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P R O C E E D I N G S

(9:10 a.m.)

JUDGE WEBSTER: Attorney General Reno, the floor is yours.

GENERAL RENO: Thank you, Judge.

Chief Stewart, President Gallegos, Professor Dahlin, we appreciate this opportunity to be here today and we look forward to working with you and trying to be as helpful as we can in terms of information response that will be helpful to you.

I, at Judge Webster's request, really outlined what I think are going to be some of the critical issues in the next century, and that is what I present today. I don't see that it is minutely inclusive, but I think it will present what I think are some of our priorities and concerns.

First of all, I hope that we will go into the next century continuing the general approach that we have had in these last 5 years in an effort to create a partnership, first a partnership between the Federal agencies.

Secretary Rubin and I, Department of Treasury and Department of Justice, I think have had an excellent working relationship where we have tried to put turf aside and focus on what is best, and what is in the best interest of the case, and we do it daily, and I am really gratified at the response of the Department of Treasury. We feel very good about that.

My background is in State and local law enforcement, and I came to Washington committed to building a true partnership with State and local law enforcement, a two-way street for exchange of information, and in deference to State and local law enforcement based upon principles of Federalism and what was in the best interest of the case and the community, but not in who got the credit, or whose turf it was.

We have also found that with the internationalization of crime, that it becomes Director Freeh and Mr. Tenet's predecessors and Mr. Tenet have built an excellent relationship between the intelligence community and law enforcement, and I think we want to take every step we can to enhance that as we move into the next century.

We formed a closer working relationship with State in these last 5 years, trying to recognize that on issues of institution-building and of training and of international crime State can be an invaluable partner in this effort, and we are continuing to build on that.

We have also started regular meetings with the Department of Defense. As a matter of fact, this morning Deputy Secretary Hamre and I will be meeting to identify issues of mutual concern and to address those, and we hope very much that Treasury will be part of that effort.

Again, the second principle that I have operated on is the need for bipartisanship. I see so many U.S. Attorneys from one party working with sheriffs and DA's from another party, and doing it without regard to party affiliation, and I think that is very important, and I think we can make so many inroads if we approach it in a thoughtful, bipartisan way.

We have tried to put a heavy emphasis on research in terms of what the crime problem is in a particular area or nationally, analysis, planning, and the development of sound plans based on what the solid information is, and I think that has been key to much of what we have done.

And finally, we have tried to promote it from a balanced point of view, focusing on punishment to assure that punishment was fair, absolutely firm, and fit the crime, but that there was early intervention when you saw a first offender and prevention whenever possible.

We tried to look at prevention, for example, in the health care fraud arena. We are trying to analyze each case now to see what caused the fraud and what permitted the fraud to take place, and work with the industry to develop checks and balances that will prevent it for the future.

To give you an example, I would like to put a subject on the table. It has always frustrated me to see the amount of effort and time and money and manpower that law enforcement has to put into auto theft. I would like to work with Detroit to develop some mechanisms that can effectively prevent auto theft, that would save so much in terms of law enforcement's commitment, and this is the type of prevention that I am talking about.

I know our priorities will continue to be drugs and drug trafficking violence, white collar crime, public corruption, and generally the other traditional priorities of the Department of Justice, but terrorism is clearly going to be -- nothing can exceed that in terms of importance, both domestic and international terrorism.

We have seen the results of it in Oklahoma City, and again law enforcement responded so magnificently in that regard, but it is important that we develop, again, the partnership between State and local law enforcement and the Federal agencies to make sure that we have the earliest possible information that will enable us to prevent the crime in the first place, and I think the ATF and the FBI working together in a number of instances have been able to do that.

Clearly, one of the great issues that we will face in the next century will be the issue of weapons of mass destruction, and we are taking steps to make sure that we are prepared in terms of bio and chemical weapons and, of course, nuclear weapons.

Another issue in that regard is the whole threat on our information infrastructure.

Can you hear me?

JUDGE WEBSTER: Your microphone seems to be cutting in and out. I am not sure.

GENERAL RENO: Let me try again.

I think the newest threat, and one of those that cause me most concern, is the whole question of the security of our information technology. This Nation is much more dependent upon its information technology and information infrastructure than any other. It provides us with some remarkable opportunities, but it also creates some serious vulnerabilities that we have got to be prepared to address.

As you know, the President appointed a commission that has returned a report, and we are now in the process of implementing it. The FBI has established the National Infrastructure Protection Center that works in conjunction with the Terrorism Center at the Bureau in what I think is going to be a very effective effort to deal with this issue, but it is going to require a new approach from law enforcement.

It is going to require outreach and trust-building between law enforcement and the sectors of Government and the private sector that are primarily dependent on information technology and on the infrastructure.

There is so much of what we do that is our emergency systems, fire and police, banking, energy, utilities, how we get our food to the market and do it in a timely way, and when you see what one 17-year-old hacker can do just playing, it makes you realize what somebody with more malicious and evil purposes could do --

I think it is going off and on, so forgive me.

Could do if they really wanted to bring down the information infrastructure, so this is one of our prime focuses, and I think a very important one in that regard.

What we would like to do, and what we are working on, is to develop, again, a partnership between the State and local officials and the Federal agencies to ensure information-sharing, to ensure that we get early warnings out to the field, and that we get information from the field that will be helpful to us that we share technology.

Much of the technology in this area is very expensive. It also becomes obsolete right quickly. Not every State can afford to buy it, and it doesn't make good sense if we can provide regional and national capacity to share not just the technology but the expertise to go with the technology.

That raises I think a critical issue for law enforcement, as it does for the private sector. How are we going to make sure we have sufficient people in law enforcement with the technical sophistication that can match wits with some of these cyber criminals or cyber terrorists, and how can we be prepared in terms of people who know how to -- who know the law as well as the technology to permit the Constitution to keep track of the technology?

These are issues we are grappling with, and that I think are going to be critical for law enforcement, but I think it is going to be imperative that we share with State and local our expertise on issues of weapons of mass destruction, cyber issues, and the like.

I think it is also going to be important for us in other areas to establish standards for forensic standards that will enable us to again share the equipment and share the knowledge, and use the latest research to inform and to improve law enforcement efforts.

Leaving aside terrorism for a moment, just the issue of cyber crime will be a major force, I think, in the next century. When a man can sit in a kitchen in St. Petersburg, Russia, and steal from a bank in New York with the use of his computer, you understand the dimensions of the problem that we face.

When someone can run a boiler room from off-shore, we don't quite know where, through the Internet, we face significant problems.

When child pornography is conveyed across the globe through the Internet, we see problems.

When stalkers can stalk through a chat room as opposed to stalking down the street, we see problems.

There are so many issues that are going to have to be addressed in a thoughtful way by law enforcement and the private sector to ensure that the cyber tools we have now give us the opportunities that everybody dreams of without the risk.

Another issue that law enforcement faces is tied into that, and that is that I think borders are shrinking. In some instances they are being eliminated, and it is imperative that law enforcement be prepared to deal with crime and its international consequences.

If the computer becomes the tool rather than the gun, the FBI is going to have to be able to work with agencies around the world to track down where the intruder is, who is doing it. We are going to have to develop common statutes and common laws to address the problem. We are going to have to have common understandings as to who prosecutes and ensure that there is prosecution.

Director Freeh has done some really wonderful work in ensuring that there is an FBI presence in many areas around the world. I think this has been extremely helpful in improving the working relationship between law enforcement around the world, but I think the old days of diplomatic niceties and archaic forms should be a thing of the past, because we are going to have to deal with countries around the world as we deal with States, in a respectful, orderly partnership if we are going to be effective in law enforcement.

That leads to, I think, one of the critical shortages in law enforcement, at least at the Federal level, and that is a language capacity. We see it regularly with respect to the need for Spanish-speaking agents. We have other areas of the world where we need this capacity, and I think this is something we must be addressing.

One area where law enforcement has, I think, just a critical responsibility that it has not yet met is in the area of Indian country. We are seeing an increase particularly in youth crime in Indian country, with gangs coming from areas like Los Angeles. I think it is reaching a very serious proportion, and I think it is vital that we identify resources and enhance our commitment in that area.

Finally, with respect to professionalization, we again work with State and local law enforcement through our COPS program and the National Institute of Justice, and I think that that has been a good initiative that is producing some good results, and something we can build on for the next century with respect to the Federal agencies.

For example, we have developed a deadly force policy that the Department of Justice and the Department of Treasury have both adopted after appropriate consultation. This in effect covers about 90 percent of the Federal agents now, as I read the numbers, and this is the type of thing we are trying to undertake through our Office of Investigative Agency Policy to address issues such as deadly force, and do everything we can to promote the professional competence of the agents and to ensure that people understand the processes and area of disparity.

Obviously, many questions are raised about law enforcement, and we constantly review our data, our charging data issues involving the death penalty to make sure that we do not see any pattern of disparity that is inappropriate.

These are some of the issues, Judge Webster, that I wanted to touch on. They are not by any means -- they don't cover the whole waterfront, but I thought it would give you a flavor of where we are at and where I hope we are going.

JUDGE WEBSTER: Thank you, Attorney General. That is a very good start indeed.

I understand both you and Secretary Rubin are willing to come back after we have

developed other issues, and we are very appreciative of that.

Your comments about cooperation made me think of -- incidentally, I think I know the secret of these microphones, which I will now try to demonstrate. They are voice-activated, so that means you have got to be up close to them, and that is about the only thing I know to do, and I am having the same effect that you were, wondering whether they are on or not.

I was Director of the FBI at the time that we looked for a quotation on the Hoover Building to put on the interior courtyard, and one that I had a role in selecting was one by J. Edgar Hoover which stated the key to effective law enforcement was cooperation at all levels of Government, and with the support and understanding of the American people.

And you also touched upon trust-building as an essential ingredient, and I think that is so important, and we appreciate your calling it to our attention, because it will be a very vital part of what I think we were intended to do when this commission was established.

(Pause.)

CHIEF STEWART: I know there is a serious debate going on on encryption, which can create serious problems for law enforcement. I wonder, where do we stand? Are we any closer to getting the encryption problem worked at?

GENERAL RENO: I think this is what we are talking about as far as trust-building. Right now we are engaged in conversation with the industry, saying look, everybody agrees there should be strong encryption to ensure privacy. The whole cyber world will not work unless we can provide that, and I do not think anybody disagrees with that.

But I think we should have privacy today, except when there is a situation that will justify under our current law and Constitution an appropriate electronic intercept of a telephone call or otherwise.

Everybody understands that if you have stored data in a computer, and it is encrypted, it is going to be very important to get into that stored data if you have a search warrant for the stored data, and we are going to have to work together to solve the problem.

I think there has been tension developed between the industry and law enforcement, and I think it is incumbent upon us all to sit down and work through these issues and find the right technical solution, but the one thing I am convinced of is that what we find tomorrow will probably be obsolete in 6 months to a year, and that is the reason it is absolutely imperative that we form the partnership with the academic world, with labs such as Lawrence Livermore, with the private sector, in order to keep pace with the technology that just staggers the imagination and converts vanity to prayer, as I see it.

The trust-building is absolutely essential. I think we are making some progress, Chief, not as fast as I would like.

The other factor I think we all realize is that there is going to be strong encryption that is not immediately accessible, brought into this country. It is there, and we are going to have to be prepared to be able, when it is appropriate, according to the present Constitution and the present law, to electronically surveil it or intercept it. We are going to have to be prepared with new technical solutions that I do not think we know yet.

So I do not have the best report to make, but that is about the most candid.

CHIEF STEWART: The only other thing I would mention in your comments on training and professionalization, my agency in South Carolina works closely with the FBI Academy and FLETSI. We have a program going now through FLETSI and the State Department with training with Russian station chiefs, which is an interesting program, but I think you are doing a great deal in the level of cooperation with the States and local government through those two facilities, and all that is being done in regard to standardization and professionalization.

Some of us that are very active in the CALEA accreditation movement and ASCLAD lab accreditation were very pleased to see the FBI working toward ASCLAD accreditation as well on the road to obtaining that, and General, you have endorsed the U.S. Marshalls Service and started down the road to CALEA accreditation, and we are watching that very closely to see whether that is something that would be suitable for the Federal agencies or would not be suitable for the Federal agencies.

GENERAL RENO: I want to explore every avenue I can, because I think just as law enforcement is facing some incredible challenges that I do not think it has ever faced before, and of dimensions they've never faced before -- you wander down the hall, Judge Webster, in the Justice Building and you see an old crime lab mural right across the wall, on the wall across from the Attorney General's Office, and you realize how far we have come, but then you look at the cyber tools and it really is incredible.

But I think this is an exciting time for law enforcement, because I have never seen both with the officer on the front line and the manager such professionalism that exists across the range of police agencies wherever I go.

I am so impressed with the young officer, President Gallegos, who is interested, he is innovative, she is bold -- they are doing new and good things, reaching out to the community. Police chiefs and sheriffs are doing the same thing.

It is just a wonderful time where people are very receptive to anything they can get that

will improve the professionalism of their agency, and the time is now for us to do it.

JUDGE WEBSTER: You made me think of a comment. Saturday, I attended and spoke at the South Central Conference of Former Agents of the FBI in St. Louis, and Acting Assistant Director Roger Wheeler was talking about the days where the people largely in that audience had trained and each was given a revolver with six rounds as they graduated from the academy.

Now, they not only get rounds of 9 mm, having had extensive training in automatic weapons, but they are each given a \$4,000 laptop computer, which sort of says where we are going and the direction that we had better be able to achieve in a proper way.

MR. GALLEGOS: We definitely have made a substantial amount of progress. When I went through the academy we received a revolver with six shots but no bullets. That's what graduation was all about.

Secretary Rubin made a comment about oversight, and that seems to be a very substantial issue with State and local law enforcement agencies, and I think it kind of goes also into a shooting policy, or use of force policy that both of you have developed, and I think one of the concerns has been on a good deadly force policy, or shooting force policy, and I think you are to be commended for bringing those issues kind of together, because it is a big one with State and local.

One of the concerns that I have heard with other Federal agencies, not necessarily within yours, is that it doesn't seem to track through all the Federal law enforcement agencies as far as the deadly force, so I think the initial steps you have taken to bring Treasury and Justice together are critical to passing it on to other Federal agencies and the Department of Interior and Department of Defense and so on, so I think you are to be commended for that.

Kind of in general, how do you see oversight in the Office of Professional Responsibility, and have you taken a look at how you can bring the American public into play and how they can feel more comfortable in necessarily filing complaints, or whatever it may be, against Federal officers?

GENERAL RENO: One of the issues that is most troubling to me is, I come from a State that had a public records law, an open Government law. Once you completed the investigation, the investigation became public, and it was much easier to advise people on just what had been done and why.

When I came into office, as Mr. Shaheen can tell you, I started looking at what we can do to properly release at least summaries of OPR reports, and I would defer to him to give you a critique on how it is working. He may want to wait until I leave.

(Laughter.)

GENERAL RENO: But it is very important for me.

Also, with respect to civil rights complaints, for example, against border patrol agents or others along the border, the IG investigates those complaints, and it is frustrating because they initially investigate them.

They may then be referred to the Bureau or to the Civil Rights Division, and we are trying to develop some means of tracking it and letting people know what happens to the complaint, because Doris Meisner, the Commissioner of INS, tells me that one of her major problems is, okay, the agencies are investigating it.

She doesn't control it. She can't let people know what's happening to their complaint, and when it's concluded it's not clear that she is advised as immediately as possible.

And so there is a lot to be done, and what we're doing in that regard is really a self-assessment of our civil rights processes with respect to the Federal agencies within the Department of Justice to make sure that we are doing it right as well, but response and feedback to the complainant I think is essential, and that is our ultimate goal, and I think we have made some real progress with regard to the OPR process and to the IG process.

MR. GALLEGOS: I think as ever there has to be a careful balance between the due process rights of the individual officer or employee versus trying to get to the truth and address the issues that are affected by the person that has a complaint, or has a concern, whether it be civil rights or procedural, or whatever, and so a good policy I think, yet it is central to getting to those particular issues.

JUDGE WEBSTER: We are very glad to hear the Attorney General say what she just did. I am reminded that back in the 1980's I appeared on a question and answer radio program that was heard largely in the Middle West, but had a national following.

I got a call in -- I was here in Washington. I got a call in from a police officer out, I believe in Illinois, and he said he understood why the FBI had its civil rights responsibilities with respect to violations of constitutional rights of citizens for allegations of civil rights by State and local law enforcement, but why did it take so long, and why were they never told what the outcome of the inquiry was.

And I said I was not at all certain why it took long, but I am surprised to hear that they were not told, so I said I would look into it, and I found indeed these reports were being concluded at sometimes at a rapid rate and sometimes a very slow rate, but in any event, they

were never told.

And I asked, why was that, and they said that would require several thousand letters going out every year, and I said, if the Department of Justice didn't want to do it, the FBI would do it, because it was very important that people who had those allegations made against them know that the case was closed and that they had found to be either -- if they were valid, of course, they heard about it, but if they were not valid they were entitled to know it was over.

And the Department at that time said, well, if you're going to do it, then the Department will do it, and what I am hoping is the Department is still doing it.

GENERAL RENO: Well, I think eternal vigilance is the standard. I think one of the things that one learns is, you've just got to constantly review it and monitor it, look at the processes that are in place, make sure that we haven't built up one layer of process on another so that they're meaningless, and then really make sure we carry out those processes, and that is what our whole self-assessment is all about, trying to make sure we have something in place that is fair, I think.

Another thing we are doing that just touches on this, there was a tremendous FOIA backlog, and we've established goals, aided and abetted by Congress that said you had better do it, and we are making some significant progress in reducing those backlogs and weeding out material that doesn't have to be covered under FOIA so that we can get it out.

I'm trying to make the Justice Department as open as possible, consistent with privacy interests, so that people can have confidence in what we do.

PROFESSOR DAHLIN: Mr. Chairman, could I ask a question? I really appreciated both of your statements. I think they are an excellent reminder as we really get down to work on the need to be forward-looking as we proceed.

I particularly was interested in the comments, which seemed certainly sensible and right, about the growing internationalization and globalization of what's happening in the world.

I have taught at the undergraduate level international law a little bit, and I am still struck by the salience of the notion of nation-State, and I wonder if you have any guidance for us as we begin our work as to where we ought to look, and how we ought to tackle what seems to be an incredibly difficult problem.

GENERAL RENO: I think we would like to come back and make some presentations to you, or have some of our experts, and I think you might like to hear from them, hear from the

cyber people about just how borders become meaningless in terms of the cyber criminal, but hear from Director Freeh about what he has done in terms of the establishment of more offices.

One of the keys I think in this area is something that Secretary Albright and I are engaged in. I think training and institution-building, and the Treasury Department is involved in this as well, that that is absolutely one of the keys to everything we do, mutual respectful training opportunities and efforts at institution-building.

It is very difficult to do that when you don't have a planned curriculum over a period of time. If you were conducting your university in an ad hoc way -- well, we'll have a course here, maybe a course here, well, we won't have a next semester here -- it's very difficult to plan a faculty that is distinguished and excels.

And so what we are trying to do is identify and prioritize the training needs around the world, see what State has in terms of dollars through its various entities, see what Justice Department and Treasury have, assign responsibility, and develop a priority list over 5 years, so that together the Treasury Department and the Justice Department could provide faculty that really fit the needs of these training opportunities.

I think you might want to hear from somebody at State in this regard, and I think that is a key place to proceed.

We are doing a lot in terms of focusing on the issue of extradition. We have got to, if law enforcement is to work around the world in this next century, make clear to the criminals that there's no safe place to hide.

There's a reluctance on the part of many nations to extradite nationals, I think for sovereignty reasons, because they think the United States was once the big bad ogre that wouldn't give their nationals a fair trial.

Now, as we enter into international agreements and NAFTA-type relationships that are based on trust, we're going to have to trust, and any prosecutor knows that a case should generally be prosecuted in the place that it was committed, where the people, the witnesses are there, and that there are only rare exceptions when there is a change of venue.

We are making some headway in terms of acceptance of that knowledge, but the extradition process is still so fraught with different procedures and some treaties back to 1910 we have got to do a lot in working that out.

But I think training, that effort, the development of common statutes -- we are spending an awful lot of time with the OECD, and we had the first minister's conference on

this issue of cyber crime last December, where the ministers of justice from the eight countries came, and we had an excellent meeting, and so there are steps underway, and we would be happy to brief you on that and have staff brief you, however you wanted to do it.

But it is clearly -- I think in 25 years we're going to have to have standard forms, and I think the EU and other entities, with what we do in this hemisphere, with the way we work things out in a more collective way, we can have an impact.

(Pause.)

GENERAL RENO: One other factor that came up with respect to the recent death penalty issue is how in this Federalist Nation, how the States work together on this. That is so confusing to foreign countries when they say, well, you entered into this treaty. What do you mean, you can't enforce it?

SECRETARY RUBIN: Let me give you an example. We had our money-laundering conference in Argentina with every nation in the hemisphere but one, Cuba, and there was tremendous enthusiasm about the statutes and regulations and everything else.

On the other hand, most -- much significant money laundering today has a foreign piece to it, and it is cyber-conducted. Well, some of it is, some of it isn't, but some of it is, so it's an increasing problem.

On the other hand, as I looked around the room I thought to myself, even if you have statutes and you have regulations, how much of this is going to be undone by corruption, and it's not irrelevant to our interests, quite the contrary. How we get at all of this in some effective fashion seems to me is indeed complicated but a critically important set of issues.

Can I add one thing in the coordination, Mr. Chairman, that occurred to me? You all probably thought of this, but there are examples of coordination not just at the headquarters offices but in the field that are working, and I know the Attorney General knows more about this than I do, but I've heard this described by various people, including her, and there are examples where coordination doesn't work very well, but it seems to me very valuable to have people in from the field who have had success coordinating across Justice and Treasury Bureaus to see if the things can be replicated.

Secondly, there are people that have ideas about creating new entities and superstructures to accomplish these purposes. My instinct would be to be fairly wary of creating new layers and new entities, as opposed to trying to work within the existing entities to create a more effective interrelationship.

JUDGE WEBSTER: That's a very important point, and one that I was just about ready to

ask a question of the two of you, and I suppose this comes under the general category of federalization of crime which produces increasing numbers of Federal law enforcement agencies.

Your testimony this morning and your comments indicate that a good working relationship has existed, and gets better all the time, between Treasury and the Department of Justice.

Does it concern you that in almost every other Department of Government and also in other major agencies or bureaus we have designated law enforcement officers, that is AT-11's, who have a right to carry a gun and have an accelerated vesting, but many of these do not appear at least to be operating under any general national norms such as Treasury and the Department of Justice operate under, and it is perhaps unfair to ask you for solutions now, but is this something we should be interested in?

GENERAL RENO: I think this is important, and we have tried to do outreach.

For example, I met recently with the Inspectors General of the various Government agencies, and I am trying to do everything I can in terms of outreach. It moves awfully slow, Judge Webster, because just take Treasury and Justice -- well, let's just take Justice.

The FBI calls its S-A-C's S-A-C's, DEA calls its S-A-C's SACS. You have some of the old school that didn't really talk very much, and that filters up and down, and it's a slow process of getting the agencies to work together.

As the Chief and President Gallegos can tell you, a lot of law enforcement is based just on personal contact, that people know each other and respect each other, and it works.

I think one of the issues we face is that you have such a turnover in SAC's. I think when I was in Miami I had seven or eight SAC's in the 15 years I was State Attorney, and that makes it difficult to build rapport and understanding.

We have a long way to go just within the Department of Justice but I think it really is happening, sometimes a lot slower than I would like. Again, we're trying to do the outreach for those other agencies and bring them in to some standards and some norms while at the same time supporting their specific mission.

JUDGE WEBSTER: The FBI got along well for many, many years, even before it became the FBI. It was just the Bureau of Investigation, on a single paragraph, as I recall, that said the Attorney General shall have a Bureau of Investigation.

Now, I see statutes developed which are coming out which designate either the FBI or

some other agency as being the primary person, the primary agency responsible for dealing with special situations such as presidential assassinations, or attempted assassinations.

One of the things we might be interested in knowing is whether this congressional designation is helpful, or whether it is producing a scramble of authority, and whether it is proliferating the agencies, as Secretary Rubin warned against.

I don't know if you have any comment on that at this time, but we would be grateful if you would be thinking about that.

GENERAL RENO: Well, I for one, when people start tinkering with the structure to solve a problem, I am immediately suspect, because I think it is important for Federal law enforcement to sit down and make it work.

There is no reason why the current system shouldn't work. We've got more than enough to do, and more than enough credit to go around. It is frustrating when one agency is designated as the principal agency for the investigation of terrorist activities, and then another agency is designated as the principal agency for the investigation of bombings, and then they have a to-do between the two that comes up to Washington. I hear about it.

And I hope that is quickly becoming a thing of the past. We should not have to worry about what goes where and who does what from that point of view, when we've got enough to do otherwise.

So the more we can just say what I've been saying, which is, let's not tinker with structure, let's just sit down and get the job done, and anything you can do by report or otherwise to suggest that we do that, it helps.

SECRETARY RUBIN: Could I identify with that one second? It can be tempting, and I've seen this in the corporate world, to think you've got an existing structure, you've got a problem, you create a third structure to help it, but whenever you create a third structure you have a whole new set of individuals, and I would like to identify something, what the Attorney General said. There are problems in the coordination.

It seems to me the way to figure it out is to identify it with your existing structures, and it may be that you need different interfaces and you will find people who can do it, but I do think every time you create a new structure it will carry with it a whole bunch of other issues that sooner or later has potential to create a lot of difficulty.

GENERAL RENO: Let me put one other matter on your plate that goes directly to this, and that is the whole issue of the Southwest border with respect to Customs, INS inspectors, the border patrol.

You have now -- when we first took office, the first concern was undocumented aliens, and now the drug-trafficking issues with respect to that border are significant.

That has tremendous impact on local law enforcement along the border and on the local community, so that there are law enforcement and immigration issues and customs issues that overlap and need coordination, and the Secretary and I are working on that, but that is an example, I think, of what he is talking about.

JUDGE WEBSTER: Thank you.

CHIEF STEWART: Do I hear you say, then, you think we should look more at the mission than structure, or are you saying, then, that we should be looking at whether or not there -- being a State agency head for some time working with all the Federal agencies I was actually stationed in the U.S. Attorney's Office for 7 years coordinating joint State and Federal cases before I became Chief, that we should be looking at possibly duplication of effort as opposed to structure, problems with duplication of effort?

SECRETARY RUBIN: What I think I was trying to say, and maybe not very well, was that if you have two entities -- just take Justice and Treasury as an example. Take anything you want. You have two entities, and if there are coordination issues, which there always will be, then it seems to me the best and most effective way to deal with that is to figure out within the context of those two entities how better to relate them.

I think there is a temptation to think, well, we will create another thing, and I think that tends to bring with it a whole bunch of problems that may not be within the eyes of the person, or in the eyes of the original advocates. That's all I was saying.

GENERAL RENO: What I would -- I mean, what I always appreciate is people looking at us objectively and saying, why do you both have to be doing this, couldn't you use your resources better, and tell us what you think is inefficient about the operation and how it can be more effectively, or that you feel that it can be more effectively delivered.

I would hate to see you say, create another agency to work it out, or to eliminate it, but I think the more we can identify problems -- it was a State commissioner of the Georgia Bureau of Investigations that came to me and said early on, you should look at ATF and the FBI and see why they're fussing and fuming about drug fire in IBIS, and we looked at it, and we looked at it, and I think we finally got it resolved.

You could press us a bit.

JUDGE WEBSTER: Thank you.

Attorney General Reno and Secretary Rubin, we're very grateful for the time you've spent with us this morning.

I should have recognized that we had with us Under Secretary Ray Kelly, who coordinates your law enforcement in Treasury, Secretary Rubin. We're very glad to have him, and we're counting on him to continue our contacts, if we may, as well as with others in the Justice Department.

I think you've given us a very good start, and a good deal to think about, and we look forward to hearing from some of the officials in your agencies who are directly and continually involved in the law enforcement aspects, and we hope that we will be able to see you all again later on, as we get closer to understanding where we are in this problem.

GENERAL RENO: I will make myself available whenever you need me, and we want to try to provide all the information possible.

JUDGE WEBSTER: Thank you very much.

(Whereupon, at 10:15 a.m., the meeting adjourned.)