, I think you have exhibited today why you were talked about in Washington by not only our President, President Clinton, but also our Attorney General Janet Reno, as one of the bright young faces in law enforcement, and certainly as one of the finest U.S. attorneys in America. Thank you for your compelling testimony.

I would like to, if I could, please direct some of my questions to you. You briefly spoke about the Dallas/Fort Worth area as being a hub of international trafficking. And in that testimony, you alluded to DFW—what we know as DFW Airport. I also know that there are some other airports that are around, I also know that much of this is proprietary to your business, but could you briefly discuss where it is coming from, how it is coming in here, the role of DFW in this international drug trafficking?

Mr. COGGINS. Well, DFW, obviously—I guess you start with this, Congressman, and that is, wherever you have a large amount of legitimate trade, you have a danger of illegitimate trade trying to piggyback on that legitimate trade. Huge amounts of legitimate trade pass through DFW and the other airports. The DEA established a task force out at DFW Airport, which was a model for the task forces, and we were getting tremendous seizures of drugs. That task force has been so successful in many instances that we found many of the cartels were steering clear of the DFW Airport because the heat was so great.

But it is like any other area—and they were bringing it up through other airports or, as I mentioned in some of this testimony, oftentimes in trucks. For example, a lot of the marijuana comes up in large trucks, comes up across the Mexican border in trucks.

Drug enforcement is cyclical and we know that, we know we cannot let down our guard at any of the airports, because as soon as we do that, the word will go out that they can come back through the airports and what we will see is they will start testing it again. So I anticipate that we are going to always have this problem wherever we have huge amounts of legitimate trade, and that is, we are going to have illegitimate trade trying to sneak in at the same time the legitimate trade is coming through, whether it is by planes in airports, by trucks—we had a Nigerian ring in which women were used to body carry heroin into this country. So they are willing—the drug traffickers have proven they are willing to risk anybody's life, anybody's health, anybody's safety because of the amount of money that is available in this. And Dallas, because it is close to the border, because it has a tremendous airport and because it has got access to both coasts, which is attractive to legitimate business, makes it equally attractive to illegitimate business. And we have got to keep our DFW Task Force honed, ready to go. We have got to do the same thing at the other major airports in the area as well.

Mr. SESSIONS. I hear you suggesting rather clearly that because of the size of DFW Airport, because of the amount of cargo and traffic and passengers that comes through there, that this is the distribution channel obviously for these drug thugs and what they

are doing is putting people through and you are simply having to take a lot of your time and resources to check all of these people.

Mr. COGGINS. Right.

Mr. SESSIONS. Where else is it popping up? Is it probably somewhere else, and because you are having to concentrate your efforts here, are they using other distribution channels?

Mr. COGGINS. Oh, absolutely. You saw it from the case. The northern district of Texas is a huge district, and one of the points that the chairman made I think that is absolutely true, and that is that there is no drug that comes across the border that does not affect all of us in the area, and what happens is as more and more pressure is put on the border, they find alternate ways to try to get in. The 98 pounds of heroin that came into Lubbock, TX is a huge seizure of southwest Asian heroin and I think that was a response to the pressure put on the border, trying to find an alternate route into this country. Pressure put in DFW, they are going to try to get in through Lubbock or they are going to try to get in through some other airport out there. So it is a little bit like squeezing the balloon and that just shows you that we have to have multi-district cooperation. It is not a problem that can be addressed by any district by itself no matter how hard we work.

One of the things I am excited about, Congressman, as you know, a lot of my testimony was about the OCDETF concept. I think the OCDETF concept is an outstanding concept because it leads to not only cooperation within the northern district of Texas, but also cooperation between the northern district of Texas and the southern district of Texas and the western district, New Mexico, Arizona and California. We are attempting to streamline the OCDETF program now and one of the areas that is going to be concentrated on is the Southwest Border, broadly construed to include Dallas/Fort Worth. So we are going to be linked up with Los Angeles, San Diego, Albuquerque, Phoenix, Houston, San Antonio and Dallas/Fort Worth will all be linked in one OCDETF region. We are going to have more access to their information, we are going to share information, we are going to share techniques, we are going to make it so hot on these drug organizations that they know they cannot, if things get too hot in the northern district of Texas, try to sneak through another district.

Mr. SESSIONS. Interesting. So in other words, you would consider this creative process that you have established one that you would like to see broadened——

Mr. COGGINS. Absolutely.

Mr. SESSIONS [continuing]. And become—and probably the area you described would be linear, that it would go across the States of Texas, all across Texas, New Mexico, Arizona, all the way to California, to encompass our border.

Mr. COGGINS. Obviously, we have to share and we have to work with our colleagues in Oklahoma and States north as well, because there is a corridor straight up from the border, straight through Dallas/Fort Worth up to Oklahoma and States north too, for distribution. So what you find in Dallas is Dallas is just a very convenient place for people to transship goods and that is true for the drug organizations as well as anybody else, whether they are shipping them north, east or west, Dallas has become a major hub.

Mr. SESSIONS. My last question to you, Mr. Coggins, is could you please discuss with me—we have seen drugs around since—I am 42, you are probably about that same age, when I was in high school in the early 1970's, drugs were available. We do not seem to have put the stop to these.

Please talk to me a minute about how these drugs are aimed at children and how destructive they are, if you could.

Mr. COGGINS. Well, one of the things I touched upon is not just—drugs have always been aimed at children. They are always aimed at the most vulnerable people in society they can aim these at. Children have always been a primary target, and that is one of the reasons you see, for instance, people setting up near playgrounds, people hoping to induce the youngest and most vulnerable people in our society to get off on the wrong track, to throw their lives away because oftentimes children do not have that long view. As far as they are concerned, you know, the future is next week, if you go that far. Drugs prey upon that kind of attitude.

I think perhaps the most shocking thing that I have seen—because I was an assistant U.S. attorney in the early 1980's and we prosecuted drug crimes and I was in court a lot more then prosecuting the cases. We saw a certain level of defendant and, you know, our defendants were in their 20's or 30's. What is shocking now is that not only are drugs aimed at kids now, but kids are selling drugs to kids. The drug organizations, in their effort to evade punishment, are trying to recruit kids to push those drugs. So it is not uncommon for us now to have a cooperating individual sitting up in the stand on a trial describing the drug organization, describing who were the lookouts, who were the distributors, how much the drugs cost and that witness may be 15 years old. You have a kid selling drugs to kids. It has deteriorated that far and we have younger and younger defendants coming through the system getting their lives off track, and of course, a huge amount of deaths. One of the things I did not touch on here, we are talking about drug crimes here, but a lot of these drug organizations are directly responsible for homicides, dozens of homicides can often be laid at the feet of these drug organizations. They are willing to kill to protect the money they make. They are willing to kill our kids, they are willing to kill someone who gets in their way.

One of the things I think you are going to see and you have seen already is how united the communities are behind getting these drug dealers out, because nobody, nobody suffers from the drug trade as much as a parent who is trying to raise a kid in perhaps public housing or public assisted housing, who has a drug gang take over that public housing, and no matter how hard those parents work, they know that for every 1 of them, there are 10 dealers hanging outside that complex trying to sell drugs to their kids and saying hey, I am the most successful guy you see because I have got the biggest car and the flashiest watch and all the rest of it.

We literally have neighbors applauding the police departments, applauding the DEA for cracking down on these drug organizations, and moving them away from their kids.

Mr. SESSIONS. Thank you, sir. Mr. Chairman, I am through with my questions.

Mr. SOUDER. Thank you. I actually have what appears to be a minor victory in here I wanted to ask about. You said the availability and price of cocaine remains stable. In other words, you have not had an increase—what period of time is that?

Mr. COGGINS. That is probably the last couple of years.

Mr. SOUDER. Is the price down from where it was——

Mr. COGGINS. You probably need to check with the DEA, they keep the street prices for us.

Mr. SOUDER. In most of the country, we have had an increase in supply and decrease in price.

Mr. COGGINS. Right. There has been some decrease in price of drugs over time, but this is fairly short term.

Mr. SOUDER. But to some degree, the more you interdict and the more pressure you put on, one of the things which has happened in Peru, which is one of these good news/bad news stories, is that the good news is that as we have put the pressure on there, increasingly now farmers are actually coming to United States aid and U.N. forces, U.N. representatives, and saying what else can we plant, because they are not paying us enough. Because we forced them down at that level.

Mr. COGGINS. Uh-huh.

Mr. SOUDER. As we up the interdiction price, also however, we are seeing larger domestic consumption in those countries because they cannot get as much out.

I noticed one other—you had a case on page 13, you had nine defendants in the Diana Monsalve organization. What I thought was unusual about that, you do not usually see a female head. Is that something that you are seeing more of? You see females who are used by the Nigerians as transporters occasionally.

Mr. COGGINS. That was probably not the head of that organization, it was probably the highest person we caught in that organization. So that would be rare to see—in fact, I was thinking back, I don't remember a female actually being the top person in any of the drug organizations we indicted. I think we might have had some fugitives there and that is probably the highest level one we were able to apprehend.

Mr. SOUDER. I think your heroin case, for anybody that does not think it is important that the agencies coordinate like you described you are doing so well down here, I mean you have got—you start with a guy from Turkey with shipping containers from Romania of southeast Asian heroin. You also convicted a man from Vienna, Austria and from the Netherlands.

Mr. COGGINS. I can say this, the German Government was chasing the same people that we were chasing, and the case—it turned into cooperation. The case could have been prosecuted in Lubbock, TX, in San Francisco, CA or possibly New York City, and it was decided that Lubbock had probably the best evidence to go on, so we went in Lubbock. We were happy to do it, but it requires sitting down and deciding—and the German Government wanted a piece of them too, but it was decided Lubbock had the best case. We were proud to have done that case, it was a major type case. I would also like to commend the DEA in Dallas, because they were the first folks, the Dallas Division of the DEA, to get Abrego Garcia indicted and Carillo-Fuentes indicted as well, they were indicted first in

Dallas, then indicted in other places, and once they have two or three indictments against them, it is down to law enforcement deciding where the case can best be brought. So they have made big level cases, but most of these cases are not of that grandiose a scheme, but they are important cases because they are organizations. And as you will notice, we will have 25, we will have—we had a recent case that had 38 defendants.

We can do that in Federal court more easily than you can do it in State court. In fact, you really cannot do it in State court, it is not practical in Texas, so we are able to bring a case against 38 defendants. Now, we are obviously hoping not all 38 go to trial against us, we are looking at getting plea bargains from a substantial number of them, but we are aggressive. It does not do us any good to take one out, we are trying to take out the whole organization, if we can, from top to bottom. And then we will work with the State and the State will take some of those cases as well when we have an organization.

One thing I did not point out here that I would like to commend, and that is that in Dallas/Fort Worth, our major metropolitan areas, we get a certain view of what a big case is in Dallas. A big case in Dallas would be, you know, a large scale drug organization. But in some smaller towns in the northern district, their idea of what is a big case—and a case that may be plaguing their area, would not be considered a big case in Dallas, but it is a big case to them.

And it is still drugs, it is drugs aimed at their kids and they want those drug dealers off the street. DEA, and I am sure Julio will talk about this, has what they call the MET team, Mobile Enforcement Teams. We were able to put that MET concept into play in the Greenville area, brought a case in which we were able to indict 25. I believe by this point—we may have one fugitive, I believe all of them have either pled guilty or been found guilty at this point. And that drug organization had a major effect on Greenville. It might not have been considered a huge case by Dallas or L.A. or New York standards, but it was a huge case by their standards. We try to listen to those communities because the problem in drugs, as you gentlemen know, is not just in big cities, it is in all villages, communities, towns we have got in the country.

Mr. SOUDER. I want to followup with that and mix another question with that. One of the things that we constantly hear is that if all these efforts are taking down all these people and we are having such success, how come all the drugs are still there and we are still having all the problems. My ultimate question here is do you feel that you have had an impact on what would have happened had you not done these. One of the things we heard in Colombia, as we have taken down the major cartels there and changed it, it is easier to track the others partly because they are less efficient, less skilled and to some degree make more mistakes. In combining that with the question on your task force, as I know when I worked for Senator Coates a number of years ago, an interesting dilemma always occurs as to how far up the ladder you go, because often while you are going up the ladder, they are still selling the drugs to the kids and so people, particularly farther down the cycle, are

not real happy campers as you move up. But if you do not get the larger organizations, then somebody just steps in to replace them.

At what point do you make a tradeoff? My favorite example is a county attorney in Richmond, IN, Indianapolis, which is a larger metro area and then feeding into a larger case, they were working on somebody who it turned out was the key person in Richmond, ultimately the trigger was pulled by a county attorney outside that central Indiana jurisdiction because it was the biggest drug bust that had ever occurred in Wayne County, IN and he was very concerned that they were taking too long. On the other hand that spoiled the Indianapolis tracking and the national tracking, but the reaction over in this town was, hey, we have got this guy, they have been working on this several years and drugs were pouring into our schools. At least now it will move to another city.

How do you deal with those kind of things? It is easy to talk about cooperation but when money and that problem occurs, prosecution, it is hard.

Mr. COGGINS. It is difficult and you are right, it is always a balance as to when you move and when you take somebody out and when you continue gathering intelligence. I mean every once in awhile our hand will be forced, you know, we will hear that someone is going to whack somebody and we have got to move in and stop it at that point. But this is where OCDETF comes into play in its most beneficial form. And that is that we are not just sitting there, a bunch of Federal agencies deciding when we are going to take it, we are going to have the Dallas Police Department there, we are going to have the Tarrant County Police Department there, the Richardson folks are going to be there. We want the police departments to know that we are not there to take the best cases, to take all the good cases, but to make a reasoned determination among law enforcement as to where the cases ought to go and how long we ought to work to develop those cases. So that they are part of the planning of this whole thing.

And I can tell you this, we meet on a regular basis, we meet once a month. We have had our differences of opinion, but in my 4 years as U.S. attorney, we have never been unable to work that out with a district attorney or with a chief of police, because their interest is the same as our interest and that is to do the maximum—make the maximum impact we can on the drug problem in our area, and we have always been able to work it out and like I said, farm out certain cases to the district attorneys who have been eager and willing to take them, handle the others federally, and my theory, quite frankly, is, you know, I have never had a fight with a DA over a case. If a DA ever says I want to take the case, I say more power to you, that is great, because about 95 percent of the cases brought in the country are brought by DAs. As you guys know, Federal enforcement is a small subset of that. We ought to only take those cases that it makes more sense, either because we can join more defendants, because of jurisdictional issues or because of more bang for the buck at the sentencing.

But in terms of moving, I can imagine a situation where they would want to move before we wanted to move, but the bottom line is they are a separate sovereign and if they decide to do that, they can do that. What we do in OCDETF is we try to sit down at a

table like this and work out our differences and we have had tremendous success in working out our differences here. And that's a tribute really not only to the Federal agencies, but to the chiefs of police we have got here and the district attorneys we have got here, who have exactly the same interest we do, and that is maximum bang for the buck.

Mr. SOUDER. I have one last question and that is also a difficult question to sort out here, but I kind of wanted to get your read on it. I think every law enforcement official in the country, regardless of where they are at in this wants to see more cooperation as we see not only that international example but in Indiana we are heavily hit with the transit things coming through here and Nogales, AZ and other places. And more and more that information is getting up on linkage networks and much more sharing, which sounds really good except when you see what is happening in Mexico where they have had incredible penetration and increasingly in the United States if that information is shared all over the country we are going to be subject and vulnerable to penetration as well.

How do you balance or do you have any sage advice as we look at these national information connection systems to make sure that the information stays secure?

Mr. COGGINS. Well, you know, obviously the FBI and the DEA have huge computer systems with a lot of information plugged in about international drug trafficking organizations. And I'm sure that is pretty closely held. We have to worry not so much, Congressman—I understand that we can always be penetrated, but there is—I do not know if you folks have had a chance to visit the El Paso Intelligence Center but if you have not had an opportunity to visit down there, I think it would be well worth your while to go down to EPIC and to see the kind of incredible intelligence setup they have there.

One of the things that we worry about in law enforcement in the northern district, it impacts your question a little bit, and that is not even necessarily intentional divulging of information, but unintentional divulging of information. If you do not have the secure transmission channels that—some law enforcement agencies can afford them and some do not have them. So I think one of the things we have to do when we are involved in OCDETF investigation, is to try to make sure that the law enforcement agencies, whether they are Federal or State or local have secure channels for transmitting information, because if they do not—and we have had this happen, we have had cases where we were moving in with arrest and search warrants in a place and we will see the news trucks pull up ahead of the agents to get there, and they have obviously picked this up off some radio transmission that was not secure. So we have security concerns, and I think that is an area where we have got to—if we have a player on the team, if we have an agency on our team, we have got to make sure that agency understands how important it is to keep these things secret, because lives are at stake, not just cases, but lives are at stake if it is not—and No. 2, that they have got the equipment.

All our OCDETF agencies, all our OCDETF workers have background checks that they go through and we are very blessed to have tremendously qualified law enforcement agencies, so I am

more worried about the unintentional than the intentional right now, but I do agree with you that we are going to have to worry more and more about the intentional, because as I said, the drug trafficking cartels will stop at nothing. If they will kill people to practice their trade, they will sure as heck bribe or try to obtain confidential information. All I can tell you is that the way we have got to do that is to make sure that every player on the team goes through an extensive background check, understands the importance of keeping whatever information we have and we share confidential and making sure they have the equipment that will keep it so.

Mr. SOUDER. Do you have any additional questions?

Mr. SESSIONS. I do not, Mr. Chairman, except a comment and I want to just say thank you so much for taking time out of your day to be here for this important event.

Mr. COGGINS. Thank you.

Mr. SOUDER. I want to say the same and while a lot of people are critics that we have not solved the problem, there would be a lot more kids dead if you had not done the work that you have done and we appreciate that very much.

Mr. COGGINS. Thank you.

Mr. SOUDER. At this time, I would like to introduce our second panel, if you could come forward. Donnie Marshall serves as Chief of Operations for the Drug Enforcement Administration. Mr. Marshall is a native of Dallas and previously served in the DEA offices in Dallas, Houston and Austin.

Julio Mercado is a Special Agent in Charge of the Dallas Field Division of the Drug Enforcement Administration. He is also a member of the Greater Dallas Crime Commission, Texas Police Chiefs Association and the Texas Narcotics Officers Association.

I thank you both for being here today. Now that I have had you sit down, in accordance with House rules, will you stand, we must swear you in. Would you please raise your right hands.

[Witnesses sworn.]

Mr. SOUDER. Mr. Marshall, go ahead with your statement.

STATEMENTS OF DONNIE R. MARSHALL, CHIEF OF OPERATIONS, DRUG ENFORCEMENT ADMINISTRATION; AND JULIO F. MERCADO, SPECIAL AGENT IN CHARGE, DALLAS DIVISIONAL OFFICE, DRUG ENFORCEMENT ADMINISTRATION

Mr. MARSHALL. Mr. Chairman, Congressman Sessions, thank you. I sincerely appreciate the opportunity to appear here today to address the drug trafficking problem in the Western Hemisphere as well as northeast Texas. I have submitted a complete written statement for the record and I will try in my comments this morning to briefly summarize that complete written statement.

Before I proceed, I would like to thank the committee, you, Mr. Chairman, Mr. Sessions and the complete subcommittee for your support of the anti-drug program of the U.S. Government and specifically drug law enforcement and DEA. You have done a tremendous job in helping us do our jobs.

My comments this morning will be an assessment of the threat from organized criminal groups from primarily Mexico and Colom-

bia and the effect that they have on the United States. Although the Colombian traffickers still control cocaine production and much of the cocaine trafficking in the Western Hemisphere, the sophisticated and organized criminal groups in Mexico have really eclipsed the Colombian drug traffickers in recent years, especially in the Western and Southwestern United States. The leaders of these Mexican and Colombian groups are simply the 1990's version of traditional organized crime syndicates that United States law enforcement agencies have fought since the turn of the century. These new groups, however, are far more sophisticated, ruthless, powerful and wealthy than the traditional organized crime families that we have combatted in the United States.

Since the early 1970's, drug traffickers from Colombia have been using the Caribbean corridor and routes through south Florida to smuggle massive quantities of cocaine and marijuana into the United States. With increased law enforcement pressure and presence in the Caribbean, south Florida and Colombia, the Colombian trafficking organizations were forced in recent years to turn to experienced Mexican drug smuggling organizations to move their products to American markets through Mexico and the Southwest Border of the United States.

A few years ago, the Mexican transportation organizations changed the way that they charged the Colombian organizations for their services. They had previously been paid a set fee for smuggling a certain amount of narcotics through Mexico and into the United States and recently they began receiving payment for their services in the form of cocaine rather than cash. And by doing so, they vastly increased their profits, because they were able to set up their own distribution networks in the United States and profit more from selling the cocaine than from a flat fee for smuggling that cocaine. And with this increased wealth came the power to corrupt, intimidate, murder and bribe law enforcement and public officials on both sides of the border. The traffickers then adopted, the Mexican traffickers adopted the Colombian sales system which compartmentalized and insulated each function of their organization.

The majority of the cocaine entering the United States continues to come from Colombia through Mexico and into the United States. In addition, the organizations from Mexico are responsible for producing and trafficking thousands of pounds of methamphetamine annually. Many of the leaders of these Mexican organizations are under indictment in the United States on numerous charges. I will spend just a few minutes to describe some of these major organizations for you.

The first of these organizations is the Amado Carrillo-Fuentes organization. Until July 4 of this year, when he died following plastic surgery to hide his true identity, Amado Carrillo-Fuentes was the wealthiest and most powerful drug trafficker in Mexico and perhaps in the world. There appears to be no real clear heir apparent within the organization to replace Amado. His death will very likely create some degree of disruption, perhaps total chaos, we are hoping, in his organization, and among other traffickers battling for his turf.

The Benjamin Arellano-Felix organization is headed by Benjamin Arellano-Felix and he operates in connection with his brothers. He is the head of a major trafficking organization that operates in Tijuana; Baja, CA and parts of the Mexican states of Sinaloa, Sonora and Jalisco. This organization is the most violent of the Mexican trafficking organizations and this organization was involved in the murder of Cardinal Posadas-Ocampo at the Guadalajara Airport in 1993. The Arellano-Felix signature for violence is not only assassinating but torturing and dismembering their victims to send strong messages to others who may cross them.

The Miguel Caro-Quintero organization is another very powerful organization and the focus of this organization is trafficking primarily in cocaine and marijuana. Miguel Caro-Quintero's brother is currently jailed in Mexico for his role in the murder of DEA Special Agent Enrique Camarena in 1985. The organization, however, continues to operate and they continue to specialize in marijuana trafficking, cocaine trafficking and to some degree are involved in methamphetamine trafficking.

The Jesus Amezcua-Contreras organization is based in Guadalajara. This organization is currently the world's largest smuggler of ephedrine and the largest clandestine producer of methamphetamine in clandestine laboratories not only in Mexico but also in the United States.

Joaquin Guzman-Loera began to make a name for himself in his drug trafficking career as an air and logistics expert for Miguel Felix-Gallardo, and although Joaquin is presently incarcerated in Mexico, his brother Arturo assumed leadership of this organization. This organization remains very active in Mexico, transporting cocaine from Colombia into Mexico, through Mexico, across the Southwest Border and into the United States, and they operate for the remnants of the Cali and Medellin cartels. This organization also smuggles Mexican marijuana and Mexican and southeast Asian heroin through Mexico into the United States.

The violence that has long accompanied the drug trade is really evidenced now more than ever in Mexico, although it is not yet to the degree that was seen in Colombia in the mid and late 1980's. The Arellano-Felix organization, which I briefly described is in fact considered the most violent and ruthless of the Mexican crime families and they maintain well-armed, well-trained security forces, which the Mexican authorities describe as para-military in nature and say that they've seen evidence that these security forces include international mercenaries as advisors, trainers and members.

Drug violence, we have seen, is even spilling across the border into the United States, as these traffickers become more bold, brazen and violent in carrying out their mandate. The majority of the 200 murders in Tijuana, Mexico last year are believed to have been drug related. There have been about 28 high profile drug-related assassinations in Mexico since 1993 and unfortunately many of these murders remain unsolved.

At about this time last year, the violence along the United States and Mexico border exploded with increasing reports of American property owners under siege by armed traffickers. Fences were destroyed, livestock were butchered, random gunshots were fired into the homes of some ranchers who reported seeing armed traffickers

from Mexico with night vision equipment and communication devices, protecting the movement of drugs into the United States. Increased law enforcement presence here in Texas along the Texas/Mexico border, fortunately have resulted in a diminishing number of reports of this type of violence over the last year.

During the last year also, instances of violence directed at U.S. law enforcement personnel have escalated along the Southwest Border. In April of this year, two inspectors from the United States Customs Service assigned to the Calexico Port of Entry were shot after directing a vehicle, which was loaded with marijuana, into a secondary inspection. At least three separate incidents in recent weeks, Border Patrol agents have reported receiving fire from Tijuana and on one occasion in May, a gunman from Mexico fired several rounds from the Mexican side of the border into the United States at the San Ysidro Port of Entry and the shot was fired into a United States Border Patrol vehicle, injuring the Border Patrol agent. So these are some of the examples of the violence that we are seeing spilling over into the United States.

Drug violence also continues to escalate in Mexico, it threatens DEA agents there, it threatens their families and DEA efforts in Mexico. Threats against DEA and other United States officials have escalated in Mexico and along the border. Since September 1996, DEA has documented six specific incidents involving threats against our own agents.

Consequently, in September 1996, DEA established a Mexico Threat Assessment Working Group, which consists of all members of United States law enforcement at the Federal level, as well as intelligence community members. This group seeks to consolidate at a single point all information on potential threats against either United States nationals or host country nationals in Mexico and along the Southwest Border. Since its inception in September 1996, this group has dealt with over 40 threats against Mexican and United States law enforcement officials.

DEA is seeing the emergence of new trends, distribution networks, methods of operation among the international players against whom we focus our investigations. The Mexican trafficking organizations now control illegal drug trafficking along the United States/Mexico border, the Western part of the United States and well into the Midwest part of the United States, especially as it relates to methamphetamine trafficking. For the first time, we are even seeing Mexican transportation groups delivering cocaine to Colombian and Dominican trafficking groups in New York City, a territory that was traditionally controlled solely by the Colombian trafficking groups.

In order to protect and shield America's Southwest Border, the DEA and FBI have launched into what we call the Southwest Border Initiative, which targets the leaders of the major Mexican trafficking groups that live in Mexico and control the heroin, cocaine, methamphetamine and marijuana trafficking on both sides of our common border. This strategy is designed to dismantle the criminal groups from Mexico by targeting their command and control functions and building cases against their United States-based infrastructure. This strategy combines the resources of DEA, FBI, the U.S. attorney's office, the High-Intensity Drug Trafficking Area

program or HIDTA, the OCDETF program, which Mr. Coggins has already described, the U.S. Customs Service and our many, many partners in State and local police departments along that Southwest Border. The effectiveness of this strategy is only hampered by the difficulty in incarcerating the leadership of these drug trafficking empires who hide in foreign safe havens like Colombia and Mexico.

I know that the chairman of the subcommittee, Congressman Hastert, has an interest in the question of extradition from some of these countries. And from my own personal experience with Colombia in the mid-1980's, I can tell you that one of the things that the traffickers most fear in these foreign countries is being returned to the United States and brought before the U.S. criminal justice system where they cannot buy their way out of conviction, where they cannot buy their way out of prison, where they cannot live in the lap of luxury in prison. And it is my belief that for the brief time that we were able to extradite major drug traffickers from Colombia in the 1980's, it was that tool, in my opinion, that led to the beginning of the downfall of the Medellin and then the Cali cartels, and I believe that it started with the extradition of the most notorious criminal, Carlos Lader, who is still incarcerated, as a matter of fact, in a maximum security prison in Marion, IL. So this is a tremendous tool and I thank the chairman of the subcommittee for his interest in helping us get this tool back.

Organized criminal groups, whether they are headquartered in Cali, Medellin, Sonora or whether they are home-grown versions that prey on people in Dallas, Oklahoma City and other United States communities, significantly affect the American way of life. These international traffickers have acted with impunity for many years and they believe that they are beyond the reach of U.S. law enforcement. The attacks on American law enforcement and citizens along our Southwest Border and in our cities and towns must continue to be met with coordinated investigative strategies that will hopefully ultimately lead to the demise of these organizations and their organized crime and its destructive influence in our communities across the United States.

I would like now to turn to Mr. Mercado, Special Agent in Charge of DEA's Dallas Division, who will discuss local trends and the steps that DEA is taking here in north Texas and Oklahoma to address the drug trafficking situation.

Mr. MERCADO. Thank you, Donnie. Mr. Chairman, members of the subcommittee, I appreciate the opportunity to appear before you today to address the drug trafficking in northern Texas and Oklahoma.

The criminal activities of the Colombian and Mexican criminal groups and their surrogates in the United States are affecting not only our Southwest Border areas but major American cities such as Dallas and Oklahoma City.

Dallas is located at the junction of four major United States interstate highways, allowing easy access to Mexico and neighboring United States. This superior transportation offers many opportunities for the international drug traffickers from Colombia and Mexico, who have used the area to facilitate the movement of drugs, through distribution networks located throughout the Mid-

west and into the Northeastern portion of the United States. Wherever these sophisticated organized crime groups spread their tentacles, violence follows.

Colombian and Mexican criminals are allies in supplying cocaine to the Dallas region. Prior to the Mexican trafficking groups dominating the wholesale cocaine trade in the Western half of the United States, Dallas was being used as a transshipment point for South American cocaine. Mexican trafficking organizations would smuggle cocaine across the border and into Dallas, where it turned it over to traffickers from Cali, Colombia, for further distribution to the United States.

As early as 1994, DEA seized 3,600 pounds of cocaine with over a ton of marijuana from warehouses being used to stage deliveries. During 1996, the DEA Dallas Division seized 250 kilograms of cocaine from Colombian traffickers shortly after it had been transferred to them from a Mexican trafficking group. Since the Mexican criminal families have come to dominate much of the wholesale cocaine market, they continue to use Dallas as the warehousing and transshipment location for their own cocaine shipment.

Heroin abuse has sharply increased in many parts of the country and Dallas, after seeing a decline in 1994, is experiencing a steady increase in abuse, about a 24 percent increase in heroin-related emergency room episodes. Dallas has seen an 18 percent increase in drug overdose deaths attributable to heroin from 1994 to 1997. Mexican black tar heroin is the heroin of choice in the Dallas region, with deadly effects.

Prices range from the $250–$300 at the retail gram level up to $80,000 to $175,000 per kilogram. Black tar heroin has hovered around 10 percent purity on the retail level in Dallas, among the lowest level of purity in the Nation, where average purity for generic heroin is around 40 percent.

Methamphetamine. Within the last several years, the problem of methamphetamine production, trafficking and use has significantly increased. The methamphetamine problems had previously been isolated to places like California and some rural areas where outlaw motorcycle gangs had operated small labs and supplied small quantities of methamphetamine. However, during the last several years, drug trafficking from Mexico has taken over the meth trade and have expanded it significantly, increasing not only the supply of methamphetamine, but the violence associated with the trade.

Clandestine labs operating in Mexico and in the United States under the control of powerful Mexican criminal groups are the primary source of methamphetamine rapidly invading our country. These groups are directly responsible for the hundreds of pounds of methamphetamine being sold monthly in the Dallas metropolitan area. Mexican groups typically establishing large clandestine labs to turn out 150 to 200 pounds of methamphetamine in a single 48-hour production cycle, are operating on a much larger scale than the pure domestic mom and pop laboratories which produce from a few ounces to several pounds at a time.

Tragically, once peaceful Midwest and Southwest communities are now absorbing the terrible brunt of the methamphetamine damage.

Some of the Mexican groups involved in this drug trade are well known. The Amezecua-Contreras, the organization once run by the late Amado Carillo-Fuentes and the Arellano-Felix organization. The Amezecua organization is the most formidable of all the Mexican methamphetamine trafficking groups running super labs in Mexico and in California with ephedrine smuggled in from China and Europe.

The Dallas Field Division has seized in excess of 111 meth- amphetamine labs in 1997, mostly in Oklahoma. These laboratories used two primary synthesis methods, the red phosphorous or the pseudoephedrine reduction method, commonly used by traffickers from Mexico.

I made the same mistake.

Mr. SESSIONS. I thought you did a great job. [Laughter.]

Mr. MERCADO. Violence attendant to the drug trade. When many Americans express frustration about the problems of drug trafficking and violent crimes in their communities, they focus their attention on what is visible to them; the crack dealer on the corner, or the police officer murdered on the nightly news. They seldom associate these realities as an extension of organized crime group activity of the drug traffickers based on foreign soil. These international trafficking organizations employ thousands of surrogates in ideal transshipment cities like Dallas to distribute and sell drugs in American cities and towns. Many of these traffickers are gang members who have affiliated with national known and prominent street gangs such as the Bloods, the Crips and the Latin Kings.

When street gangs serve as surrogates for foreign crime lords, actively distributing drugs on the street, drive-by shootings, murder, robbery and assault become commonplace. This level of drug-related violence, once limited to the inner cities and urban areas is now being experienced in the rural areas of Dallas and Oklahoma.

DEA has addressed the relationship between drug trafficking and violent crimes through our Mobile Enforcement Team Program, which is called the MET. When invited by local police departments, the MET program sends in a team of investigators, specializing in the dismantling of violent drug gangs.

There are now 19 teams located across the country which can be sent anywhere drug gangs are responsible for high crime rates and few crimes are being solved.

The MET program, which was fully funded by Congress in fiscal year 1997, is based on the belief that those who distribute drugs on the streets of the United States and commit violent activities are part of a seamless international continuum of drug trafficking organizations headquartered in Colombia, Mexico and southeast Asia. The Dallas Division's MET team was established in December, 1994, and has successfully completed seven deployments in Paris, Greenville, Tyler and Arlington, TX resulting in the arrest of 156 individuals and seizing significant amounts of methamphetamine and crack cocaine, as well as $216,324 in U.S. currency.

Mr. Chairman and members of the subcommittee, the current situation in the Dallas Division and other areas of the United States is serious and must continue to be addressed vigorously.

We would like to thank you again for the opportunity to testify at this hearing and hope that we have left you with a clear under-

standing of the drug trade in the United States and how it is impacted by the organized international criminals that control the vast majority of the trafficking networks that are based in Mexico, Colombia and the tentacles throughout the United States. In particular, we hope we have left you with an understanding of the drug situation in the Dallas Division. With your continued interest and support, we will combat this growing threat through joint investigations and efforts that will yield positive results. We will be happy at this time to answer any questions, sir.

[The prepared statement of Mr. Marshall and Mr. Mercado follows:]

Statement of
Donnie Marshall
Chief of Operations
and
Julio Mercado
Special Agent in Charge-Dallas Divisional Office
Drug Enforcement Administration
before the Subcommittee on National Security,
International Affairs, and Criminal Justice
July 21, 1997

Mr. Chairman, Members of the Subcommittee: I appreciate the opportunity to appear before you today to address drug trafficking in the Western Hemisphere and specifically Northeast Texas' Efforts in the War on Drugs. As the DEA Chief of Operations, my comments today will entail an objective assessment of the threat that we face in the United States from the organized criminal groups from Mexico and Colombia who control the drug trade in the Western Hemisphere and the effect they have on our day-to-day lives in the United States . I will provide an overview of these criminal trafficking organizaticns which control the manufacture, smuggling and distribution of much of the cocaine, heroin, and methamphetamine in the Western Hemisphere. I am accompanied by Mr. Julio Mercado, the Special Agent in Charge of the Dallas Division, who will discuss steps DEA is taking to address the drug trafficking situation in North Texas and Oklahoma.

Although Colombian traffickers still control and facilitate significant portions of the cocaine trafficking in the Western Hemisphere, the sophisticated, organized criminal groups from Mexico have eclipsed the drug trafficking criminals from Cali and Medellin, Colombia, as the greatest law enforcement threat facing the United States today. The leaders of these groups--the Amezcua's, Miguel Caro-Quintero, the Arrellano-Felix brothers, and until two weeks ago, Amado Carrillo-Fuentes in Mexico--are simply the 1990s versions of the traditional organized crime leaders that U.S. law enforcement has fought to dismantle since the turn of the century. But the influence of American organized

crime pales in comparison to the violence, corruption and power that is exhibited by today's criminal syndicate leaders.

In the 20th Century, "Traditional Organized Crime" in America rose to what was then considered unparalleled heights. These organizations were built around a hierarchy of leaders and members of immigrant background rooted on American soil. From our earliest exposure to "Traditional Organized Crime," a common thread has been and continues to be the violence with which these organizations are operated, expanded, and controlled. But these organized criminal groups pale in comparison to the organized crime groups from Mexico and Colombia. The "new mobsters" are far more wealthy, powerful, and violent than their predecessors.

The Colombian and Mexican Drug Trafficking Alliance

Since the early 1970s, drug traffickers from Colombia have been using the Caribbean corridor and routes through South Florida to smuggle hundreds of tons of cocaine and marijuana into the United States. As a result of their growing notoriety and brazen actions throughout this region, law enforcement attention to the activities of the Colombians intensified. With increased law enforcement presence and enforcement in the Caribbean and South Florida, the Colombians were forced to turn to experienced Mexican drug smugglers to move their products to American markets through Mexico.

The Mexican transportation organizations began receiving payment for services rendered in the form of cocaine rather than cash, sometimes commanding up to one-half of each shipment being transported across the U.S. border, and turned over to Colombian distribution networks. This arrangement created opportunities for the Mexican trafficking groups to develop their own drug distribution networks and exponentially increase their profits. With this increased wealth came the power to corrupt, intimidate and murder. The traffickers from Mexico emulated the methods of operation the Colombians have used so successfully for the last decade and a half. They became more structured in their organizations by adopting the Colombian "*Cell System*," which compartmentalized and insulated each function of the organization.

The majority of the cocaine entering the United States continues to come from Colombia through Mexico and across the U.S.-Mexico border. In addition to the inexhaustible supply of cocaine entering the U.S., trafficking organizations from Mexico are responsible for producing and trafficking thousands of pounds of methamphetamine annually. A number of major trafficking organizations represent the highest echelons of organized crime in Mexico. The leaders of these organizations are under indictment in the United States on numerous charges. In order to fully expose these individuals, it is beneficial to refer to them by name rather than by organization affiliation.

Amado Carrillo-Fuentes

Until July 4, 1997, when Amado Carrillo-Fuentes died in Mexico City from medical complications following plastic surgery to hide his true identity, he was considered the most powerful trafficker in Mexico. Carrillo-Fuentes allegedly had ties to the former Commissioner of the INCD in Mexico, Gutierrez-Rebollo and was supplied by the Rodriguez-Orejuela syndicate in Colombia. This organization, based in Juarez, is involved in the trafficking of cocaine, heroin and marijuana, with regional bases in Guadalajara, Hermosillo, and Torreon, where drugs are stored in staging areas in and around El Paso, for eventual shipment into the United States. Carrillo-Fuentes' organization generates billions of dollars a year in illegal profits and was reportedly forwarding $20-30 million dollars to Colombia for each major cocaine smuggling operation. At the time of Carillo-Fuentes's death, his organization had become so powerful that he was seeking expansion into the traditional Colombian strongholds on the East Coast of the United States.

Amado Carrillo-Fuentes was a pioneer in the use of "727" aircraft to transport cocaine from Colombia to Mexico. He became known as "Lord of the Skies" and reportedly owned a fleet of aircraft and had major real estate holdings. Carrillo-Fuentes was the subject of more than 25 separate Mexican and U.S. investigations and had been indicted twice in Miami and once in Dallas, Texas, on charges including conspiracy to distribute cocaine, heroin, and marijuana.

Amado Carrillo-Fuentes and his brother, Vicente Carrillo-Fuentes were indicted in the Dallas Division in 1993 based on intelligence information that was

received by a co-defendant upon the delivery of 60 kilograms of cocaine. Undercover Agents had negotiated for a 100 kilogram load of cocaine to be delivered to the Dallas area from El Paso, Texas. The DEA investigation into this trafficking organization revealed that the 100 kilogram quantity of cocaine was being negotiated by Vicente Carrillo-Fuentes on behalf of Amado.

At the present time, there appears to be no heir apparent within the organization to replace Amado, but certainly his death will create chaos in his organization and among other traffickers battling for his turf. From his base in Ciudad Juarez, across the border from El Paso, his organizational infrastructure developed roots deep into the state of Texas as well as many other Midwestern and Western states.

The Arellano-Felix Brothers

Benjamin Arellano-Felix is the head of this trafficking organization that operates in Tijuana, Baja California, and parts of the States of Sinaloa, Sonora, Jalisco, and most recently, Tamaulipas. Benjamin coordinates the activities of the organization through his brothers; Ramon, Javier and Francisco. They are arguably the most violent of the Mexican trafficking organizations and were involved in the murder of Cardinal Posadas-Ocampo at the Guadalajara Airport in 1993. Part of the Arrellano-Felix's signature for violence is not only in carrying out assassinations, but torturing and dismembering their victims to send strong messages to others who would cross them in their trafficking operations.

Miguel Caro-Quintero

The focus of Miguel Caro-Quintero's organization is on trafficking in cocaine and marijuana. His brother is currently jailed for his role in the murder of DEA Special Agent Enrique Camarena in 1985. Miguel runs the organization with his two brothers ---Jorge and Genaro--- specializing in the cultivation, production, and distribution of marijuana; a major cash crop for the trafficking organizations from Mexico. This organization is believed to own many ranches in the northern border State of Sonora, from which drug smuggling operations into the United States are staged. Despite the organization's specialization in

marijuana trafficking, like many of the other trafficking organizations in Mexico, they are also involved in the trafficking of cocaine and methamphetamine.

Jesus Amezcua

The Amezcua-Contreras brothers organization is based in Guadalajara, Mexico and is headed by Jesus Amezcua, assisted by Adan and Luis. They currently are the world's largest smuggler of ephedrine and clandestine producer of methamphetamine. The Amezcua organization obtains large quantities of the precursor ephedrine, utilizing contacts in Thailand and India, which they supply to methamphetamine labs in Mexico and in the United States.

Joaquin Guzman-Loera

Joaquin Guzman-Loera began to make a name for himself in his drug trafficking career as an air and logistics expert for Miguel Felix-Gallardo. He was able to rise the *Patron* level among the major trafficking organizations in Mexico. Although he is presently incarcerated in Mexico, Guzman-Loera is still considered a major threat by both the United States and Mexican law enforcement. His brother, Arturo has assumed the leadership role and the organization remains active in Mexico, along the Southwest border, in the Western and Midwestern regions of the U.S., as well as in Central America. They transport cocaine from Colombia, into Mexico and the United States, for the remnants of the Cali and Medellin Cartels. The organization also has involvement in the smuggling, storage, and distribution of Colombian cocaine, Mexican marijuana, and Mexican and Southeast Asian heroin.

The Effect of International Organized Crime in Mexico and the United States

The violence that has long been attendant to the drug trade is evidenced in Mexico, although not yet to the degree that it has been seen in Colombia. Increasingly, this violence is spilling across the Mexico-U.S. border as traffickers become more brazen and violent in carrying out their mandate of terror and vengeance. The level of violence that is being experienced in Mexico has a direct

effect on the United States. Violence permeates every level of the trade. The Arellano-Felix organization is considered the most violent of the Mexican crime families, extending its tentacles from Tijuana to the streets of San Diego. This organization maintains well-armed and well-trained security forces, described by the Mexican enforcement officials as paramilitary in nature, including international mercenaries as advisors, trainers and members.

The majority of the 200 murders in Tijuana last year are believed to have been drug-related. There have been 28 high-profile drug-related assassinations in Mexico since 1993: many of these murders remain unsolved.

About this time last year, the violence along the U.S.-Mexico border exploded, with reports of American property owners under siege by armed traffickers smuggling drugs into the U.S. Fences were destroyed, livestock butchered and random gun shots were fired into homes of ranchers, who reported seeing armed traffickers in Mexico with night vision equipment and communications devices protecting the steady stream of smugglers into the United States. Increased law enforcement presence in these areas has resulted in diminished reports of violence over the last year, but similar violence in other areas continues.

During the last year, instances of violence directed at U.S. law enforcement have also escalated on and around the Southwest border. In April, two Inspectors from the United States Customs Service assigned to the Calexico Port of Entry were shot, after directing a marijuana-laden vehicle to secondary inspection. Officers of the United States Border Patrol regularly report receiving rifle fire from residences on the Mexican side of the border. In at least three separate incidents in recent weeks, Border Patrol Agents have reported receiving fire from Tijuana, and on one occasion in May, a gunman from Mexico fired several rounds from the Mexico side of the San Ysidro Port of Entry, into a U.S. Border Patrol vehicle, injuring the Agent.

Violence directed by the Mexican trafficking organizations continues to surge in Mexico, threatening DEA Agents, their families and our efforts. Threats against DEA and other U.S. officials have escalated in Mexico and along the border. From September 1996, until the present, DEA has documented six

specific incidents involving Agent personnel, two of which have warranted temporary relocation.

Consequently, in September 1996, DEA established the Mexico Threat Assessment Working Group of U.S. law enforcement and intelligence community members. The goal of the Working Group is to ensure that all information on potential threats against either U.S. nationals or host officials in Mexico and along the Southwest Border are consolidated at a single point and handled appropriately. Since its inception, over forty threats against Mexican and U.S. law enforcement officials have been documented. Several of these threats were believed to be serious enough to warrant relocation of affected law enforcement officials from their posts of duty.

The Emergence of New Trafficking Threats to the Western Hemisphere

The drug trafficking arena is in a constant state of change; restructuring organizations, adapting to law enforcement efforts, responding to demand, and incorporating new trafficking groups that bring specialties or advantageous distribution networks to the trade. The cocaine trade in the Western Hemisphere, and most specifically the United States, is experiencing a significant transformation. The Mexican trafficking organizations now control operations along the U.S.-Mexico border, the Western coast of the U.S. and well into the Midwest of the United States. For the first time, we are seeing Mexican transportation groups delivering quantities of cocaine to Colombian and Dominican trafficking groups in New York City. We also have reports that the Amado Carrillo-Fuentes organization is aggressively seeking to gain a foothold in the lucrative East Coast marketplace. With the death of Amado Carillo-Fuentes and the imprisonment of the Cali leaders, the DEA is seeing the emergence of new trends, distribution networks and methods of operation among the international players on whom we focus our investigations.

Protecting our Borders and the Heartland

To shield America's Southwest border the DEA and the FBI have launched the Southwest Border Initiative (SWBI) which targets the leaders of the major

Mexican trafficking groups that live in Mexico, and control the cocaine, heroin, and methamphetamine on both sides of the border. This strategy is designed to dismantle the sophisticated leadership of these criminal groups from Mexico by targeting their command and control functions and building cases on the surrogate members and their U.S.-based infrastructure. The SWBI is anchored in our belief that the only way to successfully attack any organized crime syndicate is to build strong cases on the leadership and their command and control functions. With the assistance of foreign governments, the long-term incarceration of the leadership will leave entire organizations in disarray.

This strategy now combines the resources of the DEA, the Federal Bureau of Investigation (FBI), the United States Attorneys' Offices, The High Intensity Drug Trafficking Area Program (HIDTA), the United States Customs Service (USCS), and a host of State and local counterparts. Through this initiative we have been able to harness the investigative, intelligence and operational functions of all of these members to coordinate joint investigations against these drug trafficking organizations. The effectiveness of this strategy is only hampered by the difficulty of incarcerating the leadership of these trafficking empires who hide in foreign safe havens like Colombia and Mexico. By continuing to target the leadership and the infrastructure of these groups, we will steadily degrade their abilities to conduct their business in the United States.

Organized criminal groups, whether they are headquartered in Cali or Sonora or the homegrown versions that are predators in Dallas, Oklahoma City, and other cities and communities, significantly effect the American way of life. The interests and concerns of these heinous criminals lie in the advancement of their criminal enterprises, and wealth that they can derive from plying their trade. They will resort to violence, intimidation, kidnaping, and murder to accomplish their goals.

These international traffickers have acted with impunity for many years and believe that they are beyond the reach of law enforcement. This arrogance extends into their drug enterprises in the United States. As we have seen with the Arrellano-Felix brothers, these violent traffickers send assassins from Mexico into San Diego to exact their revenge on those who do not pay their drug debt or who cooperate with our efforts to put an end to their reign of terror. The brazen attacks on American law enforcement along our Southwest border and in our cities and

towns must not be tolerated and must continue to be met with coordinated investigative strategies that will ultimately lead to the demise of international organized crime and its destructive influence on our streets.

Applying a multi-agency approach to attack these organized trafficking groups will continue to be our strongest asset in dismantling the organized criminal syndicates that control the drug trade in the U.S. We must continue working with foreign counterparts to target the upper echelon criminal leaders, as well as their surrogates who bring violence to our communities as they sell poison to our children.

My colleague, Special Agent in Charge of the Dallas Division Julio Mercado, will now discuss local trends and steps DEA is taking to address the drug trafficking situation in North Texas and Oklahoma.

Drug Trafficking in North Texas and Oklahoma

The criminal activities of the Colombian and Mexican criminal groups and their surrogates in the U.S. are affecting not only our Southwest border area but major American cities, such as Dallas and Oklahoma City. The Dallas/Forth Worth Metroplex ranks among the largest metropolitan areas in the nation with more than four million residents. Dallas is the 7th largest City in the United States, and is home to over one million Texans. Over the last decade, this area has become a center for international commerce, telecommunications, high technology and finance. The Dallas/Fort Worth International Airport is the second busiest in the world, serving over 52 million passengers annually. There are 25 dedicated international cargo flights daily and the United Parcel Service and Federal Express utilize the airport for in excess of one million parcels a day.

Dallas is located at the juncture of four major U.S. interstate highways allowing easy access to Mexico and neighboring U.S. states. This superior transportation infrastructure offers many opportunities for the international drug traffickers from Colombia and Mexico, who have used the area to facilitate the movement of drugs to distribution networks located throughout the Midwest and into the Northeastern portion of the United States. Wherever these sophisticated organized crime groups spread their tentacles, violence follows.

Colombian and Mexican criminals are allies in supplying cocaine to the Dallas region. Prior to the Mexican trafficking groups dominating the wholesale cocaine trade in the Western half of the United States, Dallas was being used as a transshipment point for South American cocaine. Mexican trafficking organizations would smuggle cocaine across the border and into Dallas, where it would be turned over to traffickers from Cali, Colombia, for further distribution in the United States. As early as 1994, DEA seized 3,600 pounds of cocaine [with over a ton of marijuana] from warehouses being used to stage deliveries. Our investigation pointed to a Mexican transportation group based in Colima City, Colima, Mexico that was smuggling the cocaine across the border for Colombian traffickers to distribute further into the Midwest and Eastern U.S. There were also Mexican trafficking crews distributing it on the streets of Dallas. During 1996, the DEA Dallas Division seized 250 kilograms of cocaine from Colombian traffickers shortly after it had been transferred to them from a Mexican trafficking group. Since the Mexican crime families have come to dominate much of the wholesale cocaine market, they continue to use Dallas as a warehousing and transshipment location for their own cocaine shipments.

The use of commercial airlines by traffickers to smuggle illegal drugs appears to be on the rise in the Dallas area. For example, in March 1996, 31 kilograms of South American cocaine were seized from an international flight originating in San Juan, Puerto. Since February, 1997, the Dallas/Ft. Worth Airport Task Force has reported the seizure of 4,771 grams of suspected Colombian heroin from American Airlines flights originating in Latin America and the Caribbean.

Heroin abuse has sharply increased in many parts of the country and Dallas, after seeing a decline in 1994, is experiencing a steady increase in abuse with a 24% increase in heroin related emergency room episodes. Dallas has also seen an 18% increase in drug overdose deaths attributable to heroin from 1994 to 1997. Mexican Black Tar heroin is the heroin of choice in the Dallas region -- with deadly effects. Prices range from $250-300 at the retail [gram] level up to $80,000 - 175,000 per kilogram. Black Tar heroin has hovered around 10% purity at the retail level in Dallas, among the lowest levels of purity in the nation, where average purity for generic heroin is around 40%. Heroin use appears to be rising in Dallas, from 6.8% of all emergency room drug episodes in 1992, to 6.3% in 1993, 4.6% in 1994, 5.6% in 1995 and 7.1% in the first half of 1996 alone [the last period for which data have

been released]. Heroin has caused 10.5% of all overdose deaths in Dallas 1992, 15.6% in 1993, 14.5% in 1994, and 17.5% in 1995 [the last year for which medical examiner data is available].

There have also been significant seizures of Southwest Asian heroin. For example, the Lubbock Resident Office investigated Mario BERGER, an international trafficker operating out of Southwest Asia, smuggling heroin into Lubbock in machine tool shipments for transshipment through the city to drug markets elsewhere in the United States, including New York. DEA continues to dismantle this organization, as criminal indictments are handed down in the United States and in Turkey.

Methamphetamine

Within the last several years, the problems of methamphetamine production, trafficking, and use have significantly increased. Between 1990 and 1995, methamphetamine hospital-related emergencies tripled. Even in cities relatively untouched by drug abuse, methamphetamine is taking a terrible toll. The methamphetamine problem had previously been isolated to places like California, and some rural areas where outlaw motorcycle gangs had operated small labs and supplied small quantities of methamphetamine. However, during the past several years, drug traffickers from Mexico have taken over the meth trade and have expanded it significantly, increasing not only the supply of methamphetamine, but the violence associated with the trade.

Clandestine labs operating in Mexico and the United States under the control of powerful Mexican criminal groups are the primary source of the methamphetamine rapidly invading our country. These groups are directly responsible for hundreds of pounds of methamphetamine being sold monthly in the Dallas Metropolitan area. Mexican groups typically establish large clandestine labs able to turn out 150-200 pounds of methamphetamine in a single 48 hour production cycle -- operating on a much larger scale than the purely domestic "mom and pop" laboratories which produce from a few ounces to several pounds at a time. The spread of these makeshift, often crude labs reflects an increasing effort by outlaw motorcycle gangs and local entrepreneurs to exploit the expanding market or the drug. And they too are now pumping methamphetamine into our communities.

We have hard evidence on the wholesale expansion of these small local labs. These independent lab operators are not sophisticated and are not part of the global drug network. They are not illegal aliens. However, though they only account for a small percentage of the total methamphetamine available in the United States, the injuries they are causing are just as painful. And so, both barrels of this methamphetamine shotgun are aimed at America's heartland. Tragically, many once-peaceful Midwest and Southwest communities are now absorbing the terrible brunt of the methamphetamine damage.

Some of the Mexican groups involved in this drug trade are well known: the Amezecua-Contreras, the organization once run by the late Amado Carillo-Fuentes, and the Arellano-Felix organization. The Amezecua organization is the most formidable of all Mexican methamphetamine trafficking groups, running "super labs" in Mexico and California with ephedrine smuggled in from China and Europe. In 1994, two shipments of ephedrine, bound for Mexico and totaling 5.7 metric tons, were seized at the Dallas/Ft. Worth Airport. This ephedrine could have produced almost four tons of methamphetamine.

The Dallas Field Division has seized 111 methamphetamine labs in 1997, mostly in Oklahoma. These laboratories used two primary synthesis methods, the Red Phosphorous or Pseudoephedrine/Ephedrine reduction method, commonly used by traffickers from Mexico.

Violence Attendant to the Drug Trade

When many Americans express frustration about the problems of drug trafficking and violent crime in their communities, they focus their attention on what is visible to them: the crack dealer on the corner, or the police officer murdered on the nightly news. They seldom associate these realities as an extension of organized criminal group activity of the drug traffickers based on foreign soil. These international trafficking organizations employ thousands of surrogates in ideal transshipment cities like Dallas, to distribute and sell drugs in American cities and towns. Many of these traffickers are gang members who have affiliations with nationally-known and prominent street gangs such as the "Bloods", "Crips", and "Latin Kings".

When street gangs serve as surrogates for foreign crime lords, actively distributing drugs on the street, drive-by shootings, murder, robbery, and assault become commonplace. This level of drug-related violence, once limited to the inner cities and urban areas, is now being experience in the rural areas of Dallas and Oklahoma.

DEA has addressed the relationship between drug trafficking and violent crime through our Mobile Enforcement Team Program (MET). When invited by local police departments, the MET program sends in a team of investigators, specializing in the dismantling of violent drug gangs. The teams aggressively target and build cases against individuals involved in violent drug trafficking activities. This initiative attempts to address some of the factors that are believed to be responsible for an increase in violent crime; such as increased teen violence, witness intimidation, violence within the criminal communities, and limited resources among State and local law enforcement components to combat this growing threat. After MET deployments, local authorities get the credit they deserve for the enforcement activities and the most favored mention in the press releases.

There are now 19 teams strategically located across the country, and can be sent anywhere drug gangs are responsible for high crime rates and few crimes being solved. MET deployments help local authorities cleat the streets and renew citizens confidence in the ability of government to respond to what every poll shows as citizens' leading concerns, drugs and violence threatening their homes.

The MET program, which was fully funded by Congress in FY 1997, is based on the belief that those who distribute drugs on the streets of the United States and commit violent activities are part of a seamless international continuum of drug trafficking organizations headquartered in Colombia, Mexico, and Southeast Asia. The Dallas Division's MET was established in December, 1994, and has successfully completed seven deployments in Paris, Greenville, Tyler, and Arlington, Texas, resulting in the arrest of 156 individuals and seized significant amounts of methamphetamine and crack cocaine, as well as $216,324.00 in U.S. Currency.

During December, 1995, the Dallas Divisional MET deployed to Tyler, Texas, to assist the Smith County Sheriff's Department and the Tyler Police

Department in the investigation of Milton Jesus SOLIS. SOLIS was a member of a Colombian cocaine organization that supplied major quantitites of crack cocaine to the Tyler, Texas area. The organization based in Houston, Texas, was responsible for distributing crack cocaine in the East Texas area. The leaders of this Colombian organization were later identified as Marien SINISTERRA, Luz Nelly GONGORA, and Carlos Arturo Valencia-CASTILLO. This organization has been involved in drive-by shootings, murder, and robbery. This joint investigation culminated during May, 1996, in the execution of numerous Federal and state warrants which netted the arrest of 48 individuals who had been identified within the organization.

In November, 1996, the Dallas MET deployed to Paris, Texas to investigate two significant drug trafficking networks controlled by Alfred Loyce GREEN and Christopher Lakent BURNS, who were engaging in the distribution of crack cocaine. During January, 1997, the first phase of the MET deployment to Paris, Texas, resulted in the execution of 35 arrests and service of four Federal Search Warrants in Dallas, Clarksville, and Paris, Texas. This investigative team consisted on DEA, the United States Marshals Service and a host of State and local law enforcement agencies. The investigation continued through April, 1997, resulting in additional arrests to bring the total number of arrest in this deployment to 37 out of 39 that had been indicted in the Eastern District of Texas.

Conclusion

Mr. Chairman and Members of the Subcommittee: the current situation in the Dallas Division and other areas of the United States is serious and must continue to be addressed vigorously.

We would like to thank you again for the opportunity to testify at this hearing, and hope that we have left you with a clearer understanding of the drug trade in the United States and how it is impacted by the organized international criminals that control the vast majority of the trafficking networks that are based in Mexico and Colombia with tentacles throughout the U.S. In particular, we hope we have left you with an understanding of the drug situation in the Dallas Division. I want to emphasize that drug trafficking lies along a seamless continuum--from source countries of Bolivia and Peru to the streets of our cities

and towns. To be successful against these international organizations, we have to apply all of our resources to attack these groups with our host counterparts on an international level and attack their surrogate distribution cells that operate on American soil. With your continued interest and support we will combat this growing threat through joint investigations and efforts that will yield positive results. We will be happy to answer any questions.

Mr. SOUDER. Would the gentleman like to go first?

Mr. SESSIONS. Yes, Mr. Chairman.

Mr. SOUDER. Mr. Sessions will start the questioning.

Mr. SESSIONS. Thank you.

Mr. Marshall, Mr. Mercado, thank you for being here today. I hope you know that Chairman Souder and myself care deeply, not only about the work that you do, but the people that you represent, because you are on the forefront of the problems and I know it comes at great risk to not only their lives, but also the interference that they would have with their families, but I hope that you know that we are deeply committed to providing you not only with the resources but also changing the laws as they interact, and offer you the ability to win this war on drugs.

Having said that, I would like to read also a very important message that your Administrator—Administrator Constantine's message from the Report on Methamphetamine Situation in the United States from just last year. In the first few paragraphs, he stated, taken from a case, "During the summer in New Mexico, a father, while high on methamphetamine, beheaded his 14-year-old son."

And in the same message, your Administrator described how a mother and three young children under 5 were seriously burned when a meth lab that was located in a trailer home adjacent to them burned. Two of the children were rushed to a hospital in critical condition and one died. The responsible father fled the scene, abandoning his critically injured family, before the rescue teams arrived to assist them.

And from what I hear from each of you and from Mr. Coggins, the problem is getting worse. In several cities, methamphetamine-related deaths are up over 50 percent in the last 3 years. In 1994, there were over 700 methamphetamine-related deaths in the United States. The number of emergency room drug abuse episodes involving methamphetamine have dramatically increased since 1992. The number of methamphetamine-related episodes recorded during 1994 almost doubled the number of episodes from 1989. In 1995, the Drug Enforcement Administration seized 241 methamphetamine labs. That is 1 year, 241 meth labs. Most of these occurred right here in the Western United States and many of them right in Texas.

In 1994, the United States Customs Service inspectors seized 5.7 metric tons of ephedrine, a key chemical used to produce methamphetamine designed and made in Mexico.

The drug is poisonous and it is also available. After prolonged use, methamphetamine lead to binging, which is a consuming of the drug regularly for up to 3 days without any sleep. These binges can be followed by severe depression, worsening paranoia and aggression and a period known as tweaking. I am sure that each one of us have heard about people on cocaine and we are aware of the withdrawal that they go through, but this tweaking is very severe, because then a user collapses from exhaustion, waking up days later just to begin this cycle again. That is addictive, that is destructive, that is what is happening, not only to users but the children in this country.

The new ephedrine-based methamphetamine is worse, however. It leads to sleepless binges that can last up to 15 days and that

end in crashes that are far worse than just those from regular strength methamphetamine. Is that not amazing? We have strength, regular and extra-strength methamphetamine now.

Now this drug is not unlike many others that we have in society. It is killing people, and I think it is time that this be stopped. Today, if you are caught with 10 or more grams of methamphetamine, you are considered to have manufactured or possessed with the intent to distribute methamphetamine, and there is a mandatory minimum sentence of not less than 5 years and not more than 40 years in a Federal penitentiary. If death or serious bodily harm, injury, results from this sale of methamphetamine, the killer could get not less than 20 years and certainly not more than life in prison.

If you are caught with 100 or more grams of methamphetamine and you are considered to have manufactured or possessed with the intent to distribute methamphetamine, there is a mandatory minimum sentence of not less than 10 years and no more than life in prison. If death or serious bodily injury results from the sale of more than 100 grams of methamphetamine, the killer would not get less than 20 years and no more than life.

I would suggest to you as well as our chairman, Congressman Souder, that this simply is unacceptable. Anyone, I believe, who manufactures methamphetamine who knows that the effects of this drug is to kill people, then they in fact themselves are killers, and if the penalties for manufacturing this drug in the United States are no more than those for importing it from Mexico, then there is no disincentive to the drug thugs here in America.

I, as I stated earlier, am going to propose that we go back and amend Title XXI of the U.S. Code and require for anyone caught in any way involved in the manufacture of methamphetamine in the United States will receive a mandatory life sentence in the Federal penitentiary. I will be working not only with my staff but other Congressmen and Senators on the Hill to make sure that America is not a safe haven for merchants of death, and I am talking about drug thugs.

I hope that you see very clearly that not only do Americans and members of law enforcement have our attention, but that also Members of Congress, no matter what party they were in, can recognize how serious of an offense this is. We intend to do something about that.

With this statement, I would also like to ask a few questions, if I can, of each of you.

As you talked about this importation of drugs, are you finding that there are people who specialize in their products, or do they piggyback their multiple products on each other in that they will become a distribution channel for methamphetamine, for heroin, for cocaine? What are you finding?

Mr. MARSHALL. I think, in my opinion, we see that the Colombian organizations are mostly concentrating on cocaine, I mean at the present time at least, that is their primary source of revenue, that is their primary focus. However, they have always—many of these groups have always been involved in smuggling marijuana as well. A more recent trend that we see is that Colombian traffickers are involved in the growth of opium poppies in Colombia and the

production of heroin in Colombia, and what we see in that regard is that the Colombian trafficking groups are actually using their cocaine distribution networks to promote the distribution of heroin. We have even seen some cases where they would introduce heroin into markets by attaching a condition to the sale of cocaine. We will sell you 100 kilos of cocaine, but you must also take this 5 kilos of heroin and move it. And what we see now is that the Colombians are moving more and more into controlling the heroin distribution networks primarily on the East Coast, but also they are moving into markets like Dallas, TX.

With regard to the Mexican groups, we see that each group has generally a particular specialty or two, such as the Amado Carillo specialized primarily in cocaine and marijuana. But we have for several years now referred to these organizations as polydrug trafficking groups and we are seeing more and more and more that the Mexican organizations take advantage of their already long, well established distribution networks in primarily marijuana and heroin, which is their traditional drugs, but they use those networks to further their distribution of all four of the drugs—heroin, marijuana, methamphetamine and cocaine.

So it is a combination that we are seeing.

Mr. SESSIONS. When we talked about, and Mr. Coggins talked about, DFW Airport and the transportation channels, distribution channels that were used of the airlines and cargo holds and things like this, for big shipments, is that generally someone who is inside in the airline, who is aware of this, or how do you find that this actually occurs?

Mr. MERCADO. We have found it both ways. When I was stationed in San Juan, Puerto Rico, we found out that the employees were the ones who were assisting the traffickers in transporting their drugs through cargo shipments, and through airlines, especially on the weekends when there is less security. We are seeing now in the last 6 months, I think we have seized 5 kilos of heroin coming from Colombia into the Dallas/Fort Worth area. So we are seeing that.

Now, we are going to be targeting a lot more the cargo shipment, which is something we were not doing, and we are doing that now. Our group is being expanded to include the cargo area at DFW.

Mr. SESSIONS. Outside of this what I would call commercial air, can you give me a sense without revealing the numbers, a sense of what flights are coming into our country every day through private aircraft, perhaps those owned by drug distribution people? Evidently like over Big Bend, you are seeing this as a continuous flow or operation that they utilize.

Mr. MARSHALL. Let me comment on that from a national perspective. One of the other earlier witnesses, I believe it was Mr. Coggins, said that these things tend to run in cycles, the traffickers will use one method and then we catch up to that method and put pressure and the balloon squeezes out somewhere else. And this is particularly true with regard to your question about aircraft.

What we have seen frankly in the last few years, couple of years, I would say, along the Southwest Border is really somewhat of a decline in the use of private aircraft, smaller aircraft. Now you still see commercial aircraft using couriers, body carries, people ingest-

ing cocaine, heroin, that sort of stuff. But the predominant method along the Southwest Border right now is smaller shipments in private automobiles and hidden compartments in trucks. That is the general national trend that we are seeing.

Now I would have to ask Mr. Mercado to comment on the commercial airline aspect of that through Dallas/Fort Worth.

Mr. MERCADO. We are working on it, sir, we are trying to identify the major points we can attack to prevent it from going in. At the present moment, Dallas is I think a security point three, which is you have to show identification, they can check your bags. So you are not going to see the same amount of drugs going through here that we saw body carrying, say 2 years ago. You might see it more in cargo than you will see it because of the security measures that are being handled at the various airports.

Mr. SESSIONS. Would you comment then on any particular area or anything in dealing with the law—I am not asking you to write a bill, I am not asking for you to lobby, I am asking for you to comment on existing law, as you are dealing with not methamphetamine particularly, but rather things coming into the country; is there any particular area that you think the chairman and I should take back to Washington, an area that we should look at that would give you a greater ability to fight drug traffickers and them bringing things into the country.

Mr. MARSHALL. There is one area, Congressman, which is of particular interest to law enforcement, and that is in the area of our ability to legally intercept the communications of the drug traffickers. We, at the Federal level, DEA, FBI, in conjunction with our State and local counterparts, in a partnership, we try to attack the traffic at all levels, this incudes the retail distributors that are doing the violence, it includes the wholesalers and the command and control structures. One of our biggest and most important tools in attacking the command and control structures of these organizations is our ability to intercept their communications. The traffickers themselves are becoming much more sophisticated in the way they communicate with each other and it is making our job more difficult.

There are two issues, one being the Communications Assistance to Law Enforcement Act or CALEA, which will enable—with digital telephony and fiber optics and that stuff, it will more effectively enable the local communications companies to cooperate with law enforcement. There is a price tag to it and we need to, in my opinion, ensure that we have that tool so that the private companies do have the resources that they need to cooperate with law enforcement.

The other aspect of this is the issue of encryption. There is a lot of people, not only drug traffickers, but business people who are interested in maintaining trade secrets, that sort of stuff, who want more in the way of encryption and the ability to use cellular telephones, for instance, and be assured of their privacy, and certainly that is a valid, legitimate consideration and it should be—the ability should be there. However, if we do not build in some type of ability for law enforcement people to, with the adequate protections of the law of course and with warrants for that, to somehow inter-

cept the conversations of these vicious criminal organizations, then we are going to lose a very important tool.

I think these are two areas which are being discussed and debated in Congress right now and I just cannot over-emphasize the importance of those things to law enforcement.

And I suppose the other item that I would focus on would be—I agree with you, Congressman, that we do need stiffer penalties in the area of methamphetamine. I look at what some of the stories, and you referred to a couple of those out of our methamphetamine national strategy report, but I was at that conference and in addition to the two examples that you gave, I heard a lot of other horror stories, absolute horror stories about this drug. It is just astonishing, it is amazing to me to see the amount of violence that is associated with this drug, the amount of spousal abuse, the amount of child abuse, the amount of child neglect, just basically the amount of violence and death that is associated with this drug. And I think that this drug right now, at this point in our history, does warrant some special consideration. So I think that could be a very valuable tool.

Mr. SESSIONS. Thank you. Your comments only help me to know that I believe that we must fight and win this war in America. We cannot look to someone else to solve our problem and so I take your comments very seriously and I thank you. Mr. Chairman.

Mr. SOUDER. Could you explain a couple of the nuances of this encryption debate and that is, you said it would require legal authority to crack the code and so on. I am sure people hear the telephone and some of that, and that sounds pretty important when you start to get into Internet, you realize we are really headed into a worldwide type of question here. Also I am sure part of the resistance is a general fear that—quite frankly, I do not have a ton of sympathy for people who are violating any kind of law, but including IRS information and other types of things or potential allegations that you might overhear and assume something is happening. When you can break through a code and you are searching for information on the drug issue, what about if you hear information that is suspicious related to other potential crimes, not necessarily that they are, but do you have to report that? How is that done?

Mr. MARSHALL. Well, there are a rigid set of guidelines that govern our ability—that govern what types of conversation we listen to and what types we cannot listen to. And what we do, when we conduct a legal wiretap, obviously we go before a competent judicial authority, we obtain a warrant for that communication and we have meetings and we have only certain people who are authorized to listen to that wire and we also have what we refer to as a minimization rule which allows us to listen to any conversation just long enough to determine whether it is drug-related and germane directly to the things that we have outlined in the warrant for that intercept. And when we determine—if we determine that that conversation is not related to what we have a warrant to listen to, then we have to minimize our listening to that conversation, basically shut it off at that point.

Mr. SOUDER. And you can do that on the telephone, why would not, if we do not have that ability to do it in e-mail and computer

type things, why would the traffickers not go to that and how would you sort similar conversations?

Mr. MARSHALL. It is conceivable that they would go to that, Congressman. And not being an expert or even fully literate with regard to Internet matters, I really—unfortunately, I am sorry, I cannot adequately comment on that. But I know that that is a concern of many in our business, that the next channel of communication may well be the Internet.

Mr. SOUDER. It is something we ought to discuss, because if we get it shut off early on that we are not allowed to interfere—I noticed, because that was my immediate first reaction of how does this affect law enforcement if we—it is tough to balance individual rights, particularly when you do not necessarily have the technology to do it in the way that you said. I was curious too, I had not seen—this has been interesting today because Turkey was something back in the French Connection and all of a sudden it is the Lubbock Connection with Turkey, but I also saw in your testimony you mentioned India as being involved, abusing citizens, ephedrine contacts in Thailand and India. Do you see that very often or was that——

Mr. MARSHALL. Well, we do, yes. We see ephedrine coming to the illegitimate market from—it is produced in Europe, it is produced in China, I believe it is produced in India, and we see the drug traffickers aggressively going after sources of ephedrine and pseudoephedrine and in all of those places, what we see is that they make purchases on that international market and it is shipped to countries such as Mexico, Guatemala, perhaps other countries and then it is eventually gotten into Mexico where it is used in methamphetamine labs either in Mexico or in many, many cases is smuggled across the border, just as drugs would be and then utilized in the United States in the methamphetamine laboratories.

Mr. SOUDER. Could you expand a little bit on ephedrine, is it not what is in aspirin and other types of legal drugs and at what point does it become a controlled substance and illegal and is that not part of our difficulty, is the volume and is that not partly why like marijuana there is this myth that these things are not dangerous when in fact they are much more dangerous than they used to be, depending on the mix.

Mr. MARSHALL. Right. Well, you actually have two substances that are of concern to us. The first is ephedrine and that is produced primarily in China from the ephedra plant, it is a natural substance, and it was used predominantly in methamphetamine production up until several years ago when it was controlled under the—I forget the name of the act, but several years ago it was controlled. Now once it was controlled, it became more difficult to get in the United States and traffickers started moving to the pseudoephedrine method. And that has not been controlled.

The ability for the traffickers to use pseudoephedrine is certainly to some degree dependent upon the easy availability of that in cough and cold remedies and it is used in such things as allergy medicines, cold medicines, cough and flu medicines and that sort of stuff. If you go into a pharmacy and look on the cough and cold rack, you are going to find 20 or 30 or 40 different brands lined

up on that shelf and if you pick them up and examine them, you are going to see that many, many, if not virtually all, contain some amount of pseudoephedrine.

Now the pseudoephedrine has been controlled, by the way, it was controlled in the Conference on Methamphetamine Control Act which was passed last October I believe and the controls take effect this October. And what that will do is control primarily the bulk sale of these tablets that contain pseudoephedrine.

What we had seen was the mom and pop laboratories that are the ones that primarily remain in the United States, they would send a few people around say to 20 drug stores in Dallas, TX or any other community in the United States and they would literally buy up cases of this stuff. If they could, they would go back to the pharmacy and say I want a case of Sudafed or I want three cases of Sudafed. It is that type of purchase that we are trying to limit. Now that will not totally eliminate the methamphetamine market, but it will have an impact on the mom and pop laboratories, and it was also in the spirit of controlling that type of operation that Wal-Mart and later a couple of other companies entered into a partnership with DEA, and they have taken measures to make that—those drugs a bit more difficult for the traffickers to get, but at the same time, without impacting upon their availability to the general public. And basically the way we do that is that the sale of a certain quantity, and I believe it is something like a 60-day supply, is uncontrolled. If you exceed that amount for a single purchase, then at that point, it becomes a controlled transaction and there are certain recordkeeping things that have to be done on that.

Mr. SOUDER. Are these drugs predominantly, like marijuana and crack, targeted at younger people? I noticed, Mr. Mercado, one of the labs here in this area was next to a school.

Mr. MERCADO. That is correct, sir. They are looking for high school students, they will even go to junior high school because we know they are affecting colleges, they go as low as junior high school and even in some places grammar school.

Mr. SOUDER. Is it like an initial gateway drug? Often do they try to move them to harder substances then?

Mr. MERCADO. It is like marijuana where you give it to them once—once you get them hooked on it, they will continue, but it is more dangerous than marijuana. And every arrest we have made so far, every lab, the last lab we took off in Oklahoma, there was in excess of 11 weapons. So these people are violent. There are a lot of weapons.

Mr. SOUDER. Could you give me, as a Yankee, a little bit of an idea here on how Dallas/Fort Worth fits into the rest of Texas. I think we have had the people from Eagle Pass, I think it is, on the border, kind of been flooded, but how do Houston, San Antonio, Austin, some of the cities fit into a pattern? We talked about this airport being in international commerce. Could you give me some—I mean does anything come up the ship canal from Galveston to Houston and what are some different ways?

Mr. MERCADO. What we are looking at is, for example, marijuana, cocaine and heroin coming through El Paso and going to the northern part of Texas and it lays in this area and from this area

it is distributed to various points and warehouses. We have numerous warehouses that are all over Dallas, where you can actually store this merchandise and then take it up in small amounts. Some of it stays here. I would say a good 25 percent stays here, the rest goes up to the major cities in the east and the west.

Mr. SOUDER. So you are saying three-quarters moves out of here. Would San Antonio and Houston, for example, be substantially different, that three-quarters of the drugs would stay there and they are not as much of a warehousing center?

Mr. MERCADO. Well it depends where you come, because for example, some of the drugs from Brownsville and McAllen, TX would probably be stored in Houston and from there distributed to other parts of the United States. So you have two different locations where the drugs can be stored and sent to other parts of the United States.

Mr. SOUDER. What would you say is the most important thing we could do related to this region in Washington in addition to the methamphetamine legislation?

Mr. MERCADO. Well, as Mr. Marshall stated, we need to attack the communications of these organizations, we really do. That takes manpower, that takes money. And we need more manpower, we need more money to—we have to hire people to do a lot of our translations, a lot of our monitoring of Title IIIs, because we just do not have the resources. Normally, right now we probably have seven in our area and the resources are just—manpower, it really makes us short of manpower, so we have to go out and get—hire people to help us or work with—the locals are always helping us but still and all, it is very expensive and you need a lot of manpower. And that is the only way—we have to attack them that way because they have to communicate. To move their drugs, they have to communicate.

Mr. SOUDER. Have you had—clearly we have had tremendous problems, vis-a-vis Mexico and the trust factor, have you had much interrelationship there, particularly with these kinds of warehouse shipments, any cooperation on tipping—I mean, unless you get sources who are going to tip you off, it is impossible to find what machine tool box something is in.

Mr. MERCADO. There is a lot of sharing of information throughout the United States now between the Federal, the State and the local authorities.

Mr. SOUDER. What about with Mexico?

Mr. MERCADO. Mexico, there is some information coming out of our offices in Mexico.

Mr. MARSHALL. Let me comment on that a bit if I may, Congressman, we have a contingent of I believe it is 39 special agents in Mexico in five or six different offices, and we do, to the extent possible, work with the Mexican authorities there. We are there in an overt capacity, we have no actual law enforcement authority there, so all of our ability to operate in Mexico derives—and in any other foreign country, for that matter—derives from our relations with the law enforcement officials of those countries. There, as you know, has been a very vast and public debate about Mexico during the certification process and I would simply say that DEA and the FBI continue to cooperate with Mexican law enforcement, to the ex-

tent that we can and to the extent that they have the capabilities to assist. And we believe that that situation there is showing signs of improving and we are hopeful that we will have even more capabilities in the not too distant future in that regard.

Mr. SOUDER. Has DEA put any agents back into Tijuana or were they all pulled out of that State?

Mr. MARSHALL. With regard to the bilateral task force operation in Tijuana, we have not yet returned our agents to that operation, nor have we returned them to the Juarez operation. The reason for that, quite simply, is that we have a security issue with our agents going across because of the violence, because of the assassinations, because of the threats that we have received, and because of the lack of—what we believe at least, the lack of physical security for our agents. We are currently discussing those issues with the Mexican Government and at some point in the not too distant future, I hope that we can get those issues resolved so that we can once again begin working in those bilateral task forces. What we are doing in the interim, however, is we are continuing to try to work to the maximum extent possible that we can with our 39 in-country agents to fill in the gap, so to speak, the void, so to speak, until we can get this issue resolved.

Mr. SOUDER. I certainly hope so, I know President Zedillo seems very committed, but it is disturbing to come as somebody who is from the inner part of the country and hear that the trucks are bringing the drugs in, that there is a warehousing type of thing and yet we cannot even have DEA along critical parts of our border because they are not safe. We see about the reporter who was shot the other week, who was investigating, and it is a disturbing trend to all of us because it is our kids and our families and our communities that are at stake in this. But I do not think it is necessarily certain parts of the top but at the very top of the government, but we have to get ahold of this because, I mean, I see the increased trucking pressure and have looked at the border points and I have grave concerns about how it is going to be possible to control that, even if we control the airspace.

I have no further questions. Do you have any more questions?

Mr. SESSIONS. I just hope that we are successful to go find bigger fish, like Mr. Fuentes was. I encourage them all to go in and get all the facial changes that they want and let them die on the table.

I appreciate and respect you for the job that you do. Best of luck and thank you so much for your time to be with us today and have a successful week. Thank you.

Mr. SOUDER. Thank you very much.

At this time, I would like to introduce our final witness, if Mr. Yarbrough would come forward.

Kenneth Yarbrough is the Chief of Police for the city of Richardson, TX. Chief Yarbrough is a member of the Governor's Task Force on Juvenile Crime, the Texas Municipal League's Committee on Public Safety and the immediate past president of the Texas Police Association. He is also past president of the Texas Police Chiefs' Association.

Chief Yarbrough, we thank you for being here today and I need to swear you in.

[Witness sworn.]

Mr. SOUDER. Let the record show that the witness answered in the affirmative. My understanding is that rather than read your statement you wanted to go straight to some questions. Do you want to make any introductory comments? We will certainly put your whole statement in the record.

STATEMENT OF KENNETH R. YARBROUGH, CHIEF OF POLICE, CITY OF RICHARDSON, TX

Mr. YARBROUGH. Thank you very much, Mr. Chairman, members of the committee. I would just like to touch on a few areas that I think are the critical areas concerning local law enforcement.

Local law enforcement obviously has a different perspective in the fight against drugs than our Federal agencies do. When a person picks up the phone and calls 911, he gets the local police agency, not a Federal law enforcement agency.

People in this country are concerned at two points—the point where the drug dealer is invading their peace and tranquility in their neighborhood or the effect of the user who is committing other crimes against them to finance his drug addiction. Most people are not very concerned in this country about transportation, manufacturing, importation kinds of issues. We all operate on our self-interest and our self-interest is when in my neighborhood I cannot walk the streets feeling safe, when an apartment complex, an apartment in that complex is high traffic drug users purchasing their illegal drugs. These are the kinds of things that drive me, as a normal citizen, to have a fear, the fear that we know also exists from all the burglaries, robberies, thefts that are being perpetrated upon our law abiding citizens to finance their drug addiction.

It has always been an interesting concept for most of us in local law enforcement that so few in this world can affect so many, when you look at the 10 individuals and their "families" in Mexico and a near same number in Colombia are capable of affecting so many people in this country. DEA must continue its effort on the foreign soil to alter and affect the behavior there. I doubt the success is going to be very great until this country accepts some major foreign policy shift in how we deal with those who are responsible for so much harm in this country.

Twenty-five years ago, about 85 percent of every murder in this country was committed by somebody you knew very well. Today it is about 50 percent. That other 50 percent are stranger-related homicides amounting to almost 20,000 a year, the bulk of those are in some ways directly involved in substance abuse. And that does not talk about the vehicle fatalities, the overdoses and all the other harm that is related to drug abuse.

If we are going to win in any way, we must begin with an education policy that shows very limited immediate results. We must commit to a demand reduction education policy that begins in the first grade, preschool, and lasts throughout all 12 years. Police agencies at the local level have school resource officers, DARE programs, a wide variety of things that target a lot of our middle schools and junior highs, but they are usually only 1 or 2 years in length. Outside of the three Rs in this country, I do not know what other things our schools need to do that are more important than

to teach our children how to survive by not engaging in the destructive behavior that drug abuse and drug addiction can bring.

We should find, whatever the method—and the Federal Government has a great deal of ability through pass-through moneys, to make effects upon local entities. You all know that. We need to begin with kindergarten, first grade, an education program. We must bring the parents into that education program, it should be voluntary, but there should be some incentive for it to be voluntary, and that incentive is that if the child of that parent winds up in some drug related problem, that that parent's liability for the behavior of that child needs to be elevated and you can reduce that liability if that parent was educated along with the child in its abuse and drug abuse educational programs. And that would be the way to bring the parents into the educational process so that they would know how to deal with the drug-abuse related issues.

Advertising. You know, in this country, advertising plays such a grand role in all of our attitudes and our behaviors and the Federal Government even recently in its tobacco-related issues has recognized the importance of advertising and its effect upon our young people. We need to commit some moneys at the national level to a good well-thought-out advertising program that will assist us in our drug education effort. Advertising is a strong medium in this country, we should be using it and we are not using it anywhere near the level it should be.

Second, as I mentioned earlier, when the drug dealer is selling his wares on the corner, is when people are frightened. I believe we can alter the open behavior of the retail drug dealer and I think we can do that with concerted aggressive major enforcement directed at the street drug dealer, because he is the one that drives the fear in our neighborhoods. We should be able to do that by increasing our effort, our prosecutorial efforts, our courts dedicated to that purpose and to make him, through the risks of punishment, alter his behavior.

Now I do not want you to believe that that is going to reduce in any way the amount of drug use in this country, and I do not offer that to you for that regard. I offer it to you because it will deal with the perception of fear that exists in our neighborhoods. When we can drive the drug dealer underground, when we can alter his behavior in such a way that he must secret himself in order to carry out his business, we will have given a great degree of freedom back to the people who are trapped in the cycle of fear where drug dealing is a major part of their neighborhood and their community.

I think that in the certainty of punishment, history in this business has told me and taught me that it is not the length of your sentence, it is the certainty and the swiftness by which it occurs. And if we can dedicate some resources to courts, prosecution and some minimal kinds of mandatory sentencing, then we will alter the behavior of the street drug dealer.

Finally, I would like to touch for a minute—we have just come through the last year of the Megan law and registration. In the early 1970's there were attempts to bring about drug dealer registration. I think that with the experience that you have gained in the Megan laws and the registration of sex offenders, that we

should now look to registering convicted drug dealers. Give them limited places to hide, give law enforcement the ability to know who they are and where they are and I believe that we can put some additional pressures on the street dealer and their activity and their behavior.

You have my written comments. Again, I appreciate the opportunity to be here and would certainly entertain any questions that you may have, Mr. Chairman.

[The prepared statement of Mr. Yarbrough follows:]

Written Comments
Submitted to
The Subcommittee on National Security,
International Affairs, and Criminal Justice
of the House Committee on Government Reform
and Oversight
by
Kenneth R. Yarbrough
Chief of Police
City of Richardson, Texas

July 21, 1997

Mr. Chairman, Members of the Committee; I appreciate the opportunity to appear before the Subcommittee today to report to you, from the perspective of local police agencies, the status of Northeast Texas' fight against drugs.

First, it is important to understand that local police agencies view the fight against drugs from a different perspective than federal agencies. The local police effort is driven by the average law-abiding citizens' fear of illegal drugs and the effect it has on their neighborhood. They are not concerned with the growing, manufacturing, production, or even the transportation of illegal drugs. Their primary concern is the street dealer and the user of these illegal drugs. It is when the peace and tranquility of their neighborhood is adversely affected by street corner dealing, or heavy traffic to a specific house or apartment, that the problem of illegal drugs in this country begins to impact them as individuals. They also call on the resources of local police for assistance when they become victims of burglaries, robberies, and thefts that users of illegal drugs commit to maintain their addiction.

For the past 25 years, we have dedicated resources, both financial and human, through various federal initiatives, to fight the illegal drug problem at a level which has targeted the manufacture, supply, and distribution networks. But the true measure of success in this effort can only be determined if on any given day in this country, a supply of illegal drugs to the end user was not available. We all know this is not the case. Not for one day have we successfully stopped the supply of drugs into the United States. Despite the massive amount of federal money that has been spent attempting to diminish or eradicate the supply of illegal drugs into this country, the Northeast Texas fight against drugs continues to be a very costly endeavor for local law enforcement agencies and their communities. The availability of illegal drugs on the streets of Northeast Texas continues to increase and the federal effort has not been effective in reducing the number of local drug suppliers or drug users.

While there is no question that the valiant effort by the DEA should continue by attacking the supply sources of illegal drugs on foreign soil, the real problem is in reducing the demand for these illegal drugs in our own communities. More emphasis is necessary in attacking this problem at the local level by increasing drug awareness education at an earlier age. Reaching America's young people and convincing them not to use illegal drugs must be our

first priority. This is not a short term solution and may not be the most politically advantageous, but someone must step forward and invest in a long term strategy with little immediate benefit.

Much of our effort to date has targeted the children who are entering middle or junior high schools. A concerted effort to reach these children at a much earlier age is a necessity if we are going to have a significant impact on illegal drug demand for future generations. Increased use of illegal drugs by middle and junior high school age students is of such a magnitude, it is the consensus of many law enforcement agencies that drug awareness education for these children is often too late to be effective. The need for increased attention to the children at an earlier age is obvious.

When children enter the school system, at first grade, pre-school or kindergarten, a series of very strong drug awareness and education programs should be in place. This is the first opportunity a public entity has to significantly influence the direction a child might take when confronted with a decision whether or not to experiment with illegal drugs. It is very important that these programs be enhanced with increased media support.

For decades, advertising agencies have recognized they can influence individual purchasing decisions and even create changes in societal norms. It is through advertising that changes in styles of dress, types of automobiles, etc. become publicly accepted. Even more noteworthy is the massive amount of money companies spend on advertising toys. Ask any parent in this country today about the effectiveness of advertising which is intentionally directed at young children. The government itself has recently recognized the importance of advertising and its ability to influence our children to use tobacco products. If these media campaigns are so influential in the decision making processes of our children, we need to begin immediately dedicating a significantly larger amount of money to drug awareness and education advertising.

The chance of success is substantially enhanced if parents are also included in this drug education program and if the drug education process is instituted early in the child's formative years. This could be accomplished with a two-pronged approach. Initially, beginning with kindergarten or the first grade, schools should provide opportunities for parents to be educated about drugs and familiarized with the information given their children. This should include information on the drug culture, alternatives available in addressing drug abuse, drug dealers, why children experiment with drugs and how to recognize and deal effectively

with drug use when it first begins. The PTA would be one viable resource. Parents' participation would necessarily be voluntary. However, the children of participating parents would profit from the continuity of reinforced messages at school and at home. Parents who choose not to participate in the "educating process" will leave their children at more risk than those who cooperate with the school program. Parents should also be held legally responsible for the actions of their children in the drug arena.

Many times the effort of local police, in their fight against illegal drugs, is either overlooked by the media or criticized because the arrests are usually for small amounts being sold by local drug dealers or by users caught in the possession of illegal drugs. Unlike federal agencies, when a citizen calls the police about illegal drug use in their neighborhood, the local agency must respond and take action regardless of the amount of illegal drugs involved. They are obligated to make an arrest and file the appropriate charges. Federal agencies, on the other hand, have the luxury of refusing to deal with cases involving small quantities and only pursue a case if it involves many thousands of dollars or vast quantities of illegal drugs. A very real cost of the illegal drug problem for local communities is hidden in the resources that are expended by police in responding to drug related homicides, burglaries, thefts, and robberies committed by street level users and dealers.

The most serious consequences of these crimes, on the community as a whole, is the elevated perception of fear which ultimately permeates society. The primary goal of any local police agency is the maintenance of peace and tranquility within the community. As long as even one drug dealer remains on any street corner, no citizen will be secure in their ability to enjoy a peaceful life free from the fear of becoming a victim of drug related crimes.

One of our major goals, therefore, should be to force the local drug dealers off the street by making the risk of carrying on their illicit trade so high they are compelled to move underground. Although this will not eradicate drug related crimes, it will have a great effect on reducing the public's perception of fear, and the restoration of a peaceful and tranquil environment.

There is no deterrent to crime as effective as the certainty of swift justice. The fear of crime should rest upon the criminal, **not the victims of crime**. We can instill this fear in the street level drug dealer by committing resources at all levels of government to an aggressive policy of enforcement, prosecution, and incarceration. Federal agencies must act in harmony with local police to pursue the street dealer. The United States Attorney must be willing to accept and aggressively prosecute cases made against these offenders. Also, federal courts must impose mandatory prison sentences on those convicted of these crimes.

Street dealers must be convinced there is a price to be paid for engaging in illegal drug activity and, therefore, it is the certainty of punishment, not the length of sentence, that will drive them from our neighborhoods.

Recent efforts to diminish the effectiveness of the federal and state seizure laws is a serious threat to what has been a very useful tool by providing funds to combat illegal drugs. Local police agencies rely heavily on the proceeds derived from forfeited property in order to continue their efforts against illegal drugs. Some of the proposed changes would dramatically reduce the funds available to law enforcement and would ultimately shift the burden to the local taxpayer.

One example, is a proposal to pay defense attorneys in civil forfeiture cases out of forfeited funds or to appoint free defense counsel in these cases. These proposed changes, and others, will adversely impact local law enforcement and immediate action is necessary to avoid losing this important provision of our laws. It is important to society that a very strong message be delivered to those engaged in illegal drug activity that no person should benefit, in any way, from the profit of illegal drugs. If the motive behind these proposed changes is to deal with the few law enforcement agencies that may have abused this provision, then those agencies should be dealt with on an individual basis.

The effectiveness of federal drug task forces in combating the illegal drug problem at the local level should be reviewed. Local police agencies, already seriously pressed for money and other resources, have accepted a cooperative role by assigning valuable manpower to task forces. In many cases, the allocation of this manpower has had minimal results in impacting the illegal drug problem in their own communities. A better plan may be to consider deploying federal drug enforcement agents to work with local police departments and assist them in filing and prosecuting narcotics related cases at the federal level. This would allow the federal agents to be of assistance to local police in combating street level drug dealers.

If we are truly serious about getting tough with illegal drug activity in our communities, there should be a federal effort to require registration of convicted drug dealers with the local policy agency just as we require sex offenders to register. This information would significantly impact the drug dealers ability to operate openly without fear. The intelligence information that would be provided by such a registration program would enable law enforcement agencies, at all levels, to more effectively fight the illegal drug problem in this country.

Mr. SOUDER. Mr. Sessions, would you like to start?

Mr. SESSIONS. Yes, thank you, Mr. Chairman.

If you could discuss with me—you are a part of task forces in our State, can you talk with us about this problem that we have with children being the brunt of drugs? Is it a product that people are in for the—I mean, these drug cartels, they are organized, they see where their market is, they market their drugs, they go and get other children to sell drugs. If you could just comment on this because I think there is a lot of insight about the mind of these organized drug cartels. Can you talk to us about that and them targeting our children?

Mr. YARBROUGH. Thank you, Congressman.

The decisions are probably not made at the cartel level because there are many steps in the distribution of drugs and when you get to the retailer—and that is the only point that really matters in the whole chain—if there is nobody who is the ultimate retailer, who sells to the user, all other things fail. It matters not what they did or how much they imported or anything, manufactured or grew. And a retailer in the drug business is not that unlike retailers in all business. They have niches, they have market areas, they continue to try to grow their market, they want to have a place with which they can sell their product and make the profit that is derived from it.

And I suspect that the decisions are made at those levels where people are buying 10 pounds of marijuana, who are buying full ounces of cocaine. They are then deciding how they are going to market their shipment. And it does not differ a great deal from a local convenience store. They do not maintain 500 cases of Coca-Cola in the back, they get a shipment every day of 10 cases or whatever it is that they are going to sell. And they are going to alter their behavior to whatever market that is available.

Nothing is more horrible than a parent who is dealing with a child who is demonstrating the signs of drug use and to find out that that child is securing his sources of drugs in and about his school. Someone is selling that to that child or maybe not even any longer a student in the school. Many of the kids who are no longer in school are the ones who still maintain the contacts in the school and who are able to be the supplier to a great number of children in and about that particular school.

They become very—the circle for the individual retailer is not extremely large because if he gets too big and too reckless, he is probably going to sell to an agent of the police, which will not be to his advantage. And so I think that if we can alter his behavior—it is not going to stop it, it is not even going to slow it down, but it will reduce the fear and fear is a great thing that drives this country. When people are afraid to walk the streets, afraid to allow their kids to go to school, afraid to let their kids play in an apartment complex because of the trafficking, we should be attacking with the greatest vigor we know those people.

Mr. SESSIONS. As I drive around not just the Fifth Congressional District of Dallas, but all around Dallas, I have been very aware of gang markings or what I consider to be gang markings, distinctive writings, distinctive markings that may be on a wall that I have always been led to believe marked a territory, indicated a

presence. Do you believe or could you talk with me about street gangs? And I am talking about—we heard testimony earlier about the Bloods, the Crips, the—whatever these gangs might be. Within your jurisdiction, what do you see street gang activity as it relates to drugs and their involvement, sir?

Mr. YARBROUGH. Well, you know, gangs are not new in our society, they have been with us for thousands of years in one form or another. It is relatively new, the type of violence and the drug relatedness of the gangs that we see today.

The reasons why kids join gangs and participate in gangs are a sociological issue that is relatively well explained in the literature, but they all engage in some form of behavior that allows them to have money. And therefore, a great deal of it or ease of it is drug related. It does not mean that is all they are going to do, they burglarize cars, they steal cars, whatever happens to be available to them and whoever happens to contact them that has some relationship with them, they will sell drugs, they will use drugs. It is a relatively common activity for those kids in drugs to be users and abusers of substances. They will also sell the substance if they have the right approach, someone approaches them, makes it available to them, they will certainly sell it. But they are very heavily involved in the use of substances, illegal substances.

The graffiti you see, you know, is another fear and intimidation factor. People become frightened in our cities when the buildings and the landscape begin to become cluttered with graffiti and one of the best things that we do is have graffiti abatement so we get it off there immediately.

The perception of fear in our country drives so much of why our citizens are concerned. And reality is not always the absolute certainty, it is the perception and we must deal with the perception.

Mr. SESSIONS. Likewise, I think it is important for us to know that in your vigilance to attack this, that every single call that comes in is from a person that probably forthrightly is trying to expect that you would do something about it and then likewise, whatever happens will determine whether they are afraid or not. So it is very interesting.

Mr. YARBROUGH. Your ability to respond and satisfy the citizens' expectations is whether you will be regarded well or regarded poorly.

Mr. SESSIONS. I can tell you, sir, that one thing that comes out of this hearing is Special Agent Mercado telling me that where a city, where a community asks for help from the DEA in Texas, they will receive that help. That is serious, that is meaningful, as well as your department, when someone calls, you take very honestly that responsibility that you have.

I have concluded my questions, Mr. Chairman.

Mr. SOUDER. I had a couple of questions related to—I am on the Education Committee as well and on another subcommittee of Government Reform, which has oversight over education as well as interacting with the Children and Family Subcommittee and we just did the Juvenile Crime bill. And I had some long time interest and wanted to know, in your workings, not only in your home area, but in your State association, do you know anybody in Texas who has a parent liability law?

Mr. YARBROUGH. Well, the family code in Texas since 1975 has had a family liability clause in it. The difficulty in that is that it is a civil process and it is outside of the adjudication of the child as a delinquent. It is limited now, it is raised from $5,000 to $10,000, you can recover up to $10,000 for damage to property by the actions of a child, from the parent of that child.

This is not used, it is not workable, we need—again, it is not the amount of punishment, it is the certainty that something follows and I do not care whether it is 200 hours of community trash pick-up along the side of the roadway, that is far more effective than something that is not used and is not going to be used.

Mr. SOUDER. I was trying to zero in, you had an interesting concept which is that if the parents do not participate in the drug education programs, that they would be held liable, at least to some degree. They tried this in Los Angeles on gangs and lost a case where the mother had even had a cake with the gang symbols on it and she claimed she did not know that that was—she picked black and purple or something for the cake. I had a lady whose son had been involved in a gang tell me in Philadelphia that she was afraid that some of that would not work because a lot of those kids are very rebellious and their goal is to stick it to their parents. So if they knew the parents were going to be liable, they would make sure that the law enforcement officials knew it so their parents would be in trouble too.

If you come up with or know of different things or have specific things, I think that is one of the most important things we need to look at. I do not know that we can legally do it but we have to get the parents directly involved because without the parental involvement, the schools are overwhelmed, law enforcement is overwhelmed and there needs to be more accountability on that side. I am certainly willing to look at those kinds of things, as are other members. It should be a State and local area, but as it overlaps across State lines, there may be things we can do in looking at that.

Mr. YARBROUGH. Mr. Chairman, as you well know, you find a great deal of education in this country and you set a great precedence and tone for what education will be like in this country, even though it is a State issue and even more so, a local issue. But the Federal Government has long used its financial ability to alter behavior at certain levels. And I believe that a commitment to a program from K through 12 for substance abuse education and for the parents to be voluntarily included and resource made available to teach the parents the same kinds of things taught the child so that they can assist the school and be assisted in working with their children in the drug abuse-related problems, and you can offset that with the kinds of State statutes which you can also influence, as you are well aware, through certain pass-through moneys, that would hold the parents somewhat responsible. And a parent's participation in this education process would be in the legal sense, a minimizer in their liability, for their child's conduct.

You know, it is a sad set of circumstances and we see it many times in our local business where a single family mother is abused and beaten by her 14-year-old child. But that problem really did not start at 13. And there is nothing one can do if that is when

the problem began and there had been good parenting and good care and good education prior to that. But then there is no liability on the parents' part, we are all responsible for our individual conduct at some point.

Mr. SOUDER. I think we are kicking a lot of problems at the schools that started with fundamental problems in the individual and in families and in looking at how the schools can address this, certainly the hottest—this next statement is not going to be popular, but I want to get your reaction to it—in looking at how to address a lot of the drug issues, I think there has been so much pressure on law enforcement, saying why is the problem not going down, that almost uniformly, I do not care what agency it is, Federal, State, local, it is like well, we are going to solve this through education. Yet, interestingly, the only data we have on the few programs that are out there, and DARE is arguably, in my opinion, the best in the country, is not good. It is even worse than law enforcement data in the sense of whether it is getting its changes.

In the kids that you see, I have a daughter who is a freshman, now is going to be a sophomore in college, a son who is a senior in high school as well as one in elementary school. My kids are pretty straight, I say that with the hope of many parents. But I get this feeling from their friends that for the most part, it is not a lack of knowledge in the kids about what the drugs are or even that cocaine or heroin may not be actually dangerous, but a lot of it is a feeling that a lot of this stuff is not that important, adults may smoke and drink, therefore what is the big deal with marijuana or methamphetamine. They start into that and they never intended to get involved in the other, but knowledge may not be the problem here.

How do we get to the next step? We are winning the battle from kindergarten to sixth grade, not too many of those kids will say drugs are good. Somewhere in there, we are transferring at junior high and high school where in spite of the fact of saying it is good, we are seeing an increase in the number of students who say marijuana is not dangerous, we have seen increasing tolerance, dangerous trends even as adults have backed away from some of these hard drugs. How would you approach the education angle? I thought the parents was an interesting wrinkle and I thought also the registering of drug dealers much like we are in juvenile justice trying to have some of that even be in the record of some of these kids because the dealers are just using the kids. But have you thought much—and as you think of things too, if you can pass it through to Congressman Sessions and others—how would you approach the education differently than we have, given the fact that we have been trying to sound this drum beat when the kids become at risk?

Mr. YARBROUGH. I guess there are really two real quick pieces. And I am certainly not qualified to lay out an education program, that is not my expertise by any means. I think there are people who are very capable, I think we need to continue to press something that begins from K through 12 and we need to build piece upon piece in recognizing as peer pressures change in the 6th, 7th, 8th grade, as they change in the 10th and 11th grades, and as

things change, that we have a program designed by people much smarter than I am, as to how to deal with that.

We are not going to be 100 percent successful. Peer pressure at 13 is far more important than your ability. You know, you had your chance for the first 7, 6, 9, 10 years. After that, somebody else is beginning to take over a great deal in the behavior formation of our children.

I just think if we commit to something that begins here and ends here through 12 years and we bring the parent into it, we now at least have the two pieces. You know, I—law enforcement, teaching drug abuse education is probably not the world's greatest idea. The new wrinkle at our local level now in the States is teaching aggressive behavior kinds of programs, to teach the children how to deal with aggressive behavior as opposed to getting a razor, a hatpin, a gun or something else and settling the problem.

I just believe there are an awful lot of bright people, and you work with education people a great deal, that can design something. If we are not trying, we are certainly not going to succeed and I do not see us trying with a real comprehensive approach to it. And you know, there is not much results, it is 12 years from now before we are going to know what the results are, and that is not always the best laid plan. I cannot support anything, you know, next election.

Mr. SOUDER. Well, I thank you for your testimony. You have touched on one other area that you hit a raw nerve on and that is advertising, which to some degree is a spin off the media and I just want to say on behalf of our colleague, John Mica from Florida, this has been a pet peeve of ours. We have had in front of our subcommittee the Partnership of Drug Free America, which has absolutely brilliant ads devised by the best marketers in the country. If they would run it at sometime other than 4:30 a.m., it might be helpful in trying to reach people and quite frankly, if we do not see some response out of our national media, his bill will gain more momentum, which demands that the networks spend a certain amount of time in each given time period, in helping us with this, because there is no question that the entertainment issue—and this is a bipartisan effort where I congratulate the President and Vice President for helping keep the pressure on Hollywood—we had a hearing out there—the pressure in the music industry, because it is frightening what kind of garbage is going through and we can do a little classroom talk here or there or parents can try to reach the kids, but if they are playing on certain stations this kind of stuff, what industry even holds up sometimes—I got into an argument over with one song, Heroin Girl, which is supposed to be their model of an anti-drug song, but it certainly had a second message inside that. And it was a frustrating process if that's the best they can do to try to fight drugs.

So we will continue to work at multiple levels and I want to congratulate you and the others who are fighting the battle here at home in every community because you are the front line of defense and, as you say, there are citizens afraid to come out of their homes, people afraid to go shopping, afraid to jog at night, kids afraid to go out on the playgrounds. It is very distressing to go into any urban city in this country and have every single child there be

able to say they have heard gunshots in the last period of time. You cannot have equal opportunity and an equal chance in this country when there are people who are in those kinds of situations and it has penetrated everywhere.

Mr. Sessions, do you have any closing comments?

Mr. SESSIONS. Just as a closing comment, I would like to thank each of the people who have been here today. I will tell you that we have the most professional law enforcement that we assembled today. This was designed to get information, not only to Congressman Souder and myself, for us to take to Washington, but it also has been designed for the students who are here today.

I would like to thank you. I would like to be a person who can stand up, and I am a person who can stand up and tell you that I have never ever, ever smoked at minimum a marijuana cigarette, I do not participate in illegal drug use and I will tell you that if anybody thinks that that is cool that you are involved in drug usage, you are making a mistake.

Last, I want to thank the media who has taken time to be here today. They are an important part of this process, because they get the message out. This cannot be won or lost just by law enforcement or by Members of Congress or by even kids. It has to be a joint participation with people who write newspapers and who buy ink by the barrel and who have TV stations and airwaves.

So I applaud them for being here today and I will tell you that I am extremely pleased, sir, to see the people who were here from the media who care, not just about the hot story, but care about our children.

And last, sir, I want to thank you for taking time out of your schedule. I know it was a diversion for you, as Chairman Hastert was unable to be here, but thank you for taking time and I welcome any way we are able to work together in your leadership in this area.

Mr. SOUDER. I want to thank all of you for making this hearing so successful. This is how we get information. For those of you who are watching, we do this around the country, we collect this. As a former committee staff director and staffer, I know how important it is that they absorb the information as we do different reports, and I also want to say that it is really great, I know this is not just a flattery statement, it is great to have Congressman Sessions in Congress because he is committed to law enforcement. This is not an election year. Too many people talk about drugs in an election year. The key thing is do you talk about it in a non-election year.

It is great to be here, great to see people on the front lines and I commend all of you.

This hearing of the Subcommittee on National Security, International Affairs, and Criminal Justice is adjourned.

[Whereupon, at 1:19 p.m., the subcommittee was adjourned.]

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