

UNCLASSIFIED

## CIA ROLE UNDER EXECUTIVE ORDER 12333

Executive Order 12333 specifically authorizes CIA to "collect, produce, and disseminate intelligence on foreign aspects of narcotics production and trafficking." The Order and CIA's implementing procedures also authorize the CIA to collect, retain or disseminate information concerning U.S. persons that is obtained in the course of an authorized international narcotics investigation. (CIA's procedures governing activities outside the United States were recently approved by the Attorney General and the DCI and became effective on 29 June; CIA's procedures governing activities within the United States are expected to be approved by the Attorney General in the near future.) CIA also may carry out relevant research and development and procurement of technical systems and devices relating to its authorized narcotics activities.

Executive Order 12333 authorizes CIA to provide specialized equipment, technical knowledge, or assistance of expert personnel for use by any federal law enforcement authority as well as to render any other assistance and cooperation, provided that such activities are consistent with the DCI's responsibility to protect intelligence sources and methods under the National Security Act of 1947 and that such activities are not precluded by the Act's limitation upon CIA's exercise of law enforcement powers or internal security functions. This provision has been interpreted by the Department of Justice as prohibiting CIA from collecting information solely to support law enforcement investigations in certain circumstances, but it is clear CIA is

STAT

UNCLASSIFIED

authorized to disseminate information to federal officials as well as foreign governments incidentally obtained in the course of authorized narcotics collection activities that indicate involvement by U.S. persons or others in activities that may violate federal, state, local or foreign laws. Executive Order 12333 provides for the reporting of violations of federal criminal laws to the Department of Justice in a manner consistent with intelligence sources and methods. Such reporting is regulated by detailed procedures approved by the Attorney General and the DCI in March 1982.

Apart from CIA activities, Executive Order 12333 also provides that the DCI has the authority to (1) establish procedures governing the conduct of liaison by any department or agency with the intelligence or internal security services of foreign governments on narcotics activities, (2) participate in the development of procedures approved by the Attorney General governing criminal narcotics activities abroad to ensure that these procedures are consistent with foreign intelligence programs, and (3) participate in the development of procedures approved by the Attorney General governing production and dissemination of intelligence from criminal narcotics activities abroad. These responsibilities and authorities were provided for in Executive Order 12333 as a consequence of removing DEA from the Intelligence Community where it had been under the previous Executive Order. Drafts of these procedures have been prepared by CIA and are being negotiated with DEA and other affected agencies.

UNCLASSIFIED