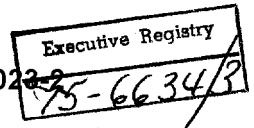


CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505



GAO

13 AUG 1975

Honorable Lucien N. Nedzi, Chairman
Special Subcommittee on Intelligence
Committee on Armed Services
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

You may be aware of the May 30, 1975 Comptroller General report entitled "Problems in Slowing the Flow of Cocaine and Heroin From and Through South America." The report discusses the roles and performance of the Central Intelligence Agency, the Drug Enforcement Administration of the Department of Justice, and the Department of State in the U. S. Government's efforts to curb the flow of illicit narcotics into the United States. The report concludes that since 1971:

- drug seizures and arrests have increased;
- cooperation on the part of some South American countries has improved;
- local government officials are more aware of drug abuse problems;
- foreign narcotics enforcement groups have been more effective; and
- better information has become available on drug trafficking."

However, because of the magnitude of the problem, the Comptroller General also concluded that large quantities of cocaine and heroin will continue to reach the United States from South America.

The involvement of this Agency in the Federal Government's anti-drug program began in October 1969, when former President Nixon established the White House Task Force on Narcotics Control, and appointed the Director a member. CIA was requested to use its existing intelligence collection resources to provide intelligence to the other members of the Task Force. In September 1971 the President replaced the Task Force with the Cabinet Committee on International Narcotics Control; the Director was appointed to the Committee, and the Agency



was assigned the responsibility of collecting and coordinating clandestine foreign intelligence gathering related to narcotics. We have committed substantial resources to this assignment. The Comptroller General's report is complimentary of the Agency's performance, pointing out that CIA has furnished the Drug Enforcement Administration with much useful intelligence, and that CIA originated the major international narcotics trafficker register program (MINT), which the report concludes should be the primary means for focusing U. S. Governmental efforts on the major international traffickers.

The report also details the problems which hamper U. S. Governmental efforts. One major problem (which is germane to other areas of the world as well) is that intelligence collection activities have suffered because CIA and DEA have disagreed on their respective intelligence roles, thereby limiting cooperation and data sharing. Three factors related to this disagreement on intelligence roles are cited.

a. Different objectives. CIA's primary function is to provide the nation's policymakers with intelligence on foreign developments and threats affecting the national security. Foreigners who assist the Agency in this endeavor are also the origin of much of CIA's information on drug traffic. The Director of Central Intelligence is charged by statute with protecting these intelligence sources from unauthorized disclosure. In contrast, DEA's assignment is to curb narcotics traffic by seizing drugs and arresting and prosecuting traffickers.

b. Different modes of operation. DEA overt activities and cooperation with local police are served by publicizing efforts and crediting local officials for assistance. CIA must be kept out of the limelight.

c. Lack of trust. The different objectives and modes of operation have engendered a lack of trust between CIA and DEA employees.

The Comptroller General's report is based on information gathered largely in late 1973. I am pleased to report that meaningful improvements have occurred since that date, and that there have been significant achievements in the program since the report data was compiled. Cooperation between CIA and the DEA international intelligence division is now excellent. Both parties are working together to improve the means to collect, collate, and analyze useful intelligence information. However, problems remain between CIA and the management levels of the enforcement side of DEA, which do not welcome CIA involvement in operations against foreign traffickers, as they are concerned that CIA's activities could impede prosecutions because of the necessity to protect sources and methods from discovery procedures. We are working with DEA to resolve this problem in appropriate ways.

In closing, I want to emphasize that this Agency is dedicated to doing all within its authority to help curb the flow of illicit narcotics into this country. In calling upon the resources of the Central Intelligence Agency, the Cabinet Committee on International Narcotics Control is fully aware that

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the Agency's contribution is in the area of providing leads and information to obstruct illicit narcotics traffic and not in the area of prosecutions where to do so would seriously jeopardize both our continued capability to provide such support to this government-wide effort, and our overall foreign intelligence mission.

Sincerely,

~~W. E. Colby~~

W. E. Colby
Director

Distribution:

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1 - DDCI
1 - ER
~~1 - OLC/Subj. w/basic~~
1 - OLC/Chrono
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CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

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13 AUG 1975

Honorable John C. Stennis, Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

You may be aware of the May 30, 1975 Comptroller General report entitled "Problems in Slowing the Flow of Cocaine and Heroin From and Through South America." The report discusses the roles and performance of the Central Intelligence Agency, the Drug Enforcement Administration of the Department of Justice, and the Department of State in the U. S. Government's efforts to curb the flow of illicit narcotics into the United States. The report concludes that since 1971:

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to obstruct illicit narcotics traffic and not in the area of prosecutions where
to do so would seriously jeopardize both our continued capability to provide
such support to this government-wide effort, and our overall foreign
intelligence mission.

Sincerely,

W. E. Colby

W. E. Colby
Director

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ROUTING AND RECORD SHEET

SUBJECT: (Optional) 75-6634/3
44

FROM: Legislative Counsel 7D35 HQ
 EXTENSION: [] NO. []
 DATE: 12 August 1975

TO: (Officer designation, room number, and building)
 DATE RECEIVED FORWARDED OFFICER'S INITIALS COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

TO:	DATE		OFFICER'S INITIALS	COMMENTS
	RECEIVED	FORWARDED		
1. 20C Director	5/13	8/13	mc /slp	Attached for your signature is the letter to the House and Senate Armed Services Committees regarding the Comptroller General's report on drug traffic. We have retyped the letter, adding the clause you suggested. OGC and Narcog both agreed to the change.
2.				
3.				
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7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

[] George L. Cary
 Legislative Counsel

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

CR 75-6634

FROM: Legislative Counsel
7D49

NO.

STAT

DATE
29 July 1975

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. *DDO*
Director

4 AUG 1975

RECEIVED

FORWARDED

8/6

8/7

mc/6/1

Attached for your signature is a proposed letter to our House and Senate Armed Services Subcommittees on the Comptroller General's report entitled, "Problems in Slowing the Flow of Cocaine and Heroin From and Through South America," per the last paragraph of your letter reproduced on page 83 of the report. This has been coordinated with Narcos.

2. *OLC*

3.

4.

5.

6.

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13.

14.

15.

George L. Cary
Legislative Counsel

STAT

Is my add-on OK? -

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STAT

TO

FROM: Don

DATE 16 JULY

SUBJECT:

SUSPENSE DATE _____

LETTER FROM DCI TO OVERSIGHT COMMITTEES RE
COMPT. GEN. REPORT ON DRUG TRAFFIC

NOTE:

ATTACHED IS A DRAFT.

STAT

COORDINATED WITH (list names as well as offices):

Name

C/NARCOS
Office

Name

Office

Name

Office

ACTION REQUIRED BY ~~CLC~~: APPROVE FOR TYPIING IN FINAL

STAT

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ole 75-1406
24 June 1975

MEMORANDUM FOR:

[Redacted]

OLC

STAT

SUBJECT : Draft Briefing Aid for the Legislative Oversight Committees with Regard to the GAO Report on Drug Traffic From and Through South America

In response to your request, a draft memorandum is hereby forwarded for your consideration. Please feel free to call if I can be of any further assistance in this matter.

[Redacted]

OC/DDO/OPS/NARCOG

x7263

Attachment: A/S

STAT

[Redacted]

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Spc
Att orig

SUBJECT: (Optional)

FROM:

Acting Legislative Counsel

EXTENSION

NO.

DATE

26 June 1975

TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Mr. Duckett

2.

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15.

I have a courier standing by to deliver this letter to Senator Percy tonight. As you know, this is a matter of major interest in the Chicago area as a result of a series of newspaper articles.

The attached has been prepared by OGC and has been cleared in principle with the Department of Justice and the U. S. Attorney in Chicago and coordinated with Ted Shackley and of DDO, STAT

In order to assure that we are putting a positive foot forward, I felt it was necessary to add the last paragraph. I recommend that you sign the attached letter as Acting Director and I will supply copies of it to our oversight committees first thing in the STAT

Acting Legislative Counsel

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RICHARD A. WEGMAN
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON
GOVERNMENT OPERATIONS
SENATE PERMANENT SUBCOMMITTEE
ON INVESTIGATIONS
(PURSUANT TO S. RES. 111, 94TH CONGRESS)
WASHINGTON, D.C. 20510

Executive Registry
75-2844

BY HAND

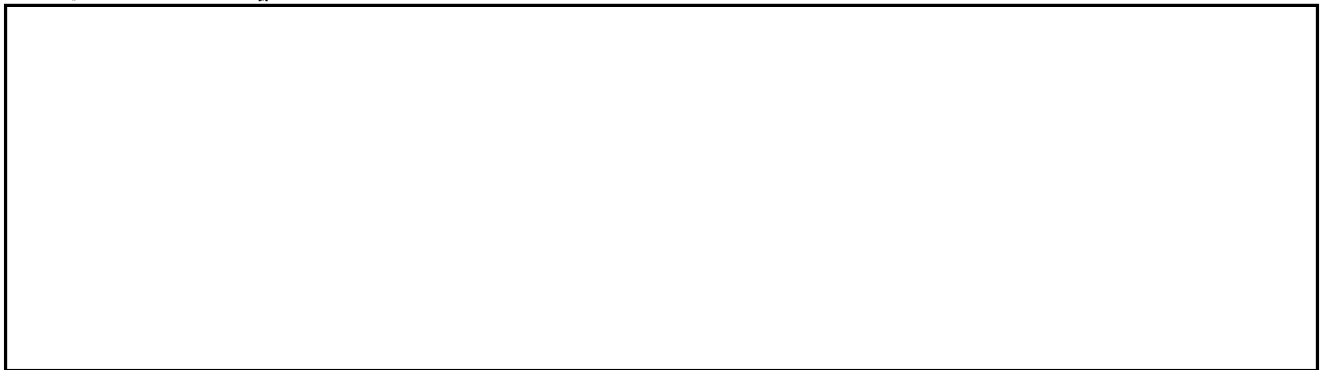
June 20, 1975

The Honorable William E. Colby
Director
Central Intelligence Agency
Washington, D.C.

Dear Mr. Director:

Both the Chicago Tribune and the Chicago Daily News have charged this week that the Central Intelligence Agency, by failing to cooperate with Federal prosecutors in Illinois, has forced the U.S. Attorney there to drop drug charges against an employee of the C.I.A.

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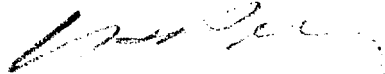
As you know, the Senate Permanent Subcommittee on Investigations has been holding hearings on the effectiveness and efficiency of the Federal drug law enforcement effort. The Subcommittee has received highly credible evidence indicating that international heroin trafficking is increasing dramatically and that drug abuse is approaching epidemic proportions. As the ranking minority member of the Subcommittee, I find it extraordinary that Federal prosecutors attempting to control this illicit trade cannot obtain the cooperation of another Federal agency in prosecuting individuals taking part in a massive drug conspiracy.

I sincerely hope that these news accounts are inaccurate. Or, if they are true, I would like to have a complete justification for the policy pursued in this case.

Please provide me by June 26, 1975, with a detailed explanation of this entire case,

have been consulted on this matter. I am primarily interested in learning the reasons for the alleged lack of cooperation between the C.I.A. and the Justice Department.

Sincerely,



Charles H. Percy
Ranking Minority Member

CHP:rrg

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EXECUTIVE SECRETARIAT
Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
	1	DCI			
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	4	DDS&T			
	5	DDI			
	6	DDA			
	7	DDO	X		
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	9	D/DCI/NIO			
	10	GC	X		
✓	11	LC	X		
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	16	DTR			
	17	Asst/DCI			
	18	AO/DCI			
	19				
	20				
	21				
	22				
	SUSPENSE		_____ Date		

Remarks:
 To 7: Please review and, if appropriate, call to DCI's attention.
 To 11: Please take any necessary action per last paragraph of DCI's letter reproduced on page 83.

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ABBREVIATIONS

BNDD	Bureau of Narcotics and Dangerous Drugs
BOP	Bureau of Prisons
CCINC	Cabinet Committee on International Narcotics Control
CIA	Central Intelligence Agency
DEA	Drug Enforcement Administration
GAO	General Accounting Office
INS	Immigration and Naturalization Service
MINT	Major International Narcotics Traffickers

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COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

PROBLEMS IN SLOWING THE FLOW OF
COCAINE AND HEROIN FROM AND
THROUGH SOUTH AMERICA
Drug Enforcement Administration
Department of Justice
Department of State
Central Intelligence Agency

D I G E S T

WHY THE REVIEW WAS MADE

U.S. authorities estimated in
1973 that

- all cocaine abused in the
United States was grown in
South American countries, and
- about 50 percent of the
heroin reaching the United
States passed through South
or Central American countries
and Mexico. (See p. 1.)

GAO conducted a review to de-
termine U.S. efforts to stop
the flow of cocaine and heroin
from and through South America.

FINDINGS AND CONCLUSIONS

U.S. enforcement objectives in
South America are to stop co-
caine and heroin bound for the
United States either by cutting
off the drugs or eliminating
local illicit production. U.S.
Ambassadors are responsible for
seeing that U.S. objectives are
achieved in each country. They
are supported in the drug area
by the Drug Enforcement Admin-
istration, the prime U.S. drug

enforcement agency; the Central
Intelligence Agency, the pri-
mary foreign clandestine intel-
ligence collection agency; and
drug control committees formed
in 1971 in each country. Since
then

- drug seizures and arrests
have increased;
- cooperation on the part of
some South American countries
has improved;
- local government officials
are more aware of drug abuse
problems;
- foreign narcotic enforcement
groups have been more effec-
tive; and
- better information has become
available on drug traffick-
ing. (See pp. 2, 4, and 5.)

However, it is unrealistic to
expect that large quantities of
cocaine and heroin will no
longer reach the United States
from South America. Delays in
progress can be expected be-
cause of the magnitude of the

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problem, the difficulties in dealing with corruption, political instability, insufficient equipment and trained personnel, and lack of effective drug laws in South America. (See p. 5.)

GAO found that U.S. enforcement efforts have been hampered by

- the need for increased intelligence gathering, sharing, and cooperation among U.S. agencies involved in drug interdiction,
- the need for more aggressive actions by the Department of State to support drug agents and programs,
- inadequate extradition treaties or workable alternatives,
- inefficient use of the judicial system as a deterrent to trafficking,
- inadequate utilization of intelligence to make drug interdictions at U.S. ports of entry,
- limited and ineffective effort by local enforcement groups to combat the international drug problem,
- the need for an increased use of resources to identify and systematically immobilize major traffickers, and

--problems in allocating funds and manpower to accomplish enforcement objectives.

Intelligence sharing and agency cooperation

The development of foreign narcotics intelligence is a prime responsibility of certain Drug Enforcement Administration and Central Intelligence Agency officers stationed overseas. This dual responsibility for narcotics intelligence was assigned by Presidential directive. (See p. 17.)



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The exchange of intelligence among all U.S. agencies on the movements of international drug traffickers was limited. The Immigration and Naturalization Service, Bureau of Prisons, and the State Department have information on aliens involved with drugs. But, this information has not been effectively used by the Drug Enforcement Administration to increase its success in locating and

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immobilizing major traffickers.
(See p. 27.)

Before establishing the Drug Enforcement Administration in July 1973, drug agents of the Bureau of Narcotics and Dangerous Drugs, and Customs on foreign assignments regularly received intelligence data on movements of ships, automobiles, and traffickers from the Customs Service. After July 1973, this information was no longer provided, since those special agents remaining with Customs were no longer permitted to engage in narcotics activities as a primary mission. (See p. 29.)

State Department involvement and host country action

There is room for Embassies to improve drug enforcement actions, and provide Embassy officials with familiarization training in drugs, trafficking, and enforcement activities.
(See p. 42.)

Extradition

One of the most important U.S. goals is to immobilize traffickers, either in the United States or in other countries. The Drug Enforcement Administration needs to either retrieve violators who have fled from the United States and prosecute them in U.S. courts or to have them prosecuted in

the country to which they fled. Extradition agreements permit the transfer of alleged criminals from one nation to another. In 1966, the then Acting Commissioner of Narcotics stated that obtaining the extradition of narcotics offenders had become a problem. Now, in 1975, this is still the case. (See p. 44.)

The Drug Enforcement Administration, and the Departments of Justice and State are considering various approaches to improving extradition procedures, such as efforts to negotiate new treaties and the hiring of local attorneys in various countries to handle extradition paperwork and procedures. New treaties need to be negotiated or workable alternatives found that will provide the necessary tools to insure that drug traffickers are immobilized. (See p. 46.)

Judicial system

There are many barriers to stopping the flow of cocaine and heroin coming to the United States--some are beyond the control of U.S. agencies.

One is that the judicial system is not being effectively used as a deterrent to trafficking. Drug Enforcement Administration officials said that the judicial districts that adhere to the spirit of the law in

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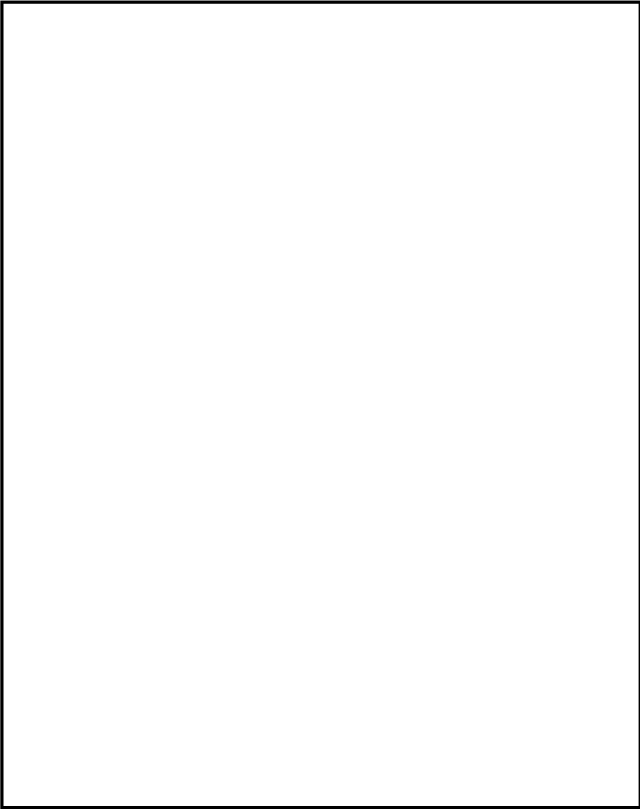
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processing drug cases are a distinct minority and that lax procedures and weak sentences are the rule. (See p. 31.)

Inadequate utilization of intelligence to make drug interdictions at U.S. ports

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--lack of qualified and dedicated enforcement personnel and needed equipment;

--lack of effective laws in some countries concerning penalties for drug offenses or for the destruction of seized drugs; and

--low salaries and an inadequate reward system to motivate local police to increase drug enforcement efforts.

Immobilization of major traffickers

The Drug Enforcement Administration claims that most of its enforcement effort should be directed toward immobilizing major violators. In South America less than 50 percent of enforcement time is directed to this task. One of the main reasons for this was that requests from domestic regions, not involving major violators, required too much of the local Drug Enforcement Administration's time. (See p. 59.)

Host country effectiveness

There have been increases in activities by local enforcement agencies to impede the flow of drugs in most South American countries. But, further progress is impeded by

--corruption and political instability;

Problems exist with the identification and systematic immobilization of major traffickers. The Drug Enforcement Administration's Regional Office did not retain a current listing of those major traffickers operating within the region, and the major traffickers being worked in the district offices were not always the same as those on file in the Regional Office. (See p. 61.)

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A solution to the problem of focusing resources on major narcotics traffickers has recently been developed jointly by the Central Intelligence Agency and Drug Enforcement Administration and approved by the Cabinet Committee on International Narcotics Control. This joint program has been undertaken to identify and collect intelligence on the major international narcotics traffickers operating throughout the world.

These individuals are listed in the Major International Narcotics Traffickers Register which is available to the Central Intelligence Agency and Drug Enforcement Administration in Washington and overseas. This register does not include American citizens. (See p. 35.)

The Major International Narcotics Traffickers Program and the specialized computer system appear to be a practical means of focusing limited resources where they will have the greatest impact through systematically collecting and processing intelligence on the traffickers of greatest priority. This information with adequate physical description can be of great assistance to the Customs Service in performing its interdiction role. (See p. 31.)

RECOMMENDATIONS

GAO made several recommendations to the Attorney General and the Secretary of State

which should help slow the flow of cocaine and heroin from and through South America. (See pp. 36 and 54.)

AGENCY ACTIONS AND UNRESOLVED ISSUES

GAO did not submit this report to the Department of the Treasury for written comments; however, pertinent sections were discussed with officials of the United States Customs Service and their comments and suggestions were considered. GAO did submit the report to the Departments of Justice and State, and to the Central Intelligence Agency for written comments. These agencies agreed in general with GAO's recommendations and provided GAO with corrective actions (included in the report) they are taking. (See apps. I, II, and III.)

The Administrator, Drug Enforcement Administration, told GAO on April 3, 1975, that he plans to establish a second regional office in South America. GAO believes that this will provide greater control and supervision over drug programs, increase their effectiveness, and eliminate some of the problems noted in this report.

Some of the problems discussed in this report describe the situations that existed during 1972 and 1973. Agency officials told GAO that some of these situations no longer exist and improvements are

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being made in others. The current status of these findings are discussed in the report.

MATTERS FOR CONSIDERATION
BY THE CONGRESS

This report advises the Congress of efforts needed and being taken to slow the flow of drugs into the United States from South America and should be useful in future hearings on the overall drug abuse problem.

To insure that greater numbers of major international drug traffickers are immobilized, there is a need for increased intelligence, better inter-agency cooperation, and more realistic extradition agreement. Because these areas involve several agencies and past jealousies have reduced their effectiveness, the Congress may wish to inquire periodically into what is being done in these three vital areas.

UNCLASSIFIEDCHAPTER 1INTRODUCTION

Cocaine is increasingly becoming the choice for many drug users in the United States. Arrests and seizures involving cocaine during 1973 were 149 and 185 percent higher than in 1970, respectively. The Drug Enforcement Administration's (DEA's) foreign cooperated arrests during the first half of fiscal year 1975 numbered 689 of which 236 were arrested for cocaine. While cocaine is not physically addicting, its high stimulant, hallucinatory and ecstatic effect combined with the severe depression which occurs during withdrawal, impels the abuser to seek a new high. Also, chronic use may result in paranoid delusions or aggressive action. For example, it is said that the heroin addict commits crime to obtain the drugs, but the cocaine user commits crime while under the influence of the drug.

According to U.S. authorities, all cocaine abused in the United States comes from the Andes Mountain area in South America, where it is cultivated. South America, to a lesser extent, is also an indigenous source for marihuana, heroin, and various hallucinogenic drugs. However, enforcement effort in South America is mainly directed toward cocaine and the use of South America as a transshipment point for European and Asian heroin.

DEA estimated that more than 50 percent of the heroin seizures in the United States during 1973 passed through Latin America on its way to drug users in the United States. DEA officials indicated that this had decreased during 1974. Several factors make South America a very attractive place for drug transactions, including (1) South America's expanding role in international commerce and travel, (2) the political climate, (3) the number of inhabitants that have ethnic and family ties to Europe and Asia, and (4) its history of contraband smuggling activities.

U.S. ENFORCEMENT
EFFORT IN SOUTH AMERICA

To achieve its objectives of stopping the flow of drugs as close to the source as possible, the former Bureau of Narcotics and Dangerous Drugs (BNDD) established a regional

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office in South America in January 1972. Before that time enforcement effort in South America had been coordinated by BNDD's Mexico regional office. On July 1, 1973, BNDD, along with the Office for Drug Abuse Law Enforcement, the Office of National Narcotics Intelligence, and drug enforcement personnel from the Bureau of Customs were merged to form DEA in the Department of Justice.

DEA has responsibility for U.S. drug enforcement programs in South America. As of January 31, 1975, 32 of DEA's 2,086 agents were stationed in South America, either in the regional office or one of 11 district offices. For fiscal year 1976, DEA requested about \$151 million. The 1974 and 1975 budget is divided into the following areas:

<u>Budget activity</u>	<u>Appropriation</u>	
	<u>1974</u>	<u>1975</u>
	(000 omitted)	
Law enforcement:		
Criminal enforcement	\$ 81,004	\$ 96,044
Compliance and regulation	9,078	10,776
State and local assistance	10,188	11,475
Intelligence	5,516	9,461
Research and development	6,491	6,734
Executive direction	222	510
	<u>\$112,499</u>	<u>\$135,000</u>

U.S. EMBASSY INVOLVEMENT

In 1971, U.S. Embassy involvement in drug law enforcement increased in many countries as a result of the President's directive establishing the Cabinet Committee for International Narcotics Control to coordinate activities of curtailing and eventually eliminating the flow of illegal narcotics and dangerous drugs into the United States. To complement the Washington effort, drug control committees have been formed in some foreign nations to stop illicit drug trafficking. The committees are responsible for coordinating and guiding U.S. anti-drug activities in their respective countries. The committees' first task was to develop plans

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outlining, among other topics, the (1) host country's influence on the U.S. drug problem, (2) U.S. goals and objectives to counteract this influence, and (3) specific steps to achieve these goals and objectives.

Committees have been formed in various countries in South America and action plans have been developed. In some countries full-time drug coordinators have been assigned. Committee membership usually includes representatives from the Department of State, DEA, Central Intelligence Agency (CIA), Agency for International Development, and the United States Information Service. To assist in gathering and analyzing pertinent data, a subcommittee on Narcotics Intelligence was established in some countries.

Because of national concern, GAO has provided the Congress with several reports over the past few years on drug enforcement. A list of some of these reports is included as appendix IV.

SCOPE OF REVIEW

We reviewed U.S. efforts to stem the flow of illicit drugs from South America and examined the programs and efforts being made by DEA, Department of State, and CIA to confront the problem. Our review was made at:

- DEA's Washington, D.C. headquarters and South America regional offices;
- U.S. Embassies in 10 countries in South America;
- Department of State, Washington, D.C.; and
- CIA headquarters, Langley, Virginia, and CIA Stations in South America.

We examined DEA, CIA, and Department of State documents; and DEA, CIA, Department of State, and other agencies' files on drug control activities. We also discussed the illicit drug situation in South America with numerous agency officials.

Photographs and maps in this report were supplied by DEA unless otherwise indicated.

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CHAPTER 2

OBJECTIVES, PROGRESS, AND

DRUG SITUATION IN SOUTH AMERICA

The U.S. strategy of reducing drug abuse consists of various programs in the areas of law enforcement and control, treatment and rehabilitation, education and training, and research. Success, if obtained, will be the result of a balanced effort in these areas.

U.S. objectives in South America are to identify and disrupt major drug distribution organizations operating through or from there. Prime emphasis is directed toward heroin and cocaine systems, with secondary emphasis directed toward marihuana or dangerous drugs. Under DEA's Geographical Drug Program important drug producing and distributing countries have been divided into geographical areas by drug or drugs for concentrated intelligence gathering and enforcement effort. Latin America, including Mexico, Central, and South America, is one of the six principal drug trafficking networks so designated. This area has been identified for concentrated activity dealing with heroin and cocaine.

As of September 1973, 52 major heroin and cocaine traffickers had been identified by the South American regional office for priority enforcement effort. Regional officials stated that in order to achieve their overall goal they must

- improve intelligence gathering,
- improve flow of intelligence among U.S. agencies,
- encourage improvement in local drug enforcement through training and equipment grants,
- obtain major traffickers for trial in the United States when local laws and judicial systems are not adequate,
- encourage improvement in local laws and judicial systems,

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- foster cooperation among the various South American countries,
- encourage increased participation of other local agencies (customs, military, etc.) in drug control, and
- overcome administrative and personnel problems.

PROGRESS

Progress has been made although it has been slow. In most South American countries there has been an increase in local drug enforcement efforts which can be attributed largely to U.S. influence. Many countries established narcotics enforcement groups to combat the increasing international drug problem and some countries even revised or changed their laws to increase the penalties for drug cultivation, use, or trafficking.

The local drug enforcement unit in one country has been in existence for four years, whereas, another country's drug unit only became operational in 1973. In one country, three local enforcement agencies have each formed narcotics enforcement units. Other similar units have been formed throughout South America.

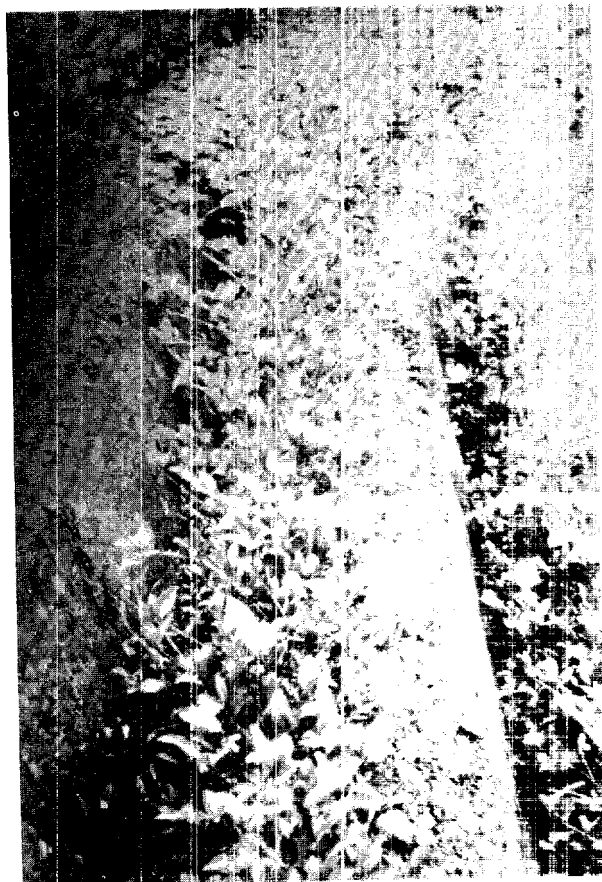
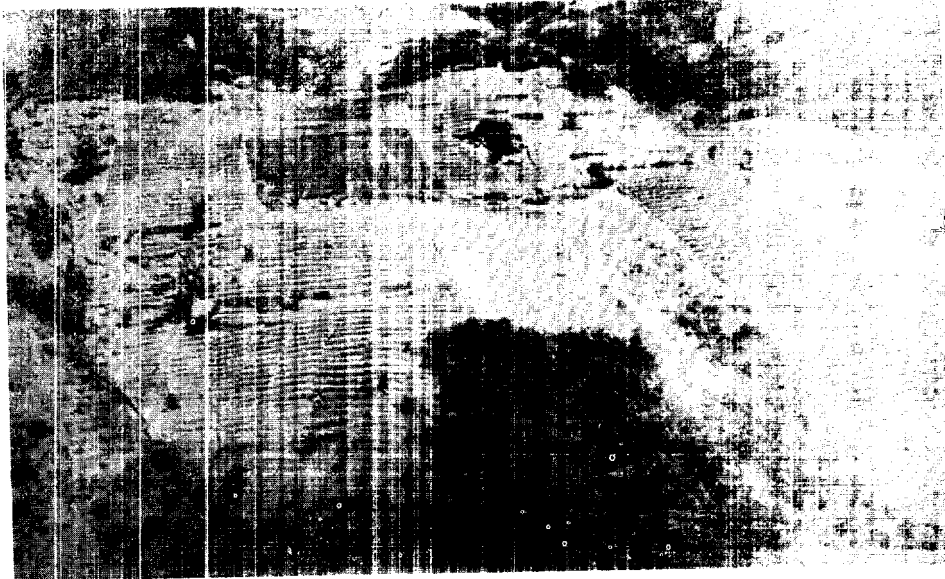
The laws in some countries have been revised or changed to make the use or trafficking of drugs less desirable. For example, on October 17, 1973, one country unanimously adopted a new narcotics law which culminates various diplomatic moves and overtures by the U.S. mission seeking more stringent laws. In another country, the drug law has been revised to include penalties of from 8 to 12 years for drug trafficking.

There have been arrests of drug traffickers, seizures of drugs, and extradition and expulsion of drug traffickers to the United States for prosecution. For example, DEA reports the arrest of 14 high-level traffickers during fiscal year 1973.

However, it is unrealistic to expect within the near future that large quantities of cocaine and heroin will no longer reach the United States from South America. Some of the delays in progress can be expected because of difficulties

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Cocaine is an alkaloid contained in *Erythroxylon coca* Lamark, primarily grown in the Andean region. Here, on steep terraced slopes, it is legally cultivated to the coca leaf.

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The coca plants are harvested from two to six times a year by stripping the leaves from the plant.

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After the leaves have been removed from the plant, they are dried in the sun before shipment. A relatively small amount is exported to the United States where the leaves yield flavoring extracts for an expanding beverage industry and cocaine is used for medical purposes.

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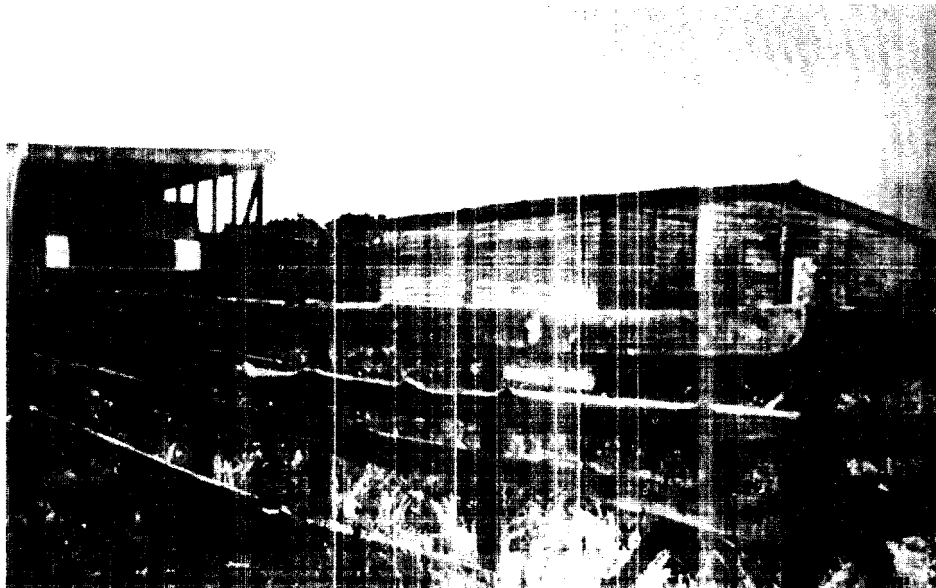


In South America, the coca leaf is chewed for refreshment and relief from fatigue, much as North Americans once chewed tobacco. The ancient custom of coca-chewing is illustrated by a pot from the Mochica Culture that dates from 600 to 800 A.D.

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The coca leaf is converted to coca paste in a large number of primitive or mobile laboratories. These laboratories have small production capacities, making batches of coca paste of about two to three kilograms at a time.



This illicit laboratory had an estimated production capacity of 10 pounds of cocaine per month.

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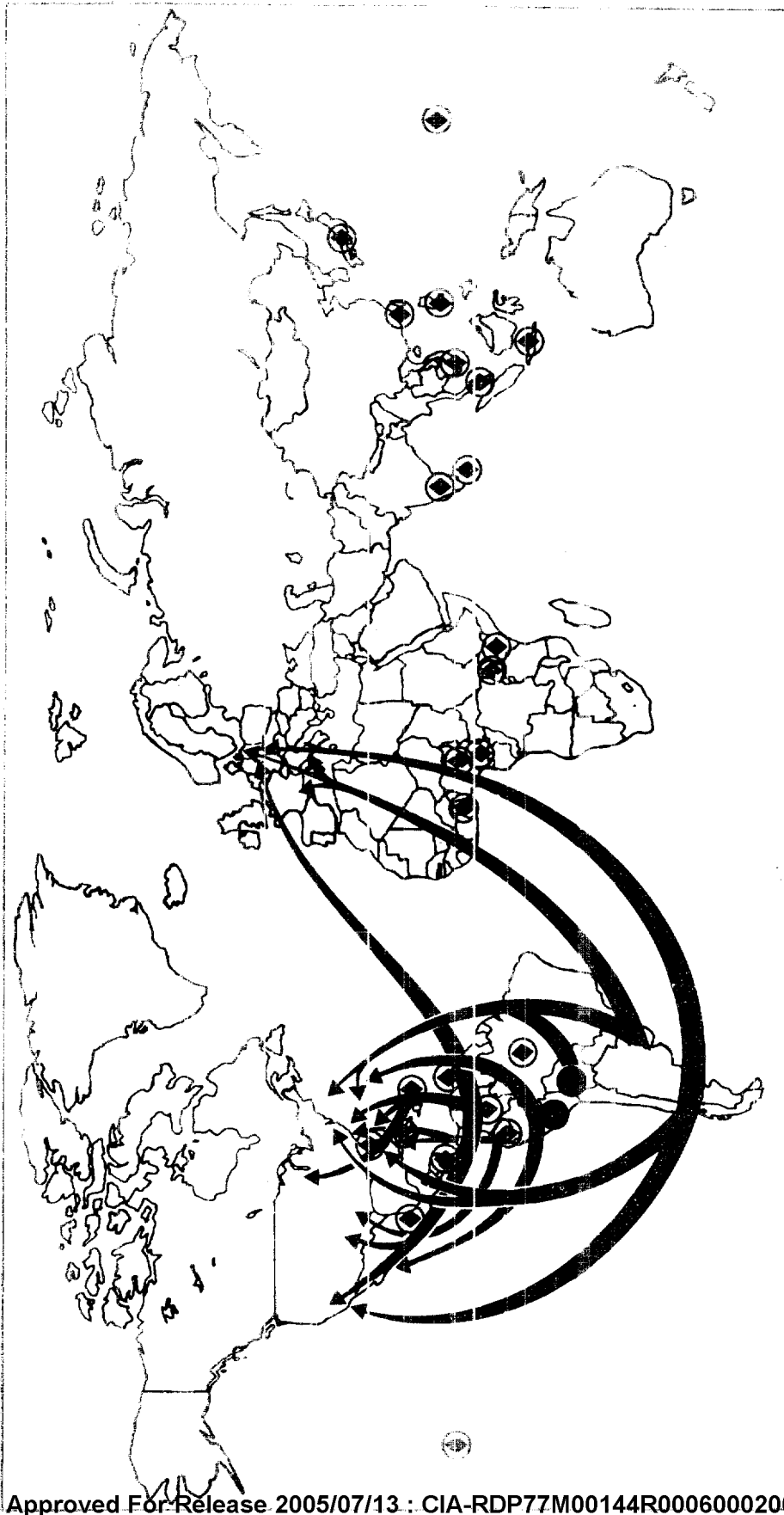


Coca leaves and cocaine hydrochloride. The cocaine paste (above to left) is converted to the crystalline cocaine and smuggled into the United States. Above right is an unusual crystalline form of cocaine; below, cocaine (nickname "snow") as it normally appears on the illicit market. Abusers in the United States generally inhale it ("snort"), or inject it into the body after mixing the crystalline powder with heroin.

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Coca Cultivation & General Trafficking Routes



● Principle areas of commercial coca cultivation
◐ Some other sites where coca grows or has been grown

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in dealing with corruption, political instability, insufficient equipment and trained personnel, and lack of uniform laws in South America.

DRUG SITUATION

Cocaine

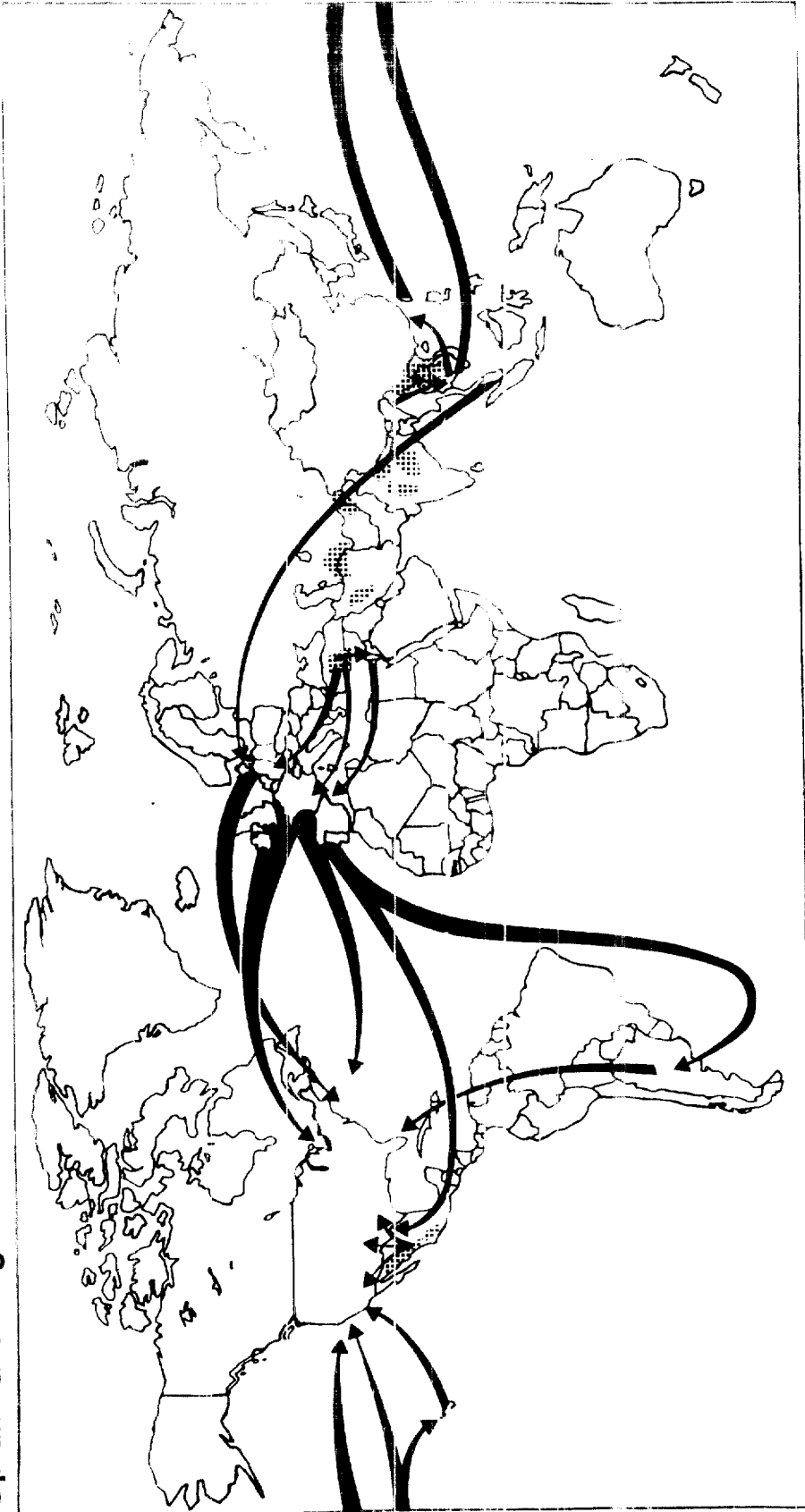
The majority of coca leaves are grown in two countries (see pictures and map on pp. 6 to 12) with limited growth in three other countries. This use of coca dates back to the time of the Incas and today tea made from the leaves is very common. Because the yield of cocaine is about 1 kilogram to 100 kilograms of leaves, production of coca paste (the first processing step in the production of cocaine) is usually in laboratories close to the small coca farms located along the Andes. The paste is then moved to major processing laboratories in three countries. Small amounts also move to four other countries with current data indicating that these latter routes may be expanding in overall importance. The paste is converted in small laboratories to cocaine hydrochloride, the finished product, which usually requires two simple chemical processes. In some cases the coca paste is changed to cocaine base in intermediate laboratories closer to the growing areas. In one country, a November 1973 U.S. Embassy study indicated that laboratories had produced 770 to 880 pounds of cocaine. The agent in charge in another country estimated that from 550 to 1,100 pounds are either produced or transshipped to the United States each month. In July 1973, 68 pounds of cocaine were found in a load of bananas aboard a ship in Baltimore, Maryland, which had recently arrived from South America.

Heroin

While several small illicit poppy fields have been located in three countries in South America, its involvement with heroin has been basically as a transshipment point for European-produced, and to a lesser extent, Asian-produced heroin. (See map on p. 14.) Large seizures of from 36 to 136 pounds have been made in three countries and the major cocaine and contraband routes on the west coast have also been used to move heroin. A current situation developing is the exchange of cocaine in Europe (where demand is

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Opium Growing Areas & General Trafficking Routes



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growing) for heroin to be shipped to the United States. A major trafficker, now serving a 20-year sentence in New York for heroin conspiracy, handled large volumes of heroin via contraband routes from one South American country, across to the Pacific Coast through two other South American countries and various Caribbean Islands to the United States. After the trafficker's arrest and the arrest of various associates, traffic in heroin appeared to decrease.

Marihuana and hashish

The main source of marihuana is in one country, with smaller crops in most other South American countries. The marihuana grown in South America is usually locally consumed and marihuana abuse seems to be the major drug problem in South America, except for the high use of coca by the Indians living in the growing areas and to a lesser extent by those living in several cities. While there is little data available on South American production of hashish, shipments have been seized in two countries.

Hallucinogens

LSD and other hallucinogens found among certain groups or communes in South America have usually come from the United States and are not considered an important problem at the present time. However, many varieties of plants indigenous to South America, when ingested, cause LSD-type effects and in some cases have not been placed on the controlled substance list, making them a potential target for future importation and abuse. Also, a DEA agent stated that a drug firm in one country is producing ergotamine, which is a basic precursor used in the production of LSD.

Other dangerous drugs

Amphetamines and barbiturates are abused by local citizens; however, there is little effort to control over-the-counter sales and there are no indications that South America is being used to supply dangerous drugs to the United States. However, several countries have the industrial capacity to do so and may increase production if the United States is successful in stopping the traffic from other countries.

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CHAPTER 3

LACK OF INTELLIGENCE SHARING AND AGENCY COOPERATION

DEA has established a number of programs to obtain information on drug trafficking routes and methods used in South America and during fiscal year 1973 a total of 54 traffickers were arrested in South America of which 19 were high-level (class I) traffickers. (For fiscal year 1974, a total of 168 South American traffickers were arrested, of which 48 were class I.) In each of the countries we visited, however, agents and other officials expressed concern over the lack of good intelligence on the size and nature of traffic in specific regions and on the location of drug conversion laboratories.

The effectiveness of enforcement effort--making important arrests and seizures--depends upon the quality and quantity of information (intelligence) that is available to those making enforcement decisions. While some arrests and seizures are made cold (without intelligence), the arrest of a major drug trafficker is usually the result of long and tedious hours of gathering and analyzing information. In South America, information gathering is even more important, since most countries lack effective drug and customs laws and sufficient professional and well-trained enforcement personnel to work the streets and borders on a regular basis.

Intelligence is obtained from a variety of sources using several techniques such as informers, undercover buys, and surveillance. Also, other agencies may already have valuable information that, if made available, could be very useful. At the time of our review, the South American regional office had implemented several intelligence probes to obtain additional information. However, we found that intelligence activities were not effective because:

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--Data available on the movement of international traffickers was not systematically obtained from or provided to all agencies involved.

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--Additional funds were needed for purchasing information.

--Data was not developed on dangerous drugs.

DISAGREEMENT BETWEEN DEA AND CIA ON
NARCOTICS INTELLIGENCE ROLES

The development of foreign narcotics intelligence is a prime responsibility of certain DEA and CIA officers stationed overseas. This dual responsibility for narcotics intelligence was assigned to DEA and CIA by Presidential directive.

Until 1969, BNDD had the primary responsibility for collecting and analyzing foreign narcotics information. In 1969, CIA was requested directly by the Executive Office of the President to use its foreign intelligence resources to support the U.S. international narcotics control program. With the formation of the Cabinet Committee on International Narcotics Control (CCINC) in 1971, CIA was assigned the responsibility for collecting and analyzing international narcotics intelligence by clandestine means.

On July 27, 1972, the President issued Executive Order 11676, establishing within the Department of Justice an Office of National Narcotics Intelligence. The order assigned the Director of ONNI responsibility for developing and maintaining a National Narcotics Intelligence System in conjunction with Government measures for (1) restricting the illegal flow of narcotics from abroad, (2) strengthening domestic law enforcement activities of Federal, State, and local agencies in the narcotics area, and (3) initiating programs for drug abuse prevention, education, treatment, and rehabilitation. Issuance of the Executive order was followed by an appropriation request which the President transmitted to the Congress specifying that the mission of Narcotics Intelligence is "to coordinate the determination of narcotics intelligence requirements and the collection, analysis and dissemination of narcotics intelligence from both overseas and domestic sources."

This responsibility was transferred to DEA by Reorganization Plan #2 which created DEA on July 1, 1973. Under this

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Guidelines in South America

Various documents obtained in different embassies in South America outlined basically the same structure as presented above, stating that the CIA will coordinate all intelligence activities related to narcotics suppression, and that all intelligence activities and informants will be cleared through them. However, these documents are not clear on just what constitutes useful intelligence or how it will be obtained or disseminated.

While we have information on the number and activities of DEA agents in South America, CIA officials would or could not provide specific information on the number of their men assigned or time spent in gathering drug intelligence. However, from various documents and discussions it was apparent that CIA had played an active role.

DEA/CIA relationship causes
problems for both agencies

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A review of CIA narcotics intelligence on Latin America revealed the intelligence reporting not only gives specific actionable leads for DEA enforcement action but also an overall picture of major narcotics trafficking throughout Latin America. There have also been a number of major arrests and seizures based on CIA intelligence. Better investigative followup of CIA intelligence by DEA should be possible when the intelligence analysis capability of DEA is strengthened. Based on an evaluation of DEA files and through discussions with DEA and CIA agents and officials, the following problems were identified.

1. CIA is precluded through legal restriction from conducting foreign intelligence operations against U.S. nationals. This also applies to narcotics intelligence. At times, DEA has expressed concern because CIA does not assist in collecting intelligence in cases involving narcotics traffickers who are American citizens.

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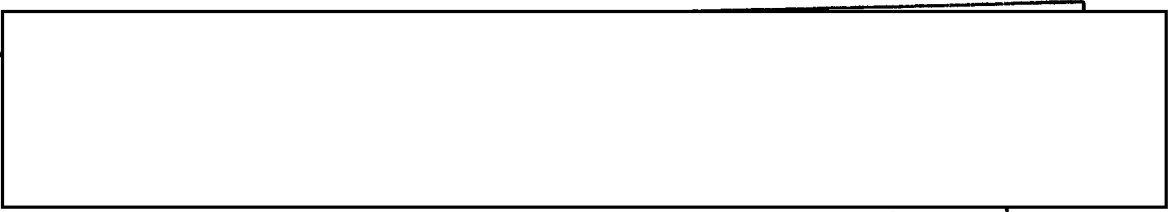
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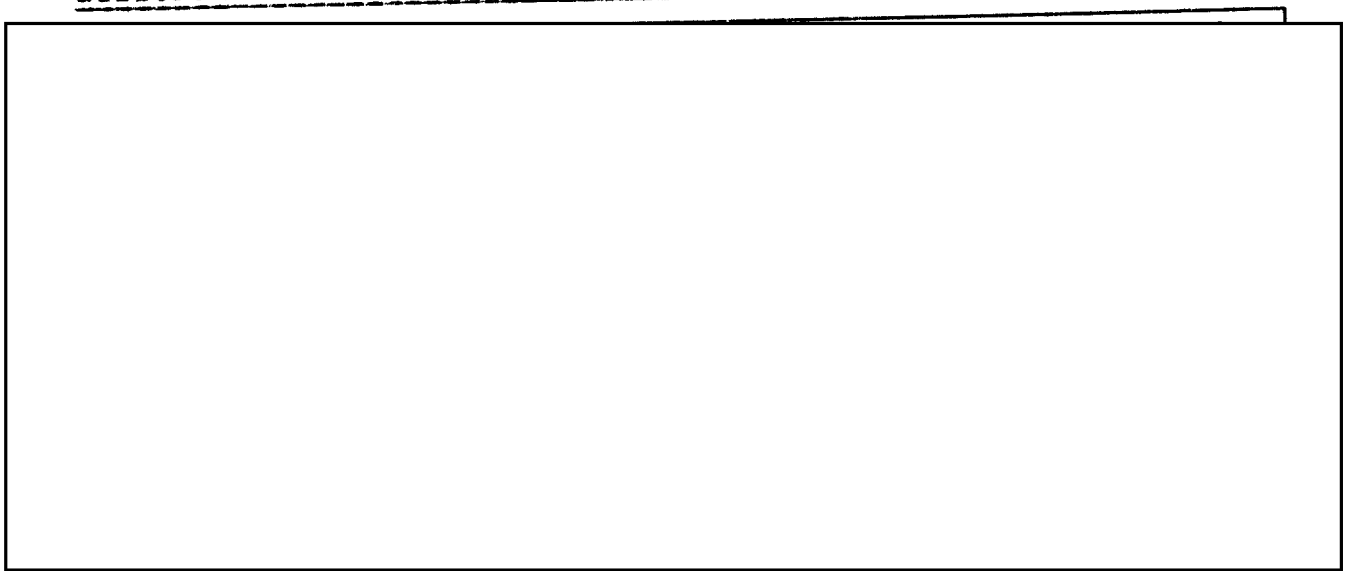
2. There are legal restrictions on using CIA intelligence in the enforcement process and because it concentrates on clandestine collection, CIA must protect sensitive intelligence sources and methods.
3. DEA, because of inherent short-term limitations of an enforcement approach and a lack of or inability to effectively use trained intelligence officers overseas, has not been able in the past to exploit intelligence leads provided by CIA as effectively as it would like to. This is improving as the intelligence collection and analysis resources of DEA are expanded.

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4. 

5. Local enforcement agencies were reluctant to work with DEA because of its relationship with CIA.
6. There is a need for an increased effort by both CIA and DEA officers overseas to share and exchange techniques and information on a regular basis.

Problems arise because of
different DEA and CIA approaches



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DEA officials disagree on
what DEA and CIA roles should be

While all DEA officials agreed that CIA could provide valuable information, DEA enforcement division officials stated DEA should be given complete authority for drug intelligence with CIA reverting to its role of providing assistance when requested. Intelligence division officials stated that until DEA can fully develop and refine its own capability in foreign countries, CIA should retain its current responsibility but that more specific guidelines should be issued. The DEA administrator agreed that CIA should continue in its present capacity, stating that it would be several years before DEA could develop sufficient expertise to take over. He also stated that it would be necessary to meet with both DEA and CIA field agents and officials to overcome any problems and to insure that they are cooperating fully.

DEA

DEA intelligence officials told us in October 1974 that:

- The CIA mandate to take the lead in collecting narcotics intelligence does not conflict with DEA's mandate to coordinate the determination of narcotics intelligence requirements and the collection, analysis, and dissemination of narcotics intelligence from both overseas and domestic sources.
- While conflicts have arisen in some areas, as a whole the cooperation between the two agencies has been extremely close and mutually beneficial. Individual agents, special agents in charge, and even regional managers do not have the entire picture of this cooperation in every instance. Numerous investigations by BNDD and DEA have been initiated and jointly followed to conclusion as a result of this cooperative effort.

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or CIA association in any manner with a DEA investigation, have a vital impact on the final outcome of prosecutions. Thus, the conflict is not just "a long-term intelligence collection approach versus a short-term police-oriented methodology," as CIA puts it. The conflict is "usable versus unusable drug intelligence." To overcome this conflict, new guidelines for DEA/CIA coordination are now being formulated.]

--In reality, there are long-term advantages from implementing a dual, clandestine, intelligence collection approach used by CIA and the enforcement approach pursued by DEA. CIA has the capability to acquire the difficult and most protected information from which DEA enforcement operations can evolve. The development of the International Intelligence Division in DEA, which includes regional intelligence units, should improve interagency cooperation. DEA intelligence officers will form the working-level linkage between the information produced by CIA collectors and the needs of DEA enforcement officers. Through the newly developed DEA regional intelligence units, CIA information can be collated, analyzed, and processed in a form most meaningful to enforcement officers. Many of the issues are procedural questions which unavoidably develop from the working-level doctrinal differences between DEA and CIA professional methods of operation. They are not, however, problems of sufficient gravity to have an important impact on the success of the U.S. international narcotics control program. [Note: The Department of Justice told us that DEA is also establishing the capability to acquire difficult and protected information from which DEA enforcement operations can evolve. Once established, DEA's capability can be more accurately targeted to mesh with enforcement action and support prosecution.]

--CIA and the DEA International Intelligence Division have substantial resources to establish a coordinated program of intelligence exchange. An important amount of narcotics intelligence concerning Latin America, has already been shared between the two agencies in Washington and overseas. A large effort has been made to develop the working-level framework of procedures to insure this exchange on an ongoing basis.

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- There is a great potential for increased effectiveness of U.S. antinarcotics programs in Latin America because of the present complementary relationship of DEA and CIA objectives. DEA officers will be concentrating primarily on enforcement actions and upgrading the host government narcotics control program. The CIA objective is collecting intelligence for use by DEA and the Embassy Narcotics Control Committee. CIA does not conduct intelligence collection operations against American citizens trafficking in narcotics overseas but intelligence reports that are actionable in enforcement terms are disseminated rapidly to DEA for followup. DEA and CIA have worked together to establish an efficient system for exchanging such intelligence, including collection requirements, in a matter of hours if necessary.
- DEA intelligence and enforcement officers engage in followup enforcement action and analysis of CIA intelligence to the extent that the present available manpower permits. Many CIA intelligence reports give an overview of specific narcotics trafficking networks and their activities which makes available timely descriptive material to DEA for developing enforcement operations. It is expected that the increased allocation of DEA manpower and resources to intelligence activity in Latin America will increase its capability to exploit CIA intelligence more thoroughly, leading to enforcement action against major traffickers.
- Some of the complaints originally raised by CIA and DEA people about each other result from their early contact over the differences in methodology and doctrine. However, these irritants have been resolved in the field and at the headquarters level by developing new procedures.

State Department officials told us on February 19, 1975, that guidelines in this area, insuring the establishment of an effective system for sharing intelligence, have been prepared and distributed to all concerned and appropriate overseas posts.

The Department of Justice told us that it agrees with our observation that the dual DEA/CIA responsibility relating to narcotics intelligence has created problems and that only limited cooperation existed between the two agencies in 1973.

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However, it said that after the creation of DEA in July 1973, many of the problems were resolved because of closer cooperation between the agencies and that these cooperative efforts continue on a daily basis.

LIMITED EXCHANGE OF INTELLIGENCE ON INTERNATIONAL DRUG TRAFFICKERS

South American countries have long been involved in all types of smuggling activities and many have been havens for criminals of all types. Combine this with corruption and the lack of effective laws, regional cooperation, and adequate communications. South America then emerges as a very attractive place for drug activities. Drug traffickers understand and exploit these weaknesses, moving back and forth among countries with relative ease on legal or illegal citizenship documents. Also, many traffickers travel to the United States or are fugitives from U.S. courts.

Because of ineffective extradition laws and the difficulties encountered by DEA in having traffickers prosecuted in South America, one of DEA's main objectives is to find some way to get traffickers to the United States for trial on drug conspiracy charges. Since most countries will expel third-country nationals, it is also to DEA's advantage to have them arrested when they are not in their own country. To accomplish this, DEA needs, but has not been receiving, current and continuous data on the movement of these individuals.

Information available from other agencies not being fully utilized

The Immigration and Naturalization Service (INS), Bureau of Prisons (BOP), and the Department of State have information concerning aliens who are involved with drugs. INS has a system to monitor the entry of aliens, including a lookout system, to identify the entry of individuals wanted by other agencies. BOP prepares a computer list showing aliens released from prison and deported, and the Department of State has a lookout book in each embassy to identify and deny visa requests from undesirables.

Several agents and the Regional Director in South America told us that DEA was not receiving information from INS, BOP, and the Department of State on the movement of drug traffickers. They stated that drug traffickers had been denied visas in some cases but that DEA was not informed of this

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action. If DEA had been involved they may have requested the Department to grant the visa and then arrested the violator when he entered the United States. For example, when a trafficker applied for a visa the DEA agent was informed and was able to follow the trafficker to obtain additional information. Also, officials indicated that drug violators with open warrants have been deported from the United States on false document charges before DEA was informed or was able to make an arrest.

Of 395 aliens deported by INS in fiscal year 1973 for drug violations, 57 were deported to countries included in our review. We obtained a computer list from BOP showing the aliens released from prison during fiscal year 1973; 25 were deported to South America. We were informed that the old Bureau of Narcotics in the Treasury Department did receive information on aliens released from prison and deported, but that this information is no longer received. Agents believe this data would be very helpful, since many violators return to their homeland and enter drug trafficking again. For example, a major trafficker serving a prison term for a 100-kilogram cocaine case was released and deported. When he reappeared in South America, it was the local enforcement agency that informed DEA of his whereabouts.

DEA agents and officials agreed that more could be done to obtain and use information from other agencies but also cautioned that because of the presence of local employees in visa offices, care must be exercised in disseminating trafficker lists or blanket requirements for data on individuals. We were told that DEA had established a formal agreement with INS to share information. Both agencies designated liaison in March 1974 to implement the agreement.

The Department of Justice informed us on March 12, 1975, that:

--DEA agrees that the intelligence exchange among INS, BOP, and DEA is limited and should be increased. BOP has expressed its concern in drug trafficking matters and has agreed to make available to DEA's office of intelligence a list of aliens released from its facilities for deportation. No problems are anticipated in implementing this procedure in the immediate future.

--The operational agreement between INS and DEA, completed on November 29, 1973, provided in general terms

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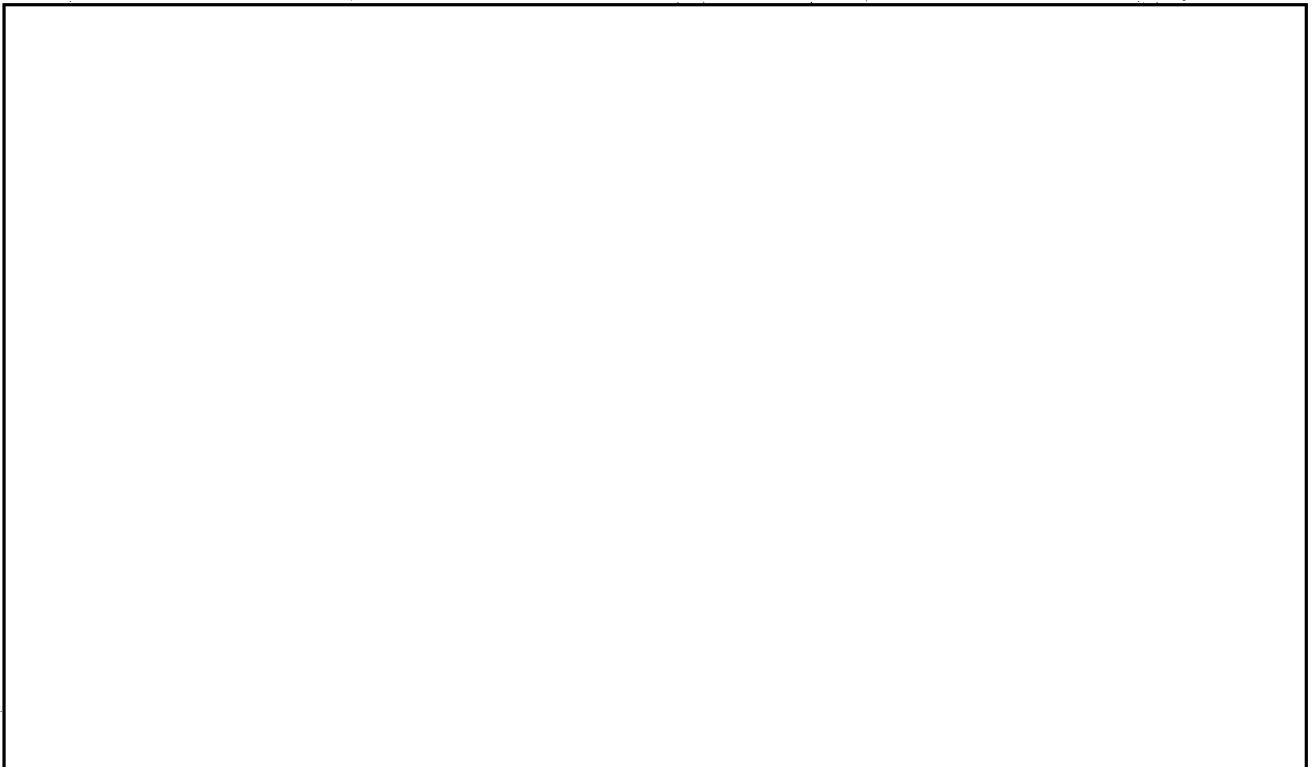
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for a free and full exchange of information between
the two agencies.

- Further progress in cooperation is being achieved through establishing and activating the multiagency El Paso Intelligence Center. The Center is currently operating under the leadership of a DEA Director and an INS Deputy Director. Presently, plans call for the Center to provide a complete intelligence picture of drug trafficking between Mexico, Central America, South America, and the United States. Raw intelligence data will be gathered from concerned agencies within the Department and through cooperation with other appropriate agencies.
- Developing procedures and requirements, in consonance with the cooperative arrangements between DEA, BOP, and INS, and the current efforts of the Center, will provide a viable base for the ultimate attainment of worldwide interagency exchange of information.

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Loss of Customs data



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LACK OF COOPERATION BY THE COURTS TO DETER TRAFFICKING

There are many barriers to stopping the flow of cocaine and heroin into the United States, and some of these barriers are beyond the control of U.S. agencies having this responsibility.

One such major barrier is that the judicial system is not cooperating to become an effective deterrent to traffickers. DEA officials told us that the judicial districts that adhere to the spirit of the law in processing drug cases are a distinct minority and that lax procedures and weak sentences are the rule.

As an example, from July 1973 to March 1974, DEA conducted a study of all persons arrested at Los Angeles International Airport in the act of smuggling cocaine from South America. Of 17 persons arrested during that period, 9 had been tried by June 1974. Of the 9 tried, only 4 received prison sentences, the stiffest of which was 18 months (one for 1 year and two for 6 months). Two were deported, two were given suspended sentences, and one fled the jurisdiction of the court. One of the persons given a 6-month sentence had a history of narcotics arrests and at the time of his arrest for smuggling cocaine was on parole following an arrest for distributing heroin.

In another instance, a judge in Miami released a fugitive on his own recognizance. The fugitive had been brought from South America to Miami en route to Pittsburgh where he was to stand trial. In a similar instance, a fugitive released on his own recognizance once more fled the country where he proceeded to again smuggle cocaine into the United States and threaten a DEA agent with death and, not surprisingly, the foreign liaison raised questions about the seriousness of U.S. intentions.

INADEQUATE USE OF INTELLIGENCE FOR DRUG INTERDICTIONS AT U.S. PORTS



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Officials in Washington stated that requested intelligence funding was increased in fiscal year 1975 by over \$420,000; however, with the increase in agents, the per agent amount requested has decreased by 10 to 15 percent per man-year.

THE REGISTER PROGRAM

An important new development which has the potential to overcome many of the problems concerning the collection of narcotics intelligence and interagency cooperation is the implementation of the major international narcotics trafficker (MINT) Register Program which was proposed by CIA and the Foreign Intelligence Subcommittee of the Cabinet Committee on International Narcotics Control (CCINC). It was approved by the Cabinet Committee and developed by the participating agencies including Customs.

The concept of the MINT Register Program is to identify and accord the highest priority to intelligence collection and enforcement action against the leaders of large-scale narcotics trafficking organizations throughout the world. It is an effort to focus the limited resources of the U.S. Government where they will have the greatest impact. Experience of the past few years has shown that a major factor contributing to the disruption of the flow of illicit narcotics into the United States has been the immobilization of a relatively small number of persons who play a major role in the international narcotics traffic--the small group of major traffickers immobilized a few years ago that disrupted the France/Latin America connection.

CIA and DEA have jointly identified and compiled basic data on major international narcotics traffickers in Latin America, Europe, the Near East and East Asia. This inventory was formally approved by the CCINC Working Group and was designated as the MINT Register. This Register contains the names of approximately 250 persons who are regarded by DEA and CIA as the principal active international narcotics traffickers at this time.

DEA and CIA field representatives have each been instructed to make the MINT Register Program their top priority effort. This is a Foreign Intelligence Subcommittee project, and is evolving into the working foundation of cooperation between DEA and CIA. It is also becoming a mechanism for systematic and efficient intelligence sharing between DEA and

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CIA and other participating agencies. MINT target personalities are jointly evaluated to determine operational priorities, strategy, and division of labor. CIA has developed a special computerized information retrieval system to manipulate and analyze intelligence concerning individuals on the MINT Register. Intelligence from DEA and CIA will jointly be input into the system and the output produced will be used by DEA and CIA personnel in Washington and overseas.

CONCLUSION

In every country we visited the common problem centered around the need for better intelligence. Not only did DEA agents lack data on the overall production and transshipment of drugs in the various countries, but they lacked data on specific drug traffickers and the location of processing laboratories. Even with these very obvious needs, we found that intelligence efforts by DEA and CIA were undermined by disagreements over individual objectives, responsibilities, and authority; intelligence previously available from Customs was no longer being developed; no effective system had been established for sharing intelligence among DEA, INS, BOP, Customs, and the Department of State on the movement of international traffickers; and, the South American region had limited funds for purchasing intelligence.

While certain of these problems will be difficult to solve, we believe that DEA, through an increased awareness of the situation and improved management, should be able to overcome them.

RECOMMENDATIONS TO THE ATTORNEY GENERAL

We recommend that the Attorney General in cooperation with CIA take the necessary action to insure that:

- Respective drug intelligence roles are defined clearly as to specific objectives and targets; methods and procedures used, if any; and type and frequency of their reporting.
- Agents are cooperating and exchanging information at the working levels through personal discussion with individuals involved, and that regular meetings between

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headquarters intelligence units, and representation of counterparts at important agency meetings and seminars are held.

- Individuals on the MINT Register become the top priority targets for intelligence collection and enforcement operations. The MINT Register should continue to be the primary basis of CIA and DEA cooperation, including joint use of the information retrieval system for intelligence gathering and enforcement purposes. Efforts to explore broader Federal participation in this effort should be undertaken.

Also, within the Department of Justice and in cooperation with other appropriate agencies, DEA should:

- Establish procedures with the United States Customs Service, BOP, and INS to exchange necessary intelligence, information on major traffickers, and data on false documentation cases.
- Review the need for increased funds to solicit and obtain intelligence data.
- Increase emphasis on the gathering of intelligence concerning dangerous drugs.

AGENCY ACTIONS

We did not submit this report to the Department of the Treasury for written comments; however, pertinent sections were discussed with officials of the U.S. Customs Service and their comments and suggestions were considered. We did submit this report to the Departments of Justice and State, and to the CIA for written comments.

The Administrator, DEA, told us on April 3, 1975, that he plans to establish a second regional office in South America. GAO believes that this will provide greater control and supervision over drug problems, increase their effectiveness, and eliminate some of the problems noted in this report.

Department of Justice

In general, the Department found our report to be accurate and agreed with its basic recommendations (see app. I.)

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Concerning the recommendation on the immobilization of major traffickers and use of the MINT Register, the Department said that:

- The MINT Register is viewed by DEA as essentially a listing of major foreign violators as compiled under DEA's Geographic Drug Enforcement Program.
- The Register will be useful for collating information on major violators.
- According to a CIA estimate, DEA would provide about 85 percent of the input data to CIA's computerized information retrieval system (MINT Computer System).
- This system would be competitive with and, to a large extent, duplicate DEA's computer system.
- The MINT Computer System would be less responsive to DEA's needs than DEA's own system because (1) the MINT Computer System's programming reflects CIA operational needs rather than DEA enforcement needs, (2) DEA would not have direct access to it, and (3) the MINT Computer System would not include or make reference to U.S. citizens or joint domestic/international operations.
- Negotiations are now underway between DEA and CIA to resolve these problems, and CIA informed us on April 18, 1975, that DEA will eventually incorporate the basic MINT Register in its own computer system thus overcoming any duplication of DEA's existing programs. In the meantime, CIA is storing the MINT data in its computerized retrieval system because DEA estimates it will be 3 to 6 months before its own computer system is ready to accept the information.

Central Intelligence Agency

The CIA agreed with our recommendations (see app. III) and said that:

- "In our opinion, U.S. agencies involved in the anti-narcotics effort can take a real measure of satisfaction from the job done so far. At the same time, we agree with the conclusion * * * that there is a need for better intelligence. We have and will continue to work towards improving DEA-CIA cooperation and we see

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the MINT Register Program as one of the best available management tools to reach this end.

- "We concur in the recommendations * * * and suggest that these recommendations be discussed and carried forward under the aegis of the CCINC. * * *

- "* * * There is statutory prohibition against CIA engaging in law enforcement activities, * * * there is the legal problem which can arise when intelligence clandestinely gathered by CIA abroad is used in U.S. criminal prosecution. In this instance there is a separate statutory mandate on the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure. Thus, a good case against a drug trafficker may have to be dismissed because CIA cannot respond to the defendant's request to identify sources or methods used to collect the intelligence that pertains to his particular case.

- "Regarding the specific recommendation that the respective drug intelligence roles be clearly defined, we suggest that once the DEA Intelligence Division has established its proposed overseas regional and district level intelligence offices, the question of division of responsibility between DEA and CIA overseas will be far easier to define. CIA supports DEA's plan to expand its intelligence collection capability. However, until this stage is operational, CIA will continue its active role abroad in the collection of clandestine intelligence against the foreign narcotics target."

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CHAPTER 4

NEED FOR MORE INVOLVEMENT BY THE DEPARTMENT OF STATE AND ACTIONS BY HOST COUNTRIES AGAINST DRUG TRAFFICKERS

DEA's success in stopping the flow of drugs from and/or through a specific country depends greatly on the cooperation and help provided by the Department of State and the foreign government. Our work in South America was directed toward determining the extent of cooperation among DEA, the individual embassies, and the foreign governments.

DEPARTMENT OF STATE ACTIVITIES

In 1971, recognizing the need for better international cooperation, the President established CCINC to formulate and coordinate Federal Government policies for eliminating the illegal flow of narcotics and dangerous drugs into the United States from other countries. The Secretary of State serves as chairman, and membership includes the Attorney General; Secretaries of Defense, Treasury, and Agriculture; U.S. Representative to the United Nations; and Director of the Central Intelligence Agency. A working group within the Cabinet Committee is composed of assistant secretary-level personnel from each member agency. This group supports the Cabinet Committee and consists of eight functional subcommittees; Legal and Treaties, Intelligence, Law Enforcement, Public Information, Training, Program Review, Treatment, and Research and Development.

A subcommittee was also established to coordinate narcotics control activities among interested agencies and departments and for other duties. The Chairman is the Deputy Senior Advisor to the Secretary of State.

The Cabinet Committee has specific responsibility for formulating and coordinating all policies of the Federal Government relating to curtailing and eventually eliminating the flow of illegal narcotics and dangerous drugs into the United States from abroad. To the maximum extent permitted by law, Federal officers and Federal departments and agencies are to cooperate with the Cabinet Committee in carrying out its functions under this directive and shall comply with the policies, guidelines, standards, and procedures prescribed by the Cabinet Committee. The Cabinet Committee is to

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- develop comprehensive plans and programs for implementing these policies;
- insure that all diplomatic, intelligence, and Federal law enforcement programs and activities of international scope are properly coordinated;
- evaluate all such programs and activities and their implementation;
- make recommendations to the Director of the Office of Management and Budget concerning proposed funding of such programs; and
- report to the President, from time to time, concerning the foregoing.

It directs U.S. international drug control efforts toward interdicting narcotic drugs, particularly heroin and its precursors. To accomplish this interdiction, the Cabinet Committee assigned highest foreign priority to improving the collection, analysis, and use of drug trafficking information and to upgrading the quality of host country drug law enforcement.

The Cabinet Committee requested narcotic control plans from U.S. Embassies in countries thought to be involved in producing, consuming, or transiting illicit hard drugs. These plans include a description of the drug situation, statement of goals, estimated costs, priorities, and a general timetable. They are reviewed by the Department of State's regional Interagency Narcotics Control Committee, the Cabinet Committee's working subcommittees, and finally, by the Cabinet Committee. When the plans are approved they serve as a basis for opening discussions with host governments for negotiating bilateral control plans.

DEA agents working in South America are assigned to DEA's South American regional office; however, as attaches of the various embassies, agents are also responsible to the various ambassadors and to key personnel in the embassies' drug program. In all the countries we visited, drug committees had been organized, drug action plans had been prepared, and embassy involvement in drug matters generally had a very favorable impact; however, some DEA agents felt that their efforts were hampered from the lack of a more aggressive stand by the Department in support of DEA agents and programs. We also noted that workable extradition treaties or alternatives,

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which would improve DEA's chances of immobilizing international narcotic traffickers, had not been developed or negotiated.

Support provided by embassy officials

Embassy drug committees were formed to encourage host governments to increase drug interdiction, to develop an atmosphere for enforcement cooperation, and to gather drug intelligence. Also embassy officials, in order to protect U.S./host country relationships, exercise control over the way in which DEA agents, assigned to their countries, perform their duties. In some cases embassy officials have found it necessary to restrict DEA drug enforcement efforts which they believed would have had a detrimental effect on the U.S./host country relationship. Such restraining influence is in the purview of the role and responsibility of the embassy to avoid endangering the long-term enforcement effort in the host country.

For example, DEA requested that agents be located in two major cities of a country for over 2 years without success. As a result of the host government's request, DEA's agent was assigned to the capital city. Embassy officials supported this action because agents assigned to the two cities would have to work closely with the local police instead of the Federal police as currently done in the capital city. Because conflict already existed between the Federal and local police, this would increase the tension. Thus, DEA's only permanent agent in this country (as of February 1975) continues to operate from the capital city where there is limited drug activity or opportunity to develop intelligence, and the two major drug centers are not receiving adequate coverage. The DEA agent stated that the Federal police have indicated to him that they would favor DEA agents in the two major cities and he could not understand why the embassy was against it. A CIA officer stated that the Chief of the Federal Police informed him that he was not concerned about where the DEA agent was assigned. He added that, in his opinion, the problem was that the embassy was reluctant to discuss the matter with the host government.

State Department officials told us on February 19, 1975, that a request for the approval of the assignment of four more agents in this country is now pending with the Foreign Ministry.

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Other examples of restraints were noted in our visits. In one country, embassy officials claimed that they were receiving good cooperation from the host government on drug matters while the agent in charge felt that more pressure was needed to improve cooperation and drug enforcement. The embassy in another country has also been against assigning an additional agent. When the district office in a third country was first opened, the Ambassador opposed DEA activities and indicated that the CIA should handle source, intelligence, and covert aspects of drug enforcement on a contract basis for DEA. Subsequently, DEA became operational in this country and through Department of State assistance, enforcement efforts have increased. In December 1973, DEA was successful in obtaining custody of nine major violators from the police in this country.

We also found that embassy officials assigned to drug matters had received little drug or enforcement familiarization. In most embassies the position of drug coordinator is part-time and is usually held by the Deputy Chief of Mission or a political officer. In South America none of the part time drug coordinators had received any drug familiarization training nor have the two full-time coordinators assigned to two countries.

Embassy officials feel that sometimes DEA agents pose a real threat to country relations because they lack foreign service experience, they encourage publicity, and their enforcement activities must be coordinated with host country officials causing conflicts within the host government. They stated that DEA agents were often not mission oriented and usually were not willing to balance enforcement efforts with the overall objectives of the mission. In two countries the Deputy Chiefs of Mission felt that the agents' first responsibility should be to the embassy and not to DEA's regional office.

DEA officials told us in October 1974 that since GAO's review:

"DEA feels support received from the Department of State has improved considerably and continues to improve. DEA at present feels no reason to complain about the quality of the support it receives from the Department of State."

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The Department of State told us on February 19, 1975, that agents are being directed to assume a participating role in drug control committees at the present time, and that the training for key embassy officials has been accomplished and will be part of a continuing program for the future. It also said that the Department of State and DEA have held two conferences in Latin America to provide the "general orientation training" needed for embassy officers who carry specific responsibilities in the drug enforcement program abroad.

The Department of Justice stated on March 12, 1975, that "In recent months, we have noted a significant improvement in our relations with the State Department because Embassy officials have gained additional confidence in [DEA's] professionalism."

Extradition

In 1966, the then Acting Commissioner of Narcotics stated that obtaining the extradition of narcotic offenders had become a problem. In 1975 this was still the case. While new extradition treaties have been negotiated with some countries, difficulties still arise as a result of language and procedural differences. In South America 3 of the 10 countries we visited had new treaties with the United States, while the others had treaties dating as far back as 1873. Also, drug offenses are not specifically mentioned in some of these old treaties so extradition can only be sought if the drug offense constitutes a crime and is punishable under the laws of both the demanding and surrendering state.

In one country, a new treaty was negotiated in 1972; however, no drug traffickers have been extradited to the United States under the new treaty because of various problems. As of November 13, 1973, local courts refused five consecutive extradition requests. The reasons for the denials include, but are not limited to, the following:

1. The overt acts listed in the indictment occurred before the September 1972 signing of the extradition treaty regarding narcotics.
2. The country's judicial officials are of the impression that once a defendant is arrested, any conspiracy involving this individual is ended, negating the U.S. legal theory of a continuing conspiracy.

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The Department of Justice said that:

"The Toscanino case represents a solitary departure from a long line of authorities holding that the manner in which a defendant is brought before the court does not give the defendant the right to question the jurisdiction of the court to try him. See e.g., Frisbie v. Collins, 342 U.S. 519 (1952); United States v. Caramian, 468 F. 2d 1370 (5th Cir. 1972); Taylor v. Alabama, 465 F. 2d 376 (5th Cir. 1972); United States v. Cotten, 471 F. 2d 744 (9th Cir. 1973), cert. den. 410 U.S. 967 (1973). The decision in Toscanino was brought about by Toscanino's allegations of unconscionable behavior on the part of United States and [host country] authorities in effecting his expulsion to the United States. It is doubtful that such allegations will be made in many such cases or, more importantly, that a defendant could prove such charges. Thus, Toscanino should not pose a serious hindrance to the government's attempts to obtain jurisdiction over third country nationals."

Another situation that adds to the problem of obtaining the extradition of nationals is the granting of dual citizenship. As pointed out in our report, B-175425, December 31, 1974 (see app. IV), U.S. citizens, or citizens of any other country, with Mexican parents are considered Mexican citizens regardless of their place of birth. DEA believes that at least 250 fugitives on drug charges are living in Mexico and are still participating in drug activities.

New approaches and improvements being considered

The Departments of Justice and State are considering various ways to improve extradition procedures or to find alternatives. In addition to undertaking various evaluations of current treaties and negotiating several new ones, consideration is being given to using local attorneys to prepare the paperwork and represent the United States at host country hearings; DEA has established an objective to increase the use of third-country expulsions.

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Efforts to evaluate treaties now in force and to negotiate new ones have only been done on a limited basis. We found that even the new treaties are not fully adequate. For example, wording should be thoroughly reviewed and evaluated from the standpoint of both the U.S. and the host countries' legal systems.

One U.S. treaty uses the word conspiracy which fits current U.S. drug laws but when translated and considered in the host country courts, it may take on a completely different meaning. The U.S. interpretation relates to two or more individuals involved in an illegal act, while the local courts have limited their concept to "gangstering" or crimes of a continuing nature. The number of individuals involved is important, too, since the U.S. law requires two or more while some countries in South America stipulate three or more.

While officials of DEA and the Department of State have recommended and approved using local attorneys to represent the United States in extradition cases, the Department of Justice, which has final authority, questions the need for and the use of local attorneys. Their primary objections are:

1. Under the treaty agreements the surrendering country is to provide the needed legal counsel.
2. Supervising the work of foreign attorneys would be extremely difficult.

DEA and State Department officials pointed out that if local representation would improve their chances of obtaining the extradition of major violators it should be available if needed.

HOST COUNTRY EFFECTIVENESS

Since establishing embassy drug control committees and coordinators, there have been increases in drug interdiction activities by local enforcement agencies in almost all South American countries. This interaction and exchange of ideas and data between U.S. and local enforcement groups has resulted in establishing local narcotics enforcement units and revisions to laws concerning the cultivation, use, and trafficking of drugs. However, our review showed that further progress in South American countries was being impeded by:

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- Corruption and political instability in many South American countries.
- Lack of interest, qualified individuals, equipment, and incentive among local officials and enforcement personnel.
- Lack of effective laws in some South American countries concerning penalties for drug production, possession, use, or shipment.
- Lack of effective procedures for destroying seized drugs.
- Lack of appeal to all possible host country agencies; customs, military, etc.

Corruption and political instability

Some South American countries have difficulties with either corruption or political instability. The U.S. drug enforcement teams have no control or influence concerning these factors; however, their enforcement efforts are greatly affected by corruption and instability. In one country, corruption has been reported in the three drug enforcement agencies. The customs service of that country has been reported to be directly involved in the flow of contraband and narcotics. In addition, the judiciary is considered corrupt and inept. After being arrested, it is very easy to buy one's way out of jail. DEA documents disclosed "pay-offs" to judges of up to \$65,000.

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Political instability is a problem for many South American countries. A new leader in power is constantly bombarded by national and international problems. But the international drug situation is not viewed as a major problem. In fact, in one case a major drug trafficker was released as a result of amnesty granted to "political prisoners" as part of the presidential inauguration.

The Department of Justice informed us on March 12, 1975, that corruption and political instability are common problems in many Latin American countries and are rarely affected by outside action. These problems serve as a challenge to the professionalism of DEA agents, who must learn to cope with and work around them. DEA agents are frequently successful even where these problems exist. Moreover, the problems are often relative in time; that is, temporary instability in a given country may fade as political and economic factors settle into a more permanent mode. In two countries, the corruption problem virtually ceased after it was publicly exposed and severe corrective action was taken. DEA recognizes, however, that it is less effective and is hampered in countries where extensive corruption does exist.

Locals lack interest, incentive, qualified personnel, and equipment

We found that local enforcement efforts had been greatly reduced in some countries because of little interest among high-level government officials, insufficient incentive for law enforcement personnel to become involved in drug interdiction, and a lack of qualified enforcement personnel and adequate equipment to perform enforcement activities.

Little interest

In some South American countries, the high-level government officials lacked both interest and knowledge of the local and international drug problem. These officials viewed the local situation as not serious and the international situation as a U.S. problem. This was particularly true in three countries. In certain other South American countries, the lack of interest was due to their existing political instability.

The Department of Justice informed us on March 12, 1975, that a major effort is being made by U.S. missions in South America to raise the level of awareness and interest of local

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governments in international drug matters. So far, DEA is pleased with the success of this effort. The Department believes that past apathy, so common towards narcotic problems in South America, is changing to an attitude of responsibility and concern.

Insufficient incentive

Throughout South America, the seizure of illegal contraband by local enforcement personnel results in a reward. This reward is normally a percent of the value of seized goods when sold. However, there is no reward system established for the seizure of drugs; thus, there is no incentive for local enforcement groups to devote their time to drug interdiction. This was a problem in each country visited. The narcotics coordinator in one country said he believed the effectiveness of the local enforcement group in the drug area would be greatly improved if a reward system was established for drug seizures. This problem and the problem of low police salaries were discussed in our report to the Congress, B-175425, December 31, 1974. (See app. IV.)

Lack of qualified personnel

The interdiction efforts of local enforcement groups were also affected by inexperienced or untrained personnel. We found instances in four countries where the personnel assigned to narcotic units had either no training or insufficient training to adequately perform their jobs. For example, in one country, the supervisors of Technical Judicial Police have a mandatory 2-year rotation policy from division to division. In some cases, the expertise obtained in one division is of limited value in subsequent assignments.

In one country, one of the three enforcement agencies involved in interdiction is highly political and with each change in power, there is about a 70 to 80 percent turnover of drug personnel. While this agency has the legal authority to investigate and prosecute narcotics and dangerous drug cases, the frequent change in personnel has greatly affected their enforcement efforts.

Lack of equipment

The lack of equipment such as automobiles, two-way radios, and boats, had a major impact on the interdiction efforts of local groups in five countries. The Embassy Drug

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Committee in one country believed a major shortcoming of the local unit was the lack of equipment. They stated that the locals could not be expected to provide much beyond manpower, and if the United States wanted serious efforts in narcotics interdiction, they would have to provide substantial resources.

In another country there was a firm and growing conviction that the requests for U.S. equipment were not being processed fast enough. U.S. congressional officials who visited this country in January 1973, indicated that they believed that cooperation programs were not moving ahead fast enough because of bureaucratic delays by the United States when foreign governments requested equipment to aid them in their battle against narcotics traffic. There is normally a very long leadtime on vehicles and a 4- to 6-month leadtime on other items. The Department of State told us on February 19, 1975, that it had moved the funding authority from the Agency for International Development to the Office of the Senior Advisor for International Narcotics and that progress had been made in reducing allocation delays through this centralization of administrative function.

Lack of effective laws

We found that there were no uniform and effective laws in some South American countries concerning the penalties for drug production, possession, use, or shipment. Each country had its own unique set of laws and regulations and according to DEA, in some instances these laws contained loopholes which would allow international drug traffickers to avoid prosecution. In addition, as explained on page 47, conspiracy, an important element in developing cases in the United States, is complicated because of its definition. Thus, major traffickers are often able to avoid prosecution as long as they remain in countries which have ineffective laws.

Lack of effective procedures for drug destruction

We found that there was a lack of effective procedures for destroying seized drugs. In one country, the final disposition of seized narcotics was unknown. The DEA agent in charge never witnesses the destruction of drugs and those cases in which drugs were seized have never come to trial; therefore, the location or existence of the evidence is unknown. The Deputy Chief of Mission said he believed the local

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newspaper articles, which indicated that the evidence had disappeared.

In two countries, the opposite situation existed. For example, the President of one country signed a decree dated May 10, 1973, providing for public destruction of confiscated drugs. This decree allowed for retaining a sample for judicial purposes with the remainder to be destroyed promptly thereafter. On June 20, 1973, government officials began the public destruction of the illegal drugs by dissolving 175 kilograms of cocaine and pouring it down a drain. In another country, the DEA agent in charge has witnessed on several occasions public destruction of seized drugs. However, in most other South American countries, Embassy Drug Committee officials have been unable to determine the final disposition of confiscated drugs.

Lack of appeal to all possible
host country agencies

Although efforts have been made to involve local enforcement agencies in controlling the flow of drugs, we generally found that little effort had been made in South America to encourage participation of all possible host country agencies.

Cocaine and heroin usually pass through a number of countries on their way to the United States. Therefore, every time they cross a border or pass through a port of entry, interdiction could occur. Likewise, traffickers usually move or operate in more than one country and could expose themselves to local emigration officials.

In addition, cocaine and heroin poppies are usually grown in remote areas which might be visited by other agencies of the local government, such as military, agriculture, or mining officials.

We believe that there is a potential in most South American countries to get other agencies involved in locating sources of drugs, identifying traffickers and interdicting the flow of drugs to the United States. One way of creating an interest by other agencies in wanting to participate in drug programs is to send U.S. advisory teams to explain the problem and how they can help. We noted that the U.S. Customs Service has advisory teams available which could be used to provide information and assistance to all local customs agencies. We believe that teams from other U.S. agencies, such as the

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military and agriculture, could be formed to provide this service in South America.

CONCLUSIONS

Success in stopping the flow of drugs from and through South America depends greatly on the actions of the Department of State and various host governments. We found that the Embassies have responded to the President's directive to increase drug efforts; however, there is still some room for improvement. We also found that efforts for improving extradition procedures or finding workable alternatives when compared with the importance and size of the task at hand were limited.

Host governments have increased their drug enforcement interest and efforts; but corruption, political instability, ineffective laws, and limited resources have limited them.

RECOMMENDATIONS TO THE SECRETARY OF STATE

We believe that, in light of the President's directive, the Secretary of State should encourage the Embassies to implement actions or increase efforts to

- encourage the preparation and use of effective drug laws, including drug destruction procedures, throughout South America;
- develop a program acceptable to host countries for rewarding foreign police officers for drug trafficking information leading to meaningful arrests and/or seizures; and
- establish a working committee of Departments of Justice and State specialists to evaluate, develop, and implement workable extradition treaties or alternatives.

AGENCY ACTIONS

The Departments of Justice and State generally agreed with our conclusions and recommendations. (See apps. I and II.) In addition, the Departments have provided us with actions taken or being taken; we have included their comments in the applicable sections of this report.

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Concerning our recommendation on extradition the Department of Justice told us on March 12, 1975, that it agrees a committee of extradition experts from the Departments of State and Justice should be formed to insure the extradition of narcotic traffickers to the United States. It also stated that

"there is no question that difficulties have arisen from time to time with South American countries regarding the interpretation and implementation of extradition treaties. Two examples of such difficulties are the proper interpretation to be given the word 'conspiracy,' as used in such treaties, and the degree of assistance officials of signatory governments should afford each other in processing extradition requests."

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CHAPTER 5

MANAGEMENT AND FUNDING

Since the supply of drugs for most abusers in the United States comes from other countries, enforcement efforts ultimately lead to these countries. Of DEA's 2,086 agents at January 31, 1975, only 162 were stationed outside the United States; 32 of these were in South America. In effect, about 1,900 DEA agents in the United States (referred to as domestic agents) were developing cases that, in many instances, ultimately required police work in a foreign country. Add to this the drug efforts of the many other Federal, State, and local enforcement groups, and the task facing foreign police or U.S. agents becomes enormous.

In many countries, especially those that are highly developed, the local enforcement groups can generally provide the assistance required; however, we found that in South America these groups were not capable of, or in some cases not even interested in, responding to this need. We also found that along with limited manpower and funding, the effectiveness of DEA agents was reduced by the lack of

- a system to assign priorities to requests from domestic regions,
- accurate and complete data on major traffickers, and
- administrative support.

MANPOWER

On January 31, 1975, 32 agents were assigned to DEA's regional office or to one of its 11 district offices in South America. Each district office consisted of from one to four agents. In two district offices, the number of assigned agents did not appear to be commensurate with the area of responsibility. One office had one agent with the responsibility for all of the country, an area of approximately 3.3 million square miles.

It had been determined to be a transshipment point for heroin and cocaine because of its numerous seaports

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and the Amazon River. Even without this large area to cover, it is very difficult for one agent to operate effectively. When he is out on a case or working with the locals, he has no one to back him up or to handle the day-to-day operations of the district office. Also, since the district office is so far from the major ports and population centers where most drug cases occur, the need for other agents in these locations is very apparent. As of January 1975, there was still only one permanent agent assigned to this country.

One office, as of January 1975, still had only two agents with responsibility for four countries and part of the Caribbean Islands. Because of the numerous islands and unguarded seaports, the agent in charge believed his geographical area of responsibility was far too large to be effectively patrolled by two agents. For example, as of December 1973, the agents have only been to three locations once, and even though the region is known for drug activity, the agents have spent insufficient time there. One district office has received some help. Since the inception of this office in November 1971, temporary agents have spent 570 days working the district. While this has helped reduce workload, the permanent agents have not had time to develop a full understanding of the situation or to develop the lasting ties with the local enforcement groups that are necessary.

A similar situation existed in another district office. A proposed suboffice at one seaport was delayed 10 months due to a lack of manpower and funds. The importance of this suboffice related to the region's reputation as a haven for major violators and cocaine processing laboratories. DEA officials opened the office in May 1974. Also, in March 1973 an additional agent had been authorized for another country but was not assigned until January 1974.

Officials at DEA headquarters said that the lack of manpower was a major problem in South America. However, they were hopeful that additional staff could be added in fiscal year 1975.

The Department of Justice told us on March 12, 1975, that the Department of State has been particularly helpful

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in facilitating the rapid expansion of DEA's work force in Latin America during the past 3 years. This increase in staff has been largely responsible for the inroads DEA has made in immobilizing South American trafficking networks. However, Justice also said that as DEA places intelligence personnel overseas, DEA believes more support should be forthcoming from the State Department.

OPERATING FUNDS

The allocation of operating funds has also apparently hindered DEA's achieving its enforcement objectives in South America. The 11 district offices receive monthly operating funds ranging from \$333 in two countries to \$3,000 in two other countries. A complaint from several district offices was the lack of sufficient funds to carry on normal operations. For example, a specific problem mentioned was the poor and expensive telephone communications. The telephone represents a vital link between the different offices but because of the cost it must be used sparingly.

Additional problems caused by a shortage of operating funds occurred in two district offices. In both of these offices, agents did not have the funds to rent vehicles when investigations entailed travel to the interior of the country. As a result, the agents remained in town and requested the local enforcement agencies to perform the necessary work. The agents in another office could not leave their offices to carry out investigations due to a lack of operating funds. An investigation on one island scheduled for July 1973 had to be delayed because of insufficient funds for transportation and lodging.

As discussed in chapter 3, the lack of DEA funds to purchase intelligence has also seriously affected the enforcement capabilities of the district offices.

Headquarters officials agreed that limited operating funds have had a major impact on the enforcement efforts of their South American agents. However, they believed the situation would improve in fiscal year 1975 with an increase in the region's operating budget.

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PROBLEMS WITH IMMOBILIZING MAJOR TRAFFICKERS

DEA's geographical drug program sets forth criteria for assigning drug traffickers a priority of I, II, III, or IV depending on their level of drug activity. It was DEA's intention that about 70 percent of its enforcement resources be directed toward the arrest and prosecution of class I, II, or III violators, and that current, accurate, and complete data be maintained and reported for evaluating the success and needs of the program. While arrests of major violators in South America had increased, we found that the large number of requests from domestic regions and the lack of data and files on major violators hindered further success of this program.

No system for assigning priorities to requests from domestic regions

We were informed that in South America less than 50 percent of enforcement time was directed toward immobilizing major violators. In two countries only about 10 and 15 percent was spent on major traffickers. One of the main reasons for this was that there was no system requiring domestic regions to establish priorities for requests sent to foreign regions. This was particularly true in the one district office where approximately 70 percent of the workload involved domestic assist requests. A high percentage of time--40 to 50 percent--was also spent by other district offices on assist work.

Although the one district office had identified the immobilization of major traffickers as its primary objective, the agents did not have time to perform the research and prepare the paperwork necessary for gaining approval of class I or II traffickers by headquarters, and the office was able to spend only 15 percent of its enforcement time investigating these individuals. The remaining 85 percent was spent on requests from domestic regions, targets of opportunity, normal administrative workload, and assist work requested by local enforcement agencies.

During October 1973, the district office received more than 45 requests for action and 13 requests for domestic region agents and/or informers to engage in operations.

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The agent in charge of one district office informed us that while some of these cases did involve major violators operating in South America, many did not. Also, he stated that with this many requests and only three agents and himself, it was impossible to coordinate the use of domestic agents and informers with the three local enforcement groups and provide sufficient cover and backup for the agents when the drug buy or deal was being made.

DEA officials in Washington informed us that in most countries, especially Europe, U.S. agents are happy to receive assistance requests because local enforcement groups are able to help in the information-gathering process and case development. However, local enforcement groups in South America do not usually have the capability, desire, and in some cases, the integrity to perform needed enforcement efforts. This situation creates additional workload for U.S. agents resulting in less efforts aimed at local major violators.

The DEA Los Angeles regional office told us that all their requests for foreign assistance were screened and approved by various assistant regional directors in charge of enforcement groups, but that these assistants had little information on South American operations to determine the importance of their requests for assistance. Their main basis was knowing the level of the trafficker's involvement in Los Angeles. One assistant stated that Los Angeles agents traveling to South America are not being given adequate support by the South American agents, which seemed to substantiate the statement made above by the agent in charge in one district office.

At the South American regional office, our review indicated only limited screening of assist requests by DEA headquarters in Washington, D.C. For example, when requested to pay a domestic region's informer for his assistance in two domestic-region requested investigations made in one country, the South American regional director stated that his resources were geared to investigating class I and class II violators and these two investigations would have limited priority and would not justify the reward requested. We also found there was not sufficient knowledge about domestic requests made to the South American regional office to determine the justified priority.

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Some domestic requests involve the travel of agents/informers to South American countries. These requests require clearances from the local governments before implementing an operation. An official at DEA headquarters stated that the necessary clearances usually are obtained in 95 percent of the cases. However, in the remaining cases problems may arise. For example, the agent(s) may be on his way before an operations approval. This situation presents a danger to: (1) the operation, (2) the agent/informer, and (3) DEA's position in the country. On July 25, 1973, the agent in charge of one district office communicated the following complaint:

"* * * It appears that domestic offices are conducting investigations and making seizures involving [a country] and working informers here without advising us. I'm not opposed to domestic offices making cases however, I find it embarrassing when an investigation has been in progress for several weeks * * * without informing the district office."

Lack of data/files
on major violators

Our review disclosed major problems with the identification and systematic immobilization of major traffickers. The regional office did not retain a current listing of those major traffickers targeted for priority effort within the region, and the major traffickers being worked in the district offices did not always agree with those on file in the regional office.

In addition, we found the list of major traffickers at the regional office was not in agreement with the geographical drug program listing of major traffickers from Washington. While the geographical listing included the names of all approved class I and class II violators in the South American region, the regional office's listing omitted some of these names and included names of individuals not formally designated as major violators. The reason given for this situation was the lack of adequate manpower to maintain a current and accurate listing.

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In addition, the geographical drug program system provides for lists to be maintained of the major violator assigned to regional offices and the major violators apprehended in that region. Because the December 31, 1973, lists for comparison and analysis were unobtainable we were unable to evaluate the effectiveness of the major violator interdiction program in South America.

In the district offices, we found that the list of major violators being investigated was not always in agreement with that on either the geographical drug program or the regional office listing. In addition, the agents in one district office were not aware of the major violators included in the region's list for their area. The regional director requested from each district office, on June 12, 1973, an immobilization work plan on each major trafficker operating within their district. At the time of our visit in November 1973, several districts had submitted partial plans; however, one district office had to contact the regional office to verify their list of major traffickers before they were able to respond. Other district offices had not or had only partially responded because (1) they had insufficient time and/or resources to research and submit the necessary paperwork, or (2) their files were not up to date or cross-indexed to permit retrieval of specific information for work plans. (See pp. 62 and 63.)

The failure to maintain and organize data on major violators and their associates has also created problems in responding to domestic office requests for background information on suspected drug traffickers. Valuable time must be spent searching the files, and local enforcement effort is impeded. An official at DEA headquarters told us that in some instances more information is available in Washington on a specific trafficker than is available in the district office where the individual is assigned for priority effort.

DEA officials told us in October 1974 that:

--Since the GAO review, the South American region has corrected this deficiency through the regional intelligence unit. A current list of major traffickers now maintained at the regional level has been reconciled with headquarters and district office lists.

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--They cannot avoid some instances where more information is available in Washington on a specific trafficker than is available in the field. Given the frequent movement of traffickers and the volume of scattered references to important traffickers, the only viable alternative would be virtually to reproduce headquarters files at each district office--a patent impossibility. However, there are no instances known in South America of cases not being effectively or aggressively pursued because of lack of information on headquarters files. Summaries of pertinent information are routinely made available.

The Department of Justice told us on March 12, 1975, that it should be remembered that foreign and domestic classification criteria for major violators differ in several areas, and that domestic requests for foreign assistance almost always involve major domestic traffickers. The Department said that, although the points that the domestic regions did not provide sufficient background information on particular requests and the domestic regions did not always obtain the necessary clearance from host countries represented serious problems at the time of the our review; corrective action taken since then has resulted in satisfactory resolution of the problems. The Department also said that discrepancies between the regional and district offices in listing major traffickers have now been reconciled.

LACK OF ADMINISTRATIVE SUPPORT

Our review showed that a lack of adequate secretarial support created filing problems in the regional and five district offices. In each of these offices, a number of files had not been cross-indexed to the major violator name files. This situation generally impeded local enforcement efforts and necessitated extensive work when a domestic office requested background data on suspected drug traffickers.

One district office lacked cross-indexing (case files had not been indexed to name files) for 85 percent of its files. The agent in charge stated that local enforcement efforts were hindered, particularly on the research and paperwork required to solicit headquarters' approval to

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classify an individual as a major drug trafficker. Before the BNDD and U.S. Customs merger, the office had two secretaries. In November 1973, there was only one secretary for the four DEA agents.

In another district office, the agents were without secretarial support from DEA's inception to November 19, 1973. During this 4 1/2-month period, the necessary paperwork was both typed and filed by the agents. At the time of our review, at least 25 percent of investigative reports were still on tapes or in note form. A similar situation existed at another district office where there was no secretarial support from November 1971 to April 1972. The agent in charge believed there was a 1-year backlog in filing and cross-indexing of files.

The Department of Justice told us on March 12, 1975, that

- it agreed that more secretarial help is required to support the district offices and to free the agents from those clerical tasks which reduce their enforcement effectiveness;
- in fiscal year 1975, DEA plans to assign additional personnel, both agents and clerical support, to South America; and
- the number assigned, however, may still be inadequate and requests for additional personnel for fiscal year 1976 do not look encouraging.

CONCLUSIONS

Although South America has seen large increases in the enforcement efforts of U.S. and local enforcement agencies, the overall effectiveness of these efforts has been reduced by management and funding problems. We believe the lack of a system for assigning priorities to requests from domestic regions has plagued and hindered the successful accomplishment of South American enforcement goals. This was particularly true when (1) requests for foreign assistance did not contain sufficient data for an adequate determination of its importance in light of DEA's other objectives, and

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(2) there was a lack of understanding and procedures involving foreign operations requiring travel by domestic agents or informers. Also, the failure of regional and district offices to retain, share, and communicate data on major violators has resulted in each office working toward accomplishing its own objectives without the needed coordination for accomplishing regional goals. We do not believe that DEA can effectively evaluate the success of its major violator efforts in South America without preparing, analyzing, and using the lists of major violators assigned and apprehended as provided by the geographical drug program system.

We further believe there was a problem in DEA's allocation of manpower in South America to adequately cover the areas of responsibility. Also, there was an apparent problem in DEA's allocation of funds for accomplishing enforcement objectives. We recognize that prudent management dictates that allocations of manpower must be based on DEA's overall needs and should be consistent with overall U.S. goals and objectives in each individual country. We do believe, however, that when agents are assigned they should be given adequate support and sufficient funds to effectively carry out their assignment. We believe the overall effectiveness of enforcement efforts is reduced when agents must spend time performing clerical tasks because there is a lack of secretarial support to provide this necessary service.

The Departments of Justice and State have told us of actions taken or being taken which have been included in each of the above sections. Because of these actions we are not making recommendations in these areas.

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APPENDIX I

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APPENDIX I



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

March 12, 1975

Address Reply to the
Division Indicated
and Refer to Initials and Number

Mr. Victor L. Lowe
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Lowe:

This letter provides our comments on the draft report titled, "Barriers to Greater Progress in Stemming the Flow of Cocaine and Heroin From and Through South America." In general, we find the GAO draft report to be accurate and we are in basic agreement with its recommendations. Although we have reservations on minor matters of fact and interpretation, we do not feel they affect the overall tenor or recommendations of the report. Several of the matters we believe should be called to your attention are discussed below.

Some problem areas identified in the report, while valid at the time the study was undertaken in 1973, are no longer valid either because circumstances have changed or because corrective action has been taken. Among these are:

[See GAO note 2, 1. State Department Involvement (pages 6 and 7).
p. 73.] In recent months, we have noted a significant improvement in our relations with the State Department because Embassy officials have gained additional confidence in the Drug Enforcement Administration's (DEA) professionalism. The Department of State has been particularly helpful in facilitating the rapid expansion of DEA's workforce in Latin America during the past 3 years. This increase in staff has been largely

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The Department has no objection to transmittal of the classified information in the proposed report to the appropriate congressional committees, individual members of the Congress and executive agencies.

We appreciate the opportunity to comment on this draft report. Should you have any further questions, please feel free to contact us.

Sincerely,



Glen E. Pommerening
Assistant Attorney General
for Administration

GAO notes:

1. Deleted comments pertain to material deleted from the final report.
2. Page references in this appendix may not correspond to pages of the final report.

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DEPARTMENT OF STATE

Washington, D.C. 20520

February 19, 1975

Mr. J. Kenneth Fasick
Director
International Division
U.S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Fasick:

I am replying to your letter of January 15, 1975 addressed to the Secretary, which forwarded copies of your Draft Report: "Barriers to Greater Progress in Stemming the Flow of Cocaine and Heroin From and Through South America".

The enclosed comments have been prepared by the Senior Adviser to the Secretary and Coordinator for International Narcotics Matters.

We appreciate having had the opportunity to review and comment upon your Draft Report.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Don C. Eller".

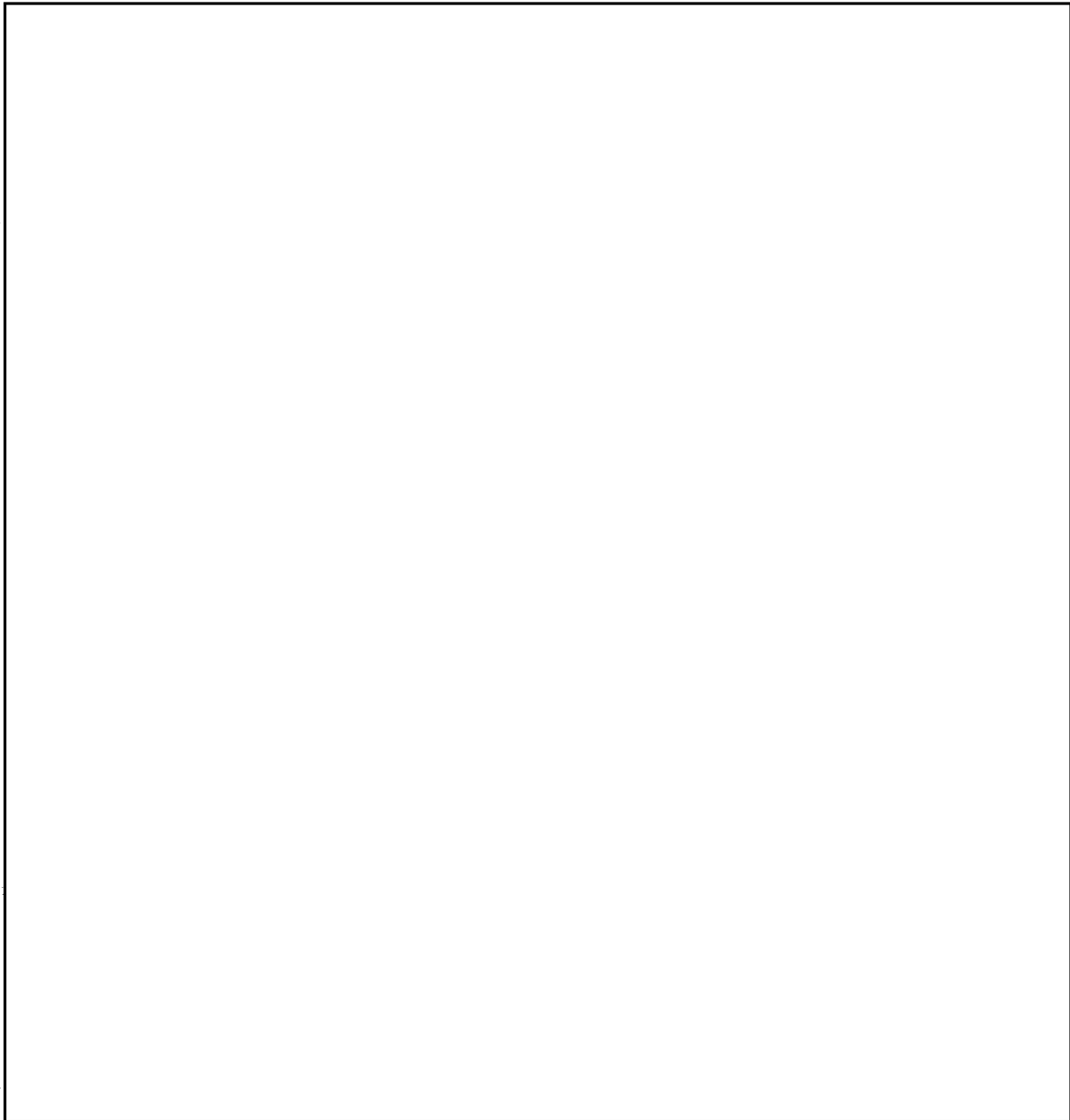
Don C. Eller
Acting Deputy Assistant
Secretary for Budget
and Finance

Enclosure:
Comments.

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The blocked material is classified as indicated. All other material on this page is UNCLASSIFIED.

DEPARTMENT OF STATE COMMENTS ON GAO DRAFT REPORT:
"Barriers to Greater Progress in Stemming the Flow of Cocaine and Heroin From and Through South America"



[See GAO note 1, p. 82.]

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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

January 30, 1975

The Honorable Victor L. Lowe, Director
United States General Accounting Office
Washington, D. C. 20548

Dear Mr. Lowe:

Thank you for giving us the opportunity by your letter of December 17, 1974, to comment on the proposed report to the Congress, "Barriers to Greater Progress in Stemming the Flow of Cocaine and Heroin From and Through South America." Our comments, which are made solely in the interest of accuracy and balance, are enclosed.

We appreciate the recognition in the report of the Agency's positive efforts to stem the flow of illicit narcotics to the United States from abroad, the Agency resources devoted to this effort, and of the resolution of most of the early problems.

This Agency has absolutely no objections to transmittal of the classified information in the proposed report to the appropriate congressional committees, individual members of the Congress, and executive agencies. However, we would appreciate being advised when the final report is transmitted so that we can make whatever report is deemed appropriate to those committees in the Congress which have oversight of this Agency.

Sincerely,


W. E. Colby
Director

Enclosure

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SUBJECT: CIA COMMENTS ON GAO DRAFT REPORT

"Barriers to Greater Progress in Stemming the Flow of Cocaine and Heroin From and Through South America"

General

In our opinion, U.S. agencies involved in the anti-narcotics effort can take a real measure of satisfaction from the job done so far. At the same time, we agree with the conclusion on page 50 of the draft GAO report that there is a need for better intelligence. We have and will continue to work towards improving DEA-CIA cooperation and we see the MINT Register program as one of the best available management tools to reach this end.

[See GAO note 2, p. 87.]

We concur in the recommendations on pages 50 - 51. We suggest that these recommendations be discussed and carried forward under the aegis of the CCINC. The GAO report does not, however, address two significant points which we believe have a direct bearing on the ability of CIA to support DEA. First, there is the statutory prohibition against CIA engaging in law enforcement activities. Second, there is the legal problem which can arise when intelligence clandestinely gathered by CIA abroad is used in U.S. criminal prosecution. In this instance there is a separate statutory mandate on the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure. Thus, a good case against a drug trafficker may have to be dismissed because CIA cannot respond to the defendant's request to identify sources or methods used to collect the intelligence that pertains to his particular case.

Regarding the specific recommendation that the respective drug intelligence roles be clearly defined we suggest that once the DEA Intelligence Division has established its proposed overseas Regional and District level intelligence offices, the question of division of responsibility between DEA and CIA overseas will be far easier to define. CIA supports DEA's plan to expand its intelligence collection capability. However, until this stage is operational, CIA will continue its active role abroad in the collection of clandestine intelligence against the foreign narcotics target.

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UNCLASSIFIEDGAO REPORTS ON DRUG ENFORCEMENT

<u>Title</u>	<u>B-number</u>	<u>Date</u>
"Efforts to Prevent Dangerous Drugs from Illicitly Reaching the Public"	B-175425	4-17-72
"Efforts to Prevent Heroin from Illicitly Reaching the United States"	B-164031(2)	10-20-72
"Heroin Being Smuggled Into New York City Successfully"	B-164031(2)	12- 7-72
"Difficulties in Immobilizing Major Narcotics Traffickers"	B-175425	12-21-73
"Identifying and Eliminating Sources of Dangerous Drugs: Efforts Being Made, But Not Enough"	B-175425	6- 7-74
"Efforts to Stop Narcotics and Dangerous Drugs Coming From and Through Mexico and Central America"	B-175425	12-31-74

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PRINCIPAL OFFICIALS RESPONSIBLE FOR ADMINISTERING
ACTIVITIES DISCUSSED IN THIS REPORT

	<u>Tenure of office</u>	
	<u>From</u>	<u>To</u>
<u>DEPARTMENT OF JUSTICE</u>		
ATTORNEY GENERAL OF THE UNITED STATES:		
Edward M. Levi	Feb. 1975	Present
William B. Saxbe	Jan. 1974	Feb. 1975
Robert H. Bork, Jr. (acting)	Oct. 1973	Jan. 1974
Elliot L. Richardson	May 1973	Oct. 1973
Richard G. Kleindienst	June 1972	Apr. 1973
Richard G. Kleindienst (acting)	Feb. 1972	June 1972
John N. Mitchell	Jan. 1969	Feb. 1972
ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION:		
John R. Bartels, Jr.	Oct. 1973	Present
John R. Bartels, Jr. (acting)	July 1973	Oct. 1973
DIRECTOR, BUREAU OF NARCOTICS AND DANGEROUS DRUGS (note a):		
John E. Ingersoll	Aug. 1968	July 1973
<u>DEPARTMENT OF STATE</u>		
SECRETARY OF STATE:		
Henry A. Kissinger	Sept. 1973	Present
William P. Rogers	Jan. 1969	Sept. 1973
SENIOR ADVISOR TO THE SECRETARY AND COORDINATOR FOR INTERNATIONAL NARCOTICS MATTERS:		
Ambassador Sheldon B. Vance	Apr. 1974	Present
Ambassador William J. Handley	May 1973	Mar. 1974
Harvey R. Wellman (acting)	Feb. 1973	May 1973
Nelson G. Gross	Aug. 1971	Jan. 1973

CONFIDENTIAL

Tenure of office

From

To

CENTRAL INTELLIGENCE AGENCY

DIRECTOR:

William Colby

Sept. 1973 Present

a/Effective July 1, 1973, BNDD and other Federal agencies involved with drug enforcement merged to form the new DEA. All BNDD functions were transferred to DEA.

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