

EXECUTIVE OFFICE OF THE PRESIDENT
PRESIDENT'S ADVISORY COUNCIL ON EXECUTIVE ORGANIZATION
WASHINGTON, D. C. 20506

16 January 1970

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR

THE PRESIDENT

SUBJECT: Proposed Reorganization of the Federal Organized Crime Strike Force Program

In April of this year you directed us to "examine the effectiveness of the Executive Branch in combating Crime--in particular, organized crime." In line with your directive, we studied the organizational aspects of the major effort of the federal government to control organized crime--the Department of Justice directed Strike Force Program.

While important, organizational changes in the federal organized crime fighting mechanism will not, of themselves, eliminate or even substantially reduce organized crime. In keeping with our mandate, we are suggesting organizational improvements in the current federal organized crime fighting program rather than proposing modification of the criminal laws or new program initiatives.

The Department of Justice Strike Force program consists of small federal units involved in the investigation and prosecution of those engaged in organized crime in a number of cities.^{1/} These units are outside the offices of the United States Attorneys for the districts in which they are located. A unit usually includes five Department of Justice lawyers and seven or eight investigators from law enforcement

^{1/} On December 2, 1969, there were units in Boston, Brooklyn, Buffalo, Chicago, Cleveland, Detroit, Miami, Newark, New York and Philadelphia.

agencies dealing with organized crime.^{2/} In some cases more investigators are involved. By bringing representatives of investigative agencies together on the same team, thereby reducing barriers to information sharing, to effective communication, and to concerted action, Strike Forces are designed to accomplish more than the agencies can achieve by independent operation.

Our conclusions and recommendations grow out of a detailed examination of the federal Strike Force programs, sometimes called the Federal Racketeering Field Office Program. To gather information our staff visited 17 cities that now have, or are scheduled soon to receive, federal organized crime fighting units.

Prior to conducting the field investigation, the staff discussed the Strike Force program with responsible officials in the Department of Justice, the Bureau of the Budget, the federal investigative agencies participating in the program and with congressional committee staff working in this area. In the course of the field investigation, the staff reviewed the program with Strike Force leaders, lawyers, and staff investigators; United States Attorneys and Assistant United States Attorneys, police chiefs, Federal Bureau of Investigation Special Agents in Charge, Department of Justice Organized Crime and Racketeering Section Regional Coordinators, county prosecutors, city or state crime commission members, and federal judges.

After completing the field investigation, our staff reviewed its findings with persons familiar with federal efforts against organized crime, including former Attorneys General, retired Justice Department officials, and authors, professors, and professional consultants. In all, our staff interviewed some 120 persons concerning the Strike Force program, and Council members participated in a number of these interviews. The notes taken during each of the interview sessions are available.

As a result of the information and judgments gathered in the course of the survey just described we can report that:

^{2/} These agencies include the Federal Bureau of Investigation, the Internal Revenue Service, the Bureau of Narcotics and Dangerous Drugs, the Bureau of Customs, the Secret Service, the Immigration and Naturalization Service, the Bureau of Labor Management and Welfare Pension Reports, the Securities and Exchange Commission, and in two cities the Royal Canadian Mounted Police.

1. Some of those interviewed felt the addition of Strike Forces contributed constructively to the federal fight on organized crime and that slow progress was being made. On the other hand, a very large number of those interviewed believed the Strike Force program has created in the districts where it operates a Justice Department-directed competitor to the office of United States Attorney, producing conflict, tension, duplication, and confusion within the Federal law enforcement establishment.
2. The various Strike Forces, while intended to improve information exchanged locally and between Washington and the field and to focus the energies of federal investigative and prosecutive agencies on organized crime, have not done this.
3. The United States Attorneys interviewed reported that the Organized Crime and Racketeering Section of the Department of Justice has not maintained effective communication with their offices.
4. The federal effort against organized crime suffers from insufficient government-wide, inter-agency planning and supervision.

Appendix B contains a summary of evidence for the preceding conclusions.

In light of these conclusions, we recommend organizational changes to strengthen and more clearly define the Attorney General's position as the leading federal official in the organized crime field and to reaffirm the leadership role of United States Attorneys by defining their relationships with the federal Strike Force offices. Such definition should eliminate the competition and confusion that has existed between these two offices in the field. Our recommendations are:

1. The Attorney General, as the lead official in all federal organized crime programs, should plan the overall federal organized crime effort, assess agency performance and progress in meeting planned goals, and report status and results to the President. The Criminal Division (Organized Crime and Racketeering Section) of the Department of Justice should provide the support required to enable the Attorney General effectively to discharge this mandate.

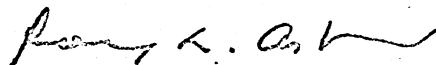
2. The Attorney General should have the authority to take, or recommend to you, such actions as may be necessary to marshal the investigative support needed to conduct the attack on organized crime. The Attorney General is considering proposing an inter-departmental council for this purpose. We would endorse and support this proposal.
3. The head of each Strike Force should be chosen by the Assistant Attorney General in charge of the Criminal Division of the Department of Justice with the concurrence of the United States Attorney to whose office he is assigned.
4. Each Strike Force should operate as a special organized crime unit within the office of a district's United States Attorney. While the head of the Strike Force should report operationally to the United States Attorney, he must work under policies laid down by the Criminal Division of the Department of Justice. His subordinates may be subject to Department of Justice approval and his work and continuation as head of the Strike Force will also be subject to Department of Justice approval.
5. The Strike Force should be in addition to the regular complement of the United States Attorney's office.^{3/} The personnel of this Strike Force should not be diverted from organized crime cases to other work, however pressing, of the office of the United States Attorney.

3/ As is the case with present Strike Force members, the section personnel will be on the payroll of the Organized Crime and Racketeering Section of the Criminal Division of the Department of Justice or on the payrolls of the various federal investigative agencies.

The Council has discussed its recommendations with the Attorney General, his Deputy, and the head of the Criminal Division. The Attorney General would prefer a greater measure of direct control over the Strike Forces, acting through the Criminal Division of his Department. We have carefully considered his views, which differ from ours only in degree. We believe, however, that the arrangement proposed above would lead to more effective management of the government's resources in its fight against organized crime.

On behalf of the Council,

Respectfully submitted,



Roy L. Ash
Chairman

Attachments