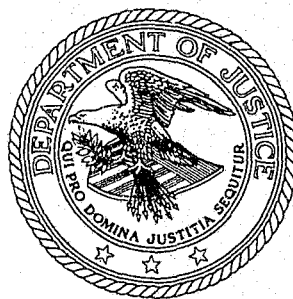




# National Drug Enforcement Policy Board National and International Drug Law Enforcement Strategy



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EXECUTIVE SUMMARY

NATIONAL DRUG ENFORCEMENT POLICY BOARD

NATIONAL AND INTERNATIONAL  
DRUG LAW ENFORCEMENT STRATEGY

January 20, 1987

Submitted to the Congress by the  
National Drug Enforcement Policy Board  
pursuant to Section 1304(a)(1) and  
Section 1305 of the National Narcotics  
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ACQUISITIONS

EXECUTIVE SUMMARY

## EXECUTIVE SUMMARY

Within the past few years, there has been a heightened sense of public awareness and activism concerning the international problems of drug trafficking and abuse. In the United States, as in many other countries, the fight against drugs has acquired new political significance, improved laws and prosecutorial tools, and additional resources. The President and Mrs. Reagan's personal attention, the President's Commission on Organized Crime report, "America's Habit: Drug Abuse, Drug Trafficking, and Organized Crime," Administration and Congressional concern reflected in the passage of the Anti-Drug Abuse Act of 1986, and expanded media coverage all attest to a firm commitment to the continuing struggle against drug trafficking and abuse. Federal, State, and local governments, the United Nations, private and non-profit organizations, and individuals have all joined the effort to prevent, treat, and research drug abuse, and to educate our citizens about the dangers of using illegal drugs.

Drug law enforcement is an integral part of this national battle. The commitment to toughen drug law enforcement reflects a change in attitude about the serious nature of drug abuse and trafficking. Americans now recognize that drug abuse is neither a private matter nor a victimless crime, and that all Americans pay the economic, health, and social costs that drug abuse and trafficking bring to their communities.

The years 1981 through 1986 have witnessed the largest increases in drug law enforcement funding and manpower in the nation's history. To coordinate the efficient application of these new resources, the National Drug Enforcement Policy Board was created. In its first full year of operation in 1986, the Policy Board became involved in a number of successful interagency law enforcement activities, and established itself as the focal point for coordinating the policy, strategy, and resources necessary to wage a successful battle against drug

trafficking. Furthermore, a recent expansion of the Policy Board to include the Secretaries of Education and Housing and Urban Development, coupled with the statutory presence on the Board of representatives from the Department of Health and Human Services and the White House Drug Abuse Policy Office, have placed the Policy Board in a unique position to coordinate more closely the supply and demand elements of the Federal government's extensive anti-drug program. The Policy Board recognizes that a coordinated program of supply reduction through law enforcement, and demand reduction through education and prevention, is the key to long-term success in the fight against drug abuse and trafficking.

The ultimate goal of both supply and demand reduction efforts is the elimination of drug abuse and trafficking. Drug law enforcement supports this national goal by attacking the supply of drugs all along the distribution chain from field or laboratory to consumer. This National and International Drug Law Enforcement Strategy contains five major components: intelligence; international drug control; interdiction and border control; investigation and prosecution; and diversion and controlled substance analogue regulation. These components are highly interactive and mutually supportive, and they must be applied in a balanced manner in the national fight against drug trafficking. Additional chapters include a description of the National Drug Enforcement Policy Board's structure and activities, a threat assessment, a discussion of drug law enforcement's role in reducing the demand for drugs, and a special focus chapter on drug strategy concerning Mexico and the Southwest border.

### Threat Assessment

Drug trafficking and abuse pose serious threats to the health, welfare, and national security of the United States.

Millions of Americans abuse drugs, which are smuggled into the United States from foreign sources, produced domestically, and diverted from legitimate distribution networks for illicit use. Drug trafficking trends demonstrate the heightened sophistication of trafficking organizations and their increased reliance on violence and corruption.

### Cocaine Threat

- Increases in cocaine consumption, cocaine-related hospital emergencies and deaths, and the use of a potent new form of cocaine known as "crack" indicate that this drug poses the most serious drug threat to the United States.
- Most cocaine seized in the United States is produced from coca cultivated in South America, particularly in Peru and Bolivia.
- Colombia continues to be the predominant location for final-stage processing of cocaine, providing approximately 75 percent of the cocaine hydrochloride available in the United States in 1985.
- Most of the cocaine entering the U.S. is still transported aboard aircraft; however, there has been increasing use of private and commercial vessels. While the heaviest trafficking activity remains in the Caribbean, Bahamas, and Southeastern U.S., cocaine smuggling is becoming more dispersed, with increased activity in the Gulf Coast and Southwestern states.

### Opiate Threat

- Heroin consumption in the United States appears to have increased in 1985. Heroin-related emergencies increased due, in part, to the recent introduction of a potent form of heroin known as "black tar" and the continuing use of heroin in combination with other drugs.
- The three primary illicit opium production areas are Southwest Asia, Mexico, and Southeast Asia.
- 42 percent of the heroin available for consumption in the United States is produced in the Southwest Asian countries of Afghanistan, Iran, and Pakistan. Turkey remains a major transshipment and staging area for opium, morphine

base, and heroin from this region. There is increased heroin trafficking through India, from both Pakistan and Burma.

- Mexico is an increasingly significant source of heroin consumed in the United States, accounting for more than one-third of all heroin consumed nationwide.
- In Southeast Asia, the major opium cultivators and heroin producers operate in Burma, Thailand, and Laos. Most Southeast Asia heroin, like that of Southwest Asia, travels to world markets in the luggage of commercial air passengers and, to a lesser extent, by international mail and vessel traffic.

#### Cannabis Threat

- Marijuana is the most widely used illicit drug in the United States, with approximately 18.2 million current marijuana users in 1985.
- An estimated 81 percent of the marijuana available in the United States in 1985 was produced abroad and 19 percent was produced domestically. Most of the marijuana smuggled into the United States from foreign sources came from Mexico (40 percent) and Colombia (38 percent).
- Marijuana grown in Mexico accounted for 40 percent of the marijuana available in the United States in 1985, up from 6 percent in 1982. Expanded cultivation and reduced eradication and seizures were, in part, responsible for this increase. Marijuana from Mexico is normally trafficked by overland methods and in relatively small quantities.
- Principally as a result of Colombia's aerial eradication program and intensified interdiction operations in the region, the market share of marijuana from Colombia dropped from 48 percent in 1984 to 38 percent in 1985. Colombian traffickers rely heavily upon non-commercial vessels to transport marijuana.
- Most hashish smuggled into the United States is produced in Lebanon, Pakistan, and Afghanistan. This hashish is normally smuggled in commercial vessels.

#### Dangerous Drug Threat

- The term "dangerous drugs" refers to all drugs except heroin and opium, cannabis products, and cocaine.

Estimates are that total illicit consumption of dangerous drugs was 2.8 billion dosage units in 1985, a decrease from the 1984 estimate of 3 billion dosage units.

- Most of the dangerous drugs abused in the United States are produced in domestic clandestine laboratories; most of the 1985 laboratory seizures involved methamphetamine, amphetamine, P2P, and PCP.
- A wide variety of groups, including several outlaw motorcycle gangs, have been identified as being involved with the production and distribution of dangerous drugs and controlled substance analogues.

### Intelligence

The effectiveness of the overall Federal drug law enforcement effort depends on strong intelligence support. In view of the limited resources available to drug law enforcement, improved intelligence capabilities may offer the best hope for better enforcement success. Reliable and timely intelligence allows law enforcement resources to be applied more effectively and efficiently.

### The Strategy

- Three types of intelligence contribute to Federal drug enforcement efforts: strategic, tactical, and operational. For maximum effectiveness, each type must be fully employed in a balanced fashion.
- An accurate threat assessment is key to the enforcement effort. Intelligence organizations will focus on producing accurate, timely estimates of drug cultivation, production, consumption, exportation, and seizures both inside and outside source countries. Threat assessments will also more thoroughly and accurately describe traffickers and their organizations, practices, and affiliations. The organizations collecting intelligence will standardize their methodologies of testing the accuracy of their drug data.
- The intelligence strategy includes: coordination of intelligence activities of the law enforcement and intelligence communities; development of accurate

indicators of patterns, trends, and degrees of smuggling activities; assessment of capabilities and constraints of foreign military and law enforcement units to respond to drug threats; and analyses of the structure of trafficking organizations and the identification of their weaknesses.

- The Strategy also calls for effective and efficient use of all enforcement agencies, including those of foreign source and transshipment countries.

### International Drug Control

Most of the illicit drugs consumed in the United States are cultivated and processed in foreign countries. America's international drug control program seeks to break the chain that links farmers in those drug producing countries to users in the United States by stopping the flow of drugs as close to the source as possible. The United States continues to place the highest diplomatic priority on enlisting international support for drug control efforts. The international program also seeks to reduce the supply of drugs through assistance to foreign governments in crop eradication, interdiction close to production sources and along trafficking routes, the arrest and prosecution of major traffickers, and the seizure of drug-related assets. Many governments have joined the United States in a more vigorous international program and have assigned higher foreign policy and enforcement priorities to the drug problem.

### The Strategy

- The international strategy involves both diplomatic and programmatic initiatives.
- The objective of the diplomatic strategy is to internationalize the response to the drug problem thereby encouraging other governments to engage in unilateral, bilateral, and multilateral drug control efforts.
- Crucial components of the diplomatic strategy include: sharing information with the international community about the dangers of drug trafficking and abuse; conveying



United States' policies and attitudes with respect to these problems through embassies and other personnel abroad; and supporting and actively participating in regional and international efforts to address drug trafficking and abuse.

- The objective of the programmatic strategy is to destabilize trafficking operations as close to the source as possible. Components of this strategy are: eradication; development and economic assistance; interdiction; and investigation and prosecution.
- Eradication priorities include: revitalizing the opium poppy and marijuana eradication campaigns in Mexico; sustaining the new aerial herbicidal opium eradication programs in Burma; working with Pakistan to extend the ban on opium poppy production into additional areas; launching more comprehensive coca eradication programs in Andes.
- Development and economic assistance programs in source and transshipment countries will give priority to countering the economic advantages of cultivating drug crops and providing incentives to meet certain drug control objectives.
- Elements of the international interdiction program include: expanding DEA's program to identify and interdict the chemicals and conversion equipment used to process illicit drugs; working with foreign governments to locate and destroy clandestine laboratories and airstrips; and continuing to mount special interdiction operations in cooperation with foreign governments.
- Elements of the international investigation and prosecution program include: negotiating mutual legal assistance treaties (MLATs) with foreign governments in order to improve the exchange of information in criminal cases; encouraging foreign governments to adopt asset forfeiture laws based on the U.S. model; and seeking a number of new or enhanced extradition treaties with foreign countries.

### Interdiction and Border Control

The primary objective of the drug interdiction strategy is to reduce the amount of illegal drugs entering the United States. Interdiction focuses on the detection, identification, and interception of shipments of illegal drugs as they move from departure points in source countries, along smuggling routes

to our land, sea, and air borders. Successful interdiction programs deter potential traffickers from entering the drug trade, disrupt the flow of drugs into the United States, and force traffickers to develop more expensive methods to avoid detection and use longer, more difficult smuggling routes.

### The Strategy

- The objective of the interdiction strategy is to reduce the amount of drugs entering the United States by targetting the transportation link between drug supply and demand.
- Interdiction program emphasis has turned, in recent years, to multi-agency offensive operations against particular targets when and where the threat is determined to be the greatest.
- Interdiction strategy components include: detection; interdiction in transit; border interdiction; flexibility and unpredictability; regional strategies; research and development; and expanding roles.
- Detection priorities include: better use of intelligence products; increased emphasis on predicting shifts in trafficking operations; better coordination of intelligence and operations through establishment of C<sup>3</sup>I centers; and increased deployment of fixed and mobile detection assets from both the law enforcement agencies and the Department of Defense.
- Transit zone interdiction elements include: additional resources ranging from high performance boats and aircraft to large ships and long-range planes; further integration of detection and intercept capabilities; emphasis on multiagency, multinational offensive operations; and additional international cooperative interdiction ventures.
- Border interdiction elements include: increased port-of-entry inspections of pedestrians, passengers, cargoes, and vehicles, including rail cars and aircraft arriving at small border airports; expanded use of radars and sensors, establishment of mobile response teams, and increased use of the military services and DOD in border areas between ports of entry; and expanded coordinated efforts with State and local authorities.

- Interdiction efforts and assets will remain flexible and unpredictable. Regional strategies will be developed when necessary to respond to the drug trafficking threat in particular regions.
- Research and development of new technologies to help in the detection and interception of drug traffickers will be shared among agencies and monitored by the National Drug Enforcement Policy Board.
- Full advantage will be taken of all agencies' resources and capabilities by expanding certain agency roles and granting additional law enforcement authority where appropriate.

### Investigation and Prosecution

The objective of the investigation and prosecution strategy is to immobilize drug trafficking organizations by incarcerating their members, seizing their drugs, obtaining drug-related asset forfeitures, and deporting aliens who are organization principals. Successful investigation and prosecution decrease and delay the supply and distribution of illegal drugs, and deter other groups from entering the drug market.

### The Strategy

- The components of the investigation and prosecution strategy include: multi-agency approaches; financial investigation and asset forfeiture; State and local cooperative efforts; targeted and selective deployment of Federal resources; enforcement directed against domestic illicit drug production; and the development and use of international extradition and mutual legal assistance treaties.
- Special multi-agency investigative programs and task forces often offer the most effective and appropriate method of operation when attacking complex trafficking organizations. Therefore, the Organized Crime Drug Enforcement Task Force Program and other cooperative efforts will be used whenever feasible and appropriate.
- Financial investigations concentrate on the disruption of money laundering operations, the seizure and forfeiture of

drug-related funds and assets, and incarceration of traffickers. The Strategy calls for specialized units to be created or expanded to improve the Federal government's ability to conduct financial investigations.

- Federal investigative and prosecutorial resources will be devoted primarily to disrupting and destroying major drug organizations and will give emphasis to cases involving: international criminal connections; financial evidence; and currently active organizations in geographic areas with the largest concentration of high-level violators, the greatest concentration of controlled substances, and the largest amount of drug-related currency.
- Federal, State, and local cooperative efforts will be encouraged through the use of Law Enforcement Coordinating Committees. When appropriate, State and local officers will be deputized as agents and State prosecutors will be cross-designated allowing them to prosecute in Federal court.
- Drug, program, and organization specific approaches will be developed, as appropriate, to tailor investigative and prosecutorial responses to fit specific problem areas.
- The Federal government will continue its nationwide effort of coordinating the use of Federal, State, and local resources against the major financiers, cultivators, and distributors of domestic cannabis and other drugs; such efforts not only reduce the scope of this country's drug problem, but also demonstrate U.S. resolve to attack the problem at home as well as in other drug producing countries.
- To improve the investigation and prosecution of drug traffickers with international connections, the United States will continue to negotiate and revise extradition and mutual legal assistance treaties.
- Finally, the Strategy supports career incentive programs for Federal law enforcement investigators and prosecutors to improve the government's performance in increasingly complex cases.

#### Diversion Control and Controlled Substance Analogues

Millions of dosage units of legitimate pharmaceutical drugs are diverted from normal U.S. distribution channels into the illicit market each year. Similarly, many widely used industrial

chemicals, most of which are not controlled substances by law, are diverted from the legitimate distribution system to be used by traffickers to synthesize a variety of drugs of abuse. Controlled substance analogues, chemical variants of controlled substances, are typically very potent and have a high abuse potential.

### The Strategy

- The objectives of the diversion control and analogue strategy are to: control the diversion of licit drugs from legitimate distribution networks; control the diversion of chemicals used in the clandestine production of drugs; and identify and schedule controlled substance analogues.
- The components of the diversion control and analogue strategy include: domestic diversion investigative activity; State and local initiatives; international diversion; chemical monitoring and tracking; and regulation of controlled substance analogues.
- The domestic diversion control program will continue to rely on preregistration, cyclic, and targeted investigations to assure that the authority to handle controlled substances is granted only to those whose registration would be in the public interest. Law enforcement agencies will also expand their use of the Public Interest Revocation (PIR) authority to immobilize diversion law violators, and will accelerate diversion investigations and prosecutions through the use of improved computer technology and better personnel guidance and training.
- State and local authorities, which bear primary responsibility for the licensing, regulation, and investigation of practitioner registrants, may receive additional Federal support through the Bureau of Justice Assistance State and Local Assistance for Narcotics Control Grant Program (authorized by the Anti-Drug Abuse Act of 1986), and a variety of Federal, State, and local diversion control conferences and workshops.
- International diversion control efforts will include: continuing a number of joint cooperative efforts initiated by the U.S. to combat international diversion; addressing the diversion issue and appropriate international legislation at the United Nations Commission on Narcotic

Drugs; and strengthening diversion control at U.S. Ports of Entry by using the Drug and Chemical Watch Manual and broadening the Automated Commercial System (ACS) to include additional information about diverted drugs.

- To combat chemical diversion, DEA will develop legislation and supplement existing resources in an effort to create a system of controls over certain precursor and essential chemicals, and will encourage other chemical source and transit nations to follow suit in developing appropriate legislation.
- To control the spread of controlled substance analogues, law enforcement agencies will continue to use the emergency scheduling procedures provided by the Diversion Control Amendments of 1984 and actively and effectively implement the Controlled Substance Analogue Act of 1986, making the production, distribution, and consumption of these substances illegal.

#### Drug Law Enforcement's Role in Reducing the Demand for Drugs

Law enforcement officials play an important role in reducing the demand for drugs through the deterrent effect of their enforcement efforts and through their participation and leadership in drug abuse education and prevention projects. Law enforcement officials use their unique knowledge of drug trafficking and abuse and their credibility to educate both adults and youth to help prevent drug abuse and reduce related social costs. These officials join businessmen, civic groups, drug abuse prevention professionals, media, parents, religious groups, and schools in presenting the clear message that drug abuse is unacceptable.

#### The Strategy

- In contributing to the national drug abuse awareness and prevention effort, the Strategy calls on law enforcement officials to participate in a number of important activities.
- Law enforcement authorities must enforce laws concerning both drug trafficking and abuse in order to provide a credible deterrent to drug abuse and to reinforce the

growing consensus that drug abuse is not acceptable behavior.

- State and local jurisdictions should adopt appropriate legislation regarding drug possession and sale of drug paraphernalia, and develop drug testing programs.
- These authorities must also inform themselves and others about the consequences of drug trafficking and abuse in an effort to elevate public awareness about drug trafficking and its global effects.
- Drug law enforcement authorities, working closely with the National Institute on Drug Abuse and the Office of Substance Abuse Prevention, will continue to support current Federal, State, and local demand reduction efforts.
- To foster cooperation and reduce the level of competition that sometimes exists among groups involved in reducing the demand for drugs, drug law enforcement authorities will facilitate communication among these groups whenever coordination is desirable.
- Lastly, drug law enforcement authorities should initiate drug abuse education and prevention activities where communities lack sufficient projects. This includes encouraging the formation of appropriate parent and other groups, and referring these groups to the national organizations that will help them get started.

#### Mexico and the Southwest Border

Drug traffickers in Mexico have increased their production of heroin and marijuana and are transshipping more South American cocaine destined for the United States. A variety of factors have contributed to this expansion, including the proximity to American markets that are located beyond the long and vulnerable Southwest border of the United States and a break in the effectiveness of Mexican eradication efforts. In response to these problems, the United States has increased the number of high-level exchanges with the government of Mexico concerning drugs. In light of these events, the nature and extent of the

drug problem in Mexico and efforts by both nations to address it, deserve special attention in the Strategy.

### The Strategy

- The Strategy calls for a continuation and expansion of the cooperative atmosphere that has been established at the highest levels of government and throughout the law enforcement communities of both the United States and Mexico.
- The Strategy recognizes that in order for cooperation to lead to true progress in drug enforcement, cooperative agreements must be followed by firm actions. Greater progress is essential to meet Congressional certification provisions. The Anti-Drug Abuse Act of 1986 urges the President to impose sanctions against Mexico if cooperative agreements are not realized.
- The United States will press for ratification of the proposed MLAT between the U.S. and Mexico and encourage the use of the extradition treaty that is currently in force between the two countries.
- The Strategy also calls for the revitalization of Mexico's opium poppy and cannabis eradication campaign. The Department of State and DEA will continue to assist Mexico in its eradication programs by training pilots in eradication techniques, improving aerial reconnaissance and verification, and assisting in special operations.
- The Strategy supports continued assistance in the development of public education and drug awareness programs in Mexico.
- The Drug Enforcement Administration will provide additional personnel and equipment to support ongoing and proposed intelligence collection initiatives with respect to the drug problem in Mexico.
- Operation Alliance, a unified, multi-faceted enforcement effort to confront drugs, weapons, and other smuggling along both sides of the border in cooperation with the Mexican government, will continue and expand.

In conclusion, this National and International Drug Law Enforcement Strategy signals massive commitment and dedication by the Federal government and the American people. The battle



against drug abuse and drug trafficking will be a prolonged one, but progress will continue toward the ultimate goal of eliminating drug abuse.

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NATIONAL AND INTERNATIONAL DRUG LAW ENFORCEMENT STRATEGY

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## CHAPTER I: INTRODUCTION

In 1987 Federal law enforcement agencies are committed to continue their expanded efforts against drug traffickers. Effective use of new enforcement tools and resources, ever-improving management of interagency efforts, and renewed resolve and dedication among law enforcement officers will lead to more aggressive action against drug producers, smugglers, and distributors. This strengthened posture, bolstered by the Anti-Drug Abuse Act of 1986, will improve capabilities in supporting source country control programs, seizing drugs and smugglers in transit, investigating and dismantling drug organizations, suitably punishing traffickers and depriving them of their illegally obtained assets, and providing all forms of intelligence support for drug enforcement efforts.

The increased commitment to toughen drug law enforcement coincides with and reflects a national change in attitude about the serious nature of drug abuse and trafficking. Drug abuse is neither a private matter nor a victimless crime; drug trafficking generates violence, street crime, and corruption. Drugs are menacing the Nation and all Americans are paying the economic, health, and social costs that drug abuse and trafficking bring to their communities.

This National and International Drug Law Enforcement Strategy builds upon the accomplishments of recent years rather than departing radically from past law enforcement programs. Much has been learned about the resourcefulness, resiliency, and boldness of drug traffickers, and there have been many successes in combatting them. Yet much more needs to be done, and justifiable optimism for the future should not cloud the fact that a drug problem of great magnitude still faces the Nation.

Millions of Americans continue to abuse drugs, which are readily available throughout the Nation. In addition to the direct costs of money diverted to purchase drugs and the public funds devoted to combatting this problem, drug abuse costs the Nation billions of dollars each year in health care and reduced productivity. Furthermore, drug abuse is responsible for a significant percentage of all reported crimes throughout the country. Most important, perhaps, are the other social problems stemming from drug abuse, such as family disruption, impaired emotional and interpersonal development, a reduced pace and level of learning among young people, and the literal and figurative loss of productive lives.

A sprawling criminal network feeds this huge national appetite, supplying tons of drugs each year to the American market, spreading crime, and draining billions of dollars from the economy. Organized crime groups are deeply involved; the profits from illegal drugs provide their greatest single source of income. The potential of immense profits in drug trafficking and associated activities lures and corrupts many others as well.

The United States does not face these problems alone. Drug abuse and drug trafficking are worldwide problems of enormous dimension. In just the last few years, drug abuse has spread markedly in many producing and trafficking countries, particularly among the young. Drug trafficking organizations have become extremely powerful in some areas of the world, controlling large regions of some countries and exerting strong economic and political influence. Some source and transit countries face armed insurgencies supported, in part, by profits from the drug trade. There is increasing acceptance throughout the world that drug abuse and trafficking threaten the social welfare, political and economic stability, and even the national security of some countries.

This international awakening to the truly global nature of the drug problem has broadened opportunities for dialogue on the subject. It is now discussed at summit meetings and in the United Nations, and dozens of international conferences and symposia have been called. More than ever before, the international climate is conducive to regional cooperation and multilateral efforts to combat the problems of drug abuse and trafficking.

There are no quick and easy solutions. The campaign against drugs must be for the long term; persistence and resolve are essential. Long-term success requires a comprehensive program of both demand and supply reduction, and an international approach with regional cooperative efforts the keys to progress. The United States, a major consumer of drugs, is expected to lead the way in combatting the problems of abuse and trafficking. Progress in the international arena depends in part on how the rest of the world views the United States' efforts to reduce the demand for drugs, and its determination to curb the availability of drugs through aggressive law enforcement, including action against domestic production.

The President's 1984 National Strategy For Prevention of Drug Abuse and Drug Trafficking addressed law enforcement and international cooperation as two of five major elements in the government's drug program. This Strategy elaborates on those two elements and provides further detail regarding similar elements of the President's six-point Drug-Free America initiatives of 1986, which were incorporated in part in the Anti-Drug Abuse Act of 1986. In addition, this Strategy considers demand reduction as it concerns the contributions of the law enforcement agencies. The legislation creating and charging the Policy Board refers to a national and international strategy and "efforts to halt national and international trafficking in illegal drugs." Therefore, the Policy Board has decided to include all

international supply reduction programs, including the key program of crop eradication, under a broadened definition of drug law enforcement. This differs from past Federal and national strategies that addressed most international programs apart from law enforcement.

The Policy Board recognizes that a coordinated program of drug supply reduction and demand reduction, through education and prevention programs, is the key to long-term success in the battle against drug abuse and trafficking. While there have been many successes, law enforcement efforts alone cannot diminish drug supplies to the point of drastically reducing consumption as long as millions of Americans choose to abuse drugs.

Demand and supply reduction strategies are mutually reinforcing; each requires the other in order to be viable and successful. Demand reduction would not be a credible long-term strategy without a concerted and continuous law enforcement program. A strong and highly visible effort against drug trafficking is essential in demonstrating the national resolve to win the battle. Drug abuse and drug trafficking are both wrong and criminal; the vast majority of the American public agree and favor a strong national drug law enforcement program. Highly visible law enforcement also has a considerable educational and moral value, which can contribute to reducing demand by lowering consumption and deterring some new abusers.

The ultimate goal of both supply and demand reduction efforts is the elimination of drug abuse and trafficking. The Strategy endorses, adopts, and pursues the vision of a drug-free society, but recognizes that this is necessarily a long-term goal. This Strategy is designed for the next two years, and focuses on intermediate objectives that will contribute to achievement of a drug-free society. Thus, the focus here is on

the intermediate national goal of a measurable and sustained decline in drug abuse of all kinds.

Drug law enforcement supports the national goal by attacking the supply of drugs all along the distribution chain from field or laboratory to consumer, with the long-term objective of reducing the availability of drugs to such a degree that drug abuse by new or current users is inhibited. As intermediate objectives leading to reduced supply, law enforcement efforts focus on deterrence, disruption, and displacement to increase traffickers' costs and risks of doing business. Drug seizures and arrests not only remove drugs and criminals from the streets, but, when brought to the public's attention, serve to discourage others from engaging in trafficking or the use of illicit drugs. The mere presence of law enforcement, in the form of an investigative task force, an interdiction effort, or an eradication program, prevents some amount of trafficking, production, and use that would otherwise take place. It also disrupts organized trafficking and distribution networks, and displaces established production sources, trafficking routes and modes.

Historically, supply reduction efforts have reduced U.S. drug availability for a relatively short time, or in a limited region of the country. The tremendously large profits realized in drug trafficking give criminal organizations the capability, resiliency, and resolve to overcome rather quickly any shortages in supply. Law enforcement successes generally result in higher costs for traffickers, but they also generate new challenges as the traffickers respond to the pressures by developing new sources of production, relocating and rebuilding organizations, and finding new trafficking routes and methods. The continuing challenge is to apply enough pressure in enough different ways and places to have a lasting impact on drug availability.



Strong support from the criminal justice system will act as a major deterrent to traffickers and complement front-line law enforcement efforts. Light penalty provisions, heavy prosecutorial workloads, crowded court dockets, and overcrowded prisons have all contributed in allowing many apprehended drug criminals to return to their illegal endeavors in short order. Many traffickers are repeat offenders and this significantly compounds law enforcement's task. The Comprehensive Crime Control Act of 1984 strengthens provisions on pretrial detention, sentencing, and asset forfeiture. The Anti-Drug Abuse Act of 1986 raises minimum and maximum penalties for significant drug trafficking offenses, provides tough new penalties for simple possession of drugs, and provides critical resources for prosecution, the courts, and the prison system. Law enforcement will reap the benefits of these initiatives in future years as fewer repeat offenders are at large and many who might have otherwise engaged in trafficking are deterred by the probable consequences. Furthermore, continued emphasis on asset forfeiture will destroy the economic power of drug enterprises and prevent them from using their assets to finance and execute further operations.

There are significant constraints in implementing a drug law enforcement strategy that must be clearly identified and understood. First, there are limits to what a free society can do to curb illicit activity without unreasonable infringements on the legitimate pursuits of its people and institutions. Second, the resources to combat drug trafficking are limited compared to the overall magnitude of today's problem, and they must be employed wisely -- targeted at the greatest threats and vulnerabilities of the adversaries. Third, there are many policy issues other than drug trafficking and abuse that must be considered when dealing with foreign countries.

Assessing the impact of drug law enforcement is important to the overall drug control effort. In order to make the best decisions on program emphasis and resource allocation, reliable measures of law enforcement effectiveness are necessary. These should be quantifiable wherever possible; however, the clandestine nature of drug trafficking limits the amount and accuracy of data available to make reliable estimates of the relative effectiveness of the various components of the strategy. Attempts to compare absolute numbers or to calculate rates concerning, for instance, the quantity of drugs seized or the amount of a crop eradicated, must be viewed cautiously. Many such measures rely on multiple rough estimates against which a particular law enforcement result is compared. While selected measures under certain conditions may be valuable, reliable quantifiable indicators are not readily or uniformly available. Comparing drug data is helpful in projecting trends; but comparing absolute numbers, which are based upon estimates for the most part, can be misleading. Economic models and analyses of the effectiveness of drug law enforcement must be viewed with particular caution.

Where quantitative measures of effectiveness are lacking, analyses of today's drug law enforcement programs must consider qualitative indicators of deterrence, disruption, and displacement. For example, the abandonment of traditional growing areas, delays in shipments, changes in routes and modes, and changes in distribution networks and patterns result in increased costs and risks to traffickers. While these measures seldom can be quantified, they do indicate where particular programs or tactics have had a positive impact, and can suggest how, when, and where similar efforts will succeed. Effectiveness measures must be continuously evaluated and revised with the emphasis on quantitative measures wherever possible. In many instances, however, qualitative indicators may be better gauges of success than relying on questionable statistics.

Subsequent chapters address the structure and activities of the National Drug Enforcement Policy Board, a threat assessment, and the five components of the National and International Drug Law Enforcement Strategy: Intelligence, International Drug Control, Interdiction and Border Control, Investigation and Prosecution, and Diversion Control and Controlled Substance Analogues. Although addressed in separate chapters, these components are highly interactive and mutually supportive. Overall, they are all important, and they must be applied in a balanced manner in the national fight against drug trafficking.

While the Strategy recognizes the need for such a balanced approach overall, at times the strategy components may receive different emphasis depending on circumstances or a particular "target" (region, drug, organization, etc.). The Strategy must remain sufficiently flexible to adapt to changing threats, and to accommodate geographic peculiarities and differences in the drugs themselves. Drugs differ with respect to where they are grown or produced, modes of conveyance and routes, quantities smuggled, points of entry, distribution systems and organizations, number and concentration of users, and other factors. To the extent that such differences exist, it may be appropriate to give emphasis to a particular component of the strategy, particularly in certain geographic areas. When this is the case, drug-specific and regional strategies should be developed within the framework of this national plan. An example is Operation Alliance along the Southwest border.

In addition to flexibility, the Strategy builds on lessons learned and improved intelligence to become more predictive and less reactive. Law enforcement is taking the offensive against drug traffickers by anticipating their reaction to current law enforcement pressures, and planning ahead with bold and innovative programs.

One of the keys to drug law enforcement success is operational security - keeping specific intentions and detailed tactical plans out of the hands of the traffickers and their associates. Accordingly, much drug law enforcement information, particularly intelligence and operations plans, must be closely guarded; some is classified. For such reasons, specificity in some areas of the Strategy necessarily must be limited.

Two special focus chapters follow the chapters on the various components of the overall Strategy. The first of these is Drug Law Enforcement's Role in Demand Reduction. Its inclusion here recognizes the expanding role that law enforcement plays in demand reduction and of the inextricable link between supply and demand side programs. The second special chapter addresses Mexico and the Southwest Border. For a number of reasons, Mexico's growing role as a producing and trafficking country is particularly alarming and deserves special attention at this time.

The United States has never hesitated to defend itself against the attack of any enemy, however formidable and whatever the odds. In many ways, the present enemy - illegal drugs - is as formidable as any ever encountered. This National and International Drug Law Enforcement Strategy signals massive commitment and dedication by the Federal government and the American people. The battle against drug abuse and drug trafficking will be a prolonged one, but progress will continue toward the ultimate goal of eliminating drug abuse.

CHAPTER II: THE NATIONAL DRUG ENFORCEMENT POLICY BOARD  
ORGANIZATION AND COORDINATION

INTRODUCTION

The National Drug Enforcement Policy Board is the focal point of the United States' policy, strategy, and resource development in the war against drug trafficking. The Policy Board provides coordination and policy direction to the various departments and agencies that are involved in drug law enforcement.

The expertise necessary to combat drug trafficking resides in the Federal government in a diverse collection of departments and agencies. Each of these brings a unique combination of skills, expertise, and experience to the fight against drug trafficking. For most of these organizations, however, drug law enforcement is only one of many missions to be performed. Thus, the Policy Board is essential if these existing, but dispersed, law enforcement resources and capabilities are to be effectively coordinated. By actively and efficiently addressing its broad range of responsibilities, the Policy Board has quickly become the principal forum for information exchange, coordination, and policy development and implementation in drug law enforcement.

POLICY BOARD: ROLE AND FUNCTIONS

Policy Board

In order to maintain and strengthen an effective national and international campaign against illegal drug trafficking and to foster coordination among Federal drug law enforcement agencies, Congress passed the National Narcotics Act in 1984. To ensure that the pursuit of these objectives was directed in an effective and efficient manner, the Act established the National Drug Enforcement Policy Board. The Policy Board is chaired by

the Attorney General and, as originally constituted, was comprised of the Secretaries of State, Treasury, Defense, Transportation, and Health and Human Services, and the Directors of the Office of Management and Budget and Central Intelligence, with a provision for additional members to be appointed by the President. The Policy Board:

- reviews, evaluates, and develops United States Government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy;
- facilitates coordination of all United States Government efforts to halt national and international trafficking in illegal drugs; and
- coordinates the collection and evaluation of information necessary to implement United States policy with respect to illegal drug law enforcement.

In consultation with other members, the Chairman oversees the preparation of initiatives for the Board and guides the Board in reaching decisions. To carry out those decisions, the Chairman is authorized to: (1) direct, with agency approval, the assignment of personnel in order to implement drug enforcement policy; (2) provide guidance in the implementation and maintenance of drug policy, strategy, and resources; and (3) review and approve the reprogramming of funds relating to drug enforcement priorities developed by the Board.

In addition, the Chairman acts as the primary advisor to the President and Congress on drug enforcement programs and policies developed by the Board. He is also responsible for correlating and evaluating intelligence and other information on drug enforcement to support Policy Board activities.

In an effort to meet these vital Policy Board objectives in a timely and efficient manner, and in recognition of the need to have interagency participation at every level, the Board developed a support structure consisting of two interagency bodies: a sub-cabinet level Coordinating Group and a Policy Board Staff. The underlying principle of this organizational structure is that when all points of view are represented at each level, differences that naturally arise among agency participants can many times be resolved by the Staff or Coordinating Group rather than being elevated to the Policy Board.

#### Coordinating Group

The subcabinet level Coordinating Group is chaired by the Associate Attorney General and comprised of Assistant Departmental Secretaries, heads of agencies and other senior officials from organizations involved in drug law enforcement. The Coordinating Group's main objectives are to resolve drug enforcement issues; develop and submit to the Policy Board practical options and recommendations on drug enforcement policy; and coordinate implementation of drug policy and programs.

#### Policy Board Staff

In support of the Policy Board and Coordinating Group is a Policy Board Staff, currently consisting of a Staff Director, senior people detailed full time from DOD, Coast Guard, DEA, DOJ, FBI, State, and Treasury, and several support personnel. Liaison representatives from other participating agencies meet with the Staff on a weekly basis. The Staff ensures that the Policy Board has the information it needs to make its decisions; performs any analysis that the Coordinating Group needs to make recommendations to the Policy Board; and facilitates coordination by maintaining effective communication among agency representatives.

## ACCOMPLISHMENTS AND ACTIVITIES

Attention to the manpower, equipment, and overall resource needs of the Federal drug law enforcement community has been substantially increased over the last several years. In fact, the years 1981 through 1986 saw the largest increase in drug law enforcement funding and personnel in the nation's history, and the President proposes continued growth in operational strength in 1987 and 1988. To coordinate the efficient application of these vast resources, the Policy Board was created.

The Policy Board serves as the Cabinet-level forum for significant interagency coordination and information exchange within the drug law enforcement community. Much of the Board's work, as well as that of its staff, occurs "behind the scenes" by facilitating, encouraging, and providing advice in support of individual agencies and operations. For example, Board policy guidance is often provided at the germinal stage of special operations, such as BLAST FURNACE. In other instances, such as Operation ALLIANCE, the Board plays a more direct role in establishing responsibility for different parts of operations.

Two major interagency organizations to which the Board provides appropriate policy guidance are the National Narcotics Border Interdiction System (NNBIS) and the Organized Crime Drug Enforcement Task Force (OCDETF) Program. Under the direction of the Vice President, NNBIS is a management system designed to coordinate drug interdiction efforts among Federal, State, and local drug law enforcement agencies. OCDETF, a network of 13 regional Organized Crime Drug Enforcement Task Forces under the direction of the Attorney General, is the major formal cooperative drug investigative and prosecutorial arm of the Federal Government.



NNBIS has undertaken several extremely successful large-scale, multi-agency interdiction operations both on a national and international level. Two examples of these operations are:

- Operation HAT TRICK II, a multi-agency operation that took place between November 1985 and February 1986, and was designed to disrupt the flow of marijuana and cocaine from Latin America to the United States. The operation resulted in the seizure of nearly 1.7 million pounds of marijuana and 22,000 pounds of cocaine, and the arrest of more than 1,300 individuals.
- Operation BLUE LIGHTNING, which involved 85 law enforcement vessels, 30 aircraft and six radar facilities, took place in April 1985 and was aimed at disrupting the flow of drugs through the Bahamas. In this brief operation, over 5,500 pounds of cocaine, 36,000 pounds of marijuana, and 26 vessels were seized.

Since its inception in 1982, the Organized Crime Drug Enforcement Task Forces have proved extremely successful in meeting the Program's goal to "identify, investigate and prosecute members of high level drug trafficking enterprises and to destroy these organizations." Among its numerous and significant accomplishments, OCDEF has, as of mid-1986:

- charged 601 defendants with violations of the Racketeer Influenced and Corrupt Organizations (RICO) statute, and charged 507 defendants with operating a Continuing Criminal Enterprise (CCE), the most serious drug offense, which requires a minimum sentence of 10 years and provides for a maximum term of life imprisonment, both with no parole;
- indicted approximately 10,000 defendants and convicted over 3,800 individuals of Federal drug offenses; and
- seized and forfeited \$445 million and \$155 million in cash and property, respectively.

In addition to its policy guidance responsibilities to interagency operational organizations like NNBIS and OCDEF, the Board has undertaken a number of significant drug law enforcement activities since April 1985. A few examples of these include:

- Operation ALLIANCE: The Policy Board analyzed the severe and growing drug problems along the Southwest border and established a subcommittee of the Board's Coordinating Group to oversee plans for a careful response. In turn, the Assistant Secretary of the Treasury for Enforcement, the Administrator of the Drug Enforcement Administration, and the Commissioners of the U.S. Customs Service and the Immigration and Naturalization Service, under the auspices of the Policy Board, established Operation ALLIANCE. Begun in 1986 and coordinated with NNBIS, Operation ALLIANCE is designed to choke off the rapidly increasing flow of drugs across the U.S.-Mexican border. This unprecedented interagency effort along the southwest border involves thousands of Federal, State and local law enforcement officials and sophisticated new equipment to fight drug trafficking along the entire 2,000 mile border and adjacent waters.
- Operation BLAST FURNACE: The Policy Board established the policy groundwork for, was briefed on, and approved of Operation BLAST FURNACE prior to its commencement. This operation virtually halted the trafficking in coca leaves in Bolivia during the summer and fall of 1986; resulted in the destruction of approximately 20 cocaine laboratories; achieved a dramatic decrease in the production of and price for coca leaves; and reduced civil air traffic in Bolivia by 90 percent.
- Southeast Border Air Interdiction: A comprehensive Policy Board Staff study examined air and related marine interdiction capabilities along the Southeast border, and presented a variety of options and recommendations for greatly enhancing the effectiveness of those capabilities. The resulting plan is currently undergoing implementation. E-2C's, aerostat radar, C<sup>3</sup>I facilities, and additional manpower and resources will establish an improved air interdiction system.
- Drug-Free America Act of 1986: The Board convened several interagency working-level meetings to consider legislative proposals and develop the President's Drug-Free America bill, parts of which were incorporated in the Anti-Drug Abuse Act of 1986.
- Anti-Drug Abuse Act: The Policy Board is overseeing effective implementation of the Anti-Drug Abuse Act of 1986, and has approved a mechanism for ensuring that all reporting requirements set forth in the Act are fulfilled.
- Federal Prison Situation: The Policy Board has reviewed the present Federal prison overcrowding situation, found it entirely unacceptable, and is examining options for

addressing it. Currently, over one-third of all Federal prison inmates have been convicted of drug offenses and the enhanced penalties mandated by the Anti-Drug Abuse Act of 1986 will increase that number, further straining prison capacity. To alleviate this problem, the President has proposed significant new funding in the 1988 Budget.

- Federal Drug Resource Allocation: The Policy Board has mounted an important effort to bring greater consistency to reporting of drug law enforcement spending, both by agency and by strategy element (e.g., investigations, interdiction, prosecution, corrections, and international drug control). This activity will significantly improve the understanding of how Federal dollars are spent and help the Board determine the most effective and efficient use of Federal resources.
- Drug Crisis Management System: The Policy Board convened several meetings, under the auspices of a drug crisis management system, to examine narcotics cooperation with Mexico. This system was a creation of the Board designed to establish unified interagency approaches to urgent problems, and has been used several times since it was adopted.

The Policy Board has also produced a number of reports, including: the Federal Drug Enforcement Progress Report, 1984-1985; a Report to the Congress on Crack Cocaine; the Federal Drug Law Enforcement Review, 1981-1986; and a Staff report entitled, Analysis of the Domestic Cannabis Problem and the Federal Response.

#### The Future of the Policy Board

It is clear from the foregoing that the Policy Board is aggressively pursuing its mandate, has established an effective organizational structure for dealing with the many complexities of the drug problem, and, in short, has become the focal point for the successful policy and resource coordination within the Federal drug law enforcement community. To ensure that the organization remains responsive to the American public, the roles, functions, and structure of the Board, Coordinating Group, and Policy Board Staff are periodically reviewed.

These reviews have resulted in the expansion of the initial make-up of the Board and the establishment of various subcommittees within the Coordinating Group. For example, beginning early in 1987, the Secretaries of the Interior and Agriculture will become official members of the Board. This is being done in recognition of their role in combatting domestic drug cultivation and their new authority and responsibilities under the Anti-Drug Abuse Act of 1986.

Furthermore, in recognition of the inextricable link between drug law enforcement and demand reduction programs, and to ensure that a uniform, comprehensive drug policy is developed, the Secretaries of Education and Housing and Urban Development were added as members of the Policy Board in mid-1986. This expansion of the Policy Board, and the presence on the Board of representatives of the Department of Health and Human Services (HHS) and the White House Drug Abuse Policy Office (DAPO), demonstrate the Chairman's deep desire and intention to coordinate more closely the supply and demand elements of the government's anti-drug program.

During 1986, involvement in Operations ALLIANCE and BLAST FURNACE, completion of the Southeast Border Air Interdiction Study, and the development of the President's Drug-Free America Act, among other projects, illustrated that the level and scope of Policy Board activity had increased significantly. As a result of this increased activity, various interagency groups spun-off from the Policy Board structure to address important issues.

Four recently established Coordinating Group Subcommittees are addressing: (1) development of the United States-Bahamian Task Force; (2) long range detection aircraft; (3) intelligence community information; and (4) Operation Alliance. It is a significant testimony to the Policy Board's vitality and

coordination success that these four subcommittees are chaired by Assistant Secretaries or agency chiefs representing four different Cabinet departments.

As illustrated by these multi-agency activities and subcommittees, the Policy Board has made a firm commitment to strong and effective law enforcement initiatives as a method of combatting the drug problem. The Policy Board and its Chairman are equally committed to a drug law enforcement policy that is closely coordinated with the Federal government's demand reduction policies and programs.

As part of this coordination effort, the Attorney General chairs the Domestic Policy Council (DPC), which currently plays a major role in developing and coordinating Federal strategies for reducing the demand for drugs. As Chairman of both the DPC and the National Drug Enforcement Policy Board, and as the Nation's chief law enforcement officer, the Attorney General is in a unique position to facilitate the necessary coordination between drug supply and demand reduction policy and strategies, and can assure that drug issues are given appropriate attention at the highest levels of government.

The extent and complexity of the illegal drug problem facing this Nation is unmatched in any other area of law enforcement. The creation of the Board has been a necessary and significant step toward a unified and coordinated effort to deal with a problem of such dimensions. Though less than two years in existence, the Policy Board has clearly demonstrated that it both has the capabilities and support to meet the policy, strategy, resource, and coordination functions mandated by the National Narcotics Act of 1984 and, as mentioned above, is in a unique position to effectively coordinate the two inseparable elements of any successful drug program--drug supply reduction and drug demand reduction. This National and International Drug Law

Enforcement Strategy is further evidence that the Board has fully assumed its responsibilities. With ever-expanding interagency efforts, as reflected in this Strategy, the National Drug Enforcement Policy Board will ensure that the American people can have confidence in Federal efforts to eliminate drug trafficking and abuse from our society.

## CHAPTER III: THREAT ASSESSMENT

### INTRODUCTION

Drug trafficking and abuse pose serious threats to the health and welfare of the United States. Furthermore, the President's National Security Decision Directive of April 1986 states that international drug trafficking presents a national security threat to the United States because of its potential for destabilizing democratic governments. Millions of Americans abuse drugs, which are smuggled into the United States from foreign sources, produced domestically, and diverted from legitimate distribution networks for illicit use. Drug abuse costs society billions of dollars annually in reduced productivity, health care, and other costs. Drug trafficking trends demonstrate the heightened sophistication of trafficking organizations and the threat posed by their increased reliance on violence and corruption.

This chapter of the Strategy assesses the threat presented by the trafficking and abuse of cocaine, opiates, cannabis, and dangerous drugs. For each drug, the assessment describes trends in abuse, the degree of cultivation and processing in relevant geographic areas, and the nature of trafficking.

As discussed in Chapter I, comparisons of absolute numbers regarding drug production, trafficking, and abuse should be viewed cautiously. Since production and distribution of illicit drugs occurs covertly, there are little reliable data upon which to base estimates of the quantity of drugs available and consumed nationwide. Most statistics are based on a compounding of rough estimates. However, statistics presented in this assessment are sufficiently accurate to produce reliable information on general trends.

The Narcotics Intelligence Estimate, produced by the National Narcotics Intelligence Consumers Committee (NNICC), is the primary source of statistics for this assessment. <sup>1/</sup> <sup>2/</sup> Most of the abuse statistics were derived from the Drug Abuse Warning Network (DAWN), a national network of hospital emergency rooms and medical examiners in 26 selected metropolitan areas that report injuries and deaths in which drug abuse was a factor. <sup>3/</sup> The National Institute on Drug Abuse's (NIDA) "National Household Survey on Drug Abuse, 1985" (Household Survey) and

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1/ The Narcotics Intelligence Estimate is the product of cooperative efforts of Federal agencies with drug-related law enforcement, foreign and domestic policy, treatment and research, and intelligence responsibilities. In April 1978, the National Narcotics Intelligence Consumers Committee (NNICC) was established to coordinate foreign and domestic collection, analysis, dissemination, and evaluation of drug-related intelligence. Membership consists of the U.S. Coast Guard, U.S. Customs Service, Department of Defense, Drug Enforcement Administration, Federal Bureau of Investigation, Immigration and Naturalization Service, Internal Revenue Service, National Institute on Drug Abuse, Department of State, Department of the Treasury, and White House Drug Abuse Policy Office. The Deputy Assistant Administrator for Intelligence of the Drug Enforcement Administration serves as Chairman. The Central Intelligence Agency and the National Security Agency participate as observers.

2/ Due to several unforeseen difficulties, the NNICC did not publish a 1985 Narcotics Intelligence Estimate (NIE). A joint 1985/86 NIE is scheduled for publication in early 1987. At the time of publication of the Strategy, the actual production and consumption numbers for 1985 did not have final NNICC approval; those that appear in this chapter were obtained from the final draft of the 1985 NIE.

3/ DAWN data represent the DAWN Consistent Panel and include only those data reported by facilities on a consistent basis, that is, at 90 percent or more during each year. Although the Consistent Panel numbers are lower than those of the total DAWN system because some facilities fail to report consistently, they are a more accurate indicator of trends.



"1985 Annual Survey of High School Seniors" also contributed abuse statistics to this assessment. <sup>4/</sup>

#### COCAINE THREAT

Cocaine poses the most serious drug problem for the United States and likely will remain a major challenge for the near future. NIDA's Household Survey found that the number of current cocaine users, defined as those who used it within the last month, increased from 4.2 million in 1982 to 5.8 million in 1985. According to the NNICC, in 1985 the amount of cocaine consumed in the United States increased. In addition, the number of DAWN cocaine-related hospital emergencies reported from a consistently reporting panel of hospitals continued to increase nationwide in 1985. From 1982 to 1983, the number of cocaine-related hospital emergencies increased 35 percent; from 1983 to 1984, they increased 47 percent; and from 1984 to 1985, the number of cocaine-related hospital emergencies rose 17 percent to nearly 10,000 emergencies. <sup>5/</sup>

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<sup>4/</sup> Sponsored by the National Institute on Drug Abuse, the National Household Survey on Drug Abuse collects information on drug abuse from the population age 12 and older living in households in the contiguous United States. The results are based on personal interviews and self-administered answer sheets randomly selected from the household population. Not included are the homeless, persons living in military installations, dormitories, and institutions such as hospitals and jails. The Annual Survey of High School Seniors collects drug abuse information from nearly 17,000 public and private high school seniors from across the continental United States. The survey does not contain responses from dropouts. Abuse estimates from both surveys are conservative.

<sup>5/</sup> Actual cocaine-related emergencies reported by the DAWN Consistent Panel are: 1982 - 4,277; 1983 - 5,783; 1984 - 8,470; and 1985 - 9,946.

DAWN data indicate that not only have nationwide cocaine-related hospital emergencies continued to increase in 1985, but they increased in every section of the country. Cocaine-related injuries increased by approximately 39 percent in the Southwest, 24 percent in the Midwest, seven percent in the Northeast, and seven percent in the West. Only four of the 26 metropolitan areas included in the DAWN network reported decreases in the number of cocaine-related injuries (Boston, Buffalo, Indianapolis, and St. Louis) while New York City data were stable from 1984 to 1985.

Cocaine-related deaths have also increased nationwide. In 1985, cocaine-related deaths reported by the DAWN Consistent Panel increased five percent over the number reported in 1984. <sup>6/</sup> In addition, information from public drug treatment facilities continued to show increases in the number and proportion of individuals entering treatment for cocaine abuse.

The increase in DAWN cocaine abuse reports is attributed primarily to increased intensity of cocaine use among current users. Extremely toxic forms of use such as smoking, injection, and combining cocaine with heroin in "speedballs" have increased in recent years. The number of emergency room episodes involving smoking increased approximately 83 percent from 1984 to 1985, episodes involving injection increased 12 percent, and those involving "speedballing" increased 7 percent. <sup>7/</sup>

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<sup>6/</sup> Actual cocaine-related deaths reported by the DAWN Consistent Panel are: 1982 - 217; 1983 - 328; 1984 - 628; 1985 - 660.

<sup>7/</sup> The number of emergency room episodes in 1984 involving smoking, injection, and "speedballing" were 613, 3,973, and 2,653 respectively; 1985 figures were 1,124, 4,452, and 2,849 respectively.

Nationally, wholesale cocaine prices ranged from \$30,000 to \$50,000 per kilogram and \$1,600 to \$2,300 per ounce at the end of 1985. This represents a decrease from end-of-year 1984 when cocaine prices ranged from \$40,000 to \$50,000 per kilogram and \$1,800 to \$2,400 per ounce. At the retail level, cocaine prices remained at about \$100 per gram during 1985. Kilogram purities ranged from 80 to 90 or more percent, while purities at the gram or "street" level generally ranged from 30 to 40 percent.

The use of "crack," also known as "rock" on the West Coast, has been a significant drug trend during 1985 and 1986. Crack is an inexpensive, highly addictive form of cocaine that is processed by converting cocaine hydrochloride (HCl) back to cocaine base. Because crack is smoked, the most efficient method of absorbing cocaine into the body, the effects of crack are more intense and occur more rapidly than those resulting from cocaine ingested nasally. Crack is readily available in some areas of the country, and generally is sold by low-level, retail dealers on the street or in crack houses (also known as rock, base, freebase, and smoke houses) for as little as \$5-\$10 in vials containing 60 to 100 mg of cocaine. Reported quantities seized from these dealers seldom exceed one ounce.

### Cultivation

Almost all of the cocaine seized in the United States is produced in South America. In 1985, South American coca cultivation yielded an estimated 130,000 metric tons of coca leaf. If all of this leaf had been converted to cocaine, the yield would have been 251 to 273 metric tons of cocaine HCl. Production estimates for 1984 were similar.

Licensed coca cultivation is legal in Peru and Bolivia, the two major coca cultivators. <sup>8/</sup> Licit demand is relatively low, although domestic "chewing" of leaf accounts for more than 15,000 tons in each of these countries. Most coca is cultivated illegally and is destined for illegal processing. Coca cultivation in Peru is more extensive than in any other South American country. It is estimated that at least 70,000 hectares of coca were cultivated in Peru during 1985, approximately the same amount as in 1984. Most of Peru's coca is grown in the jungle areas of the eastern foothills of the Andes, particularly the Upper Huallaga Valley. The Government of Peru continues a manual eradication effort and destroyed more than 4,800 hectares in 1985.

During 1985, coca cultivation in Bolivia remained at the 1984 level of an estimated 30,000 to 38,000 hectares. Approximately 75 percent of coca cultivated in Bolivia was grown in the Chapare region of central Bolivia and 19 percent was cultivated in the Yungas region in northern Bolivia. Eradication efforts have been limited.

For the past several years, approximately 15,500 hectares of coca have been cultivated annually in Colombia, primarily along select rivers and tributaries in the southeastern portion of the country. New fields have been planted in clusters amid clear cuts in jungle areas, apparently replacing the reduction caused by manual eradication and natural depletion. Small-scale cultivation has spread to Colombia's north coast.

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<sup>8/</sup> Coca leaves are legally used for chewing, tea, and medicines and associated commercial products.

There is also limited coca cultivation in Brazil and Ecuador. Coca cultivation in Brazil takes place in the northwestern portion of the country. Some cultivation exists in Ecuador, mostly along portions of the contiguous border with Colombia.

### Processing

Colombia continues to be the predominant location for final stage processing of cocaine HCl from paste and base, supplied primarily by producers in Peru and Bolivia. Approximately 75 percent of the cocaine HCl available in the United States comes from Colombia. An estimated 15 percent comes from Bolivia, 5 percent from Peru and 5 percent from other countries, such as Argentina, Brazil, and Ecuador. Large cocaine HCl facilities still exist, particularly in southeast Colombia, but the discovery of relatively smaller cocaine HCl laboratories suggests that traffickers apparently are now less likely to concentrate their resources in large facilities. In addition, during 1985 traffickers began to move their laboratory operations to other parts of Colombia, as well as to neighboring countries.

Traffickers in Bolivia have developed their own large-scale cocaine HCl capacity; Bolivia was a major source for cocaine seized in Europe during 1985. In response, the Government of Bolivia initiated an attack on Bolivian cocaine processing labs in 1986, Operation BLAST FURNACE, in coordination with the U.S. Department of State, DEA, and the U.S. Department of Defense.

Cocaine processing in other countries also contributes to the cocaine trade. Large-scale processing laboratories are being established in Peru. Law enforcement officials seized HCl laboratories in Brazil in 1985, although all were considered small. Brazil produces and exports a major portion of South America's ethyl ether, an essential substance for processing

cocaine. Much of this ether passes through illicit channels to laboratories in Bolivia, and some possibly to facilities in Peru and Colombia. Ecuador is not considered a major processing area, although significant quantities of essential chemicals have been traced to storage areas there, suggesting that local cocaine refining is increasing.

United States drug law enforcement officials are also concerned about the increasing number of cocaine processing laboratories found within the United States. While only 11 cocaine laboratories were seized here in 1983, 21 were seized in 1984 and 33 in 1985. All but two of these laboratories were converting cocaine base to cocaine HCl. In 1985, 12 of the laboratories were seized outside the State of Florida, compared to three the previous year, indicating that manufacturers may be dispersing operations to avoid areas of concentrated law enforcement efforts. It appears that processing facilities are surfacing in the United States and other countries because essential chemicals for the conversion of cocaine base are more readily available outside of Colombia.

#### Trafficking

An estimated 105 to 107 metric tons of cocaine were available for export to the United States in 1985. Seizures of bulk quantities of cocaine indicate heavy trafficking in the Caribbean, Bahamas, and the Southeastern United States, primarily South Florida. However, cocaine smuggling is becoming more dispersed, with increased activity in the Gulf Coast and Southwestern states.

Air transport of cocaine from Colombia through Mexico to the United States appears to be increasing. More than two metric tons of cocaine, in seven seizures and in amounts of at least 100 kilograms, were seized in Mexico in 1985, compared with only one

such seizure in 1984. Seven seizures, each totaling more than 100 kilograms, were also made on the U.S. side of the border during 1985, for a total of approximately one metric ton. Colombian trafficking groups continued to dominate the wholesale traffic in 1985.

Most of the cocaine entering this country is transported aboard aircraft, although the proportion entering the United States via private vessel increased significantly from 1984 to 1985. During 1985, 56 percent of all cocaine seizures were from general aviation aircraft and 10 percent were from commercial aircraft. Private vessels accounted for 28 percent of cocaine seizures, commercial vessels for four percent, and overland methods for two percent. Seizures of cocaine from private vessels increased from 11 percent in 1984 to 28 percent in 1985, while seizures from general aviation aircraft decreased from 62 percent to 56 percent during the same period. Many of the non-commercial vessel seizures involved "fast boats" that were stopped during a run from the Bahamas after off-loading the cocaine from an aircraft, or after picking up the cocaine from an air drop in open waters. There was also a notable increase in seizures of bulk quantities at sea aboard vessels in transit from South America. This suggests that the increased quantities of cocaine available from South America are pressuring traffickers to increase their load size.

#### OPIATE THREAT

Heroin use in the United States remained relatively stable from 1982-1984, with the addict/user population estimated at approximately one-half million. However, according to the NNICC, heroin consumption appears to have increased in 1985. The number of DAWN heroin/morphine-related hospital emergency room mentions has increased steadily for the past several years, except for a

slight decrease between 1983 and 1984. Over 11,600 emergency room mentions were reported by a consistent panel in 1985, the highest level in many years, and a 64 percent increase from 1981.  
9/

This increase in heroin-related injuries may be related to the increasing use of a crude form of heroin from Mexico known as "black tar" or "tootsie roll." The demand for black tar stems from its high purity, relatively low price, and widespread availability. Purity levels have been recorded as high as 93 percent with 60 to 70 percent purities common even at the retail level. In contrast, in 1985 the average retail purity of conventional heroin was 5.3 percent. A geographic break-down of DAWN data presents evidence of the presence of black tar heroin: heroin-related injuries reported by a consistent panel in western United States cities increased 45 percent from 1984 to 1985.

United States heroin users continue to combine heroin with other drugs. Heroin combination emergency room mentions rose from 30 percent in 1978 to 41 percent of all emergency room mentions in 1985. The heroin/cocaine "speedball" was present in 49 percent of all heroin combination overdoses. Although injection remains the most common method of heroin administration, there are indications it was slightly less prevalent than in previous years compared to other forms of ingestion.

The connection between Acquired Immune Deficiency Syndrome (AIDS) and intravenous drug use is now one of the most serious health issues surrounding heroin use. In mid-1985, 26 percent of all AIDS cases in the United States involved intravenous drug

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9/ Actual heroin/morphine-related emergencies reported by the DAWN Consistent Panel: 1981 - 7,037; 1982 - 9,904; 1983 - 10,993; 1984 - 10,783; and 1985 - 11,627.



users who contracted the disease through blood transfer by the sharing of needles and syringes. In New York and northern New Jersey, where the problem is most severe, there is some indication of reduced needle sharing.

### Cultivation/Smuggling

Approximately 2,240 metric tons of licit and illicit opium were produced worldwide during 1985. It is estimated that licit opium production was approximately 740 metric tons of opium for medicinal purposes. The three primary illicit opium production areas, Southwest Asia, Mexico, and Southeast Asia, yielded approximately 1,500 metric tons of opium. Of this amount, approximately 60 metric tons were used to produce the estimated six metric tons of heroin available for consumption in the United States during 1985.

According to DEA Heroin Signature Program data, heroin produced in Southwest Asia accounted for 47 percent of the exhibits analyzed in 1985, compared with 51 percent in 1984. While heroin from Southwest Asia is dominant, its proportionate share is the lowest since 1979. Heroin produced in Mexico accounted for 39 percent of the exhibits analyzed in 1985, an increase from 32 percent in 1984. Southeast Asian heroin accounted for the remaining 14 percent in 1985.

Approximately 360 kilograms of heroin were seized in the United States in 1985. Heroin trafficking to this country relies heavily on commercial air passengers and air cargo, and on land vehicles from Mexico. Small quantities are also smuggled by vessels and through the postal system. Because only a few kilograms of heroin usually are smuggled into the country in any one venture, the use of non-commercial vessels and general aviation aircraft is unnecessary.

Southwest Asian heroin is smuggled primarily through European countries and sometimes Canada before entering the United States in New York and other major east coast cities. Southeast Asian heroin primarily enters the United States through West Coast cities. Heroin from Mexico is smuggled across the United States/Mexico border by vehicles or by pedestrians. Once in the United States, the heroin is transported by private vehicle or commercial carrier to final destinations or other cities where the heroin is diluted for retail sale.

#### Southwest Asia

Most of the opium used for Southwest Asian heroin is produced in Afghanistan, Iran, and Pakistan. In 1985, approximately 400-500 metric tons of opium was produced in Afghanistan; 200-400 metric tons in Iran; and 40-70 metric tons in Pakistan. Most opiates produced in this region are consumed by Southwest Asia's large addict and user population. The excess is stockpiled for further distribution outside Southwest Asia.

In Afghanistan, the opium poppy historically has been the most profitable crop for farmers. The most important opium poppy growing areas are in the provinces of Nangarhar, Konarha, and Badakhshan in the east, and Helmand and Oruzgan in the south. The principal area of heroin laboratory activity in Afghanistan lies in Nangarhar Province, which adjoins Pakistan. Heroin produced in Afghanistan is smuggled to traffickers in Pakistan and Iran. Traffickers in Pakistan smuggle significant quantities to India for consumption and further shipment.

In Iran, morphine base and/or heroin base refineries are primarily concentrated in areas of little government control, in the northwestern and southeastern parts of the country. Traditionally, opiates enter Iran from Afghanistan and Pakistan to the east and are either consumed in Iran or exit to the west.

Information suggests that Iran has pursued an increasingly stringent drug control program.

Although opium production in Pakistan has been declining, it remains a major heroin refining and trafficking area. Government efforts to reduce the illicit opium poppy harvest in 1985 were effective in federally-controlled areas, yet elevated prices, good weather, and trafficker resistance have caused poppy acreage in the semi-autonomous tribal areas to expand and production in these areas increased sharply in early 1986. Heroin laboratory activity in Pakistan is concentrated in the Northwest Frontier Province. During 1985, enforcement officials seized more than 4,900 kilograms of heroin and six functioning refineries; another 23 laboratories were surrendered under government pressure. Major trafficking organizations in Pakistan are playing an increasingly important role in supplying heroin to the United States.

Turkey remains a major transshipment and staging area for opium, morphine base, and heroin from Southwest Asia to the Western consuming nations. Opiates generally enter Turkey at the Iranian border and are smuggled by land through Bulgaria and Yugoslavia to international consumers. Other opiates are brought to southern Turkish ports and then loaded aboard ships or are smuggled overland to traffickers in Syria and Lebanon. Most of the Syrian and Lebanese heroin reportedly is sent to the United States. Although substantial amounts of opiates are smuggled out of Turkey, Turkish drug law enforcement efforts in 1985 resulted in significant seizures of opiates and acetic anhydride, a precursor used in the refining process. The licit opium poppy cultivation and the poppy straw concentrate production in Turkey remain under the control of the Turkish Government and it is believed that no diversion has occurred.

India is the world's largest traditional supplier of licit raw opium. All licit opium poppy cultivation is under the control of the Government of India in designated areas. However, it is estimated that 20 to 30 percent of the opium produced in India may be diverted to the black market prior to entering the Indian government's collection operation. In addition to diversion from the licit production, reports indicate there may also be some illicit opium poppy cultivation in India. Also, the role of Indian traffickers in the international heroin market has steadily expanded. Heroin often enters the country from Pakistan and Afghanistan, and to a lesser extent from the Golden Triangle countries of Burma, Thailand, and Laos. It then is transported through India's air and sea ports to Western markets.

#### Mexico

Heroin produced in Mexico has become an increasingly significant portion of all heroin consumed in the United States, accounting for more than one-third of all heroin consumed nationwide. Approximately 5,350 to 7,250 hectares of opium poppy were cultivated in Mexico during 1985, yielding about 28.4 metric tons of opium (mid-range estimate). After seizures, the remaining opium yielded an estimated 2.8 tons of processed heroin, most of which reached the United States. It is expected that the availability of Mexican heroin in the United States will continue to increase.

Within Mexico, the tri-state area of Sinaloa, Chihuahua, and Durango remains the primary source of opium poppies. The two opium poppy crops each year culminate in November and March harvests. Heroin laboratories traditionally have been located in the vicinity of remote cultivation sites, but in recent years several laboratory seizures were made in urban locations such as Mexico City and Nuevo Laredo.

"Black tar" heroin from Mexico was noted in the Southwest United States during 1984, and continued to spread across the United States during 1985 and 1986. Black tar heroin can be processed in a shorter time than traditional brown powder heroin. The shorter production process leaves several impurities in the drug, coloring it dark brown to black.

#### Southeast Asia

Opium production during the 1984/85 growing season in the Golden Triangle, the contiguous border areas of Burma, Thailand, and Laos, was estimated at 626 metric tons. Approximately 490 metric tons were produced in Burma, 100 in Laos, and 36 in Thailand. More growing areas were identified in Laos during 1985, suggesting that previous estimates may have been low. Most of the Golden Triangle opiates are consumed by addicts and users within the source countries, other Southeast Asian nations, and Australia.

Opiate production and refining in the Golden Triangle was dominated by the Burmese Communist Party and the Shan United Army, although other insurgent/trafficking groups also increased their opiate production capacity during 1985. Refineries for conversion of opium and heroin base into heroin remained concentrated within a few kilometers of both sides of the northern Thailand/Burma border and the northern Shan State of Burma. Government interdiction efforts, combined with continued struggles among major rival trafficking groups, have rendered the Thailand/Burma border area unstable and hindered the supply of raw materials from the Shan State to border refineries. As a result, more heroin refineries have been established inside the northern Thailand border where Thai opium is readily obtained.

In most cases, refined Golden Triangle opiates are transported from the Thailand/Burma border areas to Bangkok and Southern Thailand on tour buses, trucks, trains, and in privately owned cars. Refined opiates also leave locations in Malaysia, Hong Kong, and the Burma/India border for Europe and North America. Most Southeast Asian heroin, like that of Southwest Asia, travels to world markets in the luggage of commercial air passengers, and some is smuggled by international mail and vessel traffic.

Recent investigative activity suggests the Southeast Asian opiate threat may be underestimated. During 1985, of the 133 kilograms of Southeast Asian heroin seized in the United States, 97 kilograms were confiscated in a single seizure.

#### CANNABIS THREAT

##### MARIJUANA

Marijuana is the most widely used illicit drug in the United States. According to the NNICC, marijuana consumption in this country decreased in 1985. However, there were still an estimated 18.2 million current marijuana users in 1985 according to the Household Survey. Six million Americans reported they use marijuana almost daily. In addition, marijuana-related emergency room mentions at consistently reporting hospitals increased by six percent in 1985 after a decrease of 11 percent from 1983 to 1984. <sup>10/</sup>

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<sup>10/</sup> Actual marijuana-related emergencies reported by the DAWN Consistent Panel are: 1982 - 3,615; 1983 - 3,752; 1984 - 3,505; and 1985 - 3,645.

The National Institute on Drug Abuse's "Annual Survey of High School Seniors" for 1985 showed that current marijuana use by high school seniors levelled-off or increased slightly after having declined slightly over the previous few years. The proportion of high school seniors who admitted using marijuana or hashish at least once in the past year, had decreased from 51 percent in 1979 to 40 percent in 1984, but in 1985, the figure increased slightly to 41 percent. Similarly, the proportion of seniors who admitted using marijuana or hashish in the past month had decreased steadily from 37 percent in 1979 to 25 percent in 1984, but increased slightly to 26 percent in 1985. One in 20 high school seniors surveyed reported using marijuana every day.

#### Cultivation/Smuggling

An estimated 81 percent of the marijuana available in the United States in 1985 was produced abroad and 19 percent was produced domestically. During 1985, most of the marijuana smuggled into the United States from foreign sources came from areas in Mexico (40 percent) and Colombia (38 percent). Marijuana was also smuggled into the United States from growers in Jamaica and Belize, with lesser amounts originating in Costa Rica, Guatemala, Panama, and Thailand.

Because of its high volume and relatively low dollar value, marijuana usually must be smuggled in bulk quantities, measured in tons, to be profitable. As a result, traffickers rely heavily on non-commercial vessels to transport marijuana. Eighty-seven percent of the 1,455 metric tons of foreign source marijuana seized enroute to the United States during 1985 was transported by private vessels, with the average marijuana shipment weighing 3.6 metric tons. In the case of Mexican marijuana, however, overland methods have usually been employed and loads tend to be much smaller. If marijuana production in Mexico continues to

increase, not only can smuggling by overland conveyances along the entire United States/Mexico border be expected to increase, but air and marine modes may be employed increasingly to move greater amounts.

As in 1984, most marijuana seized in 1985 originated in South America and most seizures occurred in the Caribbean, Bahamas, and in and around Florida. Marijuana grown in Thailand usually was smuggled into the United States aboard vessels bound for the West Coast. Commercial vessels are also used to transport shipments of hashish, originating in the primary hashish producing countries of Afghanistan, Lebanon, and Pakistan, to Europe and North America.

#### Mexico

Marijuana producers in Mexico have supplied the United States with a steadily increasing amount of marijuana for the past several years. While only six percent of all marijuana imported into the United States in 1982 originated in Mexico, that figure increased to 11 percent in 1983, 24 percent in 1984, and 40 percent in 1985. An estimated 3,000 to 4,000 metric tons of marijuana grown in Mexico were available for export to the United States in 1985, an increase in range over the 2,500 to 3,000 metric tons available for export in 1984. The increase is attributed to expanding cultivation, reduced eradication, and a reduction in the number of seizures. The Government of Mexico reported that 147 metric tons of marijuana were seized within Mexico in 1985, much less than the 2,400 metric tons seized during 1984 (the 1984 volume was largely due to one huge seizure in Chihuahua).

Most Mexican cannabis is grown in the states of Sonora, Chihuahua, Sinaloa, Guerrero, Jalisco, Zacatecas, San Luis Potosi, and Michoacan. At least two cannabis harvests occur each



year in Mexico. The first planting takes place in May when there is an abundance of rain, with harvesting taking place in the fall. The second planting occurs during the winter with a spring or summer harvest.

Cannabis cultivated in the Mexican states of Chihuahua, Sinaloa, Guerrero, and Durango is transported overland to the Mexican side of the border to staging or "stash" areas prior to being smuggled into the United States. The sizes of the shipments range from a few pounds to multi-ton quantities. Transportation methods include butane tankers, campers, trucks, automobiles, and pedestrians. Private aircraft are also used to fly marijuana shipments over the border. Total seizure quantities decreased from approximately 91 metric tons in 1984, to 78 metric tons in 1985. The total number of seizure incidents increased by about 17 percent from 1,878 in 1984, to 2,188 in 1985.

#### Colombia

Much of the marijuana smuggled into the United States in 1985 originated in Colombia, although the market share of marijuana from Colombia decreased by 10 percent from 1984 to 1985. It is estimated that Colombia supplied the United States with 2,600-4,000 metric tons of marijuana in 1985 (38 percent of all marijuana imported to the United States), compared with 4,100-7,500 the previous year (48 percent of U.S. marijuana imports).

Principally as a result of Colombia's aerial eradication program, which uses the herbicide glyphosate, cultivation patterns reportedly shifted significantly. In 1985, more than 6,000 hectares of cannabis were sprayed, out of an estimated 8,000 under cultivation in the traditional northeastern growing zone of the Sierra Nevada de Santa Marta and Serrania de Perija

Mountains along the Venezuelan border. Cultivators reportedly expanded their cultivation to other areas, including the northern portions of the Choco and Antioquia Departments, and parts of the Bolivar Department. Traffickers also may have drawn from previous stockpiles, and some reportedly harvested cannabis that recently had been sprayed, since glyphosate requires several days to take full effect.

#### Jamaica

The amount of marijuana grown in Jamaica available for export dropped substantially from 1,500-2,250 metric tons in 1984 to 350-850 metric tons in 1985. The reduced 1985 cannabis production levels, harvested from an estimated 1,650-2,475 hectares, are attributed to a combination of factors, including a spring drought and eradication efforts. Approximately 10 percent of the total production is believed to be converted into hashish oil.

#### Belize

Belize used glyphosate to eradicate approximately 500 hectares of marijuana, or an estimated 90 percent of it's 1985 fall cannabis crop. A spring crop of similar size, however, was not eradicated. The crop produced approximately 550 metric tons of exportable marijuana. Most was shipped from clandestine airstrips to the United States in small aircraft. The number of these airstrips has increased from an estimated 52 in 1984 to 64 in 1985.

#### Thailand

Most marijuana production and exportation in Southeast Asia takes place in Thailand. There are no official estimates of marijuana production in Thailand, although cannabis cultivation

can now be found in all 17 provinces of northeast Thailand and, most recently, along the Southern Thailand/Burma border. In conjunction with DEA and the U.S. Department of State, Thai authorities have eradicated cannabis manually during the last two years. It is believed that most of the marijuana produced in Thailand is for international export. A large portion is reportedly destined for the United States.

#### Other Foreign Producers

Marijuana production in several other countries, including Guatemala, Costa Rica, Panama, Indonesia, and Nigeria, supplies relatively small amounts of marijuana to the United States. Collectively, production in these countries appears to be increasing, contributing 500 metric tons of the marijuana available for use in the United States in 1984, and 800 metric tons in 1985. While not yet considered a major marijuana producing area, Guatemala is attempting to eradicate fields manually to prevent a spread of serious proportions through the remote Peten area. Cannabis cultivation continues in both Costa Rica and Panama, but continued eradication efforts appear to have kept illicit activity at low levels.

#### United States

Domestic marijuana accounted for approximately 19 percent of the total U.S. supply in 1985, an increase from the 12 percent estimate for 1984. Marijuana growers in the United States produced an estimated 2,100 metric tons of marijuana in 1985. Most of the production takes place in Alabama, Arkansas, California, Georgia, Hawaii, Kentucky, Michigan, Missouri, Montana, North Carolina, Oklahoma, Oregon, Tennessee, Texas, and Washington. Domestic eradication continued in all 50 States in conjunction with State and local authorities. The number of cultivated cannabis plants seized in the United States increased

from 2 million plants in 1982 to over 3.9 million plants in 1985. Eradication efforts have caused growers to shift to smaller cultivated plots and indoor and underground operations to avoid detection.

#### HASHISH

Approximately 150-200 metric tons of hashish were smuggled into the United States in 1985. An estimated 550-720 metric tons of hashish were produced in Lebanon, 200 metric tons in Pakistan, and 200-400 metric tons in Afghanistan. Nepal also emerged as a significant location for the cultivation of cannabis used for hashish production, but reliable production estimates are not available. Other hashish producers of less significance include Morocco and India.

Much of the world's hashish production is consumed within source countries. More hashish is probably consumed in Afghanistan, India, Nepal, and Pakistan than exported. Much of what is exported is destined for users in Europe or the Persian Gulf states. Hashish exports from Lebanon amount to an estimated 350-400 metric tons. Most of this hashish is destined for use in Egypt, with smaller quantities destined for use in other Middle Eastern countries, Western Europe, and North America. In Morocco an estimated 15-20 metric tons of hashish were consumed locally, with most of the surplus smuggled to Europe. Commercial vessels sailing from Karachi, Bombay or other ports are used to smuggle large shipments of hashish to Europe and North America. The drugs are often concealed in legitimate cargoes. Smaller amounts of Southeast Asian hashish are concealed in air freight shipments.

## DANGEROUS DRUGS THREAT

The term "dangerous drugs" refers to all drugs except heroin and opium, cannabis products, and cocaine. The NNICC estimates that total illicit consumption of dangerous drugs was 2.8 billion dosage units in 1985, a decrease from the 1984 estimate of 3 billion dosage units.

Both PCP and methamphetamine-related hospital emergency room mentions, as reported by the DAWN Consistent Panel, increased between 1983 and 1984, then slightly decreased in 1985. However, the 4,317 PCP-related emergency room mentions in 1985 still represent a 29 percent increase over 1982 figures, and the 1,905 methamphetamine emergency room mentions represents an increase of nine percent from 1982. (The Washington, D.C. and Los Angeles metropolitan areas made up over half of the PCP mentions.) <sup>11/</sup>  
<sup>12/</sup> LSD-related mentions, which had declined steadily over the last several years, increased by approximately 23 percent in 1985. <sup>13/</sup> DAWN Consistent Panel methaqualone-related mentions continued to decline with the 1985 figure of 429 representing almost an 85 percent decrease from 1982. <sup>14/</sup>

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<sup>11/</sup> Actual PCP-related emergencies reported by the DAWN Consistent Panel are: 1982 - 3,341; 1983 - 4,390; 1984 - 4,579; and 1985 - 4,317.

<sup>12/</sup> Actual methamphetamine-related emergencies reported by the DAWN Consistent Panel are: 1982 - 1,746; 1983 - 1,675; 1984 - 2,082; and 1985 - 1,905.

<sup>13/</sup> Actual LSD-related emergencies reported by the DAWN Consistent Panel are: 1982 - 1,169; 1983 - 810; 1984 - 722; and 1985 - 886.

<sup>14/</sup> Actual methaqualone-related emergencies reported by the DAWN Consistent Panel are: 1982 - 2,819; 1983 - 1,652; 1984 - 901; and 1985 - 429.

## Abuse/Production/Trafficking

Most of the dangerous drugs abused in the United States, including all of the PCP and most of the methamphetamine, are produced in U.S. clandestine laboratories. During 1985, a total of 425 clandestine laboratories were seized in the United States, an increase of 36 percent over the 312 laboratories seized in 1984. Most of the 1985 dangerous drugs laboratory seizures involved methamphetamine, amphetamine, P2P (a precursor of both methamphetamine and amphetamine), and PCP. Other laboratory seizures included MDMA, MDA, LSD, and analogues of fentanyl.

Several groups have been identified as being involved with the production and distribution of dangerous drugs and controlled substance analogues. Historically, outlaw motorcycle gangs have been primarily responsible for methamphetamine production and distribution. There is no predominant organization involved in the production and trafficking of controlled substance analogues; investigative information indicates that individuals producing or distributing these substances include individuals with organized crime ties, a research chemist for a major corporation, a physician, and former heroin distributors. Groups located in California produce and distribute most of the fentanyl available.

### METHAMPHETAMINE

The illicit manufacture and trafficking of methamphetamine continued to increase at an unprecedented rate during 1985. Domestic clandestine laboratories remain the principal source of methamphetamine. Illicit methamphetamine production principally occurs in southeastern Texas, southern and northern California, and the northwestern United States, primarily Oregon. Increased production was also noted in Colorado and Oklahoma in 1985.

Increased use of methamphetamine in combination with cocaine was noted during 1985. This drug combination is thought to be in demand because the effects of methamphetamine are reportedly similar to, but longer than, those of cocaine.

#### METHAQUALONE

The use and availability of methaqualone (Quaalude) has decreased sharply each year since 1981, and this trend continued during 1985, primarily due to a shortage of bulk methaqualone powder. This shortage was a result of major enforcement efforts and diplomatic initiatives, including the adoption of international and domestic controls undertaken by almost all major production and exporting countries.

#### DIAZEPAM

Diazepam (Valium) is one of the most widely abused drugs in the United States. Generally, the drug is used in combination with other psychoactive substances. As in the past, most diazepam available illicitly was diverted from domestic licit channels. Much of the alleged "Quaalude" available on the streets actually contains either diazepam or secobarbital. Diazepam remains the primary active ingredient in counterfeit Quaalude tablets smuggled into the United States from Canada; tablets smuggled from Mexico generally contain secobarbital.

#### PCP

PCP used in the United States is produced in clandestine laboratories, primarily in southern California, rural Virginia, and Maryland. PCP continues to dominate the illicit hallucinogen situation in the United States as it has for the past ten years. However, it appears that PCP use may be starting to decline after reaching peak levels during 1984.

The high level of PCP-related hospital emergencies results in part from particularly toxic forms of PCP use. PCP usually is smoked by treating tobacco or marijuana with it. Liquid PCP, which has become the primary form used to treat vegetable matter or marijuana for smoking, has many impurities (excess cyanide, cyclohexanone, and piperidine) compared to the powdered or crystal form of the drug that was previously popular. Intravenous PCP use, frequently in combination with heroin or cocaine, also occurs. The Centers for Disease Control report that PCP also is mixed with the analogue MPPP.

#### CONTROLLED SUBSTANCE ANALOGUES

Controlled substance analogues, sometimes referred to as designer drugs, are clandestinely produced substances which, although chemically and pharmacologically similar to substances listed in the Controlled Substances Act (CSA), are not themselves controlled. The aim of clandestine chemists is to manufacture substances that produce the effects of controlled narcotics, stimulants, depressants, or hallucinogens, but because they are slightly different in chemical structure, are not controlled under the CSA. Analogues can be particularly dangerous because in humans, some analogues are approximately 1,000 times more potent than morphine.

The concept of producing analogues of controlled substances in an effort to circumvent the existing drug laws is not new. The clandestine production, distribution, and use of a number of hallucinogenic amphetamine analogues of mescaline such as MDA, MDMA, STP, and TMA first appeared in the late 1960's. Chemical variants of methaqualone, PCP, and amphetamine surfaced later in the 1970's. Once brought to the attention of law enforcement officials, all of these early analogues were subsequently placed under the CSA through an administrative scheduling mechanism.



The controlled substance analogues of current concern are chemical variants of the Schedule II synthetic narcotic analgesics, fentanyl (marketed as Sublimaze) and meperidine (marketed as Demerol). Fentanyl is a short-acting, highly potent narcotic that is used as a surgical anesthetic. Meperidine is a narcotic analgesic that is approximately one-sixth to one-eighth as potent as morphine in humans. There are numerous chemical variants of both of these drugs that produce effects similar to those of morphine and heroin. In addition, analogues of the hallucinogenic amphetamines continue to surface, such as MDMA, known on the street as "Ecstasy."

The health risks in using the various fentanyl analogues are greater than those associated with the use of traditional narcotics, such as heroin or morphine. The high potency of the fentanyl analogues creates a substantial risk of fatal overdose. More than 100 known overdose deaths since December 1979 have been associated with the various fentanyl analogues.

While the use of the fentanyl analogues carries a substantial risk, the use of MPPP, a meperidine analogue, carries an additional health risk. The synthesis of MPPP, unless performed under carefully controlled conditions, results in the formation of a by-product known as MPTP, a neurotoxic substance that induces an irreversible syndrome that resembles Parkinson's disease and can eventually lead to death.

#### CHAPTER IV: ROLE OF INTELLIGENCE

Intelligence has played an increasingly important role in drug law enforcement in recent years and will continue to do so. Although addressed separately here, intelligence is an integral part of each of the Strategy components discussed in subsequent chapters. Reliable and timely intelligence allows law enforcement resources to be applied more effectively and efficiently. In view of budgetary considerations and the limited resources available to law enforcement in combatting the drug problem, expanded and improved intelligence collection, analysis, and dissemination may offer the best hope for future successes.

Intelligence contributes to drug law enforcement efforts in a variety of ways. In source countries, information is collected on drug cultivation and production, internal demand, distribution networks, organizations and their associates, and the capabilities, efforts, and reliability of the anti-drug efforts of foreign governments. During the smuggling phase, information is collected on trafficking routes, modes of operation, methods of concealment, activities in transshipment countries, and points of entry into the United States. Within the United States, information is collected on drug cultivation, clandestine laboratories, drug trafficking patterns, and the organizations that either manufacture and distribute drugs domestically or import and distribute drugs from foreign countries. Intelligence is sought in a number of other areas as well, including money laundering, corruption, diversion of licitly produced drugs and precursor chemicals, and relationships between traffickers and terrorist or insurgent groups.

For obvious reasons, most intelligence operations are sensitive. The dissemination of much of the information collected is restricted; information gathered by the Intelligence Community and the military is often classified. For this reason,

and also because intelligence support to specific components of the Strategy is addressed in the following chapters, the discussion in this chapter will be general in nature.

A viable drug intelligence structure, composed of a cadre of dedicated intelligence professionals, has been responding to drug law enforcement intelligence needs for several years. This group, which meets on a regular basis, includes representatives from both law enforcement and intelligence agencies. Relationships between the Intelligence Community and the law enforcement agencies have been strengthened and coordination has been improved in order to utilize the collective resources of both communities more effectively. The resulting products are shared among these agencies and with other anti-drug organizations. Such exchanges provide a forum for both the review of analytic efforts and discussion of prospective initiatives to support drug law enforcement operations.

Each of the principal drug law enforcement agencies (the Drug Enforcement Administration, the Federal Bureau of Investigation, the U.S. Customs Service, and the U.S. Coast Guard) has an intelligence program that is devoted in whole or in part to drug law enforcement. These programs serve each agency's particular tactical, operational and strategic intelligence needs in support of its interdiction, investigation, and international programs.

The Intelligence Community, which concentrates on foreign drug production and trafficking, provides critical information to law enforcement agencies. This intelligence is largely of a strategic nature, and focuses on: money laundering operations; the role of insurgents, terrorists, and governments in the drug trade; the political and socio-economic impacts of drug trafficking on countries in which drugs are produced; and selected cultivation, production, refining and trafficking

operations. The Intelligence Community's task is made more difficult by the fact that accessibility to countries for intelligence-gathering efforts varies widely.

Agencies involved in drug law enforcement use three classifications of intelligence: strategic, tactical, and operational. Strategic and tactical intelligence are standard categories recognized and employed by all intelligence organizations. The third classification used in this Strategy, operational intelligence, is unique to investigative agencies. Other agencies refer to "operational intelligence" as either strategic or tactical in nature, depending on the circumstances. The definitions and applications of each type of intelligence are as follows:

- Strategic Intelligence: Strategic intelligence is evaluated information on broad patterns and trends to be used by policy planners and management decision-makers. Policy-makers need an intelligence support system to identify problem areas so they can make appropriate resource and legislative decisions. Strategic intelligence includes information on drug cultivation, production, availability, and trafficking patterns. It can also provide foreign policy planners with information regarding the drug enforcement capabilities and commitment of foreign governments so as to better plan international programs and conduct meaningful negotiations.
- Tactical Intelligence: Tactical intelligence is actionable information on the current or imminent location and movement of particular smuggling targets, and requires a near-term law enforcement response to effect arrest and seizure. Because tactical intelligence is often time-critical in nature it is not usually analyzed comprehensively, but is disseminated quickly to field units for appropriate action. Tactical intelligence applies to drug interdiction and investigation, as well as to money laundering activities and violations of currency reporting laws.
- Operational Intelligence: Operational intelligence, a term used by drug investigative agencies, refers to information gathered to provide analytical support to the investigation and prosecution process. Information may be collected and analyzed on individuals, organizations, or places such as laboratories and production sites. Analysis can reveal the identity and activities of organizations, establish relationships, and uncover conspiracies.

The categories of strategic, tactical, and operational intelligence are not distinct; they overlap, and each type supports the other. For example, over a period of time, individual pieces of tactical intelligence can form a strategic intelligence picture or be helpful in focusing on an operational intelligence target. Conversely, a tactical intelligence collection effort might prove fruitful because an accurate strategic assessment pointed the way. Therefore, the overall intelligence strategy recognizes these systemic linkages and the importance of a balanced approach among the various types of intelligence efforts.

Drug intelligence has contributed to many enforcement successes against the drug trade in the United States and abroad. The primary measure of success within the intelligence area is effective eradication, interdiction, investigation and prosecution, and other action resulting from gathering, analyzing, and disseminating timely and accurate information. Intelligence success is also gauged by the ability to anticipate and predict significant changes in drug production, trafficking, and distribution schemes so as to alert law enforcement agencies in time for them to counter these moves. The resiliency and resources of major trafficking organizations make this type of intelligence capability critical to law enforcement effectiveness.

Several factors, however, constrain drug intelligence efforts. For example, there are inherent difficulties in obtaining quality information on any clandestine activity, particularly one so widely diversified as drug trafficking. Social and political barriers restrict access to intelligence collection in some regions. Furthermore, many trafficking organizations are family based and can be particularly difficult to penetrate.

The availability of resources to respond to intelligence that has been gathered and analyzed is sometimes limited and constrains its effective use. Therefore, simply gathering more intelligence is not the answer; better and more selective intelligence is required. In this regard, intelligence collectors and users must coordinate their efforts to ensure that intelligence needs are fully understood and that information collected can be used by the law enforcement community. The National Drug Enforcement Policy Board's Coordinating Group has directed a subcommittee chaired by the Administrator of DEA to fully examine this sensitive issue.

The drug situation in Mexico poses a key challenge to the United States today. The production of heroin and marijuana in Mexico, and trafficking of South American cocaine through Mexico to the United States have expanded significantly. Growing and producing regions are remote and have limited access; corruption and violence are prevalent; the reliability of some Mexican officials varies; and the long and sparsely settled border presents unique problems in interdiction.

In South America, the drug cartels have grown stronger over the last ten years. Foreign police agencies in some areas of source and transshipment countries do not provide reliable support. Some Latin American nations face increasing levels of violence amid political and economic instability that can be traced to the drug trade. In some countries, cultivation and production areas are under the control of insurgent groups that may provide paid protection to traffickers.

Although there has been significant progress in control and enforcement measures in Southwest and Southeast Asia based partly on improved intelligence, significant quantities of opiates still flow from these source countries to U.S. and European drug markets. Unfortunately, a secondary effect of increased control and enforcement measures in this region has been the

establishment of new production and trafficking operations in adjacent areas with less developed enforcement capabilities. This creates new problems for intelligence collection.

Responding to these challenges requires improved coordination both within the intelligence structure and between the intelligence organizations and their law enforcement counterparts. In this regard, two broad and interrelated proposals are currently under review by the National Drug Enforcement Policy Board. The first of these is the concept of an All Source Intelligence Center which would bring together the drug intelligence resources of all appropriate agencies to coordinate intelligence tasking, collection, analysis, and dissemination. At present, plans are moving forward to implement one element of this concept. The El Paso Intelligence Center (EPIC) will be enhanced to improve its tactical intelligence support to interdiction. Still under consideration is how the concept of an All Source Intelligence Center might be applied to strategic and operational intelligence.

Second, the Anti-Drug Abuse Act authorizes the establishment of regional command, control, communications, and intelligence (C<sup>3</sup>I) centers to provide tactical coordination for interdiction efforts. These centers will have some tactical intelligence collection capabilities through links to various fixed and mobile sensors, but they will also be principal users of intelligence from EPIC and other sources. Combining this information with the knowledge of the Federal Government's enforcement assets, these centers will coordinate the detection, interception, tracking, and apprehension of drug smugglers. Plans for the expanded EPIC and the establishment of C<sup>3</sup>I centers are being monitored by the Policy Board to ensure proper coordination of roles and missions.

As noted in Chapter VII, drug trafficking is a dynamic and increasingly complex international problem. There is a continual need for timely and accurate threat assessments on all aspects of

drug cultivation, production, and trafficking throughout the world. Intelligence organizations will seek: improved estimates of how much of a drug crop is planted, harvested, and produced; how much is consumed and seized in host countries; quantities exported to the United States and other countries; amounts seized and lost in transit; and the amount consumed in the United States. Threat assessments must also include reliable information on trafficking operations (including staging areas), conveyances and routes used, smuggling tactics, methods of concealment, and points of entry. In addition, intelligence studies must identify traffickers and their organizations, practices and affiliations, including any subversive or terrorist linkages.

As part of this threat assessment, the structure of trafficking organizations requires continued attention. Analyses that identify the exploitable weaknesses and vulnerabilities of such organizations will be a priority of the drug intelligence strategy. In this area particularly, cooperative efforts among law enforcement agencies and support from the intelligence community is required to gain an understanding of the operations and interrelationships of trafficking organizations.

In conclusion, the key objectives of the intelligence strategy are to ensure that intelligence capabilities are properly directed and coordinated, and that they are fully utilized to support all components of drug law enforcement. Improved intelligence means more effective use of law enforcement resources, greater success against traffickers and, as a result, reduced availability of drugs.



## CHAPTER V: INTERNATIONAL DRUG CONTROL

### INTRODUCTION

Most of the illicit drugs purchased and consumed in the United States are cultivated and processed in foreign countries. America's international drug control program seeks to break the chain that links farmers in those drug producing countries to users in the United States by stopping the flow of drugs as close to the source as possible. Currently, foreign production of illicit drugs significantly exceeds estimated worldwide demand. Therefore, to reduce the supply of illicit drugs in this country, the United States is determined to reduce cultivation by an amount far greater than that which is consumed here.

The United States continues to place the highest diplomatic priority on enlisting international support for drug control efforts. Achieving the international program's goal depends heavily upon the outcome of efforts to marshal a global response to the problem. International anti-drug efforts foster the control of illicit drugs by enlisting the political and economic resources of other governments.

The international program seeks to reduce the supply of drugs through assistance to foreign governments in crop eradication, interdiction close to production sources and along trafficking routes, the arrest and prosecution of major traffickers, and the seizure of drug-related assets. Drug demand reduction and public awareness programs in source countries are also important components of the international program.

The United States continues to expand its program base with the goal of obtaining effective eradication programs that operate simultaneously in all drug producing countries. Progress has been steady in this area. Many governments have joined the United States, long the predominant sponsor of drug control

programs, in a more vigorous international program, and have assigned higher foreign policy and domestic enforcement priorities to the drug problem.

These countries look to the United States not only to participate in their drug control efforts, but also to demonstrate its own resolve in reducing domestic drug production and demand, and in effectively prosecuting drug traffickers. Mobilizing national attention on the U.S. drug abuse problem, curbing domestic cannabis cultivation, and improving the record of successful prosecutions send a welcome message to other countries facing the drug problem.

#### CONSTRAINTS ON EFFECTIVENESS

The ability of the international program to reduce the supply of drugs is constrained by several factors. Sharply increased demand for drugs in the growing regions has contributed to sustained production at high levels. Some governments lack sufficient political will to control drug production and others lack effective control of growing areas. Furthermore, when sufficient enforcement pressure is applied to one area, drug traffickers are often able to shift their operations to other areas, or even other countries. In addition, the success of U.S. supported initiatives is dependent upon the effectiveness, efficiency, and commitment of foreign officials.

The enormous illicit wealth of traffickers in some countries provides a corrupting power base that can destabilize legitimate government institutions. Trafficking groups may develop stronger political leverage than the central government. In some countries, the growing and processing areas are controlled by political insurgent groups that have engaged in drug trafficking directly or in concert with trafficking organizations. Drug-related violence severely hampers drug control efforts in

some areas. Also, the lack of timely intelligence on the movement of contraband inhibits the effectiveness of interdiction and other international actions. Finally, control efforts are constrained by the nature of U.S. political relationships with some drug producing and transshipping countries.

#### MEASURES OF EFFECTIVENESS

Although the factors described above constrain the effectiveness of the international program, progress has been made and is gauged by a variety of methods. These include reductions in availability within the United States of specific drugs from specific sources; forced shifts in cultivation and trafficking patterns; shifts in prices at the wholesale and retail distribution points; changes in the price of precursor chemicals; and reductions in global cultivation and refining of particular drugs. Curbing corruption, reorganizing drug control forces to increase efficiency, and improving communications can also be important contributors to progress, although they do not easily lend themselves to quantification.

Program performance also is measured incrementally each year by: increases or decreases in arrests and drug and laboratory seizures; increases in the number of effective prosecutions and extraditions; consummation of international agreements; and improvements in control strategies through aerial surveys, reconnaissance and verification, and other intelligence collection methods.

#### ROLES OF U.S. AGENCIES

The State Department's Bureau of International Narcotics Matters (INM) is the Federal agency responsible for coordinating the U.S. drug control effort overseas. There are Narcotics

Coordinators in all embassies, and INM has established narcotics assistance units in a number of source and transit countries. INM seeks to enlist foreign government cooperation through:

- Bilateral assistance for crop control and interdiction programs in the form of equipment, training, and technical advice to support local efforts;
- Diplomatic efforts to develop international support for illicit drug control activities;
- Participation in international organizations to increase drug control efforts, especially in those countries where U.S. bilateral influence is less effective;
- Training programs, funded by INM and conducted by DEA, Customs, and the Coast Guard, for foreign personnel to strengthen interdiction and enforcement efforts;
- Guidance, coordination, and support of the work abroad of all U.S. Government agencies involved in illicit drug control; and
- International demand reduction assistance projects, including public awareness projects and prevention programs in key source countries.
- Guidance to U.S. Ambassadors and country teams on drug policy and program issues.

INM produces the annual International Narcotics Control Strategy Report which forms the basis for certifying the adequacy of cooperation by foreign governments, now a critical condition of receiving U.S. economic and military assistance.

The Drug Enforcement Administration (DEA) provides consultation, technical assistance, and training to drug law enforcement officials in foreign countries, participates in the collection and sharing of international drug data, and assists in investigations where authorized. DEA has stationed agents in 42 countries that are considered significant drug source or transit countries. DEA's activities in the international program include:

- Advising ambassadors on drug enforcement matters;
- Cooperating with foreign governments on joint investigations, and providing technical and logistical assistance and formal training in drug enforcement procedures to foreign officials;
- Collecting intelligence on major trafficking organizations and targeting them for prosecution;
- Passing actionable intelligence to U.S. interdiction agencies;
- Working with foreign authorities to identify, locate, apprehend, and extradite fugitives;
- Cooperating with INM and foreign governments on eradication campaigns, including reconnaissance, verification overflights, and related assessments;
- Helping to locate and destroy drug laboratories; and
- Denying traffickers their profits through asset tracing and forfeiture investigations in the United States and abroad.

The Federal Bureau of Investigation (FBI), in coordination with DEA, contributes to the international effort through liaison with foreign counterparts, particularly regarding the involvement of organized crime in drug trafficking and money laundering investigations. This includes the exchange of law enforcement personnel with some governments and the Bureau's Foreign Police Cooperation program, used to locate foreign fugitives. Because the FBI is placing greater significance on Colombian and Mexican drug traffickers in its domestic investigations, as well as continuing its efforts directed at La Cosa Nostra and Sicilian traffickers, its intelligence base regarding international traffickers is expanding and has proven beneficial to those agencies with larger international roles.

In addition to its major role in drug interdiction at U.S. borders, the United States Customs Service (Customs) is involved in many international programs as well. Through its Air Carrier

Initiative Program, Customs works with commercial air carriers to prevent the use of their aircraft for drug smuggling. Customs negotiates Mutual Customs Assistance Agreements, which provide a legal basis for the exchange of information relating to breaches of respective customs laws, often involving drug-related information. Customs also operates the Outbound Currency Program, which attempts to interdict flows of currency to high-risk money laundering countries.

The U.S. Customs Service and the Internal Revenue Service station officers in several countries, including some key drug source countries, and maintain liaison with foreign counterparts. The United States Marshals Service supports the international program by carrying out extraditions. It also works with other governments to locate and remove fugitives wanted by the United States, including a significant number of major drug traffickers.

The United States Coast Guard, with broad authority for maritime drug enforcement and a fleet of long-range ships and aircraft, conducts constant patrols along trafficking routes on the high seas, often in close proximity to foreign countries. The Coast Guard comes into daily contact with the international community as it encounters foreign vessels suspected of drug smuggling or seeks to pursue possible smugglers into foreign waters. Requests to foreign governments for registry checks on vessels, permission to board their vessels on the high seas, and authority to enter their waters are frequent occurrences, and are coordinated through the State Department and embassies. The Coast Guard also participates frequently in joint operations with the law enforcement agencies of foreign countries, conducts special training for foreign agencies, and stations liaison personnel in selected countries.

The Immigration and Naturalization Service (INS) currently maintains 16 offices in 12 countries. In coordination with the INS Central Office, these offices exercise jurisdiction in matters involving the parole of otherwise excludable aliens into the United States to testify as witnesses in drug-related trials.

The Department of Defense (DOD) assists in the international program in various nations by providing technical and material support and training to source country anti-drug forces. DOD also provides assistance to U.S. interdiction agencies. This support includes loans of aircraft, secure communications, and other equipment, as well as surveillance and transportation support with aircraft and ships. DOD is currently reviewing its support to drug law enforcement in accordance with the National Security Decision Directive and the Anti-Drug Abuse Act of 1986.

The Agency for International Development (AID) designs and implements foreign assistance programs, focusing on rural development programs in traditional drug growing regions. AID also works with its fellow agencies in other donor countries to enlist their support of development programs in drug source countries. Since 1985, AID has conducted drug awareness programs in selected countries. This program will be accelerated and expanded as a result of additional funding earmarked for these purposes in the Anti-Drug Abuse Act of 1986. These efforts are designed to inform opinion leaders and the general public of the economic, political, and social threats to their societies from the production, trafficking, and abuse of illicit drugs. The Department of Agriculture participates in crop substitution programs by providing research on agricultural alternatives to drug crops and advising about herbicidal eradication programs.

The United States Information Agency (USIA) conducts programs on drug-related issues aimed at a variety of audiences in drug source and transshipment countries. The programs are

designed to focus international attention on drug issues and to reflect U.S. resolve to fight drug abuse. These programs will also be bolstered as a result of the additional funding provided by the Anti-Drug Abuse Act of 1986. USIA uses its communication resources, including the Voice of America, to carry its messages to foreign audiences. USIA also supports local programs by adapting U.S. materials on drug abuse prevention and control for overseas use, selecting key people in the international drug field for professional exchange programs in the United States, and briefing U.S. specialists for seminars, conferences, and other activities before selected audiences abroad.

The National Institute on Drug Abuse (NIDA) serves as a technical resource to the international program, sharing information on treatment and prevention practices, epidemiological methods, and research findings with foreign health service officials.

Other units within the State, Treasury, and Justice Departments have drug-related missions, including the investigation of off-shore haven banking and illegal cash flows. State and Justice negotiate extradition treaties with source and transit nations, as well as agreements on sharing financial information that can help identify, target, and destroy money laundering operations.

#### THE STRATEGY

The international strategy involves both diplomatic and programmatic initiatives. These initiatives will be considerably expanded given the additional funding authorized in the Anti-Drug Abuse Act of 1986, particularly the crop control and interdiction projects funded and directed by INM. The Strategy focuses law enforcement efforts as close to the drug production source as possible, with the emphasis on eliminating cultivation of illicit



drug crops. This is supported by enforcement to suppress laboratories and other production processes, and interdiction of drugs in transit. Eradication eliminates supply outright; seizing laboratories or restricting the availability of refining chemicals prevents crops from reaching their final, most marketable form, and stopping drugs at the export/import stage, when drugs are at their purest, halts the distribution process.

In many countries, the Strategy to reduce illicit drug production must include not only a plan for eradicating plants, but also for providing development assistance in the form of economic incentives and alternatives. Such assistance can help promote a government presence in areas that are frequently not well integrated into the country's political, economic, or social mainstream. The plan also may require efforts to assist the host government in overcoming political resistance, often in the form of violent opposition by armed factions, and in reducing the demand for drugs.

Reduction of illicit drug cultivation may also be achieved indirectly by law enforcement actions against other parts of the trafficking network further along the distribution chain. This appears to be one result of Operation BLAST FURNACE conducted in Bolivia during the summer and fall of 1986. Approximately 20 cocaine laboratories were dismantled during BLAST FURNACE. With a lack of processing laboratories, the price of coca leaves dropped dramatically in just a few weeks. With sustained pressure of this type, there would be little economic incentive for farmers to grow coca in the region.

Interdiction and other enforcement must occur at all points along the chain--the cultivation site, the laboratory site, other processing and storage centers, points of departure from source countries, transfer points enroute, and entry points into the United States.

The international drug control program also requires well-executed investigative and prosecutorial activities, such as money laundering investigations, asset seizure and forfeiture, extradition, and other efforts to destabilize trafficking organizations. Not least, an effective control strategy requires close coordination between domestic and international policies and programs. The latter is particularly true with regard to interdiction.

The international drug enforcement effort has benefited significantly in recent years from improved intelligence. There is a continuing need for timely, accurate threat assessments concerning cultivation and production, distribution, host country consumption, and exports. Threat assessments also identify foreign traffickers and describe their organizations, practices, and affiliations, including any subversive or terrorist linkages.

The international strategy incorporates the President's National Security Decision Directive of April 3, 1986. That directive states that the international drug trade is a national security concern because of its ability to destabilize democratic allies--a concern reiterated by Congress in the Anti-Drug Abuse Act of 1986. Drug trafficking is also an important source of financing for some insurgent and terrorist groups. Responding to actions directed by the President, the international strategy calls for full consideration of drug control activities in foreign assistance planning; additional emphasis on drugs as a national security issue in discussions with other nations; and more assistance to other countries in establishing and implementing their own drug abuse education programs.

#### Diplomatic Strategy

The objective of the U.S. diplomatic strategy is to internationalize the response to the drug problem, thereby encouraging

other governments to engage in unilateral, bilateral, and multi-lateral drug control efforts. America's diplomatic efforts are intended to provide an international climate conducive to the implementation of its programmatic strategy, described later in this chapter. Through diplomacy, the United States seeks to increase the scope and quality of the international community's response to drug trafficking and abuse, upgrade the political priority for drug control as a foreign policy issue, and improve the international environment for operations by U.S. agencies involved in drug control.

A crucial component of the Strategy involves sharing information with the international community about the dangers of drug trafficking and abuse. While many countries are acutely aware of these dangers, the United States will continue to alert leaders and the general population, particularly in drug source and transit countries, of the links between drug abuse, drug trafficking, terrorism, illegal arms smuggling, and increased domestic and international violence.

Through its embassies and other personnel abroad, the United States will continue to convey U.S. policies and attitudes concerning drug trafficking and abuse. These sorts of exchanges will continue to emphasize the importance of enhanced international cooperation against trafficking. In addition, while acknowledging the need to reduce its own demand for drugs, the United States will encourage every country to adopt effective education, prevention, and treatment programs to reduce drug abuse.

As part of this effort, a special two day White House conference on narcotics policy was convened in November 1986. The conference brought together 19 U.S. Ambassadors to major drug source and transshipment countries in order to underline the important role of the narcotics issue in U.S. foreign policy and

to emphasize the importance of diplomatic efforts to actively engage other countries in a global strategy against drugs.

U.S. diplomatic efforts can act as catalysts in the development and continuing viability of regional enforcement efforts and organizations. The United States will continue to support and collaborate with these groups, conduct regional conferences with foreign officials to increase working-level liaison, and seek closer coordination between regional drug activities and anti-terrorism efforts.

Two excellent fora for the discussion of regional drug trafficking and other enforcement issues are the annual International Drug Enforcement Conference (IDEC) and the periodic meetings of Ministers of Justice/Attorneys General. IDEC meetings, first convened in 1983 and now permanently co-chaired by the DEA Administrator, bring together policy-level directors of Inter-American police agencies for candid discussions of a variety of related enforcement issues. The fourth annual IDEC was held recently in Buenos Aires, Argentina. Topics included regional communications and information sharing, regional control of precursor chemicals, and diversion of licit drugs from international commerce. Meetings of the Ministers of Justice/Attorneys General are designed to provide a forum for the constructive, high-level exchange and discussion of information concerning drug law enforcement issues. The last such meeting was held in Mexico in October 1986.

The United States also will continue to provide multilateral economic assistance to control drug abuse and trafficking through the United Nations Fund for Drug Abuse Control and other international organizations. The Strategy further calls for U.S. enforcement agencies and the military to provide training, equipment, and other enforcement assistance for regional eradication and interdiction efforts. The United States will

support establishment of regional secure communications networks for sharing information and expediting requests for action. Such a network is already being established in Latin America with financial support from the Bureau of International Narcotics Matters.

The United States will continue to foster international efforts to combat drug trafficking through various regional and international organizations, including active participation in developing the new international drug convention being coordinated by the United Nations Commission on Narcotic Drugs. This convention is intended to more clearly define the problems, national responsibilities, and effective responses to drug trafficking and abuse, and likely will address forfeiture, extradition, mutual legal assistance treaties, use of commercial carriers for drug trafficking, sentencing, eradication, and enforcement cooperation on the high seas.

The State Department will promote the widest possible participation in the 1987 United Nations Conference on drug abuse. The United States will encourage efforts by the international community to enlist cooperation on drug matters by governments in drug source and transit countries that lie outside the orbit of direct U.S. political influence. As discussed previously, mutual legal assistance and extradition treaties, and agreements concerning U.S. participation in interdiction and other enforcement activities abroad, are vital to the success of international drug control efforts and will be pursued accordingly.

#### Programmatic Strategy

The primary objectives of the international programmatic strategy are to reduce illicit crop production and to destabilize trafficking operations as close to the source as possible. The

top priorities of the programmatic strategy are to increase the number of countries eradicating drug crops and expand the scope of these operations, to identify and destroy clandestine laboratories in source countries, and to increase the number and success of joint interdiction efforts within source and transit countries and in international waters and air space. Regional approaches will be of particular emphasis in the years to come. Colombia's cross-border initiatives with Peru, Bolivia, and Ecuador demonstrate the viability of this approach, which State will work to sustain. As an example, State is creating a regional air wing for use throughout Latin America, especially in the Andean region.

1. Eradication.

Crop eradication, the first priority of the international drug control program, eliminates drug supplies and increases the cost of drug trafficking. While only two countries exporting drugs to the United States conducted crop eradication campaigns in 1981, fifteen countries participated in these programs during the 1984-1986 crop cycles. As more countries make progress in eradicating drug crops, the pressure on traffickers increases. The Department of State will continue to work with drug source countries to begin or expand eradication efforts.

Crop eradication has had a measurable impact on drug production in many source countries. It is necessarily a long-term strategy because it depends on the political will and ability of source countries to control drug cultivation. In many source countries, however, the government does not have effective control over growing areas, the economy is dependent upon drug production and trafficking, and domestic drug abuse has increased far beyond traditional demand.

Crop eradication is but one of the components of an effective drug control strategy. Progress in eradication can depend to a large degree on effective coordination with development assistance and interdiction programs. Development assistance can improve the economy of growing areas and provide economic alternatives that reduce the financial attraction of drug cultivation. Coordination of eradication efforts and interdiction operations close to the source disrupts the flow of drugs from producing countries.

The international program has several eradication priorities. In Mexico, these include continuing the revitalization of the opium poppy and marijuana eradication campaigns, using aerial surveys and an enhanced verification program to guide deployment of eradication forces, and upgrading the aerial spraying fleet. The initiation of a sustained coca eradication program is the priority in Bolivia. In Peru, the program seeks to expand the coca eradication program to other key sectors of the Upper Huallaga Valley, and to extend the program as needed into southern growing sectors.

The United States will continue to help Colombia complete tests of herbicides that can be effective in eradicating coca and will support the widest possible application of aerial spraying to eliminate major coca cultivation. The United States will continue to support Colombia's increasingly effective marijuana eradication campaign and will press for an expansion of the marijuana eradication programs in Belize, Brazil, Costa Rica, Jamaica, and Panama.

In Southeast Asia, priorities include sustaining the new aerial herbicidal eradication program in Burma to ensure reductions in opium cultivation in that country. The Strategy also calls for U.S. support of the expanded opium poppy eradication program in Thailand. In Southwest Asia, the United States

will continue to work with the Government of Pakistan to extend the ban on opium poppy production into additional areas of the Northwest Frontier Province, while ensuring that poppy cultivation does not resume or increase in the areas where cultivation has declined as a result of both United States and United Nations development initiatives and recent U.S. support of an herbicidal eradication campaign in Pakistan.

## 2. Development and Economic Assistance.

Eradication efforts are often accompanied by development and economic assistance intended to counter or offset the economic incentives to cultivate drug crops. In providing this assistance, the United States attempts to address the fundamental economic and social factors in source countries contributing to farmers' reliance on drug crops for income. Because of the disparity between profits derived from legitimate crops and drug crops, these economic incentives, particularly agricultural redevelopment programs, have proven to be of limited effectiveness if applied in isolation. However, if eradication and interdiction programs are successful in driving down the market price of drug crops, then development assistance and crop substitution become far more attractive to local farmers. The two programs are complementary.

Development and economic assistance can also be used as an incentive for recipient countries to meet certain drug control objectives and to help prevent the spread of drug cultivation. The United States has linked development assistance to progress on drug control in several countries, including Bolivia, Peru, and Pakistan. The United States will continue to define clearly drug control objectives in its development and economic assistance agreements and will continue to suspend that assistance case by case when drug control objectives are not met. The United States encourages international organizations,



including international financial institutions, to link their assistance to drug control.

### 3. Interdiction.

By working with foreign governments on interdiction efforts, the United States seeks to reduce substantially the flow of drugs and the proceeds of drug trafficking, and to prevent the diversion of precursor chemicals necessary for the production of illicit drugs. Seizing pure drugs enroute to the United States deals a significant blow to trafficking organizations, which have a considerable investment in these drugs, having paid the farmers, chemists, chemical companies, transporters, and often corrupt officials to reach this stage. Intercepting drug-related money directly reduces drug traffickers' profits. The interdiction of drug traffickers enroute to the United States is discussed in detail in the following chapter.

The Drug Enforcement Administration will expand its program to identify and interdict the chemicals and conversion equipment used to process illicit drugs. Successful interception of precursor chemicals increases their price and forces traffickers to alter their drug production methods. In particular, DEA will monitor the effects of targeting selected precursor chemicals so that enforcement officials can anticipate and respond to shifts in drug processing. For example, worldwide monitoring of ethyl ether, used to process cocaine, caused significant increases in its price in Colombia. As a result, some cocaine processing shifted to other areas, including the United States.

The United States also is working closely with other countries through the United Nations to secure international agreement on model legislation concerning the control of precursor chemicals. Such legislation would form the backdrop for an effective international control regime for precursor

chemicals which the new United Nations Convention on Drug Trafficking (currently being negotiated and drafted) will address. The diversion of chemicals for clandestine drug manufacture is discussed in greater detail in Chapter VIII.

The Drug Enforcement Administration will continue to work with foreign governments to locate and destroy clandestine laboratories and airstrips. Operation Condor, an ongoing international enforcement effort involving Peru and Colombia, targets cocaine laboratories in Peru and is a model for international cooperation on clandestine laboratory destruction. Using DEA expertise and INM funding, the operation has resulted in significant seizures of drugs, equipment, and aircraft, arrests of chemists and others involved in the manufacturing process, laboratory destruction, and a commitment by participating countries to expand the operation.

Because of the effectiveness of coordinating eradication and interdiction efforts, the Strategy gives priority to laboratory destruction in the same areas in which crop eradication programs are in effect. In Latin America these include heroin laboratories in Mexico and cocaine laboratories in Bolivia, Colombia, and Peru. In Southeast Asia, priority will be given to cooperation with the Burmese and Thai governments to suppress heroin refining on their border and to destroy heroin laboratories in both countries. The priority in Southwest Asia is opium poppy eradication and heroin laboratory destruction in Pakistan.

A significant new initiative in mid-1986 was "Operation BLAST FURNACE," an unprecedented operation against cocaine laboratories in Bolivia's Beni region. At the invitation of the Bolivian government, DEA provided agent advisors for the operation and the Department of Defense provided helicopters, other equipment and troops to transport Bolivian police to the

raid sites. Because many coca processing facilities were destroyed or shut down during BLAST FURNACE, prices paid for coca leaf in the region dropped to about one-seventh of their previous market value. INM provided funding support for BLAST FURNACE, and continues to support the successor Bolivian-led operation begun in November 1986.

To increase the effectiveness of international efforts to seize drugs, the United States will seek to execute umbrella bilateral and multilateral agreements that will streamline procedures for granting the Coast Guard the authority to board, search, and seize vessels on the high seas. The current agreement between the United States and Great Britain on this issue will serve as a model. Without such umbrella agreements, the procedures necessary to board, search, and seize vessels on the high seas can be cumbersome and time consuming. In addition, the Customs Service will expand its program of collaborating with foreign and domestic air carriers to prevent drug smuggling to include carriers from many more countries.

The United States will encourage foreign governments to adopt measures similar to U.S. laws and regulations that deny traffickers' access to pilots, pilots' licenses, and aircraft. The United States also will encourage foreign governments to require that their civil aviation authorities review the fitness of any operating carrier that has violated national laws and regulations pertaining to the illegal importation of controlled substances, or failed to adopt available measures to prevent such illegal imports. Customs will promote the training of foreign government personnel in countering cargo conspiracies and fraud so that they can conduct export examinations for illicit drugs.

In response to the problem of drug trafficking in the United States by foreign nationals, the Department of State and U.S. drug law enforcement agencies have developed an information

sharing system in an effort to deny visas to foreign nationals arrested in the United States on drug charges. DEA, FBI, INS, and Customs have established mechanisms to share relevant information with State on a routine basis, so that consular offices throughout the world can be alerted to applications for visas by known traffickers. The Department of State and drug law enforcement agencies will continue to improve the information sharing system so that timely information about drug traffickers can be transmitted to U.S. embassies and consulates.

The United States will continue to mount special interdiction operations in cooperation with foreign governments. Operations Hat Trick, Blue Lightning, and Bahamas and Turks and Caicos (BAT) are examples of successful joint interdiction operations. These efforts improve international cooperation on drug control and serve to "dissolve" borders, placing traffickers at increased risk.

The United States has been working closely with the Bahamian government to improve the interdiction of drugs smuggled through that key transit country. The Anti-Drug Abuse Act of 1986 establishes a U.S.-Bahamian Drug Interdiction Task Force which includes provisions for joint operation of additional interdiction pursuit helicopters, improved communications capabilities, and construction of a marine repair and maintenance base in the Bahamas.

Customs will expand its outbound and inbound currency interdiction program to further disrupt the international flow of drug-related cash. The program will include better intelligence and increased financial analysis to develop profiles of currency smugglers, and more agents and inspection personnel for the program. The United States will pursue closer cooperation with foreign customs authorities to expand the exchange of information

concerning international transfers of currency and monetary instruments.

4. Investigation and Prosecution.

In order to improve the exchange of information in criminal cases, particularly drug-related money laundering cases, the United States has negotiated mutual legal assistance treaties (MLATs) with Italy, the Netherlands, Switzerland, Turkey, and others. The United States currently is negotiating with several other countries to obtain these agreements and will continue to focus on banking centers in the Caribbean, Europe, and source countries.

Drug traffickers often rely on the bank secrecy laws of Caribbean countries to shield their money laundering activities. MLATs with these countries have contributed significantly to law enforcement success against money laundering. For example, as a result of requests under an agreement with the Cayman Islands, the Justice Department received information that contributed to more than 60 indictments and convictions, and more than \$12 million in seized and forfeited assets.

The United States will seek international convention clauses that address both commercial carrier programs and asset identification and tracing, and will work with host governments to increase asset forfeiture investigations. The United States will encourage foreign governments to adopt asset forfeiture laws based on the U.S. model. In addition, the United States will seek agreements for bilateral forfeiture.

There are two basic approaches to bilateral forfeiture cooperation. One approach is through treaties that would require one government to take a certain forfeiture action as a result of a request from another government based on its own laws. The

property, once forfeited, then could be transferred to the requesting country. More easily implemented is a second approach in which each government agrees to forfeit drug proceeds located within its borders when notified of their existence by the other government, provided that forfeiture is permitted under its own laws, and each government agrees to provide evidence for the other's forfeiture proceedings. Both approaches have been embodied in recent mutual legal assistance treaties. The latter approach requires statutory authority to seize and forfeit drug proceeds regardless of where the violation occurs. Statutory authority for this type of international forfeiture action is contained in the Anti-Drug Abuse Act of 1986. This legislation should foster the exchange of evidence between countries, help pierce bank secrecy laws, and provide monetary awards to countries expeditiously and without having to engage in forfeiture proceedings.

The United States will encourage its European allies, particularly Great Britain, to enter into additional MLATs. The U.S. MLAT with Switzerland has helped Swiss authorities to seize drug-related assets. Treaties with source countries also are important to assist in major drug prosecutions. The United States will continue to negotiate mutual customs assistance agreements, which provide a legal basis for exchanges of information. Such agreements currently exist with Austria, Canada, France, Italy, Mexico, and West Germany. Priority will be given to Brazil, Colombia, Denmark, Israel, Korea, Spain, Sweden, and the United Kingdom.

The United States has entered into extradition treaties with 103 countries, including many drug source and transshipment countries. Despite this large number of treaties, the United States lacks extradition treaties with some key countries, such as the Bahamas. Other treaties are outdated; many of them do not include conspiracy, racketeering, operating a continuing criminal

enterprise, or failing to report currency transfers as extraditable offenses. Many countries do not allow the extradition of their own nationals. The United States will seek a number of new or enhanced extradition treaties, with priority given to Mexico, Australia, the Bahamas, Bolivia, India, Israel, Malaysia, Nigeria, Pakistan, and Venezuela.

The activity of U.S. officers abroad has been limited by the Mansfield Amendment to the Foreign Assistance Act of 1961. Until amended by the Anti-Drug Abuse Act of 1986, Mansfield prohibited U.S. officers from participating in foreign police arrest actions with respect to narcotics matters. The 1986 amendment provides relief from this restriction when the Attorney General and Secretary of State determine that it would be in the national interest to do so. When it is so determined, U.S. officials may assist foreign officers who are effecting an arrest, but may not directly effect the arrest themselves. Furthermore, the 1986 amendment allows U.S. officials to take direct action to protect the life or safety of U.S. employees, foreign government employees, and members of the public in exigent circumstances. Finally, with the agreement of the country concerned, Mansfield restrictions will not apply in the territorial waters of that country. This provision will be of considerable help to the Coast Guard in taking action against smugglers who flee into territorial waters, and in responding to host nation requests for on-the-job training and joint operations in their territorial waters. Previously, the Coast Guard has had to decline such invitations because of the potential of becoming involved in an arrest action.

Finally, to assist in international law enforcement efforts, Congress has authorized the Department of State to offer rewards of up to \$500,000 for information leading to the arrest and prosecution of major narcotics traffickers.

## CHAPTER VI: INTERDICTION AND BORDER CONTROL

### INTRODUCTION

The primary objective of the drug interdiction strategy is to reduce the amount of illegal drugs entering the United States by targeting the transportation link between drug supply and demand. Specifically, interdiction focuses on detecting, identifying, and intercepting shipments of illegal drugs as they move from their departure point in source countries, along smuggling routes, to our land, sea, and air borders. Once shipments are intercepted, the violators are arrested and the drugs, conveyances, and other assets are seized.

Interdiction is a key element of the overall national effort to counter drug abuse and its associated illegal activities. Interdiction increases the costs and risks associated with drug trafficking. Successful interdiction programs deter some potential traffickers from entering the drug trade, disrupt the flow of illegal drugs to the American market, force traffickers to develop more expensive and sophisticated methods to avoid detection, and force them to use longer and more difficult smuggling routes.

Interdiction complements other strategy elements in a variety of ways. For example, successful interdiction supports source country efforts by forcing smuggling organizations to stockpile illicit drugs close to their source, thereby providing foreign enforcement officials the opportunity to confiscate and destroy them. In addition, information gained from interdiction operations leads investigators to the arrest of higher level traffickers and provides tactical and strategic intelligence indicating shifts in trafficking patterns, drug sources, and smuggling methods.



In developing a law enforcement strategy, it is important to remember that interdiction efforts, like the drug trafficking organizations they are intended to disrupt, must be flexible and responsive to change. Drug traffickers develop an operational plan based on several factors including the drug being smuggled and its quantity, the geographical features that must be considered in choosing a route and method of conveyance, and the expected law enforcement response, based on previous experience.

A successful interdiction strategy, in turn, must be sufficiently flexible to respond to the variety of trafficking methods and routes used by drug smugglers. Clearly, the response to the trafficking of a multi-ton shipment of marijuana from Colombia differs considerably from the response to the smuggling of a few kilograms of cocaine across the Southwest border. Interdiction programs must be structured and modified, as appropriate, to counter different trafficking patterns and respond to shifts in routes, modes, and methods.

#### CONSTRAINTS ON EFFECTIVENESS

Traffickers have many choices of modes and routes for smuggling drugs into the United States. Smuggling vessels, planes, vehicles, and couriers operate in vast expanses of open ocean and accessible airspace, across nearly 90,000 miles of shoreline and large desolate stretches of land border, and in scores of international airports and seaports. Smugglers also use commercial modes of transportation to carry contraband concealed in legitimate cargo through established ports of entry.

Given the vast geographic area in which smugglers operate and the multitude of modes and methods available to them, law enforcement cannot be expected to continuously cover all routes and methods of smuggler intrusion. Sufficient personnel and

material resources are not available to sustain this type of effort. Even if resources were available to establish some sort of barrier around U.S. borders, there are limits to the steps that a democratic nation can take in screening and inspecting its largely law abiding citizens and foreign visitors.

Major capital assets necessary for interdiction can require considerable procurement lead-time, often measured in years. Additionally, law enforcement often receives a low priority in the procurement of proven advanced systems already in production. The research, development, and testing of technologically advanced equipment to support interdiction is also a lengthy process. These factors can result in a considerable time delay in providing the appropriate resources to meet particular needs.

Another restriction to effective interdiction, given the limited number and types of assets, is the lag time required to discern and then counter shifts in the smuggling threat. Law enforcement authorities can usually respond to a particular smuggling attempt when timely tactical intelligence identifies a target using a non-traditional route or method. However, developing sufficient indicators to reveal a major shift in the strategic threat takes time, and the subsequent relocation of detection and intercept assets takes even longer. The role of intelligence in anticipating these shifts is critical and requires continued and increased emphasis. Intelligence must exploit all appropriate sources in providing timely threat indicators in order to allow proper positioning of resources.

#### MEASURES OF EFFECTIVENESS

Solid quantifiable measures of interdiction effectiveness are particularly difficult to obtain. It is tempting to try to measure success in interdiction by the absolute amount of drugs seized, or by expressing the amount seized as a percentage of the

supply. There are two major weaknesses to this approach, however. First, this approach does not reflect the value of interdiction as a deterrent. Successful interdiction will often delay or prevent the shipment of drugs; seizures in a particular area could actually decrease as a result of effective interdiction. Second, estimates of the supply of drugs vary widely and are typically the result of a series of approximations concerning crop size, exports, and distribution.

In some cases, the effectiveness of interdiction is better demonstrated by qualitative indicators of disruption, displacement, and deterrence. When traffickers must shift to longer routes, purchase sophisticated electronic equipment, build intricate hidden compartments into their conveyances, and ship smaller loads, their operations are made less profitable. If interdiction is successful in raising the costs to the smugglers, the difference between export and import prices should increase. However, this does not necessarily mean that these costs will be passed through the distribution chain to the consumer--which represents one problem in relying on the retail price of drugs as an indicator of success or progress. Although retail price increases have been attributed to effective interdiction in some cases, these instances usually have been geographically limited and of short duration.

Quantitative information may be readily available, but its reliability varies widely and it is subject to conflicting interpretation. Qualitative information on disruption and deterrence is difficult and time consuming to gather, but once available may prove more revealing than statistics based on estimates. In short, both quantitative and qualitative measures of success are difficult to use as interdiction strategy analysis tools. Nevertheless, all available measures should be continually evaluated, upgraded, and applied where feasible.

Finally, the success of interdiction cannot be measured independent of the other components of the strategy. Interdiction efforts often support these other components, such as in delaying the shipment of drugs thereby allowing in-country seizures, or in permitting a known drug shipment to proceed unimpeded in order to aid investigation of a smuggling organization.

#### ROLES OF U.S. AGENCIES

The United States Customs Service (Customs) is the lead agency for interdicting drugs and apprehending drug smugglers at and between U.S. ports of entry. Customs has developed land, air, and maritime interdiction programs based on drug-specific and geographic assessments. These programs include marine and air surveillance of border areas and inspections at international airports and seaports. Cargo, passengers, and common carriers are searched for drug shipments based on profiles, experience, and intelligence drawn from many sources. Customs also collects intelligence to support drug interdiction and investigations and prevent the illegal export of illicit profits.

The United States Coast Guard (Coast Guard) is the primary maritime law enforcement agency of the United States and the only Federal agency with jurisdiction on the high seas. Coast Guard officers and petty officers are also Customs Officers by law, giving the Coast Guard and Customs joint jurisdiction within the twelve-mile limit of the Nation's customs waters. Using its vessels, aircraft, and intelligence organization, the Coast Guard concentrates its interdiction efforts on intercepting drug trafficking vessels in transit to the United States on and over the high seas. Recent Administration and Congressional initiatives will result in an air interdiction role for the Coast Guard.

The Department of Defense (DOD) military services play an important support role in the interdiction strategy. DOD loans various types of aircraft and other equipment to the law enforcement agencies. DOD aircraft fly regular surveillance missions to detect potential smugglers, and Navy ships frequently carry Coast Guard Tactical Law enforcement Teams (TACLETs) to board suspect vessels. Resources from all the military services support various special interdiction operations. The April 1986 National Security Decision Directive (NSDD) on Narcotics and National Security, coupled with anticipated additional resources to be provided by the military for air detection, reemphasize the DOD support role in interdiction and drug law enforcement generally. The NSDD calls for an expanded role for U.S. military forces in supporting counter-narcotics efforts. The Anti-Drug Abuse Act of 1986 authorizes DOD to procure and loan additional equipment to law enforcement agencies and to transfer funds to the Department of Transportation to be used for the Coast Guard's TACLET program.

Several other Federal agencies also support the interdiction effort. Both the Drug Enforcement Administration and the Federal Bureau of Investigation provide intelligence to interdiction forces. The Department of State (INM) provides technical and material assistance to interdiction programs overseas. The Border Patrol, under the Immigration and Naturalization Service, is responsible for controlling the entry of illegal immigrants and assists in the interdiction effort through the apprehension of smugglers between ports of entry and at traffic checkpoints in the immediate border area of the United States. As part of the Operation Alliance along the Southwest border (See Chapter X), Border Patrol agents deployed in that region will serve as the principal interdicting force for both drug smugglers and illegal aliens crossing between the ports of entry. The Federal Aviation Administration assists in detecting suspect aircraft through air traffic control facilities and by responding to requests for

information on aircraft and airman registration. The FAA also provides technical expertise and logistical support for radar surveillance projects and program development.

The Intelligence Community provides both strategic and tactical intelligence to interdiction agencies. The recent NSDD calls for greater participation by the Intelligence Community in supporting efforts to counter drug trafficking.

State and local law enforcement agencies are becoming increasingly involved in the interdiction effort. The capabilities and assets of State and local law enforcement agencies, including their knowledge of the local environment and threats, are actively sought and applied in the interdiction effort.

Representatives of the principal Federal interdiction and support agencies staff the Drug Enforcement Administration's El Paso Intelligence Center (EPIC). EPIC responds to requests from field units on specific conveyances and people suspected of smuggling drugs. It also provides analyses of smuggling methods, routes, and sources. The EPIC facility is to be moved to a new site and expanded to provide enhanced tactical intelligence support to interdiction efforts.

The Vice President's National Narcotics Border Interdiction System (NNBIS) brings together the unique jurisdictions and expertise of various Federal, State, and local agencies in a coordinated attack on the smuggling problem. The mission of NNBIS is to improve interagency coordination, increase DOD and intelligence community support of interdiction, and increase international cooperation. Regional NNBIS centers collate and disseminate intelligence, assess smuggling threats and

vulnerabilities, identify detection and response resources, recommend actions to interdiction agencies, and coordinate multi-agency and multinational special operations.

### THE STRATEGY

The national interdiction strategy concentrates on seizing drugs and arresting traffickers, disrupting trafficking organizations and displacing their operations, and deterring potential traffickers. To seize drugs destined for the United States, the shipment must first be detected, the conveyance then identified and intercepted, and the drugs located in the conveyance once access has been gained by a ground party or marine boarding team. The national interdiction strategy integrates the capabilities of the various interdiction agencies to maximize the possibilities of detecting, identifying, and intercepting drug traffickers from departure points in source countries, along their smuggling routes, to entry or delivery points along the U.S. border.

Resources are concentrated in the areas of highest current threat, and deployed strategically and tactically to present the greatest risk to the smuggler. Effective tactical deployment of resources will disrupt established trafficking patterns and methods, causing smugglers to shift to alternate routes that may be longer and naturally more risky, and to more expensive methods of conveying their cargo. Over time, effective tactical use of interdiction forces causes the threat to change, and interdiction forces must then react accordingly. Finally, an effective overall interdiction strategy will serve as a strong deterrent to many potential smugglers.

The interdiction program has become more aggressive and visible in the last few years, with the emphasis turning to multi-agency offensive operations against particular targets at specific times when and where the threat is determined to be greatest. Until 1983, the strategy was comparatively defensive. While there were interagency efforts and special operations, they tended to be long-term, broad-based reactions to the general threat, and were characterized by interdiction forces arrayed in defensive positions, generally along the trafficking routes far from source countries, or at the U.S. border. Today, with assistance from the NNBS coordinating mechanism, some special operations are conducted on the doorstep of source countries, with concentrated forces blanketing selected areas at critical times in the delivery cycle. Some recent operations of this type are summarized below.

The first large multi-agency, multinational operation of this type, Hat Trick I, was carried out in November-December 1984. The principal target was the large fall marijuana crop in Colombia. A concentrated maritime interdiction force operated near the Colombian coast, with supporting elements elsewhere in and around the Caribbean basin. Early in the operation, large amounts of marijuana were seized at sea. In the face of the special marine interdicting force, traffickers stockpiled their shipments ashore where a coordinated operation carried out by Colombian authorities led to the destruction of additional large quantities.

In April 1985, Operation Blue Lightning was conducted in the Bahamas and southern Florida. The target was the large amounts of cocaine and marijuana transshipped through the Bahamas. Bahamian authorities were transported by U.S. aircraft to suspected cache sites on selected islands, which had been ringed by maritime forces. Some early seizures were made in this way, but as the operation progressed, traffickers moved their loads



off the islands in anticipation of continuing raids. Many more seizures were made in waters surrounding the Bahamas and approaching the Florida coast where Federal, State, and local marine forces were waiting.

Operation Hat Trick II, conducted in the winter of 1985-86 against Caribbean basin drug traffickers, was the largest and most diversified combined operation to date. Multi-agency and multi-national resources attacked drug smugglers in source countries, in transit, at transshipment points and near the borders of the United States. U.S. agencies and supporting organizations were joined by many other Western Hemisphere nations in coordinated operations in and near their countries.

1. Detection.

Determining the existence, location, and techniques of illicit drug trafficking requires both strategic and tactical intelligence. Existing intelligence products available from the Intelligence Community and law enforcement agencies must be fully exploited by interdiction agencies. In turn, the law enforcement agencies must make their specific requirements known to intelligence agencies.

As noted earlier, priority must be given to predicting shifts in smuggling routes and methods. Arrested smugglers can be a valuable source of information concerning those shifts. In addition to the current emphasis on people and organizations, interrogating officers should use their interviews to develop tactical and strategic intelligence for interdiction use.

New sources and methods of intelligence collection relating to drug trafficking must also be developed. Intelligence information available from the private sector, concerned citizens, and government agencies not normally associated with

law enforcement will be expanded and exploited. Furthermore, the United States will continue to pursue information sharing with countries supporting American drug interdiction efforts. This can play an important role in fostering international cooperation as well as enhancing the early detection and identification of drug traffickers.

The timely dissemination of tactical intelligence among law enforcement and supporting agencies is critical. The information must be passed rapidly to a unit capable of taking action. The role of EPIC and NNBIS in this regard has significantly improved interdiction capabilities. In addition to planned enhancements to improve EPIC's tactical intelligence support, the interdiction agencies will establish regional command, control, communications, and intelligence (C<sup>3</sup>I) centers to coordinate interdiction activities. Both the EPIC enhancements and the C<sup>3</sup>I centers are authorized in the Anti-Drug Abuse Act of 1986. The C<sup>3</sup>I centers will have some tactical intelligence collection capability through links to fixed and mobile sensors, but will also be a major customer for tactical intelligence available through EPIC, NNBIS and other sources. The National Drug Enforcement Policy Board will oversee the EPIC expansion and C<sup>3</sup>I development to insure proper coordination of roles.

To complement tactical intelligence gathering capabilities, fixed and mobile detection and surveillance systems will continue to be deployed along trafficking routes and in areas of smuggling potential. These systems, including Customs and Coast Guard vessels, aircraft and aerostats (balloon-borne radars), and Department of Defense military assets, use sensors to detect and track aircraft and vessels along trafficking routes and approaching U.S. borders. Federal law enforcement agencies must continue to take advantage of existing assets and technologies that can be used in the detection and identification of drug traffickers. In addition, state of the art equipment and sensors

are being developed for Customs inspectors at airports, seaports, and points of entry along our borders to detect the presence of drugs concealed in legitimate cargo, concealed with conveyances, or carried by people.

The interdiction strategy will take full advantage of Department of Defense assets consistent with the provisions of the Posse Comitatus Act and the NSDD on Narcotics and National Security. The Policy Board has worked with Congress to develop a proposal for DOD to procure aircraft, helicopters, and aerostats to be used by law enforcement agencies for air interdiction along the Southwest and Southeast borders. The Anti-Drug Abuse Act of 1986 authorizes resources for these initiatives, reflecting expanded roles for DOD and the military services. NNBIS will continue in its role as the clearinghouse between DOD and drug law enforcement agencies with respect to military support services for interdiction.

## 2. Interdiction in Transit.

A variety of mobile interdiction resources, ranging from small high-speed boats and high performance aircraft to large ships and planes, will continue to be employed in the air and at sea to detect and intercept potential smugglers. Routine surface and air patrols will continue along traditional trafficking routes and in areas of high smuggling potential. Patrols will also be made near drug producing nations to collect intelligence and demonstrate a more aggressive interdiction posture. Whenever possible, these patrols will be made in cooperation with the foreign governments.

The use of sensors, particularly long-range detection capabilities, must be coupled with an intercept capability to stop, deflect, or interrupt the progress of illegal drug traffickers, and to arrest violators and seize the contraband,

conveyances, and other assets. The strategy encourages the development of coordinated detection and response capabilities on a local and regional basis. The Joint Marine Interdiction Command Center (JMICC) within the Blue Lightning Operations Center in Miami, for example, is being developed as a mini-C<sup>3</sup>I to coordinate the response of local marine assets from the point of detection through interception.

Interdiction forces are deployed strategically based on the overall perceived threat, and operate tactically based on profiles, experience, and known methods and modes of smuggling. Only some of the seizures made by those deployed resources result from specific tactical intelligence. Seizures more often result from the routine operations of these deployed forces. This type of seizure is sometimes called a "cold hit," a misleading term that fails to reflect the use of profiles and experience.

As previously mentioned, an important development in the interdiction strategy is multi-agency and multinational offensive interdiction operations, such as Blue Lightning and Hat Trick I and II, targeted at specific geographic areas. These operations clearly demonstrate the effectiveness of bringing intense enforcement pressure to bear on specific geographic regions for short periods of time and the disruptive effects interdiction efforts can cause smuggling organizations in high threat areas. Limited enforcement resources preclude extended operations of such magnitude; however, special interdiction operations will remain a vital element of the overall interdiction strategy.

The interdiction strategy also seeks to improve efforts through international cooperative ventures such as Operation BAT. DEA and the governments of the Bahamas and the Turks and Caicos target islands used by smugglers as refueling stops, stash sites, and transshipment points. Two U.S. Air Force helicopters are used to transport host country enforcement officials to targeted

islands to investigate, search, and seize contraband. Periodically, DEA and Army helicopters and crews augment the OPBAT unit. The Strategy also encourages joint operations, where feasible, that can "dissolve" borders and thereby counter a smuggling ploy of moving just outside U.S. jurisdiction.

### 3. Border Interdiction.

Checks of passengers, common carriers, containers and cargo at ports of entry into the United States remain critical elements of the national interdiction strategy. Although border interdiction efforts will necessarily remain concentrated at ports of entry representing the highest threat, enforcement pressure must continue at all border areas and ports of entry. Enforcement emphasis must shift as the threat changes to maximize effectiveness.

As described in an earlier section, seizures often result from profiles, experience, and known methods and modes--so-called "cold hits"--rather than from specific tactical information. To meet the threat of smuggling through ports of entry, the interdiction strategy will increase selective cargo, vehicle, passenger, and pedestrian inspection based on intelligence and the use of profiles, coupled with periodic changes in routine inspection procedures to keep smugglers off guard. The Strategy also calls for improved interagency cooperation in staffing and enforcement inspections, concentrated Customs inspection of profiled cargo, improved vehicle inspection facilities, intensified inspections for inbound and outbound currency movements, increased inspection of rail cars, and intensified inspection of aircraft arriving at small border airports.

To meet the threat of smuggling along the border outside the ports of entry, enforcement agencies will: expand use of technology such as radar and sensors; establish mobile response teams that can react quickly to penetrations, or to known or suspected crossing areas and landing strips; expand the drug smuggling awareness program to encourage public participation in reporting known or suspected smuggling violations; apply the Blue Lightning concept to combine the resources of State, local, and Federal agencies in specific interdiction operations; and increase the use of the military services, including the National Guard, in conjunction with training and special maneuvers.

Recognizing that the vast majority of law enforcement personnel in the United States are not Federal officers, the interdiction strategy seeks to improve cooperative interdiction efforts between Federal, State, and local law enforcement agencies. This includes using existing ties among Federal, State, and local law enforcement agencies, such as the Blue Lightning Strike Force, and maximizing use of State and local resources in coordinated special operations. Additionally, State and local enforcement agencies that confront drug trafficking are encouraged to maintain liaison with Federal agencies, EPIC, and NNBIS.

#### 4. Flexibility and Unpredictability.

The interdiction strategy takes into account the fluidity of drug smuggling. As enforcement pressure is applied in certain regions or directed at certain modes of transportation, smugglers shift to alternate routes and modes, and employ more sophisticated methods to avoid detection. Ways to predict traffickers' reactions to enforcement pressure must be developed to keep law enforcement on the offensive. Intelligence analysts will concentrate more attention on predicting smugglers' reactions, and identifying them before they become a major

threat. Operational plans and tactics must be flexible enough to respond to reports of a changing threat with rapid redeployment of assets and coordinated response capabilities.

Simulation, or war gaming, is another approach used to anticipate smugglers' actions and reactions. It has been used with some success in two instances, prior to the commencement of Hat Trick operations, when the Coast Guard sponsored interagency war games dealing with surface and air interdiction in the maritime region. Additional war gaming will be conducted in order to apply lessons learned to future operations. Such plans can play an important role in improving the integration of detection, identification, and intercept resources to respond to the unique drug smuggling threat along the various border regions, along trafficking routes, and near source country departure areas.

By remaining unpredictable, the interdiction effort can keep drug traffickers off-guard and uncertain about where law enforcement forces will next apply pressure. In the same vein, deception and other techniques can be used to obscure the capabilities and limitations of law enforcement agencies. The mere presence of one or two Coast Guard cutters offshore, for example, could be interpreted by traffickers as the resumption of an intensive special operation. This, in turn, could result in a significant disruption of smuggling operations with relatively little effort on the part of U.S. interdiction forces.

In concert with unpredictability, law enforcement agencies must deny smugglers knowledge of law enforcement plans and capabilities. An aggressive security program in all areas is essential to safeguard sensitive law enforcement methods and areas of emphasis. To protect multi-agency operations, participants will obtain compatible secure communications equipment wherever possible.

## 5. Regional Strategies.

The United States will continue to develop and exploit effective detection and response systems to fill existing gaps in threatened border areas. For example, there is a growing drug threat from Mexico, which is the largest individual source country for heroin and marijuana entering the United States and a primary transshipment point for South American cocaine destined for the United States. The Southwest border area is vulnerable to both air and overland drug smuggling, and interdiction resources presently are very thin in comparison. However, such gaps in border defenses are being addressed. (See Chapter X which specifically addresses the Southwest border problem.)

In support of the national interdiction strategy, interagency regional interdiction strategies are being developed, largely through existing NNBIS regional coordinating mechanisms. From these regional strategies, multi-agency, integrated, operational plans for each region will be produced. These plans must be flexible enough to meet a changing threat. They will address the most effective overall interdiction program in a particular region by incorporating the unique capabilities and resources of all available Federal, State, and local agencies. Essentially, these should be "war plans" designed to counter aggressively the regional threat. Department of Defense planners will assist in developing these regional plans since their expertise in operational planning can be applied to drug interdiction programs.

## 6. Research and Development.

Research and development of new technologies to help in the detection and interception of drug traffickers are ongoing in many agencies. To avoid duplication, the development of new equipment within one agency must be shared with the others. To



this end, the Policy Board will establish an interagency working group to monitor the progress of research and development efforts among the Federal agencies involved in drug interdiction. The purpose of this working group will be to share developments, not to direct research. This will ensure agency autonomy in developing equipment required for its unique missions but, at the same time, keep other agencies informed of developments that they may be able to use. In support of this concept, DOD will evaluate new military surveillance and sensor systems for their potential application to drug law enforcement.

Technological improvements can: increase the effectiveness of efforts to screen people, conveyances, and goods entering at ports of entry; detect and apprehend aircraft, boats, vehicles, and persons approaching or crossing the borders with contraband; conduct surveillance and other investigative activities; and coordinate and control enforcement resources. New technology currently under development or in initial field deployment includes: imaging gamma backscatter devices which reveal concealed materials; new X-ray systems more capable of detecting low-density drugs; better nuclear magnetic resonance techniques to detect cocaine and heroin in mail; microprocessor-controlled radio systems for reliable air and marine communications; and optical readers for passports and vehicle license plates.

#### 7. Expanding Roles.

Wherever possible the interdiction effort will take full advantage of all agency resources. As a result of the National Security Decision Directive on Narcotics and National Security, the military services and the intelligence community will assume greater roles in countering drug trafficking. The cross utilization of law enforcement resources and the cross designation of law enforcement personnel will be increased to use drug law enforcement resources more effectively. For example,

Coast Guard officers and petty officers are already designated as Customs Officers by law. In conjunction with Operation Alliance along the Southwest border, Border Patrol agents, who frequently discover drugs in the course of performing their immigration interdiction duties, have been granted special statutory authority to seize drugs and arrest traffickers.

Similarly, law enforcement resources should be used in support of multi-agency drug interdiction efforts whenever possible. For example, available resources should be equipped and used to detect and intercept both air and surface targets, regardless of primary agency responsibility. Experience and capabilities in related missions will be considered in assessing agency roles. In this regard, suitably equipped Coast Guard ships, aircraft, and aerostats will be used in air interdiction over the high seas.

To ensure that resources are used most effectively, the Navy has recently amended its policy to permit Coast Guard Tactical Law Enforcement Teams (TACLETs) embarked in Navy ships to conduct searches and seizures in all situations where a Coast Guard cutter would normally pursue law enforcement action. The Navy had previously limited Coast Guard teams in boarding foreign flag vessels.

#### 8. Increased Publicity.

One of the primary goals of interdiction is to discourage illegal drug trafficking by exposing the smuggler to significant risks and increasing the likelihood of punishment if caught. More will be done to publicize the interdiction effort and thereby enhance deterrence. When appropriate, agencies will publicize widely the results of special interdiction operations. The sentences given to convicted smugglers, particularly when they are substantial, will be emphasized in press releases issued

by law enforcement agencies. Penalties against commercial carriers used to smuggle drugs will also be published. U.S. embassies will encourage the foreign press to publicize seizures, arrests, and prosecutions to enhance deterrence within producer and transshipment countries.

The national interdiction strategy is a dynamic mix of offensive and defensive tactics designed to apply enforcement pressure on all facets of drug trafficking. Interdiction programs must continue to employ bold, innovative, and flexible tactics and strategies to keep traffickers constantly off guard. Through individual agency, NNBIS, and regional initiatives, the full range of Federal, State, and local law enforcement capabilities will be used against drug traffickers on all fronts. Through large-scale international and multi-agency interdiction operations, the United States will continue to foster cooperation with key foreign governments in combatting a common enemy.

## CHAPTER VII: INVESTIGATION AND PROSECUTION

### INTRODUCTION

The objective of the investigation and prosecution strategy is to immobilize drug trafficking organizations by incarcerating their members, seizing their drugs, obtaining drug-related asset forfeitures, and deporting alien traffickers. A successful investigation and prosecution strategy reduces drug trafficking and abuse, as well as related criminal activities such as money laundering, tax evasion, and corruption. Vigorous enforcement activities decrease or delay the supply and distribution of illegal drugs and deter other groups from entering the drug market. Effective enforcement also helps to reduce drug abuse and its associated social problems. A strong and determined program to investigate and prosecute drug traffickers reflects and supports the judgment of the American people that drug trafficking and abuse are intolerable.

### CONSTRAINTS ON EFFECTIVENESS

As with every other element of this strategy, several factors constrain investigation and prosecution as a means of combatting drug trafficking. First, trafficking organizations take inordinate measures to maintain secrecy and therefore seldom become targets of Federal investigation until established distribution networks have delivered substantial amounts of drugs to drug abusers. Successful investigation and prosecution prevent future distribution, but cannot erase an organization's past contributions to the supply of drugs. This fact underscores the need for demand reduction programs to complement the investigation and prosecution portion of this strategy.

Second, a severe shortage of pretrial detention and prison space is a serious weakness in the overall criminal justice system and has become a major constraint on the efforts of

investigators and prosecutors. In the last several years the number of arrested, convicted, and incarcerated drug traffickers has increased substantially, taxing Federal prison capacity and intensifying overcrowding concerns. In 1986, 37 percent of all Federal inmates were convicted drug offenders, up from 25 percent in 1980; the total number of inmates in 1986 was 41,361, 50 percent greater than the rated capacity of the Federal prison system. The Anti-Drug Abuse Act of 1986 (ADAA) authorizes major new funding for Federal prison system construction, salaries, and expenses. Even including new capacity provided for by the Act, however, initial projections of the future inmate population indicate that by 1993 the total Federal prison system inmate population will be approximately 93 percent greater than the System's rated capacity.

Continued and increased attention will be necessary to adequately strengthen this weak link in the drug law enforcement system. The President's 1988 Budget proposes significant new funding for alleviating prison overcrowding in addition to that provided in the ADAA, and reduces preliminary prison overcrowding estimates to 52 percent by 1993. Beginning with these new resources and existing Federal facilities, the Administration has designed and will implement long range expansion and building programs for both prison space and short-term detention facilities. The goal of this program, given the future prison population predicted above, will be to restrict the short-term incidence of overcrowding to no more than 50 percent of rated capacity.

Third, insufficient and inconsistent sentencing of Federally convicted drug traffickers has also constrained investigative and prosecutorial success. Short sentences, low bail, and probation for major drug traffickers not only affect the morale of

investigators and prosecutors, but also diminish their effectiveness by allowing drug traffickers back on the street where they often continue their criminal activities.

Several provisions of the Anti-Drug Abuse Act are designed to address this problem. The Narcotics Penalties and Enforcement Act and the Controlled Substances Import and Export Penalties Enhancement Act (subsections of the ADAA) substantially increase the maximum penalties that may be imposed for offenses under relevant provisions of the Controlled Substances Act and Controlled Substance Import and Export Act, respectively. Other pertinent provisions of the ADAA include the Juvenile Drug Trafficking Act, which significantly enhances penalties applicable to individuals who employ persons under the age of 18 in drug trafficking activities, and the Drug Possession Penalty Act, which imposes mandatory penalties for offenses involving the simple possession of a controlled substance. The Policy Board expects that guidelines on sentencing and bail to be promulgated by the Sentencing Commission will reflect the toughened posture of these provisions of the Act.

Lastly, the need to protect sensitive sources and methods may restrict the use in a prosecution of information provided by the Intelligence Community. Law enforcement and intelligence agencies are exploring means to make effective use of intelligence in criminal actions while protecting the sources of such information from disclosure.

#### MEASURES OF EFFECTIVENESS

Two types of measures assess the effectiveness of the investigation and prosecution strategy. Overall effectiveness measures show the extent to which investigations and prosecutions

have reduced drug trafficking and abuse. Performance indicators show how well investigations and prosecutions have been carried out.

Overall measures of effectiveness include data on drug consumption, estimates of drug production and supply, and intelligence information on drug trafficking organizations. These overall effectiveness measures rarely relate directly to investigations and prosecutions alone, or any other particular element of the enforcement strategy, because all strategy elements affect these data. Indeed, the individual elements of the strategy interact and reinforce one another, providing additional efficacy to drug supply reduction efforts.

In addition to quantitative data, intelligence derived from such sources as cooperating individuals and communication intercepts provide qualitative indicators of the disruption to drug trafficking that results from immobilizing major trafficking organizations. The perceptions of State and local law enforcement officials provide another barometer of effectiveness.

Investigation and prosecution strategy performance is also gauged by the number and quality of arrests and convictions, the amount of drugs confiscated, and the value of assets seized and forfeited. These performance measures mirror the principal objectives of drug law enforcement: to incarcerate drug traffickers; to remove drug contraband from the illicit market; and to remove drug-derived assets from drug traffickers.

#### ROLES OF U.S. AGENCIES

Because of the scope and complexity of the drug problem, many agencies contribute to the Federal effort to investigate and prosecute drug trafficking organizations. Effective drug law enforcement investigation and prosecution require the sustained

efforts of the Federal agents who develop and carry out investigations, the prosecutors who provide legal advice and argue the government's case, the judicial system, and the Federal prison system.

As a result of Reorganization Plan No. 2 of 1973, the Drug Enforcement Administration (DEA) was established as the lead agency for drug investigations and intelligence. DEA is charged with managing the investigation and apprehension of major drug traffickers, preparing illicit drug cases for prosecution, and collaborating with Federal, State, and local law enforcement agencies on drug investigations. The Administrator of the DEA performs his functions under the general supervision of the Director of the Federal Bureau of Investigation, and reports through him to the Attorney General.

The Federal Bureau of Investigation (FBI) has concurrent jurisdiction delegated by the Attorney General, and shares a coordinated lead agency role with DEA on domestic investigative matters. The FBI focuses its drug investigative efforts against Colombian and South American traffickers, the LCN/Sicilian mafia, Mexican networks, and other organized criminal groups in the United States. The FBI uses its expertise in court-authorized electronic surveillance, financial flow investigations, and conspiracy cases in its drug-related investigations.

The United States Customs Service (Customs) and the Internal Revenue Service (IRS) have responsibility for the enforcement of the Bank Secrecy Act. IRS enforces that part of the Act concerning domestic transactions at financial institutions and foreign bank account reporting; Customs enforces that portion of the law concerning international transportation of negotiable monetary instruments. IRS and Customs often work jointly both on individual cases and in task force settings. At times these cases have developed into investigations of drug traffickers



involved in transportation and distribution, income tax evasion, racketeering, and firearms violations. On a case-by-case basis, DEA has granted certain Customs Special Agents Title 21 authority to proceed with drug-related investigations.

The Bureau of Alcohol, Tobacco and Firearms (ATF) investigates arson and explosives and firearms violations, which often are associated with drug trafficking.

The Immigration and Naturalization Service (INS) assists other Federal agencies that investigate drug traffickers by locating, apprehending, and removing alien drug traffickers within the interior of the United States. In addition, INS has recently become a member of the Organized Crime Drug Enforcement Task Force Program. The Border Patrol, part of INS, often apprehends drug smugglers incidental to its primary responsibility of preventing illegal aliens from entering the United States. The Border Patrol shares investigative leads with DEA, FBI, and Customs.

The United States Marshals Service (Marshals) is responsible for all Federal prisoners either awaiting trial or awaiting designation to a Federal prison after conviction. Marshals also store and maintain seized property awaiting forfeiture, transport Federal prisoners for questioning by investigators, protect informants through the Witness Protection Program, and apprehend fugitives sought for drug-related violations.

The United States Attorneys prosecute drug trafficking investigations and related crimes in Federal court and participate in coordinating major drug investigations.

## THE STRATEGY

Successful investigation and prosecution of drug traffickers involve a variety of law enforcement approaches and activities by the agencies listed above.

### 1. Multi-agency Approach.

Although Federal, State, and local agencies have designated areas of responsibility relating to drug enforcement, special multi-agency investigative programs and task forces are often the most appropriate and effective method of operation. Even in routine matters, extensive coordination and cooperation among investigative and prosecutorial agencies often are essential to success.

The Organized Crime Drug Enforcement Task Force (OCDETF) is the major cooperative Federal drug law enforcement program for investigation and prosecution. Through a network of 13 regional offices in major U.S. cities, the OCDETF coordinates Federal law enforcement efforts with State and local efforts to combat the national and international organizations that grow, process, and distribute illegal drugs. Investigators and support personnel from various Federal agencies, along with Assistant U.S. Attorney prosecutors, contribute to a consensus approach to the investigation and prosecution of members of high-level drug trafficking organizations. The President's Commission on Organized Crime noted in its final report that, of the numerous investigative approaches used, the OCDETF Program is the best equipped to respond to and disrupt high-level organized crime trafficking groups. "Its operation," the Commission recommended, "should be supported strongly and its scope expanded wherever feasible and desirable." This Strategy endorses the Commission's recommendation.

Many cooperative efforts exist outside of the OCDETF Program. The recently formulated DEA-FBI initiative designed to address organized crime networks operating in the United States is one example. Colombian and South American traffickers, the LCN/Sicilian mafia, and Mexican heroin traffickers are the investigative targets of this program.

The enhancement of multi-agency operations is a primary component of the Strategy. To improve coordination, the cross-designation of Federal agents is encouraged when appropriate to a particular investigation. In addition to national level cooperative efforts, Federal law enforcement agencies will encourage the development of interagency programs at the field level.

## 2. Financial Investigations and Asset Forfeiture.

The illicit drug business involves cash transactions that often amount to millions of dollars. The trafficker cannot readily use these direct cash profits or report to the government the income derived from them because of fear of discovery of the illegal activity. Thus, the money is usually "laundered" to make it appear as if it came from legitimate sources so the trafficker can then invest in property, luxury items, or legitimate business.

Investigations of the financial transactions of drug trafficking organizations, including the failure to report to the government the profits derived from drug trafficking and the investment of these profits in legitimate assets, play a crucial role in the overall drug enforcement strategy. Successful financial investigations strip traffickers of their profits and the assets derived from them, and can destroy trafficking organizations.

Federal agencies enforce a variety of laws to attack drug traffickers financially. The Money Laundering Control Act of 1986, part of the Anti-Drug Abuse Act, will now be the primary vehicle used against money laundering operations. The Act contains stiff penalties for money laundering, engaging in monetary transactions with criminally derived assets, and failing to file required reports. The goals of these investigations, which will utilize the expertise of all law enforcement agencies with experience in this area, include disruption of money laundering operations, payment of the rightful tax, seizure and forfeiture of the illicit funds and assets, and penalizing the guilty. In an effort to better coordinate these agency responses to money laundering violations, the Departments of Treasury and Justice are developing a memorandum of understanding on the issue. In addition, money laundering investigations will be coordinated, as necessary, with agencies conducting related drug trafficking and distribution investigations.

Other important statutory tools include Federal income tax laws, the Bank Secrecy Act, and asset seizure and forfeiture provisions in the U.S. Code. The Federal income tax statutes require that all income be reported to IRS, even if such income was obtained from illegal activities, and carry severe criminal and civil sanctions for failure to report. The Bank Secrecy Act, enforced by Customs and the IRS, requires an individual or institution to report the international transportation of negotiable monetary instruments, including currency, in amounts more than \$10,000, and requires financial institutions to report cash transactions over the same amount. In enforcing this law, Customs has established specialized units of Agents and inspectors dedicated to interdicting currency illegally leaving the United States.

Asset seizure and forfeiture laws give the government authority to seize the funds, conveyances, property, and other assets that were derived from or used in illegal activities. The Anti-Drug Abuse Act contains several new provisions designed to strengthen the Federal government's ability to seize these assets from drug traffickers. The Department of Justice Assets Forfeiture Fund Amendments of 1986 (part of the ADAA) allow the government to seek criminal forfeiture of any property of a defendant as a substitute for property forfeitable under law if, under certain conditions, the forfeitable property cannot be practically or legally obtained, or has been substantially diminished in value.

Asset forfeiture and other financial investigative laws can be powerful tools in destroying the financial base of trafficking organizations and individuals. The Strategy strongly supports aggressive pursuit of these provisions by investigators and prosecutors, and promotes them as models for similar legislation by foreign governments.

The Strategy calls for specialized tax, money laundering, and asset forfeiture units to be created or expanded to improve the Federal government's capability to conduct investigations of drug traffickers and their organizations. Both DEA and Customs have formed some specialized units for this purpose. These units, under the direction of experienced agents and working closely with prosecuting attorneys and other drug enforcement groups, will direct their efforts toward the identification of illicit money flows and assets controlled or owned by drug traffickers.

### 3. Federal Resource Deployment.

Federal investigative and prosecutorial resources will be devoted primarily to disrupting and destroying major drug

organizations. Using the Organized Crime Drug Enforcement Task Force Program when feasible, investigators and prosecutors will target the organizational elements in the United States as well as related parts of the organization in source and transit countries. Prosecutors will seek the maximum penalties allowed by law.

The Strategy also calls for better case selection to ensure the maximum return for the Federal tax dollar. In addition to stressing cases with international criminal connections, investigators and prosecutors will emphasize cases involving financial evidence. Investigators and prosecutors will concentrate on organizations that are currently active in drug trafficking. While Federal investigative efforts against drug trafficking organizations will continue in every region of the United States, particular emphasis will be given to those geographic areas where there are the largest concentration of high-level violators, the greatest concentration of controlled substances, and the largest amount of drug-related currency. This deployment of Federal resources will have a positive impact on all regions of the United States.

#### 4. State and Local Cooperation.

The Federal government's strategic commitment to attack major trafficking organizations precludes a large Federal role in street sales and distribution. However, Federal agencies do become involved at the street level in certain circumstances. Law Enforcement Coordinating Committees (LECCs) are the appropriate forum for communication in this area. The committees, which are comprised of representatives from Federal, State, and local enforcement agencies, meet periodically to coordinate enforcement matters within their geographic region of responsibility.

State and local governments have been active and eager drug law enforcement partners with the Federal government. They participate in joint task force operations as well as in training and information sharing activities. The Strategy supports further expansion of such joint activities in investigations and prosecutions. When appropriate, State and local officers should be deputized and cross-designated as agents; similarly, State prosecutors also should be cross-designated.

Federal financial and technical support programs for State and local law enforcement agencies will be continued and expanded, as will information sharing systems. Federal assistance to State and local drug law enforcement programs will be significantly increased as a result of provisions in the Anti-Drug Abuse Act. The State and Local Law Enforcement Assistance Act of 1986 (part of the ADAA) appropriates \$225 million in fiscal year 1987 to the Bureau of Justice Assistance (Department of Justice) for grants to State and local agencies for the purpose of enforcing State and local laws that establish offenses similar to those in the Controlled Substances Act. This grant assistance may be used for additional personnel, training, equipment, and facilities.

With respect to information sharing, U.S. Attorneys in a number of districts have initiated LECC-sponsored training programs on crack cocaine both for law enforcement officials and for parents, students, educators, health care professionals, and civic groups. In addition, the Drug Enforcement Administration will establish crack cocaine task forces to provide needed expertise, information, and training to State and local officials.

## 5. Targeted Approaches.

Enforcement agencies have developed a variety of approaches to drug law enforcement investigations. Some of these initiatives target specific problem areas. These initiatives may involve developing priorities and allocating resources to focus on individual drugs or geographic areas, particular organizations, or specialized investigative and intelligence techniques directed at a particular link in the drug trafficking chain.

a. Drug Specific: Heroin, cocaine, marijuana, psychotropic substances, and the variety of licit and illicit medicines in the marketplace will continue to be targeted by type or category whenever appropriate. There are some differences in the trafficking schemes for each of these drugs. These schemes must be examined to determine the particular vulnerabilities of each so as to apply enforcement resources most efficiently. This may lead to selecting a particular strategy component for emphasis, or selecting a certain approach within a particular component.

b. Program Specific: Criminal organizations have different systematic vulnerabilities in growing, producing, transporting, and distributing illegal drugs, and managing their illegal profits. Law enforcement exploits these vulnerabilities by developing specific programs to attack particular elements of drug trafficking.

One example of a program specific initiative is DEA's precursor control program, designed to prevent major precursor chemicals from reaching domestic and foreign clandestine laboratories. The program urges legitimate manufacturers and wholesalers to limit access to these precursor chemicals by filling only authenticated orders from recognized buyers.



Money laundering investigations are another program specific approach. Customs has developed a computerized analytical program to generate profiles and potential targets for money laundering investigations. This program has led to the seizure of several million dollars and the conviction of many international money launderers. In addition, IRS is developing a prototype integrated system for analyzing cash flow data by geographic area in order to identify violators and forecast trends.

c. Organization Specific: Drug trafficking organizations can be classified by their structure, method of operation, and impact on the illicit drug market. Specific patterns of activity, for example, have enabled investigators to identify outlaw motorcycle groups involved in clandestine drug production and distribution. Various Colombian cartels and La Cosa Nostra have also been successfully investigated because of a conscious development of organization-specific initiatives. The FBI has recently focused investigative efforts and resources on these organized criminal groups.

## 6. U.S. Illicit Drug Production Control.

While most of the drugs consumed in the United States are of foreign origin, some synthetic drugs and cocaine, and a significant amount of marijuana, are manufactured, processed, or cultivated in this country. Continued enforcement efforts against this domestic drug production reduce the scope of America's drug problem and demonstrate U.S. resolve to attack the problem at home as well as in other drug producing countries.

The United States now produces an estimated 19 percent of the marijuana consumed in this country. Approximately 2,100 metric tons of marijuana were cultivated in the U.S. in 1985. To combat domestic marijuana cultivation, DEA began to provide

funding and material support to eradication programs in California and Hawaii in 1979. All fifty States now participate, and DEA has been joined in this program by the Bureau of Land Management, the National Park Service, the Bureau of Indian Affairs and the Fish and Wildlife Service (all of the Department of the Interior), the U.S. Forest Service, Department of State, and the National Institute on Drug Abuse. The overall goal of the program is to reduce domestic cannabis cultivation by destroying crops in established growing areas and deterring cultivation in new areas. On Federal lands, the Department of the Interior has several more specific objectives, including: developing drug education programs for public land resource managers; developing cooperative agreements with State and local law enforcement authorities; and increasing public awareness efforts related to marijuana cultivation on public lands while seeking public cooperation in reporting violators. Enhancing drug law enforcement efforts to combat marijuana cultivation, the National Forest System Drug Control Act of 1986, part of the Anti-Drug Abuse Act, authorizes Forest Service officers to enforce laws prohibiting the manufacture, distribution, or dispensing of marijuana and other controlled substances within the boundaries of the National Forest System.

To achieve the goal of the domestic cannabis program, the Federal government will continue its nationwide effort of coordinating the use of Federal, State, and local resources against the major financiers, cultivators, and distributors of domestic cannabis. The key to the domestic cannabis program is local law enforcement, with Federal assistance in such areas as training, logistics, intelligence, and investigation. Regional authorities decide whether the emphasis is placed on eradication or investigation.

Many of the dangerous drugs abused in the United States are produced in domestic clandestine laboratories. This includes all of the PCP and most of the methamphetamine and injectable amphetamine. Some precursor chemicals used to manufacture dangerous drugs also are produced illicitly in this country. Other clandestine laboratories process coca paste into cocaine hydrochloride or manufacture controlled substance analogues, such as MDMA, MDA, and fentanyl analogues.

The Drug Enforcement Administration works with State and local enforcement officials to identify and seize these laboratories. During 1985, 426 clandestine laboratories of all types were seized in the United States, a 37 percent increase from 1984. The number of domestic cocaine laboratories seized has tripled since 1983. Just as the United States focuses on the source of foreign drugs, DEA will continue to work with State and local law enforcement to target this domestic source of illicit drugs.

#### 7. International Treaties.

Extradition treaties are an essential tool in prosecuting drug traffickers and ensuring that no country becomes a haven for them. In addition to providing for the extradition to a requesting country of its own citizens, some recently negotiated treaties provide for the extradition of foreign nationals to a requesting country. For example, the U.S. treaty with Colombia has resulted in the extradition of several Colombians to the United States and one American to Colombia on major drug charges. In negotiating new extradition treaties, and revising existing ones, the United States will propose such a provision and will attempt to negotiate treaties covering the full range of drug-related offenses to improve opportunities for more successful prosecutions.

Mutual legal assistance treaties (MLATs) promote the exchange of information between countries on drug-related and other criminal offenses to assist in investigations and prosecutions. MLATs with countries that have bank secrecy laws, and in which traffickers launder their proceeds, are particularly useful. The United States will continue to pursue MLATs with Caribbean countries, European banking centers, and drug source countries.

#### 8. Career Development and Training.

Investigative and prosecutorial expertise in Federal drug law enforcement improves the government's performance, especially against the more sophisticated criminal enterprises. Federal law enforcement agencies encourage development of this expertise through career enhancing programs for their investigators, including strong incentives for remaining with the Federal government for their entire career. The Strategy supports such career incentive programs.

The Strategy also encourages development of career programs for prosecutors. Dedicated career prosecutors who are knowledgeable and experienced in drug-related matters are essential to the success of increasingly complex cases. The Office of Personnel Management will be requested to coordinate a project to develop career incentive programs for Federal prosecutors and investigators to support drug law enforcement programs.

In addition, the Strategy recognizes the need for specialized and coordinated training programs. DEA's training programs for State, local, and other Federal employees expand the number of qualified personnel available at all levels of government to counter drug trafficking. DEA's training of foreign officials, funded by the Department of State as a

component of the international narcotics control effort, increases the capabilities and effectiveness of foreign drug enforcement personnel and cooperation among foreign countries in drug control efforts.

CHAPTER VIII: DIVERSION CONTROL AND CONTROLLED  
SUBSTANCE ANALOGUES

INTRODUCTION

A whole array of legitimately produced pharmaceutical drugs is diverted from normal U.S. distribution channels into the illicit market for abuser consumption. Similarly, many widely used industrial chemicals, most of which are not controlled substances by law, are diverted from the legitimate distribution system to be used by traffickers to synthesize a variety of drugs of abuse.

Legitimately produced and controlled pharmaceutical drugs include organic drugs derived from plants, such as cocaine, morphine and codeine, as well as synthetic drugs produced solely from chemicals. These synthetics include narcotics, stimulants, depressants, and sedative hypnotics; common examples of each are pethidine, amphetamine, secobarbital and diazepam, respectively. While these pharmaceuticals have approved use in medical treatment, they are also in great demand in the illicit market, leading to the diversion or theft of millions of dosage units each year.

Some synthetic drugs with legitimate medical uses are illegally produced in clandestine laboratories solely for consumption by abusers; examples are amphetamine, methamphetamine and methaqualone. Other synthetic drugs, which have no legitimate use beyond research, are also produced in clandestine laboratories; LSD and PCP are examples. The uncontrolled chemicals used in the illegal production of synthetics, and also those used to illegally process heroin and cocaine, are diverted from legitimate production and distribution networks.

Controlled substance analogues, commonly called designer drugs, are a form of synthetic drug. They are chemical variants of controlled substances and are typically very potent and have a high abuse potential. A problem in recent years has been that until each individual analogue could be identified and regulated, it was not illegal to manufacture, distribute or consume. With the passage of the Anti-Drug Abuse Act of 1986 (Subtitle E, Controlled Substance Analogue Enforcement Act of 1986) however, the production or distribution of any controlled substance analogue, all or part of which is intended for human consumption, is illegal, except under those circumstances provided for in the Act.

This chapter of the strategy will examine three related law enforcement efforts: control of the diversion of licit drugs from legitimate commerce and distribution networks; control of the diversion of chemicals used in the clandestine production of licit or illicit drugs; and identification and scheduling of controlled substance analogues. These interrelated programs, which are largely regulatory in nature, are critical elements of the overall national strategy.

Approximately one-fifth of all prescription drugs available in the United States are subject to the requirements of the Controlled Substances Act (CSA) <sup>1/</sup> because their abuse can result in addiction, habituation, or personal and social injury. The promise of great financial gains tempts individuals and organizations to divert these products from legitimate uses into illicit channels. Although these drugs have important medical

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<sup>1/</sup> The CSA is the common name for the Comprehensive Drug Abuse Prevention and Control Act of 1970, which provides the authority for controlled substance regulation and law enforcement. It includes the schedules for controlled substances, requirements regarding registration, recordkeeping, import/export activities, and penalties for violators among other things.

uses, they are narcotics, stimulants, and depressants of great potency that command prices in the illicit drug market hundreds of times greater than normal prescription costs. For example, a single tablet of the powerful narcotic Dilaudid, which costs approximately thirty cents at a pharmacy, can be sold in the illicit market for as much as \$75.00.

Because of the tremendous profit potential, millions of dosage units are illegally diverted from the estimated 25 billion units distributed legitimately each year. The abuse of pharmaceutical drugs is widespread in the United States: based on estimates from the 1985 National Household Survey on Drug Abuse, there are approximately 5.8 people currently using cocaine compared to 2.7 million currently abusing other stimulants, 2.5 million abusing analgesics, 2.2 million abusing tranquilizers, and 1.7 million abusing sedatives. Many of the abusers of prescription drugs also use illicit drugs; however, an estimated 1.4 million people abuse only prescription drugs. Adverse health consequences of the abuse of drugs of legitimate origin are clearly documented.

#### CONSTRAINTS ON EFFECTIVENESS

Controlling the diversion of legitimate drugs presents a unique law enforcement and public policy dilemma. Because these drugs have legitimate uses, there are limits the degree of control that can be employed. They are effective medicines widely used in health care programs, and the overwhelming majority of those involved in the manufacture and distribution of these products are honest and dedicated professionals. While they must be available in hospitals and pharmacies to treat patients, they are also powerful drugs of abuse and addiction and stringent controls are required to prevent their diversion to the



illicit market. The legitimate uses of these drugs require significant national and international commerce, and their effective control requires comprehensive monitoring worldwide.

Legitimate drugs are diverted through a variety of means involving both negligent and criminal acts. They are diverted from every level and component of the distribution chain, and from both national and international commercial networks. A successful strategy recognizes (1) the great threat that diversion of such drugs poses to public health and safety; (2) the wide range of enterprises and professions involved in diversion; (3) the need for an international approach to many aspects of the problem; and (4) the importance of protecting the necessary distribution and legitimate use of such drugs.

The diversion problem extends beyond legitimate drugs to virtually all illicit drugs except marijuana. The production of heroin, cocaine, and clandestinely produced drugs requires the use of various legally produced chemicals, most of which are obtained through diversion. The methods and motivation for diversion of these materials are essentially the same as those for the diversion of licit drugs, and the techniques for dealing with these problems are similar. In some cases, legal authority exists to control chemicals in the same manner as the drugs that are manufactured from them. In other cases, though, control currently is limited to voluntary assistance and program monitoring. While most of these programs have been successful, more thorough and effective measures for dealing with this widespread international problem are required.

Preventing the diversion of substances already scheduled under the CSA <sup>2/</sup> as having a high potential for abuse is only part of the control problem. As new drugs with abuse potential are developed, either licitly or illicitly, authorities must have the jurisdiction and resources to identify and schedule them in a timely manner. Except in the case of controlled substance analogues, which have been addressed in the Anti-Drug Abuse Act of 1986, until a substance has been scheduled and thereby regulated, there can be no law enforcement action regarding its manufacture, distribution, or abuse.

Although many controlled substance analogues are manufactured by legitimate firms for research, development, and ultimately, marketing, many others are manufactured by clandestine chemists and become substances of abuse. These substances create the effect of a controlled drug, but are chemically different and thus were not previously subject to the provisions of the CSA. As a result, individuals have been able to reap huge profits manufacturing and distributing highly dangerous substances without fear of prosecution. This situation made it critical that timely and effective action in regulatory control be viewed as a major law enforcement objective. By closing many of the legal loopholes utilized by analogue manufacturers in the past, and thus deterring the production and distribution of controlled substance analogues, the effective implementation of the Controlled Substance Analogue Enforcement Act of 1986 will play an important role in achieving this objective.

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<sup>2/</sup> The CSA contains five schedules or lists of substances. A substance is placed in a particular list according to its abuse potential, degree of accepted medical use, and physical or psychological dependency potential.

## MEASURES OF EFFECTIVENESS

Existing data systems provide some measures of success, as well as guidance for further action. The Drug Abuse Warning Network (DAWN) <sup>3/</sup> shows that in the period 1980-1985, national statistical estimates based upon actual emergency room mentions for licit drugs declined by 26 percent (down 33,731 mentions), suggesting considerable success in efforts to reduce the diversion and abuse of legitimate controlled substances. Although a variety of factors contributed to this reduction, the major portion is a direct result of government control and enforcement actions, particularly for methaqualone, pentazocine (street name T's and Blues), barbiturates, and amphetamine/methamphetamine products. Still, nearly 54 percent of the DAWN emergency room mentions in 1985 were for abuse of licit controlled substances; and abuse of certain licit drugs has, in fact, increased in recent years. Thus, although progress has been made, the Strategy supports strong programs to continue and enhance control efforts.

Another reliable measure of success is the national controlled substance distribution information contained in ARCOS. <sup>4/</sup> By reviewing the distribution of various drugs by State and

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<sup>3/</sup> DAWN is a national network of hospital emergency rooms and medical examiners in selected cities that report injuries and deaths in which drug abuse was a factor. Each drug involved in each incident (overdose, suicide attempt, car accident, etc.) is recorded as a "mention." The system relies on self-reporting by the victim.

<sup>4/</sup> ARCOS is the Automated Reports and Consolidated Order System. Registered manufacturers, distributors, importers, and exporters of Schedule II controlled substances and Schedule III narcotics report the production, sale, transfer, and destruction of these substances to DEA. ARCOS then routinely generates reports on per capita distribution by drug and by State.

population, the effects of control actions and investigative efforts are reflected. For example, between 1979 and 1984, national distribution of amphetamine declined from 1,059 kilograms to 317, a 70 percent decrease. This can be attributed to a combination of factors, including quota reductions, State restrictions on distribution for certain medical uses, and investigations and prosecutions. Similarly, 1983 ARCOS data showed Michigan as the number one State in per capita distribution of several Schedule II drugs of abuse. Following an intensive State and Federal project involving investigations and administrative sanctions, ARCOS showed that the per capita distribution in Michigan had dropped considerably, clearly demonstrating the project's success in reducing illicit diversion. ARCOS is one of the primary tools used by DEA and the States to detect such unusual geographic distribution and to target registrant <sup>5/</sup> violators. The results of such targeting actions can clearly be measured from subsequent ARCOS data.

#### ROLES OF U.S. AGENCIES

The Drug Enforcement Administration (DEA) is the principal U.S. agency responsible for enforcing the Controlled Substances Act. This is accomplished through a combination of regulatory actions, compliance monitoring, law enforcement, and liaison and leadership roles both nationally and internationally. DEA activities include:

- Monitoring the manufacture and distribution of controlled substances to ensure required quotas and controls are maintained;
- Registering and inspecting legitimate handlers of controlled substances;

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<sup>5/</sup> Registrants include physicians, pharmacists, dentists, veterinarians, and researchers.

- Identifying and scheduling drugs with abuse potential;
- Detecting and investigating actual instances of diversion and pursuing appropriate administrative, civil, and criminal remedies;
- Participating with domestic and international organizations to develop, improve, and implement control mechanisms; and
- Providing assistance and guidance to the States in their collateral control roles.

Because this area of the Strategy relates to drugs with substantial legitimate use in the United States, the National Institute on Drug Abuse (NIDA) and the Food and Drug Administration (FDA), both of the Department of Health and Human Services (HHS), play important roles in the control, decontrol, and rescheduling of substances with potential for abuse. In addition to its responsibility for synthesis and abuse liability testing of drugs with abuse potential, NIDA continually monitors the abuse of licit and illicit substances through its various epidemiological surveys and, with FDA, proposes scheduling recommendations to the HHS Assistant Secretary for Health. FDA provides the annual estimates of legitimate medical need for scheduled drugs to assist DEA in setting quotas and determines labeling requirements for drugs which are recommended for scheduling by the Assistant Secretary for Health.

As the agency responsible for the processing, monitoring, and regulation of persons and cargo into and out of the country, the United States Customs Service (Customs) plays an important role in preventing unauthorized drugs and chemicals from entering the country. Customs also participates in training programs and other policy initiatives with their foreign counterparts to improve monitoring and control in foreign countries.

The Federal Bureau of Investigation (FBI) has concurrent Title 21 jurisdiction with DEA and has assumed a significant role working closely with DEA, particularly in the investigation of controlled substance thefts from registrants.

As with all drugs of abuse, effective control is heavily influenced by effective deterrence. The Department of Justice Criminal Division and United States Attorneys play an important role in the National Strategy through aggressive investigation and prosecution of violators, in supporting administrative and control action through the court system, and in providing guidance and support to improved legislative and international control initiatives.

Each of the States has collateral responsibility both for licensing and controlling practitioners who are authorized to dispense controlled drugs in their State and for developing appropriate control strategies. A major component of the Strategy is the furtherance of a "national community" that provides effective action at all levels of government to prevent diversion, and which includes an enhanced role by the States to complement Federal initiatives.

#### THE STRATEGY

In an effort to continue and build upon the successes of the past four years and to develop new programs to deal with emerging problems, the Strategy regarding the diversion of licit substances and the production and distribution of controlled substance analogues focuses on five major areas. These elements rely heavily on effective implementation of the strong authorities provided in the Dangerous Drug Diversion Control Act of 1984, which are already proving effective, and upon the Anti-Drug Abuse Act of 1986 which, among other important

initiatives, calls for a significant expansion of the DEA's drug Diversion Control Program.

1. Domestic Diversion Investigative Activity.

The Strategy continues to rely on the three traditional types of diversion investigation programs. These are pre-registration, cyclic, and targeted investigations. Pre-registration investigations serve to assure that the authority to handle controlled substances is granted only to those individuals and companies whose registration would be in the public interest. These investigations serve as the first line of defense against diversion of controlled substances. Cyclic investigations are periodic, unannounced investigations of manufacturers, distributors, importers, and exporters both to ensure that required controls are maintained and to detect control weaknesses and diversion. They serve to deter and detect diversion from registrants and provide investigative leads for targeted investigations. Targeted investigations are conducted when major violations of controlled substance laws and regulations are suspected. These investigations seek criminal prosecution of registrants for illegally dispensing and distributing controlled substances.

A new tool to be increasingly used in the diversion program is the "Public Interest Revocation" (PIR) authority provided by the Dangerous Drug Diversion Control Act of 1984. This authority allows DEA to administratively revoke, suspend, or deny a diverting practitioner's prescribing and dispensing privileges, rather than pursuing more lengthy criminal prosecution. Administrative action to deny access to controlled drugs is an effective way of quickly immobilizing this type of violator, and is a major improvement over the previous limitations on Federal authority in this area. DEA has established 126 additional investigative positions to carry out the PIR program, and it is

expected that 1,200 PIR investigations will be conducted during fiscal years 1986 and 1987. This should have a major impact on the principal source of diversion in the United States--licensed practitioners.

The PIR authority is not intended as a substitute for criminal prosecution of registrant violators. The investigation and prosecution of major violators will continue to be a top priority of the diversion control program. Overall, PIR will allow DEA to deal with lesser violators far more expeditiously than in the past, and thus allow a more intensive effort in the investigation and prosecution of major violators.

Historically, diversion cases have been difficult to prosecute due to the large volume of documentary evidence. The Department of Justice will accelerate these investigations and prosecutions both through the use of improved computer technology and through better guidance and training for investigators and prosecutors. Computer software has been developed to aid in drug prescription analysis. This new software, used with microcomputers, will reduce the time necessary to analyze drug prescription evidence, facilitate the analysis of data to produce investigative leads and assist in trial preparations, assist in the preparation of data for expert witness testimony, and produce graphics for presentation to the jury. Two successful pilot programs were conducted in 1985 with these resources, and increased assistance of this type is planned for future major diversion cases. In addition, training for this program and others is being incorporated into courses and regional conferences for investigators and prosecutors of diversion cases.

Another way in which controlled substances are diverted is by theft from registrants. Between April 1984 and June 1985, 3,105 burglaries and armed robberies of controlled drugs were reported to DEA. The Controlled Substance Registrant Protection



Act of 1984 was designed to combat this problem. Under this law, the Department of Justice is responsible for investigating robberies and burglaries of controlled substances from DEA registrants under certain conditions.

The FBI has conducted 114 investigations under this new authority through mid-1986. In addition to State and local prosecutions, these investigations have led to several Federal prosecutions, with penalties of up to 25 years imprisonment. The Department of Justice has recently publicized the Act's existence to Federal, State and local authorities, and it is likely that the number of prosecutions will grow as a result of this significant new legislation.

DEA has recently improved its Diversion Investigators Training Program by lengthening the entry level program and including new aspects of the Comprehensive Crime Control Act into the training.

## 2. State and Local Initiatives.

Much of the diversion of licit drugs occurs through doctors and pharmacies at the retail distribution level. Accordingly, the Strategy will continue to support the diversion control efforts of the individual States, which bear primary responsibility for the licensing, regulation, and investigation of practitioner registrants. The Federal government will assist the States with legislative enhancements, improved information systems, and joint investigative projects.

As part of this effort, the Anti-Drug Abuse Act of 1986 authorizes the establishment of a new drug law enforcement grant program. An application for these grants must include a statewide strategy "for the enforcement of State and local laws relating to the production, possession, and transfer of

controlled substances." Those States that have incorporated adequate diversion control laws and regulations into their strategy, in addition to satisfying other criteria, will be prime candidates for Federal drug law enforcement grant funding under this program.

In March 1986, DEA sponsored the Second National Conference on Diversion and Control, attended by health and law enforcement policy officers from 43 States, the District of Columbia, and Puerto Rico. Recent Federal legislative initiatives and innovative State statutes were discussed with a view towards encouraging similar legislation elsewhere. Various workshops explored ideas and made recommendations for States' consideration in areas such as license revocations, scheduling, and investigations. DEA is sponsoring in 1986 and 1987 State working groups to develop these recommendations and will provide direct support for individual State initiatives in these areas.

Diversion control resources, program structure, and authority vary widely among the States. In late 1985, DEA began to prepare a comprehensive State assessment package with several goals:

- To provide a national picture of resources, structures, authorities, and results at the State level, both as a performance measure and as a standard of comparison for individual States;
- To provide a reference point for the individual States relative to their own diversion problem and the resources devoted to it;
- To provide a reference or resource guide for States seeking to restructure or enhance their programs; and
- To identify areas requiring concentrated DEA attention.

This assessment program is scheduled for completion by mid-1987.

In another support effort, DEA will identify individual drug or geographic diversion problems for intensified investigative and programmatic concentration jointly with the States based on a successful program in Michigan. In 1984-1985, the State of Michigan, in conjunction with the Federal government, established the Diversion Impact Program designed to attack one of the major diversion problems in the United States at that time. ARCOS data had documented that Michigan, and Detroit in particular, was the number one State in per capita distribution of several Schedule II drugs. In 1983 for example, Michigan received up to 35 percent of the methamphetamine distributed in the United States, yet had less than six percent of the U.S. population. A Governor's task force was established and a combination of intensified DEA, FBI, IRS, and State Police investigations, in conjunction with industry cooperation, led to stronger prescription rules, numerous license revocations, and criminal prosecutions against registrants. This led to a dramatic reversal in the Michigan situation, and by early 1985 Michigan's per capita distribution of these Schedule II drugs had dropped markedly.

As an element of the Strategy, DEA will continue to identify areas for strategic concentration. Late in 1986, an intensified effort similar to Michigan's program began in Pennsylvania, currently ranked number one in the illegal diversion of synthetic stimulants.

### 3. International Diversion.

Diversion of licit drugs into illegal channels and the abuse of these substances, like other elements of the larger drug situation, is a complex international problem. Various drugs with legitimate medical uses, but also a high potential for abuse, are produced in many countries and shipped throughout the world through normal transportation networks. For the most part,

these substances are manufactured for legitimate purposes, but they often find their way into illicit channels of distribution. With the wide variety of drugs, sources, and transportation modes and routes, it is extremely difficult to control diversion in the international marketplace. Most nations are unknowing participants in the diversion process--either as source, transshipper, or recipient of the drugs.

Over the last several years, the international community has become increasingly aware of the diversion of large amounts of legitimately produced substances from international commerce into illicit drug trafficking networks. International drug authorities continue to encounter a growing number of high abuse potential substances of legitimate origin in illicit international trafficking investigations. For example, huge amounts of diazepam and secobarbital have been diverted to produce millions of counterfeit Quaalude and Mandrax tablets. The overall diversion problem is of such scope that it requires an international response to effectively control the movement of psychotropic substances in international commerce.

A number of joint cooperative efforts initiated by the United States will be continued to combat international diversion. These include:

- The Drug and Chemical Watch Manual, developed by DEA, contains information about past seizures and can be used as a guide in inspections and in reviewing manifests. This manual has been translated into four languages and distributed to customs and law enforcement authorities throughout the world;
- International training seminars developed by DEA and Customs in conjunction with international organizations such as the International Narcotics Control Board, Interpol, and the Customs Coordinating Council;
- United Nations resolutions and working agreements with international organizations to speed the exchange of

information regarding questionable international shipments and verification of import/export orders;

- Regional conferences for drug and chemical manufacturing nations; and
- In-country seminars on diversion control conducted for health, law enforcement, and customs officials.

Each of these programs has strengthened the "international community" approach and has led to timely and informed intelligence and enforcement action. All of these programs will be continued as part of the Strategy.

To support these types of programs, the international community must continue to address diversion issues. The United Nations Commission on Narcotic Drugs is the proper forum for this discussion. The Assistant Secretary of State for International Narcotics Matters is the U.S. representative to the U.N. Commission and chairs the U.S. delegation attending its meetings. The United States will continue to exercise its leadership role within the Commission by encouraging increased awareness and attention to diversion issues, and by sponsoring and supporting resolutions urging strong measures against all forms of drug trafficking. Specifically, the United States will continue to provide strong support for a new draft convention on drug trafficking as called for by the Secretary General of the United Nations. Such a new convention would be a major step toward a unified international effort against drug traffickers.

The United States will continue to initiate and sponsor regional conferences for drug and chemical manufacturing nations to discuss diversion issues, exchange information, and strengthen the international commitment to diversion control efforts. The regional program that began in Europe in 1984 will continue, as will similar programs with individual Asian nations that began in 1986. Additionally, the United States will continue to provide

diversion control training to strategic countries, and to support Interpol and the Customs Cooperation Council in their training efforts.

An area that requires increased emphasis is control over diversion of legitimate substances in free trade zones. There are over 400 tax-free trade zones, free ports and similar designated areas of the world. While these areas benefit legitimate importers and exporters through a variety of customs privileges, drug traffickers often exploit the vulnerability of these facilities. These zones and ports are primary transit points for diverted, legitimately produced substances destined for the illicit U.S. market. Action is required to establish workable programs to inspect cargos and audit shipping documents in major free ports and trade zones. The United States has submitted for consideration an appropriate resolution calling for the establishment of controls in free trade areas in a new United Nations draft convention, and will pursue agreements with foreign counterparts to deny the use of these facilities to drug traffickers.

At U.S. Ports of Entry, Customs will strengthen diversion control by using the Drug and Chemical Watch Manual and broadening its Automated Commercial System (ACS) to include additional information about diverted drugs. The ACS provides Customs Inspectors with specific instructions, or "watch criteria" by country of origin, commodity, and importer. DEA has provided a partial list of chemicals, by tariff number, requiring an import or transit license and will identify additional chemicals. Inspectors will then ensure that proper licenses are presented upon importation.

#### 4. Chemical Monitoring and Tracking.

Similar to the problem of diversion of licit drugs is the diversion of various legitimate chemicals required for the production of all major drugs of abuse other than marijuana. These chemicals, some with very limited legitimate uses and others with broad industrial applications, are diverted from legitimate commerce in much the same way as controlled drugs; they then are sent to clandestine laboratories and illicit heroin and cocaine processing centers throughout the world. In the United States, they are used primarily for cocaine processing and in the production of PCP, amphetamine, and methamphetamine.

These chemicals fall into two major categories--precursor chemicals and essential chemicals. Precursor chemicals become part of the final product. Examples of these are piperidine which is used in the manufacture of PCP, and anthranilic acid which is used in the manufacture of methaqualone. Essential chemicals are substances that may be used in the manufacturing process as a solvent, reagent or catalyst. Examples of these are ethyl ether, which is used to process cocaine, and acetic anhydride, which is used to process heroin.

The diversion of these chemicals presents a more difficult problem than licit drug diversion because few of them are under a mandatory control system. In fact, many of the essential chemicals have broad domestic and international applications in industry, and scheduling them as controlled drugs would not be practical in most cases. Others, particularly some precursor chemicals, have quite limited legitimate applications, and scheduling is more feasible.

Since the mid-1970s, DEA has maintained a voluntary chemical control program that has been successful in providing investigative leads resulting in the disruption of numerous clandestine

laboratory operations. Despite these successes, however, the increased level of clandestine laboratory activity, and the growing number of drug deaths and injuries attributable to clandestinely produced drugs, suggest that the voluntary precursor and essential chemical programs are not sufficient.

As part of the Strategy to combat chemical diversion, DEA will develop legislation and supplement existing resources in an effort to create a system of controls over certain precursor and essential chemicals manufactured and distributed within the United States or crossing the borders as imports or exports. The legislation will authorize regulations to require record-keeping by legitimate handlers, identification of purchasers, reporting of suspicious orders, and import/export controls, as has been done with piperidine. It will be designed to keep the key precursor and essential chemicals out of the hands of drug traffickers, without interfering with legitimate commerce in these chemicals. These regulations likely will cause a major disruption in the availability of such chemicals to drug traffickers, and will provide valuable leads and intelligence to identify illegal activity.

These new controls would, of course, apply only to the United States. However, most cocaine and much of the heroin available in the world is processed in South America and Asia, and vast quantities of chemicals are required to support these operations. Chemical diversion control programs are required worldwide, both in countries that produce the chemicals and those that produce illicit drugs from them. Some countries have already instituted chemical legislation, such as Colombia for ether, India for acetic anhydride, and Argentina for a variety of precursor and essential chemicals. The United States has submitted resolutions for consideration in the new draft international convention on drug trafficking that contain strong



language supporting legislation and program monitoring to control chemical diversion.

5. Controlled Substance Analogues.

Controlled substance analogues, commonly known as designer drugs, have become increasingly available and dangerous in recent years. These substances are chemical variants of controlled drugs of abuse and are manufactured by so-called "kitchen" chemists in illicit laboratories. Because they differ--however slightly--in chemical composition from the controlled substances they imitate, until recently they have been beyond the reach of the law. If and when a particular analogue becomes known to authorities, steps can be taken to control it. Normal procedures to schedule a drug can take a year or more, during which time new variants can be created.

The Diversion Control Amendments of 1984 address this problem and provide a partial solution. They authorize placing a drug in Schedule I for up to one year on an emergency basis if the Attorney General determines that this is necessary to avoid an imminent hazard to public health and safety. This authority has already been used to place thirteen analogues in Schedule I since October of 1984. These include several powerful analogues of fentanyl, which have been responsible for over 100 deaths.

Although the emergency scheduling provision has been a valuable weapon against controlled substance analogues, until recently clandestine chemists still could stay one step ahead of the law by creating new variants that were uncontrolled and therefore not illegal. Rather than approach each of these analogues individually as they were developed, the entire process of producing these chemical variants had to be addressed. In response, the Controlled Substance Analogue Act of 1986 makes it unlawful to manufacture, distribute, or possess with the intent

to distribute a controlled substance analogue intended for human consumption, unless such activity is in conformance with appropriate provisions of the Federal Food and Drug Cosmetic Act. Now any individual who offers for sale a substance similar either in chemical structure or effect to a controlled substance is subject to arrest and prosecution. Hence, controlled substance analogue chemists are no longer free to create slight chemical variants of these substances simply because they have not been formally scheduled. The effective implementation of this new legislation is crucial to the success of the Government's program to combat controlled substance analogues and is a primary objective of the Strategy.

DEA and other agencies will continue to focus on these very potent controlled substance analogues by monitoring drug deaths and injuries and through laboratory analyses, both to study known substances and to identify new variants and the extent of their abuse and trafficking. To this end, DEA and NIDA will enact a recent agreement for the synthesis of controlled substance analogues which have been scheduled under the emergency provisions. These materials will be tested by the National Institute on Drug Abuse (NIDA) for abuse potential, and will also be made available through DEA to forensic laboratories for reference standards. Additionally, NIDA will provide these drugs to scientists for basic research purposes.

The emergency scheduling procedure allows one year to perform the analysis necessary for a permanent control recommendation. In these emergency cases, the Food and Drug Administration (FDA) will place a high priority on making permanent control recommendations by expediting necessary testing and information exchanges. In normal scheduling actions, in order to minimize delay in marketing new drugs, FDA will conduct its scientific and medical evaluation of abuse potential and make its scheduling recommendation earlier in the review process.

This will allow DEA more time to complete the scheduling process so that marketing approval and CSA control will occur near the same date.

DEA is planning to establish a data system that will collect the results of drug analyses performed in State and local laboratories. These laboratories are valuable sources of information concerning the availability, abuse, and trafficking of specific drugs. Currently there is no formal mechanism by

which these laboratories routinely report this type of information; it is done strictly on a voluntary basis initiated by the local laboratory. The DEA system routinely would collect information generated by the analysis of drug evidence submitted to forensic labs, and would complement existing DEA and HHS systems in monitoring new drugs of abuse, including controlled substance analogues. A pilot program is planned by the end of fiscal year 1987.

Through DAWN and other existing and planned systems, the United States will continue to monitor both controlled and non-controlled drugs to assess the need for additional scheduling and diversion control efforts, in addition to watching for new drugs of abuse, particularly controlled substance analogues. The United States will also continue to cooperate with international drug control bodies to assure that information on trafficking and abuse of legally produced drugs is widely disseminated, and to encourage more effective diversion control and scheduling actions at the international level.

## CHAPTER IX:

### DRUG LAW ENFORCEMENT'S ROLE IN REDUCING THE DEMAND FOR DRUGS

#### INTRODUCTION

Law enforcement officials can play an important role in reducing the demand for drugs, not only through the deterrent effect of their enforcement efforts, but also through their participation and leadership in drug abuse education and prevention projects. Attacking the demand for drugs is a crucial component of this Nation's strategy to reduce drug abuse. As Attorney General Edwin Meese III has stated:

Whether we succeed in the long run is going to depend really upon the American people themselves. No amount of law enforcement will ever be sufficient to provide the resources against the drug supply or truly eliminate the scourge of drugs from our society as long as our citizens, particularly our young people, choose to use drugs.

Law enforcement officials can use their unique knowledge of drug trafficking and abuse and their credibility to educate both adults and youth to help prevent drug abuse and reduce related social costs. Because of the close association between drug abuse and other crimes, these officials are confronted continually with the problem of drug abuse, and have a special understanding of its effects on individuals, families, and communities. Furthermore, cooperative efforts between communities and law enforcement agencies on drug abuse foster positive attitudes toward law enforcement generally.

Demand reduction programs involve many segments of society. Businesses, civic groups, drug abuse prevention professionals, media, parents, religious groups, and schools can all work together to present the clear message that drug abuse is unacceptable in American society.

The contribution of law enforcement in demand reduction programs can be demonstrated by qualitative and incremental indicators, including: the extent to which State and local law enforcement agencies enforce drug possession laws; the degree to which law enforcement officials and the community are informed about drug trafficking and abuse; the existence of quality programs to reduce the demand for drugs; and the prevalence of attitudes reflecting the unacceptability of drug abuse.

The ultimate measure of success of any demand reduction program is a pattern of reduced drug abuse. Just as law enforcement officials often have difficulty measuring the impact of a particular enforcement activity on drug availability, it also can be difficult to measure the effectiveness of particular education and prevention efforts in terms of the ultimate goal of reduced drug abuse. Reducing substance abuse is a long-term process that involves changing attitudes. Even if changes in attitudes about drug abuse and drug abusing behavior can be accurately measured, these changes are often the result of many different factors and may not be attributable to a particular program. There are some indicators, discussed in the sections to follow, that gauge how a particular program may affect such attitudes and behavior.

Although drug law enforcement can make a significant contribution to efforts to reduce the demand for drugs, the primary agencies within government charged with establishing drug abuse prevention programs include the Department of Health and Human Services and the Department of Education in the Federal Government, and State and local health agencies. This Strategy recognizes the paramount role of these agencies, but focuses on law enforcement's role in demand reduction. Ultimately, it is American society and the drug abusers themselves who bear responsibility for reducing the demand for drugs by being intolerant of drug abuse and by not abusing drugs.

## CURRENT DRUG LAW ENFORCEMENT DEMAND REDUCTION PROJECTS

### Federal Efforts

Several Federal law enforcement agencies are already involved in efforts to reduce the demand for drugs. Described below are some of these projects.

The Drug Enforcement Administration (DEA) and the Federal Bureau of Investigation (FBI) concentrate efforts to reduce the demand for drugs on their jointly sponsored Sports Drug Awareness Program. DEA launched this program in June 1984 and was joined by FBI in November of that year. The program seeks to prevent drug abuse among school age youth, with special emphasis on the role of the coach and student athlete. With the coaches' commitment to preventing drug abuse, student athletes are encouraged to become role models, using positive peer pressure to dissuade other students from abusing drugs.

The Sports Drug Awareness Program includes brochures that inform coaches and provide guidelines, and an action plan to start a drug abuse prevention program for student athletes. In addition, DEA and FBI Special Agents and Public Affairs staff, players and officials from professional sports, and high school coaches who have implemented successful prevention programs present clinics for coaches to help them develop a program in their high schools. To spread the message of the Sports Drug Awareness Program further, during 1985 and 1986 program organizers developed public service announcements featuring prominent sports figures. Interest in the sports program has spread to numerous foreign countries, and in March 1986, DEA sponsored a two-day conference in Belgium to discuss the program with European officials.

In addition to the Sports Drug Awareness Program, DEA distributes several publications, including Drugs of Abuse and Drug Enforcement magazine, that provide factual information about drugs and warn of the dangers of drug abuse. DEA also provides technical assistance and information to local law enforcement agencies to help them develop prevention programs. In April 1986, DEA created a Demand Reduction Section to direct its drug abuse education and prevention efforts. This section is focusing initially on the Sports Drug Awareness Program, while other projects are formulated. The FBI also is developing its role in demand reduction efforts.

Customs, DEA, IRS, and the FBI participate in the Law Enforcement Explorers Program of the Boy Scouts of America. Customs sponsors approximately 30 explorer posts throughout the country, teaching the participants about all areas of Customs activity. The program includes drug awareness and encourages Boy Scouts to spread the "no drug use" message to their peers. DEA worked with the Boy Scouts of America and Texans' War on Drugs to sponsor a drug abuse prevention training seminar for explorer posts in six Texas communities. As a result of the pilot project, a law enforcement explorer drug abuse prevention guidebook was developed and distributed to 2,000 law enforcement explorer posts across the country in 1985. IRS provides staff support at the biannual National Law Enforcement Conferences. At the most recent conference, IRS developed and coordinated competitions in law enforcement subjects and sponsored an exposition of public service projects done by individual Explorer posts.

The FBI participates in biannual conferences with the Explorer Branch of the Boy Scouts. In general, the Bureau encourages the Special Agents in Charge of its 59 Field Offices to participate in community drug prevention programs. In addition, DEA and the Bureau recently added a major drug abuse

prevention exhibit to the FBI tour and expects that the exhibit will be viewed by 500,000 tourists annually.

United States Attorneys are a powerful new force in efforts to reduce the demand for drugs. The Attorney General has encouraged the 93 U.S. Attorneys nationwide to use their positions as chief legal officers of the Federal Government in their districts to support the drug demand reduction efforts of private citizens. The Attorney General's Advisory Committee, composed of U.S. Attorneys, has formed a Drug Abuse Prevention Subcommittee to provide guidance and support for U.S. Attorneys' drug demand reduction activities.

U.S. Attorneys often direct their prevention efforts through the Law Enforcement Coordinating Committee (LECC) program, which coordinates Federal, State, and local law enforcement activity within each district. For example, under the leadership of one U.S. Attorney, the LECC established a statewide coalition on substance abuse, comprised of community and business leaders working with drug abuse professionals and law enforcement officers.

U.S. Attorneys in many parts of the country are already involved in the drug prevention effort. In Washington, D.C., the Black Assistant United States Attorneys Association has worked with the District of Columbia school board to develop a drug abuse education program for high school students. The program is intended to educate students about drug abuse, develop a rapport between the students and the law enforcement community, and clarify the legal ramifications of drug possession and distribution. The success of this effort prompted the Department of Justice to develop its own drug education program. U.S. Attorneys present the programs, which are tailored to each community's needs, to high school students throughout the country.



In support of U.S. Attorneys efforts in this area, the Executive Office for U.S. Attorneys (EOUSA), within the Department of Justice, maintains extensive information on drug abuse education and prevention that is available for all districts. Within EOUSA, the LECC staff compiles current prevention research, articles, speeches, and videotaped presentations for use by the U.S. Attorneys' offices, and shares successful demand reduction activities developed by U.S. Attorneys with other districts. EOUSA also helps to identify and schedule speakers for LECC-sponsored demand reduction meetings.

#### Local Efforts

Throughout the country, State and local law enforcement officials participate in many programs designed to reduce the demand for drugs. Described below are two programs that exemplify the effectiveness of law enforcement involvement in the prevention effort. These programs focus on younger children before they are likely to be using drugs. The curricula have been carefully developed and evaluated by drug abuse prevention experts, and a uniformed officer with extensive training works with students and their parents over an extended period of time.

The New York City Police Department and Board of Education launched Operation SPECDA (School Program to Educate and Control Drug Abuse) in September 1984 to alter young people's attitudes and increase awareness about drug abuse, build a basis for a positive and ongoing dialogue between police and youth, and expand the cooperative relationship between the New York City Police Department and Board of Education. In addition to its educational component, SPECDA includes increased enforcement, focusing on illegal drug sales within a two-block radius of New York City schools. SPECDA's education program consists of 16 sessions during the fifth and sixth grades. These are team taught by a thoroughly trained, uniformed police officer and

Board of Education drug counselor, with participation by the students' regular teacher. SPECDA's curriculum focuses on areas identified by professionals as most effective in preventing drug abuse, including self-awareness, peer pressure and strategies to resist it, developing positive decision-making strategies, consequences of drug abuse, and alternative activities to drug abuse.

SPECDA also includes an assembly program for children in kindergarten through fourth grade and for junior high school students. Recognizing the importance of parental involvement in preventing drug abuse, SPECDA offers an evening workshop program for parents, led by the same team that works with the students. These meetings inform parents about drug abuse and SPECDA, and encourage parents to reinforce the SPECDA message. During the past school year, 154 schools in seven districts participated in SPECDA. Approximately 19,500 students were exposed to the classroom program, with another 15,000 students per month participating in the assembly program.

Los Angeles law enforcement and school officials also cooperate in a drug abuse prevention program called DARE (Drug Abuse Resistance Education). Begun in 1983, DARE combines the efforts of the Los Angeles Police Department and Unified School District to teach fifth and sixth grade students how to say "no" to drugs. Currently, 19 Los Angeles Police Department officers work full-time on the project, meeting once per week with their classes. The officers participate in a five-week training program, and then present a curriculum including information about drug abuse, resisting peer pressure, building self-esteem, managing stress, media influences on drug use, and alternatives to drug use. The officers also prepare an abbreviated program for students in kindergarten through fourth grade and for parents.

A private institute, contracted to evaluate the DARE program in 1984, surveyed students who had participated in DARE and those who had not. The survey results demonstrate that those students who had participated in DARE had significantly better knowledge and attitudes about drug abuse than those who had not participated. In addition, teachers and principals reported improved student attitudes toward law enforcement personnel; reductions in gang activity, vandalism, truancy, and disciplinary actions; and more positive attitudes toward school. Officials in Los Angeles hope that DARE eventually will become a part of the regular curriculum for Los Angeles' 280,000 elementary school children, if adequate funding can be obtained from local citizens and businesses.

#### THE STRATEGY

The 1984 National Strategy for Prevention of Drug Abuse and Drug Trafficking states as an objective of drug law enforcement:

Full involvement by all levels of law enforcement in contributing to drug abuse awareness and prevention.

This Policy Board Strategy details this "full involvement" in reducing the demand for drugs, provides the framework for a flexible response to the problem at the community level, and calls for law enforcement to:

- Enforce laws concerning both drug trafficking and drug possession;
- Inform themselves and the public about the consequences of drug trafficking and drug abuse;
- Support current demand reduction efforts that state that drug abuse is unacceptable;
- Facilitate communication among groups engaged in demand reduction activities whenever coordination is desirable; and

- Initiate drug abuse education and prevention activities if the community lacks sufficient projects.

1. Enforcement.

In addition to health and social consequences, drug abusers risk criminal sanctions for their behavior. The mere existence of criminal sanctions contributes to an extent to reducing the demand for drugs. The illicit status of drugs, combined with visible enforcement of the laws, deters some individuals from ever using drugs because they accept society's determination that drugs are harmful, or because they do not wish to risk the legal consequences of drug possession. Further, strict enforcement encourages some drug abusers to seek treatment.

As discussed in Chapter VII on investigation and prosecution, State and local authorities usually deal with lower-level traffickers and drug abusers while the Federal Government generally focuses on high-level drug traffickers. Federal enforcement efforts against these traffickers help to educate the public about the drug problem, thus contributing to a broad effort to reduce the demand for drugs. Accordingly, it is important for Federal officials to continue publicizing traffickers' arrests, convictions, and sentences.

State and local law enforcement officials should vigorously enforce the laws concerning drug sale and possession to provide a credible deterrent to drug abuse and to reinforce the growing consensus that drug abuse is not acceptable behavior. In particular, students found to be in possession of drugs in school should be arrested. In addition, because the decriminalization of marijuana possession undermines the standard of the unacceptability of drug use, the 11 States that have decriminalized marijuana possession should recriminalize this offense. The sale of drug paraphernalia further undermines this

Nation's anti-drug efforts and should be prohibited in the 12 States that lack such legislation. The recently enacted Federal Drug Possession Penalty Act and Mail Order Drug Paraphernalia Control Act, contained in the Anti-Drug Abuse Act of 1986, discourage the illegal possession of controlled substances by enhancing penalties and encourage the prohibition of drug paraphernalia by prohibiting its interstate sale and transportation.

In September 1986, the President signed an Executive Order designed to promote a drug-free Federal workplace and authorizing drug testing for Federal employees in sensitive positions. Although several Federal law enforcement agencies had already adopted a drug testing program for their agents, the Executive Order classifies all law enforcement officers as holding sensitive positions, and thereby subject to mandatory testing. This policy recognizes the important leadership role that law enforcement officials must play in demonstrating that drug abuse is unacceptable behavior; their credibility and image are critical in this regard. State and local law enforcement officials that have not already done so should follow the Federal lead and institute appropriate drug testing programs.

The existence and enforcement of the laws and regulations discussed above will be considered among the criteria in determining the allocation of Federal funding for law enforcement activities to State and local governments, including DEA's State and Local Task Forces and the grants available to the States from the Bureau of Justice Assistance.

## 2. Information/Awareness.

Law enforcement officials have a unique perspective on the drug problem because they confront it constantly. They should continue to use this knowledge and their credibility to inform

the public about drug trafficking and abuse. Law enforcement personnel involved in reducing the demand for drugs must have accurate, current information about the basic pharmacology of drugs, effects of drug abuse and trafficking, and drug abuse prevention techniques. Federal law enforcement agencies involved in education and prevention efforts must work closely with the National Institute on Drug Abuse (NIDA) to ensure that they are properly informed about drug issues. State and local law enforcement officials should work with NIDA and their State substance abuse office to obtain such information.

Federal law enforcement officials will continue to use their expertise to elevate public awareness about drug trafficking and its global effects. State and local officials should continue to focus on informing their communities, particularly parents, about drug abuse and its effects on individuals, families, and communities. Law enforcement professionals are in a unique position to enlighten both adults and youth about the legal consequences of drug possession and sale. Policemen, District Attorneys and their assistants, Federal agents, and U.S. Attorneys and their assistants, should promote drug awareness through speeches and discussions with civic and other groups, appearances on radio and television talk shows, and other activities.

### 3. Support Current Programs.

The Anti-Drug Abuse Act of 1986 authorizes the appropriation of significant new funding for Federal, State, and local drug abuse education, prevention, and treatment programs. In addition, the Act establishes an Office of Substance Abuse Prevention in the Alcohol, Drug Abuse, and Mental Health Administration of the Department of Health and Human Services. In general, however, the effort to reduce the demand for drugs is sponsored primarily by the private sector. For example, there

are currently more than 9,000 parent groups across the country dedicated to eliminating drug abuse by youth. Businesses, churches, schools, and many other organizations already have drug abuse education and prevention programs in place. In communities with these programs, law enforcement's role is to support these activities by providing the law enforcement perspective.

One particularly promising means to reduce drug abuse is advertising in the form of public service announcements. The media have a strong influence on behavior in our society. For example, largely as a result of a sustained media campaign, cigarette smoking has declined significantly. NIDA has produced and launched major drug abuse media campaigns and is providing technical assistance and guidance to the American Association of Advertisers for its new anti-drug abuse campaign. Law enforcement officials should lend their expertise and full support to this effort.

Federal, State, and local law enforcement agencies involved with Parents Groups and other private sector organizations should work closely with NIDA and the Office of Substance Abuse Prevention (OSAP). The OSAP will sponsor workshops, develop prevention literature, conduct training, and provide technical assistance and evaluation of the drug-free schools and communities program in conjunction with the Secretary of Education. OSAP will also operate a combined public information clearinghouse for drugs and alcohol.

#### 4. Communication.

The numerous groups involved in reducing the demand for drugs should exchange information about their activities. Such communication fosters cooperation and can reduce the level of competition that sometimes exists among these organizations. Law enforcement should initiate this communication in communities

where it is lacking. For example, one U.S. Attorney's Law Enforcement Coordinating Committee coordinator edits a newsletter that details drug abuse education and prevention activities in the State.

Communication among law enforcement authorities about reducing the demand for drugs is important. Several Federal law enforcement agencies currently are assessing their appropriate role in this area. As attention continues to focus on the demand reduction issue, many law enforcement officials are expressing interest in increasing their involvement in education and prevention activities. While law enforcement personnel have a particular expertise and perspective on the drug problem, they are not, generally, experts on health issues or the best methods to reduce drug demand.

Therefore, the Strategy calls for the formation of a working group under the auspices of the White House Drug Abuse Policy Office (DAPO) to develop channels of communication between law enforcement officials and experts on drug abuse and prevention. This group would share information about current programs in demand reduction, exchange ideas about what programs have been most effective, and make recommendations to DAPO and the Policy Board on the subject. The working group should include individuals from the private sector and all levels of government, representing the complete range of expertise on reducing the demand for drugs.

##### 5. Initiating Programs.

In those communities with no drug abuse education or prevention activities, law enforcement officials should make the community aware of the drug abuse problem. They should encourage the formation of parent and other groups, referring interested parties to the national organizations that will help such groups



get started, such as the National Federation of Parents for Drug-Free Youth. All levels of law enforcement, including Federal enforcement agency field offices, LECC's and others should notify these national organizations if their community is lacking in quality prevention projects. Law enforcement officials should work closely with the local board of education to initiate effective drug abuse programs in the schools.

6. Criminal Justice System.

The criminal justice system plays an important part in fighting the problem of drug abuse. Because a significant percentage of all arrestees are drug abusers, the point of arrest can provide an opportunity for entry into drug treatment. In lieu of prosecution, courts often direct an individual identified as a drug abuser and charged with a crime into a drug treatment program. In fact, current literature indicates that mandatory treatment often has a positive effect on both drug abuse and crime. The Strategy calls on judges to educate themselves about the effects of drug abuse and about the availability and effectiveness of drug treatment facilities.

In addition to directing defendants to treatment, the criminal justice system in some locations uses drug tests for arrestees to identify drug abusers and deter drug abuse, thus reducing rearrest rates. Recent studies in New York City and Washington, D.C. have found that approximately 50 percent of arrestees charged with serious crimes had illicit drugs in their system at the time of arrest and that pretrial rearrest rates were 50 percent higher for drug-abusers than for non-abusers. Remaining drug-free, as verified by drug tests, sometimes is used as a condition of pre-trial release, probation, and parole. Because of the potential effectiveness of drug tests as a means

of reducing drug abuse by some arrestees, and thus reducing drug-related crime, police departments, courts, and correctional facilities should consider routinely testing arrestees.

Strict enforcement of drug possession laws and implementation of drug testing within the criminal justice system involve additional costs for courts, prisons, and enforcement agencies. Drug treatment can alleviate the burden on correctional facilities to a degree; however, many States report that there are more people seeking treatment than there are treatment facilities available for them. By expending resources on treatment facilities to interrupt the drug abuse-crime cycle, the criminal justice system can reduce the number of repeat offenders.

#### 7. Funding.

Much of the funding for drug abuse education and prevention programs is provided by the Federal Alcohol, Drug Abuse, and Mental Health Services Block Grants (ADMS) through the States and through private sector initiatives. However, as law enforcement and other groups are becoming more involved in the effort to reduce the demand for drugs, competition for funding is increasing. State and local governments are encouraged to use money available through asset forfeiture as a supplemental source of funding for demand reduction programs in which law enforcement plays a key role. State and local governments that have participated directly in the seizure and forfeiture of assets are eligible to share the forfeited assets to be used for law enforcement purposes. The School Program to Educate and Control Drug Abuse (SPECDA) in New York City, discussed previously, has been funded in part by monies derived through asset forfeiture, and demonstrates that law enforcement can use the profits of drug trafficking to help reduce the demand for

drugs. In addition, law enforcement agencies at all levels of government should recognize that drug abuse prevention is a legitimate part of their mission, and should be considered as such in budgetary decisions.

## CHAPTER X: MEXICO AND THE SOUTHWEST BORDER

### INTRODUCTION

Drug traffickers operating in Mexico have increased their production of heroin and marijuana and are transshipping more South American cocaine destined for the United States. A variety of factors have contributed to this expansion, most notably enforcement pressure elsewhere in the hemisphere, a deterioration in Mexico's economic conditions, a proximity to American markets, the difficulty in patrolling the long and vulnerable Southwest border of the United States, a reduced effectiveness of Mexican eradication efforts, and corruption among some Mexican officials. In addition, Mexican criminal organizations have exhibited increasingly violent drug-related behavior, including a role in the murder of one Drug Enforcement Administration agent and the torture of another.

In response to these problems, the United States has increased the number of high-level exchanges with the Government of Mexico concerning drugs and presently is working with the Mexican Government to improve the efficiency of the joint U.S./Mexican eradication program. These productive meetings have recognized the unique relationship between the United States and Mexico, and have resulted in calls for a strengthened commitment to confront the problem together. Both nations acknowledge that the situation requires thoughtful, creative, and most importantly, forceful solutions on both sides of the border.

Furthermore, the Anti-Drug Abuse Act of 1986 calls for the United States to toughen its posture towards the narcotics problem in Mexico, including the imposition of sanctions if cooperation has not been realized. For a number of reasons, therefore, the nature and extent of the drug problem, and the efforts by both nations to address it, deserve special attention in the Strategy.

## BACKGROUND: DRUG TRAFFICKING

Mexico is becoming increasingly prominent as a source of heroin and marijuana and as a major transshipment country for South American cocaine destined for the United States. Illicit drug manufacturers in Mexico are responsible to a lesser extent for producing some of the dangerous drugs entering the illicit market in the United States.

### Heroin

The Drug Enforcement Administration's Heroin Signature Program indicates that almost 40 percent of the heroin available in the United States in 1985 was supplied by traffickers in Mexico. This increased level can be attributed to several factors, including improved cultivation techniques, favorable weather conditions, an increase in the production of "black tar" heroin, and the shortage of other profitable employment for many Mexican farm workers. The results of this increase in the availability of Mexican heroin are reflected both in the falling price for the drug and its increasing average purity. The average price remained steady at approximately 64 cents per milligram from 1982 through 1984, down from one dollar in 1981. At the same time, the average purity level climbed from 20 percent in 1981 to 54 percent in 1984. The retail purity level in 1985 for all types of heroin, excluding "black tar" heroin, was 5.3 percent. Most of this heroin is smuggled across the border in vehicles or by pedestrians crossing at a port of entry.

The recent spread of a more potent form of heroin known as "black tar" represents the most significant development in the Mexican heroin situation. Black tar heroin is generally manufactured by unsophisticated laboratory operators and then smuggled into the United States by illegal aliens and migrant workers. It has purity levels that have been analyzed as high as

93 percent, with 60 to 70 percent purity most common. The low price of 25 cents per milligram is but a fraction of the price of other types of heroin available in the United States. In addition, its fluctuating high purity levels make it difficult for the user to estimate the amount of the drug administered, thereby increasing the risk of overdose. There have been significant increases in heroin-related hospital emergencies in major cities where black tar heroin has been detected.

### Marijuana

National Narcotics Intelligence Consumers Committee (NNICC) roughly estimates that 3,000 to 4,000 metric tons, or 40 percent, of the total amount of marijuana imported into the United States in 1985 may have come from Mexico. This market share represents a significant increase from the 24 percent figure estimated by the NNICC in 1984. Land vehicles are still the most frequently used method of smuggling marijuana from Mexico into the United States, although air and maritime smuggling does occur. The number of seizure incidents increased by 17 percent between 1984 and 1985, although the volume of marijuana seized decreased by about 10 percent. This suggests that more individuals are being used to introduce smaller quantities of marijuana. The increase in the number of couriers can be traced both to a lack of legitimate, domestic employment opportunities in Mexico and to an intentional strategy on the part of drug traffickers to disperse their marijuana shipments among a large number of smaller loads in an effort to limit losses.

### Dangerous Drugs

The dangerous drugs most commonly smuggled from Mexico to the United States are stimulants (including methamphetamine, Mandrax, and counterfeit Quaalude tablets produced from methaqualone), depressants (including Mandrax and Quaalude

tablets composed of secobarbital), PCP, and the controlled substance analogues MPPP and PEPAP. The number of clandestinely manufactured dangerous drug seizures along the Mexico-United States border increased steadily in 1985, however the overall quantity seized declined.

Some of the dangerous drugs legitimately produced in Mexico are diverted to the illegal market. This occurs at two points in the production process. Either the bulk powder is diverted from international commerce and used at clandestine laboratories, or the diversion occurs after the legitimate manufacturer has processed the bulk powder into dosage unit form.

#### Cocaine

Although there is no known cultivation of the coca plant in Mexico, it has become a major transit country for bulk quantities of cocaine originating in South America and bound for distribution in the United States. Partly because of increased enforcement pressure in the Southeast United States, cocaine traffickers from South America have been using Mexico increasingly as an alternative to the Caribbean to transship multi-hundred kilogram shipments of cocaine hydrochloride and cocaine base, normally using general aviation aircraft. Although the route over Central America is longer than flying across the Caribbean to the southeastern United States, it is safer and easier to navigate over land or along a coastline than over large expanses of open water. Once in Mexico, private vehicles, commercial vehicles, and small aircraft transport the cocaine in smaller loads across the U.S. Southwest border into the United States.

Recent seizure statistics reflect the expansion of cocaine trafficking through Mexico. The average volume of cocaine seizures along the Southwest border increased from less than one

kilogram to more than three kilograms in 1985. Cocaine seizure statistics in Mexico showed a sharp increase from 440 kilograms in 1984 to more than 2,500 kilograms in 1985.

South American traffickers typically have operated independent of Mexican traffickers except for accommodations and refueling, however this trend may be changing. An increasing number of Mexican cocaine traffickers provide the final smuggling and distribution link after delivery of the cocaine to Mexico. In addition, some Mexican traffickers may be establishing their own trafficking organizations to obtain cocaine directly from the South American source countries.

The conversion of cocaine base into cocaine hydrochloride in Mexico appears to be increasing. While laboratory operators in South America are finding it increasingly difficult to obtain the essential chemicals there, Mexico legitimately produces the ether, benzene, and acetone needed for the conversion process. These chemicals are easily diverted due to the lack of controls or monitoring.

#### ECONOMIC CONDITIONS

Difficult economic conditions during the 1980's have helped to create an environment conducive to the expansion of drug cultivation and trafficking in Mexico and along the Southwest border. A number of interrelated economic factors, including Mexico's external debt of nearly 100 billion dollars, shrinking oil revenues, currency devaluations, falling wages, and spiraling inflation, have increased the appeal of drug cultivation and trafficking as potential sources of income for some Mexican citizens. As a result, overall development has stagnated and a variety of interrelated economic problems have surfaced.



The Mexican peso, for example, has devalued by more than 2,000 percent in the last four years, reflecting the corresponding increase in the rate of inflation. Decreasing wages and inadequate employment opportunities are also part of Mexico's economic ills. Between 1982 and 1985, real wages fell by 40 percent and the minimum wage failed to keep pace with inflation. The current unemployment rate of about 15 percent and an underemployment rate of 25 percent further strain Mexican resources.

Another symptom of Mexico's economic conditions, and one of considerable interest to the American public, is illegal immigration. Hundreds of thousands of Mexicans illegally enter the United States each year in search of temporary employment or extended residency. Unskilled Mexican immigrants, many of whom are unable to find employment in a U.S. economy that is increasingly technical in nature, sometimes turn to cross-border drug trafficking as a source of income. The Immigration Reform and Control Act of 1986, in addition to enforcement efforts outlined below, will help to reduce cross-border drug trafficking by illegal immigrants.

Mexico's recent economic history does not serve as an apologia for drug cultivation, trafficking, and related corruption in Mexico. Such enormous profit to be made from drug trafficking can serve as an inducement in any economic environment. Mexico's economic situation, however, becomes an important backdrop for understanding the attraction that the drug trade holds for some Mexicans. When economic conditions are difficult as they are in Mexico--when jobs are scarce, wages low, prices high and the future uncertain--the lure of drug cultivation and trafficking, and thus the enforcement challenge, becomes even greater.

## CONSTRAINTS ON EFFECTIVENESS

A number of additional constraints limit law enforcement effectiveness in addressing the Mexican drug trafficking problem. A significant contributing factor to the success of large scale drug trafficking in Mexico is corruption among some politicians and law enforcement officials, a universal problem which is not unique to Mexico.

In a period of economic austerity, it is politically difficult for the governing Institutional Revolutionary Party (PRI) to justify expending scarce resources on a problem whose major impact is perceived to be felt primarily outside Mexico. Moreover, the publicity surrounding the 1985 death of DEA agent Camarena, and the 1986 torture of a second DEA officer, has placed PRI politicians in the difficult position of explaining to the Mexican public, which is acutely sensitive to sovereignty issues, why foreign law enforcement officials are operating in their country. Notwithstanding this austere economic environment and the difficult political climate, the budget of the Attorney General's Office, which is the lead agency in drug enforcement, has been augmented and cooperation by Mexican officials is steadily increasing in this area. In short, cooperation with the United States on the narcotic issue entails significant domestic, political costs for the Mexican administration.

Mexico's extensive land mass offers additional constraints because of the vast areas that are not easily accessible. Much of the country, especially the mountainous regions, are ideally suited for the growth of the opium poppy and cannabis. The topography hinders communication and transportation, and these remote areas become havens for drug producers and traffickers.

Finally, the 2,000 mile border between the United States and Mexico poses a major challenge to law enforcement efforts in the Southwest. The sheer length of the border, particularly because much of it divides areas that are sparsely populated desert and mountains, makes interdiction particularly difficult with limited resources. Pedestrian, vehicular, and airborne smugglers have a variety of options available to them. Unlike maritime border regions, sovereignty rights restrict United States aircraft from conducting surveillance in forward areas. This reduces response time for interception, tracking, and apprehension of targeted aircraft that fly from Mexico into the United States. Also, once detected, smuggler aircraft can return to Mexican air space and U.S. pursuit aircraft cannot follow. These combined factors make interdiction in the Southwest entirely different than in maritime border areas.

#### THE STRATEGY

The international drug control strategy described in Chapter V applies to all source and transshipment countries, including Mexico. With the prominent and growing role of traffickers in Mexico supplying drugs to the United States, this chapter focuses additional attention on those strategy elements that are particularly important to enforcement in Mexico and on the Southwest border of the United States.

##### 1. Cooperative Efforts.

Recent meetings between senior officials from the United States and Mexico demonstrate a mutual policy of cooperation, rather than confrontation, on the Mexican drug issue. Truly cooperative efforts are the key to increased eradication in Mexico, and increased interdiction and enforcement successes in both nations. The cooperative atmosphere that has been

established at the highest levels of government must continue into program implementation and be extended throughout the law enforcement communities of both nations.

The first annual Meeting of 13 Ministers of Justice and Attorneys General during October, 1986, the Binational Commission meetings and regular International Drug Enforcement Conference all attest to ongoing high level cooperative efforts against drug trafficking and abuse in this hemisphere. The Anti-Drug Abuse Act of 1986 urges the President and Secretary of State, in conjunction with the NDEPB, to negotiate with Mexico the creation of a joint Intergovernmental Commission on Narcotics and Psychotropic Drug Abuse and Control. This Commission could improve cooperation and further facilitate the exchange of information between the United States and Mexico.

Mutual legal assistance treaties (MLATs) also provide an important vehicle for increased cooperation in drug trafficking prosecutions. In addition to serving as a mechanism for exchanging evidence and testimony in drug cases, MLATs can enable governments to share the proceeds of forfeited assets. The proposed MLAT between the United States and Mexico would significantly enhance cooperative ventures and would contain provisions for the equitable sharing of forfeited assets. The United States will urge ratification and use of the MLAT, and will also encourage the use of the extradition treaty that is currently in force between the United States and Mexico.

Another possibility for improved cooperation is to revive the concept of joint drug prosecutions known as the JANUS program. First used in the early 1970's, the program provides for the exchange of drug evidence, witnesses, and testimony to prosecute drug traffickers and producers in one country based on evidence obtained by another country. Ideally, this type of

cooperation would deny drug traffickers sanctuary. The Department of Justice will assess the merits of reactivating JANUS or a similar program with Mexico.

The Pair Cities Border Liaison Initiative is designed to involve State and local officials in cooperative enforcement efforts. Federal law enforcement officials from both governments have formed working groups involving the State and local police in key cities on both sides of the border (San Diego/Tijuana, Tucson/Nogales, El Paso/Juarez, and Brownsville/Matamoros). The FBI, which coordinates the United States' role, will assess the effectiveness of this initiative and suggest how the program might be improved.

This Strategy recognizes that in order for cooperation to lead to true progress in drug enforcement, cooperative agreements must be followed by firm actions. The Anti-Drug Abuse Act of 1986 accents the need for United States-Mexico cooperation in a number of areas: the investigation of the murders of DEA agent Enrique Camarena Salazar and his pilot, Alfredo Zavala Avelar; the investigation of the detention and torture of DEA agent Victor Cortez; the prosecution of those responsible for the above acts; the effective and efficient use of aircraft provided by the United States for drug eradication and interdiction; and the prevention of drug trafficking and related violence on the United States-Mexican border. Depending on the issue and progress made, the Act specifies that either mandatory or discretionary steps be taken which could include imposition of a travel advisory for Mexico, restrictions on foreign assistance, denial of favorable tariff treatment for Mexican products, and denial of favorable U.S. votes in multilateral development banks.

## 2. Eradication.

One of the most effective methods of stemming the flow of drugs is to eradicate them at the source. Successful eradication can reduce the need for interdiction and other enforcement efforts by curbing the supply of drugs before they enter the distribution chain.

The narcotics aerial eradication program operated by the Mexican Attorney General's Office (MAGO) is the largest funding effort of the U.S.-Department of State International Narcotics Control program. This assistance is used primarily for maintenance of the air fleet and for support of aerial herbicide eradication operations, which includes aerial surveys to identify production areas, to verify eradication reports and to guide future deployment of eradication efforts. While the efficiency of eradication operations declined after 1983, working with the Government of Mexico to revitalize Mexico's opium poppy and marijuana eradication campaign is a top priority of the United States' drug control strategy.

This eradication strategy has shifted to concentrate on "sweep" operations, whereby resources are focussed on one area to achieve maximum results and then proceed to the next designated area. Another strategy change to the aerial eradication is to spray fields at whatever stage in the growth cycle they are found. Previously, reconnaissance would identify targets and sprays would be delayed until the plants reached a mature stage. Upgrading Mexico's aerial fleet and maintenance operations, increasing verification methods and deepening Mexico's resolve in the eradication campaign should produce more successful results in the U.S.-Mexico joint eradication effort.

### 3. Public Awareness and Education.

This Strategy has recognized the critical importance of demand reduction efforts in the fight against drug trafficking and abuse in the United States. Demand reduction programs are equally important in source and transshipment countries to counter the abuse problems that inevitably develop when drugs are available. Education programs should address the health and social problems created by drug abuse as well as the social and economic disruptions caused by drug trafficking.

Mexico has developed a public education and awareness campaign (ADEFAR) to raise the level of understanding among its citizens of the health and social consequences associated with drug abuse, and the impact on their country of large-scale drug production and trafficking. The Mexican effort has included outreach programs at the local level to bring communities together against drug traffickers. The Department of State, the U.S. Information Agency and the Department of Justice, in coordination with the NDEPB will continue to assist in the development of demand reduction initiatives in Mexico. The Strategy also encourages private and not-for-profit organizations to expand their involvement in drug public awareness and education campaigns in Mexico and elsewhere.

### 4. Intelligence.

Developing and improving intelligence capabilities helps all components of drug law enforcement. In order to increase both the quality and quantity of intelligence on drug trafficking in Mexico, DEA will provide additional personnel and equipment to support on-going and proposed intelligence collection initiatives. A proposed Joint Intelligence Center, discussed in April 1986 during the Mexican-American Law Enforcement Summit in Cancun, could monitor eradication efforts and provide

intelligence support for in-country interdiction and investigations. Such a center could also support related U.S. enforcement efforts. DEA, INM, and the Intelligence Community will examine the feasibility of establishing a Joint Intelligence Center and will develop recommendations accordingly.

5. Operation Alliance.

Interdiction of smuggled illicit drugs and firearms as well as illegal aliens along the United States' Southwest Border has been far from adequate in recent years. The volume of drugs, guns, and aliens crossing the Southwest border has been increasing dramatically, and it has become imperative that greater attention be directed at interdiction and other law enforcement programs in the Southwest. Therefore, on August 14, 1986, the Vice President as head of the National Narcotics Border Interdiction System, and the Attorney General as Chairman of the National Drug Enforcement Policy Board, announced the commencement of Operation Alliance--a multi-agency program designed to respond to these problems.

Operation Alliance is being implemented in stages. The assignment of personnel, acquisition of equipment, and commencement of specific enforcement activities will occur as needs are identified. While it is anticipated that Operation Alliance will approach full strength over a two year period, development of the Operation will be continuous because of expected variations in the drug smuggling threat and the new responses continually being developed.

In the first year, Operation Alliance will consist of six or more major enforcement projects. In each, two or more separate law enforcement agencies have formed an "alliance" to achieve the objectives that, in turn, will result in Operation Alliance achieving its goal: controlling access to and from the United



States via the Southwest border and sharply curtailing the passage of illegal drugs, aliens, and other contraband across that border. The initial enforcement objective is to intensify interdiction at and between the ports of entry along the border, and in adjoining waters and airspace in and over the Gulf of Mexico and the Pacific Ocean.

Operation Alliance currently involves six major elements:

- Operation Baseline, involving the Border Patrol and DEA, concentrates efforts in high crime-rate zones between the ports of entry. As smugglers change their patterns of smuggling activity, the Border Patrol and DEA will redirect their resources to the new areas of activity.
- The Coast Guard is conducting regional maritime operations in both the Gulf of Mexico (Operation Blackjack) and along the Pacific coast (Operation Blue Pennant). As part of these operations, the Coast Guard will provide intelligence and nearshore interdiction support in the vicinity of the maritime extensions of the U.S.- Mexican land border.
- Operation Bluefire is a Customs program that involves intensified activities in inspections, surveillances, and public education and support. Sixteen different activities have been identified and coordinated with other Federal, State, and local agencies.
- Operation Full Press, managed by DEA, monitors United States and Mexican intelligence, equipment assets, and investigations in support of Operation Baseline and all other interdiction/investigation activities.
- Operation Lions Share, an ATF program, targets traffickers in firearms and explosives or those using firearms in drug trafficking.

The Alliance Joint Command Group, consisting of representatives having regional command and control of various Federal and State resources, has been established to plan and direct operations along the Southwest border. The Joint Command Group will coordinate with the National Narcotics Border Interdiction System in obtaining and using DOD assets and those of a variety

of Federal, State, and local law enforcement agencies in these operations. Federal involvement in Operation Alliance includes the Department of the Treasury (Customs, ATF, IRS, and Secret Service), Department of Justice (U.S. Attorneys, FBI, DEA, INS, and Marshals), Department of Defense (Army, Navy, Air Force, and Marines), and the Department of Transportation (Coast Guard and FAA). State and local law enforcement agencies and the National Guard in California, Arizona, New Mexico, and Texas will also participate.

When fully implemented, Operation Alliance will feature a major increase in personnel and equipment devoted to dealing with Southwest border smuggling. Personnel increases will include over 350 additional Customs inspectors for the Southwest border, the reassignment of more than 200 FBI, DEA, and IRS agents and other personnel, and 60 new Federal prosecutors in California, Arizona, New Mexico, and Texas. New equipment will include radar aerostats, planes, and helicopters. In addition, new memoranda of understanding between law enforcement agencies will provide for cross-designation of personnel, thereby expanding law enforcement resources. Specified Border Patrol officers will be given drug search and arrest authority along the border between ports of entry and certain Customs agents will be granted authority to conduct drug investigations in conjunction with DEA. Some State and local officers will be deputized as Federal agents as well.

The National Drug Enforcement Policy Board, which oversees Operation Alliance, forwarded a proposal to Congress in June 1986 requesting \$266 million for additional drug law enforcement resources, mostly for the Southwest border. The Anti-Drug Abuse Act of 1986 authorizes most of these critical resources so that Operation Alliance implementation can continue as scheduled.

Operation Alliance is a bold approach to the fight against contraband trafficking in the Southwest. Law enforcement agencies will carefully monitor current operations in order to guide future development. In this way, Operation Alliance builds upon lessons learned from other coordinated law enforcement operations such as Hat Trick and Blue Lightning, and provides for more effective law enforcement action along the United States-Mexico border.

## APPENDIX A

### AGENCY ROLES

Drug Enforcement Administration (DEA). The Drug Enforcement Administration is responsible for providing central leadership, management and coordination for intelligence and investigative functions to suppress trafficking in illicit drugs. DEA enforces Title 21 of the Controlled Substances Act and drug-related segments of other laws, and also participates in non-enforcement programs to reduce the demand for drugs.

DEA's responsibilities include:

- Investigating and apprehending major drug traffickers and immobilizing their organizations;
- Preparing illicit drug trafficking cases for prosecution;
- Providing assistance to foreign countries in developing law enforcement and other programs aimed at reducing the supply of illicit drugs;
- Regulating the legitimate manufacture and distribution of controlled substances;
- Providing narcotics related training to Federal, State, local, and foreign enforcement agencies;
- Managing a drug intelligence program that includes reporting systems for illicit drug production, drug trafficking, and drug abuse in the United States;
- Maintaining a system of performance indicators regarding all Federal illicit drug seizures; and
- Coordinating and cooperating in the above areas with appropriate Federal, State, and local enforcement agencies.

The Administrator of the DEA performs his functions under the general supervision of the Director of the Federal Bureau of Investigation, and reports through him to the Attorney General.

Federal Bureau of Investigation (FBI). The Federal Bureau of Investigation has had concurrent jurisdiction to investigate drug matters since 1982. The FBI's mission in drug law enforcement is to "endeavor to reduce the incidence of illegal drug trafficking and other criminal activity which drug trafficking generates in American society, through investigations conducted on a systematic, coordinated, and sustained basis." The FBI recently modified its drug strategy to focus investigative efforts and resources more clearly on those organized crime networks controlling significant segments of the illegal drug market. The majority of the FBI's resources allocated to the drug program are now devoted to investigations of the La Cosa Nostra/Sicilian Mafia, Colombian/South American trafficking organizations, and Mexican networks that are responsible for importing and distributing large quantities of cocaine and heroin into and throughout the United States. Cases are pursued with the twofold objective of neutralizing criminal networks and seizing illegal profits.

Because many organized crime investigations extend to foreign countries, the FBI has placed additional assistant legal attaches overseas to coordinate with foreign authorities in pursuing the ties between organized crime figures in the United States and other countries. These FBI legal attaches have also contributed to international money laundering investigations.

United States Customs Service. The United States Customs Service is responsible for examining persons, carriers, cargo, currency and mail that pass in to and out of the United States. As the primary defense along our borders for detecting and intercepting drugs being smuggled into the country, the Customs Service conducts inspection and air and marine interdiction programs. Customs also investigates money laundering activities, and has primary jurisdiction for the enforcement of laws concerning the illegal transportation of currency or monetary

instruments in excess of \$10,000 into or out of the country. Further, Customs works closely with IRS concerning the reporting of cash transactions over \$10,000 by financial institutions.

Customs also works closely with DEA in joint narcotics investigations. This cooperation has been made possible by granting Title 21 authority to selected Customs special agents allowing their participation in drug investigations in certain situations.

Customs has twelve overseas offices actively engaged in investigative activities with priority given to international money laundering operations. These offices, in coordination with DEA, also exchange drug information and intelligence with host nations.

United States Coast Guard. The United States Coast Guard is responsible for a wide array of Federal maritime programs including search and rescue, aids to navigation, icebreaking, marine safety, and, as an Armed Service, military readiness. In addition, the Coast Guard enforces a variety of Federal laws on the navigable waters of the United States and on the high seas. Principal among these is the responsibility for the interdiction of drugs. The Coast Guard is the only Federal agency with jurisdiction on the high seas, as well as in U.S. territorial waters. Coast Guard ships, boats, planes, and helicopters conduct routine drug law enforcement patrols and special operations throughout the maritime arena, both in waters adjacent to principal source and transit countries and in U.S. coastal areas. Coast Guard emphasis is on detecting and boarding vessels smuggling marijuana and cocaine while in transit to the United States on the high seas, where loads are larger and traffic routes somewhat predictable. In support of its expansive role in interdiction, the Coast Guard maintains an extensive intelligence organization with heavy emphasis on drug trafficking.

Internal Revenue Service (IRS). The Internal Revenue Service is responsible for income tax investigations and all domestic violations of Title 31 related to the financial aspects of illegal drug trafficking. Financial investigations are often the only way government can reach the upper echelons of criminal organizations, and the IRS typically investigates high-level traffickers and their corrupt bankers and financiers.

IRS agents trace the movement of funds to document the acquisition of forfeitable assets by drug traffickers. Using search warrants, IRS seizes various financial reports, including travel records, money orders, and cashier check receipts, which can reveal the concealment or illegal transfer of financial assets. The information gained through the warrants can lead to assets seizable under statutory forfeiture provisions.

Bureau of Alcohol, Tobacco and Firearms (ATF). The Bureau of Alcohol, Tobacco and Firearms is the Federal agency with primary responsibility for investigating violations of the Federal explosives and firearms laws. Most of ATF's criminal firearms and explosives investigations are targeted at drug organizations that use violence in their drug trafficking activities. Over half of the defendants arrested during FY 1985 by ATF were involved with illegal drug businesses. Although these investigations primarily involve firearms and explosives violations, they often contribute to the suppression of illegal drug activity and provide intelligence concerning illegal drug marketing.

ATF's resources include undercover agents, national response bomb scene investigation teams, an international firearms identification and tracking system, a worldwide explosives incident data bank and tracking capability, auditors, and agents with experience in investigating complex RICO and conspiracy cases.

Federal Aviation Administration (FAA). The Federal Aviation Administration establishes and enforces regulations for the operation of all aircraft in the United States. The FAA assists in identifying and intercepting airborne drug smugglers by using radar, posting aircraft lookouts, and tracking the movement of suspect aircraft through air traffic control centers. Additionally, FAA supports law enforcement agencies by providing technical expertise for radar surveillance projects and program development.

Immigration and Naturalization Service (INS). The Immigration and Naturalization Service is responsible for the admission, control, and removal of aliens within the United States. The U.S. Border Patrol, the principal enforcement branch of the INS, is responsible for controlling the illegal entry of persons across U.S. Borders and assisting in the interdiction of drug traffickers and narcotics into the United States. Many illegal entrants are manipulated by narcotics and terrorist groups that work in concert. Selected targeting of major alien smuggling organizations frequently yields investigative leads which are subsequently shared with the DEA, FBI, and Customs. The INS also cooperates with other Federal agencies in locating, apprehending, and removing alien drug traffickers at ports of entry and within the interior of the United States, and in escorting alien witnesses into the U.S. to testify in drug trials.

United States Marshals Service (Marshals). The United States Marshals Service supports drug law enforcement in its role as the custodian for both Federal prisoners and the vast amounts of seized property awaiting possible forfeiture. The Marshals Service also manages the Witness Protection Program, which is designed to assist in the prosecution of violent criminals, and tracks fugitive felons both domestically and internationally. In addition, the Marshals participate in the Fugitive Investigative



Strike Team (FIST), comprised of various Federal law enforcement agencies and their State and local counterparts, which identifies, locates, and arrests fugitive felons.

Department of Defense and United States Armed Forces. The Department of Defense military services assist in drug interdiction and support drug law enforcement agencies in the form of aircraft and equipment loans, intelligence, surveillance, communications, planning, and training. Public Law 97-86, December 1, 1981 (10 U.S.C. 371-378), defines permissible DOD assistance under the Posse Comitatus Act.

United States Intelligence Community Agencies. The intelligence community assists drug law enforcement agencies by supplying intelligence concerning virtually every aspect of international drug production and distribution, including: money-laundering operations conducted by drug trafficking organizations; the role of political factions, terrorists, and government officials in the narcotics trade; and the political, social, and economic impact of drug trafficking on source and transshipment countries.

United States Attorneys. The United States Attorneys and their assistants conduct prosecutions in Federal court of drug trafficking and connected illegal activities, and coordinate major drug investigations to prepare cases for prosecution. The United States Attorneys have established Law Enforcement Coordinating Committees (LECCs) in all Federal judicial districts. Through the LECCs, officials of Federal, State, and local law enforcement and prosecutorial agencies collectively assess the crime problems in each district and determine how best to use available resources to address those problems. Cross-designation of State and local prosecutors as Federal prosecutors (Assistant United States Attorneys), and of Federal prosecutors as State and local prosecutors, is now a frequent

occurrence in cooperative investigations and prosecutions. Many United States Attorneys also sponsor drug abuse prevention programs within their districts.

Bureau of International Narcotics Matters (INM), Department of State. The responsibilities for international drug control have been delegated to the Assistant Secretary of State for International Narcotics Matters. INM has overall responsibility for international drug policy development, program management, and diplomatic initiatives. Its major programs are concerned with bilateral and multilateral assistance for crop control, interdiction, and related enforcement activities in producer and transit nations. INM also provides narcotics-related development assistance, technical assistance for demand reduction programs, and training for foreign personnel in narcotics enforcement and related procedures. INM coordinates its international efforts with domestic drug abuse strategies. Further, INM is responsible for negotiating, implementing, monitoring, and terminating narcotics control agreements with foreign governments.

Criminal Division, Department of Justice. The Criminal Division's involvement in Federal drug law enforcement is primarily through its Narcotic and Dangerous Drug Section and the Organized Crime and Racketeering Section. Both sections prosecute drug-related cases; the latter also supervises Organized Crime Strike Forces located in 25 U.S. cities. The Division's Asset Forfeiture Office offers legal advice and assistance to United States Attorneys conducting forfeiture proceedings, and conducts forfeiture training for agents and prosecutors throughout the country. The Division's Office of International Affairs coordinates the Department's international activities in support of drug prosecutions, and, along with the Departments of State and Treasury, negotiates extradition treaties and mutual legal assistance treaties that allow access to financial records for use in prosecution.

## Multi-agency Organizations

El Paso Intelligence Center (EPIC). EPIC responds to requests from federal agencies' field units and all 50 states on specific conveyances and people suspected of smuggling drugs. It also provides analyses of smuggling methods, routes, and sources.

National Narcotics Border Interdiction System (NNBIS). NNBIS is a management system designed to coordinate the multi-agency efforts of the drug law enforcement agencies, and to call on those Federal, State, and local resources that will improve the effectiveness and efficiency of drug interdiction efforts. NNBIS' primary objectives are to: enhance interagency coordination and cooperation; increase the contributions of the Department of Defense and the military services in the effort against drugs; increase national intelligence community support; and coordinate international interdiction efforts with U.S. agency efforts.

Organized Crime Drug Enforcement Task Force (OCDEF) Program. This network of 13 regional Organized Crime Drug Enforcement Task Forces is designed to coordinate Federal law enforcement efforts with State and local efforts to combat the national and international organizations that cultivate, process, and distribute illicit drugs. The program uses a consensus approach to investigation and prosecution that pools the strengths of participating agencies.

## APPENDIX B

### Federal Drug Control Resources Summary

The numbers on the following tables represent an estimate of the total level of resources dedicated to drug control programs by the Federal Government. In most instances, the agencies listed do not have separate line items in their budgets for drug control activities. Where this is the case, the numbers reflect an estimate of the agency's actual or projected expenditures based on the proportion of that agency's workload that is drug-related. A few agencies do have budget line items for drug programs. Where this is the case, the figures below are drawn from those lines in the budget.

The first table presents the Federal drug control resources allocated to each agency involved in drug law enforcement, drug abuse prevention, and drug abuse treatment. The second table presents a distribution of those resources as they are applied to each of the strategy components within Federal drug law enforcement; drug abuse prevention and treatment figures have been included on this table as well.

Figures for 1987 reflect the total 1987 resource requests as they appear in the President's 1988 Budget.

FEDERAL DRUG CONTROL RESOURCES SUMMARY  
By Agency  
(Budget Authority in Millions)

	1981	1982	1983	1984	1985	1986	1987	1988
							President's 1988 Budget	President's 1988 Budget
<b>DRUG LAW ENFORCEMENT</b>								
Department of Justice								
DEA	219.4	242.7	283.0	327.8	352.5	387.7	490.2	522.0
FBI	8.3	40.1	108.6	99.0	103.5	99.0	108.5	123.9
Criminal Division	1.6	1.9	1.8	1.9	2.7	2.7	2.9	3.3
Tax Division	0.0	0.0	0.8	0.8	1.6	1.8	2.1	2.2
U.S. Attorneys	19.5	20.9	32.7	47.7	54.8	59.9	75.2	102.5
U.S. Marshals	26.3	29.4	31.1	36.0	48.1	52.2	61.8	84.3
Prisons 1/	77.4	97.1	112.3	118.9	176.6	176.3	289.3	323.7
Support of Prisoners 1/	7.5	9.9	18.6	17.2	19.3	19.0	23.2	25.6
Pres. Com. on Org. Crime	0.0	0.0	0.7	1.8	2.5	1.2	0.0	0.0
INS	0.3	0.3	0.4	0.5	0.5	1.0	1.3	1.3
Office of Just. Prog.	4.5	4.4	8.8	7.4	12.9	13.7	240.6	4.7
INTERPOL	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2
	364.9	446.7	598.8	659.1	775.2	814.7	1295.3	1193.8
Department of the Treasury								
Customs	181.1	185.5	186.6	277.7	350.3	380.1	499.8	424.6
IRS	35.2	44.2	50.3	57.4	61.6	63.5	64.0	72.3
BATF	0.0	1.5	4.6	8.3	9.5	7.5	8.2	8.3
Payments to Puerto Rico	0.0	0.0	0.0	0.0	0.0	0.0	7.8	0.0
	216.3	231.2	241.5	343.4	421.4	451.1	579.9	505.3
Department of Transportation								
Coast Guard	227.8	329.2	360.1	508.6	508.2	401.4	552.1	559.9
FAA	0.4	0.2	0.5	0.5	0.5	0.6	1.0	0.7
	228.2	329.5	360.5	509.1	508.6	402.0	553.1	560.5
Department of State								
INM 2/	34.7	36.7	36.7	41.2	50.2	55.1	118.4	98.8
AID (Direct)	0.0	15.7	9.2	10.6	6.7	23.5	6.5	6.9
USIA	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
	35.7	53.4	46.9	52.8	57.9	79.6	126.9	106.7
Department of Agriculture 3/								
Agriculture Research Service	1.4	1.4	1.4	1.4	1.4	1.3	1.4	1.4
U.S. Forest Service	0.5	0.7	0.8	2.6	3.0	3.1	4.1	5.7
	1.9	2.1	2.2	4.0	4.4	4.4	5.5	7.1
Department of Interior								
Bureau of Land Management	0.0	0.0	0.2	0.2	0.2	1.0	1.0	1.0
U. S. Park Service	0.9	0.2	0.5	0.7	0.8	0.2	1.2	1.2
Bureau of Indian Affairs	9.2	9.8	10.8	10.5	13.3	14.6	19.3	14.7
Fish and Wildlife Service	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
	11.1	10.9	12.4	12.4	15.3	16.8	22.5	17.9

						1987	1988	
	1981	1982	1983	1984	1985	1986	President's 1988 Budget	President's 1988 Budget
Food and Drug Administration	1.4	0.8	0.7	0.7	0.7	1.6	1.6	1.7
Department of Defense 4/								
Direct operating costs	0.0	4.9	9.7	14.6	54.8	69.7	72.5	75.2
Other appropriations	0.0	0.0	0.0	0.0	0.0	38.0	314.0	0.0
	0.0	4.9	9.7	14.6	54.8	107.7	386.5	75.2
Subtotal, Drug Law Enforcement	859.5	1079.4	1272.8	1596.0	1838.4	1877.8	2971.3	2468.1
DRUG ABUSE PREVENTION								
Department of HHS 5/								
Alcohol, Drug Abuse & Mental Health Administration	104.1	57.7	64.4	76.0	86.4	88.0	209.0	137.0
Department of Defense	21.2	36.2	46.4	49.8	63.0	63.4	70.0	72.1
Department of Education	2.8	2.8	2.8	2.8	3.0	3.0	200.0	100.0
Department of Labor	3.4	1.4	0.6	0.4	0.4	0.1	3.0	0.0
Department of Interior (BIA)	0.0	0.0	0.0	0.0	0.0	0.0	5.4	2.3
ACTION	2.5	6.8	6.9	6.8	6.9	10.0	13.0	10.0
White House Conference	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0
Subtotal, Drug Abuse Prev.	133.9	104.9	121.1	135.8	159.7	164.5	505.4	321.4
DRUG ABUSE TREATMENT								
Department of HHS 5/								
Alcohol, Drug Abuse & Mental Health Administration	154.7	107.0	117.0	116.0	123.0	117.0	301.0	124.0
Indian Health Service	15.0	16.0	21.0	23.0	24.0	24.0	48.0	26.0
Department of Defense	12.4	21.4	23.3	24.1	18.5	19.6	20.9	21.5
Department of Interior (BIA)	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0
Veterans Administration 6/	55.2	55.8	65.1	67.7	69.7	66.7	79.6	72.2
Subtotal, Drug Abuse Treatment	237.3	200.2	226.4	230.8	235.2	227.3	454.5	243.7
TOTAL, FEDERAL DRUG SUMMARY	1230.7	1384.5	1620.2	1962.6	2233.3	2269.6	3931.2	3033.2

NOTE: Entries may not add to totals due to rounding.

- 1/ NOTE: All Prisons and Support numbers are shown as 1/3 of the actual amount to reflect the percentage of the prison population incarcerated for drug-related crimes.
- 2/ NOTE: 1986 figure does not include \$5 million in unobligated balances transferred from the Economic Support Fund pursuant to Public Law 99-190.
- 3/ NOTE: 1987 resource level assumes USDA will formally request reprogramming to increase funding for Forest Service drug law enforcement activities.
- 4/ NOTE: Numbers reflect the direct expenses incurred by DOD in providing assistance to drug law enforcement as a by-product of its training and readiness missions, plus appropriations directly for drug law enforcement missions in the following amounts: 1986--\$38M; 1987--\$314M. Value of other DOD aircraft and other major equipment provided, loaned, or procured for drug law enforcement, in addition to amounts listed above, equals \$138.65 million, in 1986 dollars.

Since 1985 DOD has computed direct and allocated (indirect) costs for the equivalent value of services for DOD support to drug law enforcement. Direct costs include operation and maintenance costs of military equipment support. Allocated costs include life cycle costs of equipment, amortization, capitalization, and other overhead. DOD rough order of magnitude estimates for allocated costs total \$82.7 million in 1985 and \$126.3 million in 1986. DOD support services for drug law enforcement are provided "incidental to military training and operations." Nearly all of this cost has been waived from reimbursement under the Economy Act since DOD derives "substantially equivalent training."

DOD 1986 costs are estimated from computed actual costs of \$52.3 million for the first three quarters of 1986.

- 5/ NOTE: Of the funds appropriated to HHS in 1987, \$252 million is available for obligation through FY88.
- 6/ NOTE: Includes \$10.4 million in 1987 that was transferred to the VA from HHS as required by the Anti-Drug Abuse Act of 1986. The \$10.4 million is available for obligation through 1988.

FEDERAL DRUG CONTROL RESOURCES SUMMARY  
By Strategy  
(Budget Authority in Millions)

	1981	1982	1983	1984	1985	1986	1987 President's 1988 Budget	1988 President's 1988 Budget
<b>INTERDICTION</b>								
Coast Guard	227.5	328.9	359.9	508.2	506.6	397.8	547.9	555.6
Customs	166.3	168.0	152.3	234.1	299.6	315.7	426.3	350.7
DOD -- Direct 1/	0.0	4.9	9.7	14.6	54.8	69.7	72.5	75.2
DOD -- Other 1/	0.0	0.0	0.0	0.0	0.0	38.0	314.0	0.0
INS	0.2	0.2	0.3	0.4	0.4	0.7	0.8	0.8
Payments to Puerto Rico	0.0	0.0	0.0	0.0	0.0	0.0	7.8	0.0
Subtotal	394.0	502.0	522.2	757.2	861.5	821.9	1,369.3	982.2
<b>INVESTIGATIONS</b>								
DEA	127.5	144.1	161.5	198.9	219.7	231.3	279.2	307.4
FBI	7.7	38.1	103.1	94.1	98.3	94.0	103.1	117.7
U.S. Marshals	3.2	3.7	4.0	5.3	7.4	6.9	8.7	9.9
INS	0.1	0.1	0.1	0.1	0.1	0.3	0.6	0.6
IRS	34.6	43.2	49.4	56.3	60.2	59.6	59.7	59.7
Customs	11.4	13.9	30.4	39.6	44.7	57.5	63.2	63.2
BATF	0.0	1.5	4.6	8.3	9.5	7.5	8.2	8.3
U. S. Forest Service 2/	0.0	0.0	0.0	0.1	0.4	0.3	1.1	1.8
Subtotal	184.4	244.6	353.2	402.6	440.3	457.4	523.7	568.5
<b>INTERNATIONAL</b>								
DEA	31.0	34.3	41.5	48.6	51.0	60.4	77.8	83.5
U.S. Marshals	0.0	0.0	0.0	0.1	0.2	0.3	0.3	0.5
INTERPOL	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2
INM 3/	34.7	36.7	36.7	41.2	50.2	55.1	118.4	98.8
AID (Direct)	0.0	15.7	9.2	10.6	6.7	23.5	6.5	6.9
USIA	1.0	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Subtotal	66.8	87.8	88.5	101.6	109.2	140.4	205.2	190.8
<b>PROSECUTION</b>								
U.S. Attorneys	19.5	20.9	32.7	47.7	54.8	59.9	75.2	102.5
Criminal Division - DOJ	1.6	1.9	1.8	1.9	2.7	2.7	2.9	3.3
Tax Division - DOJ	0.0	0.0	0.8	0.8	1.6	1.8	2.1	2.2
U.S. Marshals	16.2	16.0	16.4	18.9	24.4	27.5	31.8	47.8
IRS	0.2	0.2	0.2	0.3	0.7	2.9	3.2	11.4
Subtotal	37.6	39.0	51.9	69.7	84.2	94.8	115.3	167.2



		1987	1988					
		-----				President's President's		
						1988 1988		
	1981	1982	1983	1984	1985	1986	Budget	Budget
	-----	-----	-----	-----	-----	-----	-----	-----
<b>CORRECTIONS</b>								
Prisons 4/	77.4	97.1	112.3	118.9	176.6	176.3	289.3	323.7
Support of Prisoners 4/	7.5	9.9	18.6	17.2	19.3	19.0	23.2	25.6
U.S. Marshals	6.9	9.7	10.7	11.7	16.2	17.6	21.1	26.2
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Subtotal	91.8	116.7	141.5	147.7	212.1	212.9	333.5	375.5
<b>INTELLIGENCE</b>								
DEA	20.9	23.0	24.1	26.8	25.4	25.6	39.3	32.9
FBI	0.6	2.0	5.4	5.0	5.2	4.9	5.4	6.2
Customs	1.6	2.0	2.4	2.8	4.5	4.9	8.7	9.2
FAA	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
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Subtotal	23.1	27.1	32.0	34.6	35.2	35.5	53.5	48.4
<b>STATE AND LOCAL ASSISTANCE</b>								
DEA	21.6	19.2	27.0	25.7	29.2	36.7	47.7	49.1
OJP	4.5	4.2	6.7	7.2	12.0	12.7	238.1	0.1
U. S. Forest Service 2/	0.4	0.4	0.4	2.0	2.2	2.2	2.0	2.0
Bureau of Land Management	0.0	0.0	0.2	0.2	0.2	1.0	1.0	1.0
U. S. Park Service	0.9	0.2	0.5	0.7	0.8	0.2	1.2	1.2
Bureau of Indian Affairs	9.2	9.8	10.8	10.5	13.3	14.6	19.3	14.7
Fish and Wildlife Service	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
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Subtotal	37.6	34.7	46.5	47.3	58.7	68.3	310.3	69.1
<b>RESEARCH AND DEVELOPMENT</b>								
DEA	1.4	1.8	3.9	2.9	2.2	3.5	4.8	3.6
PCOC	0.0	0.0	0.7	1.8	2.5	1.2	0.0	0.0
OJP	0.0	0.2	2.2	0.3	0.9	1.1	2.5	4.6
Customs	1.8	1.6	1.5	1.2	1.5	2.0	1.6	1.6
Coast Guard	0.3	0.3	0.2	0.4	1.5	3.6	4.1	4.3
FAA	0.4	0.2	0.4	0.5	0.4	0.5	0.9	0.6
Agriculture Resch. Ser. 2/	1.4	1.4	1.4	1.4	1.4	1.3	1.4	1.4
U. S. Forest Service 2/	0.0	0.0	0.0	0.1	0.2	0.0	0.0	0.4
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Subtotal	5.2	5.5	10.3	8.5	10.6	13.1	15.3	16.5

							1987	1988
							President's	President's
							1988	1988
	1981	1982	1983	1984	1985	1986	Budget	Budget
<b>REGULATORY AND COMPLIANCE</b>								
DEA	17.0	20.3	25.0	24.9	25.0	30.2	41.4	45.5
IRS	0.4	0.8	0.7	0.8	0.7	1.0	1.1	1.2
U. S. Forest Service 2/	0.1	0.3	0.3	0.4	0.2	0.6	1.0	1.5
FDA	1.4	0.8	0.7	0.7	0.7	1.6	1.6	1.7
Subtotal	18.9	22.2	26.7	26.8	26.6	33.4	45.1	49.9
<b>TOTAL DRUG LAW ENFORCEMENT</b>								
	859.5	1,079.4	1,272.8	1,596.0	1,838.4	1,877.8	2,971.3	2,468.1
<b>DRUG ABUSE PREVENTION</b>								
Department of HHS 5/ Alcohol, Drug Abuse & Mental Health Admin.	104.1	57.7	64.4	76.0	86.4	88.0	209.0	137.0
Department of Defense	21.2	36.2	46.4	49.8	63.0	63.4	70.0	72.1
Department of Education	2.8	2.8	2.8	2.8	3.0	3.0	200.0	100.0
Department of Labor	3.4	1.4	0.6	0.4	0.4	0.1	3.0	0.0
Department of Interior (BIA)	0.0	0.0	0.0	0.0	0.0	0.0	5.4	2.3
ACTION	2.5	6.8	6.9	6.8	6.9	10.0	13.0	10.0
White House Conference	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0
Subtotal	133.9	104.9	121.1	135.8	159.7	164.5	505.4	321.4
<b>DRUG ABUSE TREATMENT</b>								
Department of HHS 5/ Alcohol, Drug Abuse & Mental Health Admin.	154.7	107.0	117.0	116.0	123.0	117.0	301.0	124.0
Indian Health Service	15.0	16.0	21.0	23.0	24.0	24.0	48.0	26.0
Department of Defense	12.4	21.4	23.3	24.1	18.5	19.6	20.9	21.5
Department of Interior (BIA)	0.0	0.0	0.0	0.0	0.0	0.0	5.0	0.0
Veterans Administration 6/	55.2	55.8	65.1	67.7	69.7	66.7	79.6	72.2
Subtotal	237.3	200.2	226.4	230.8	235.2	227.3	454.5	243.7
<b>TOTAL, FEDERAL DRUG SUMMARY</b>								
	1,230.7	1,384.5	1,620.2	1,962.6	2,233.3	2,269.6	3,931.2	3,033.2
			- 187	-				

NOTE: Entries may not add to totals due to rounding.

1/ NOTE: Numbers reflect the direct expenses incurred by DOD in providing assistance to drug law enforcement as a by-product of its training and readiness missions, plus appropriations directly for drug law enforcement missions in the following amounts: 1986--\$38M; 1987--\$314M.

Value of other DOD aircraft and other major equipment provided, loaned, or procured for drug law enforcement, in addition to amounts listed above, equals \$138.65 million, in 1986 dollars.

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DOD 1986 costs are estimated from computed actual costs of \$52.3 million for the first three quarters of 1986.

2/ NOTE: 1987 resource level assumes USDA will formally request reprogramming to increase funding for drug law enforcement activities.

3/ NOTE: 1986 figure does not include \$5 million in unobligated balances transferred from the Economic Support Fund pursuant to Public Law 99-190.

4/ NOTE: All Prisons and Support numbers are shown as 1/3 of the actual amount to reflect the percentage of the prison population incarcerated for drug-related crimes.

5/ NOTE: Of the funds appropriated to HHS in 1987, \$252 million is available for obligation through FY88.

6/ NOTE: Includes \$10.4 million in 1987 that was transferred to the VA from HHS as required by the Anti-Drug Abuse Act of 1986. The \$10.4 million is available for obligation through 1988.

## APPENDIX C

### ANTI-DRUG ABUSE ACT OF 1986

On October 27, 1986 President Reagan signed into law the Anti-Drug Abuse Act of 1986. In addition to considerably enhancing Federal, State, and local drug abuse prevention and treatment efforts, this sweeping legislation provides the drug law enforcement community with significant new resources for its battle against the illicit manufacture, distribution, and consumption of drugs. Effective implementation of the Anti-Drug Abuse Act is a major objective of the National and International Drug Law Enforcement Strategy as it will vastly improve drug law enforcement efficiency in the areas of intelligence, international drug control, interdiction, investigation and prosecution, and diversion control. A brief description of drug law enforcement provisions of the Anti-Drug Abuse Act--and mention of relevant non-enforcement related provisions--are provided below.

#### Title I - Anti-Drug Enforcement

- Narcotics Penalties and Enforcement Act of 1986 (Subtitle A): Substantially increases the maximum penalties--in terms of fines, imprisonment, and terms of supervised release (formerly called "special parole terms")--which may be imposed for distribution offenses under relevant provisions of the Controlled Substances Act (CSA).
- Drug Possession Penalty Act of 1986 (Subtitle B): Amends the CSA to impose mandatory minimum penalties for offenses involving the simple possession of a controlled substance.
- Juvenile Drug Trafficking Act of 1986 (Subtitle C): Doubles the penalties applicable to any individual at least 18 years of age who knowingly and intentionally employs, hires, uses, persuades, induces, entices or coerces any person under 18 years of age to either violate any provision under Title 21 (U.S.C.), or assist in avoiding detection or apprehension by any Federal, State, or local law enforcement official for any offense under the same title. Amends the CSA by including the manufacture of controlled substances to the offenses enumerated thereunder and making it illegal to commit any of

these offenses within 1,000 feet of a "public or private elementary, vocational, or secondary school or a public or private college, junior college, or university."

- Department of Justice Assets Forfeiture Fund Amendments of 1986 (Subtitle D): Amends Titles 18 and 21 (U.S.C.) allowing the government to seek criminal forfeiture of any property of a defendant as a substitute to property forfeitable under appropriate sections if, as a result of any act or omission of the defendant, the property forfeitable (1) cannot be located upon the exercise of due diligence; (2) has been transferred or sold to, or deposited with, a third party; (3) has been placed beyond the jurisdiction of the court; (4) has been substantially diminished in value; or (5) has been commingled with other property which cannot be divided without difficulty. Also expands permissible uses of the Assets Forfeiture Fund.
- Controlled Substance Analogue Enforcement Act of 1986 (Subtitle E): Amends the CSA by providing that a controlled substance analogue, intended for human consumption, be treated as a controlled substance in Schedule I. Thus, it is now unlawful to manufacture, distribute, or possess with the intent to distribute a controlled substance analogue intended for human consumption, unless such activity is in conformance with appropriate provisions of the Federal Food and Drug Cosmetic Act.
- Continuing Drug Enterprise Act of 1986 (Subtitle F): Amends the Continuing Criminal Enterprise (CCE) statute by providing for a mandatory life sentence for any "principal administrator, organizer, or leader of the enterprise" if either (1) the enterprise activity "involved at least 300 times the quantity of a substance described" in Subtitle A of this Act; or (2) the enterprise "received \$10,000,000 in gross receipts during any 12 month period of its existence" from the manufacture, distribution, or importation of heroin, cocaine, cocaine base (crack), PCP, LSD, fentanyl, or marijuana.
- Controlled Substances Import and Export Penalties Enhancement Act of 1986 (Subtitle G): Substantially increases the maximum penalties--in terms of fines, imprisonment, and "terms of supervised release"--which may be imposed for offenses under relevant provisions of the Controlled Substance Import and Export Act.
- Money Laundering Control Act of 1986 (Subtitle H): Makes it a Federal crime to knowingly launder proceeds derived from drug trafficking, racketeering, arms exporting, and other profit-motivated offenses; calls for strengthened banking regulations designed to reveal the presence of laundering; provides for the forfeiture of laundered monetary instruments (or property in which they have been invested) and profits from drug trafficking offenses committed in foreign countries.

- Career Criminals Amendment Act of 1986 (Subtitle I): Amends Title 18 (U.S.C.) to include as part of the predicate offenses leading to an enhanced Federal weapons charge, convictions involving a "violent felony" or a "serious drug offense."
- Drug Enforcement Enhancement Act of 1986 (Subtitle J): Authorizes appropriations for a variety of drug law enforcement and related agencies and initiatives.
- State and Local Law Enforcement Assistance Act of 1986 (Subtitle K): Amends the Omnibus Crime Control and Safe Streets Act of 1968 by creating a drug law enforcement grant program "for the use of States and units of local government...for the purpose of enforcing State and local laws that establish offenses similar to the offenses established in the Controlled Substances Act."
- Study on the Use of Existing Federal Buildings as Prisons (Subtitle L): Calls on the Secretary of Defense to (1) provide a list of DOD sites that could be used as detention facilities for felons, and (2) a statement of how these sites could be used and administered during and upon conversion to detention facilities.
- Narcotics Traffickers Deportation Act (Subtitle M): Amends the Immigration and Nationality Act to (1) increase the class of aliens who are ineligible to receive a visa and who will be excluded from entry into the United States; (2) enlarge the class of aliens who will be deported to include any alien who after entry into the U.S. is addicted to narcotic drugs or has at any time before or after entry been convicted of any State, Federal, or foreign offense relating to any controlled substance as defined by 21 U.S.C. §802; and (3) establish a one year pilot program for the expeditious placing of detainers on alien narcotic violators.
- Freedom of Information Reform Act of 1986 (Subtitle N): Amends the Freedom of Information Act by exempting from this Act disclosure requirements regarding records compiled for law enforcement purposes that might interfere with enforcement proceedings or disclose a confidential informant. Also exempt from disclosure are law enforcement guidelines that might risk circumvention of the law.
- Mail Order Drug Paraphernalia Control Act (Subtitle O): Creates a new offense by which it is unlawful for persons "(1) to make use of the services of the Postal Service or other interstate conveyance as part of a scheme to sell drug paraphernalia; (2) to offer for sale and transportation in interstate or foreign commerce drug paraphernalia; and (3) to import or export drug paraphernalia."

- Manufacturing Operations (Subtitle P): Amends the CSA by making it unlawful to: (1) knowingly open or maintain any place for the purpose of manufacturing, distributing, or using any controlled substance; (2) manage or control any building, room, or enclosure either as an owner, lessee, agent, employee, or mortgagee for the purpose of unlawfully manufacturing, storing, distributing or using a controlled substance; or (3) knowingly and intentionally rent, lease, or make available for use, with or without compensation, the building, room, or enclosure for the purpose of unlawfully manufacturing, storing, distributing, or using a controlled substance.
- Controlled Substances Technical Amendments (Subtitle Q): Amends a variety of legislation relating to drug trafficking and abuse including the amendment of the CSA to allow the Attorney General to "enter into contractual agreements with State and local law enforcement agencies to provide cooperative enforcement and regulatory activities under this title;" and the amendment of the CSA to allow the Attorney General to deputize State and local law enforcement officers for controlled substance enforcement.
- Precursor and Essential Chemical Review (Subtitle R): Calls for the Attorney General to "conduct a study of the need for legislation, regulation, or alternative methods to control the diversion of legitimate precursor and essential chemicals to the illegal production of drugs of abuse."
- White House Conference for a Drug-Free America (Subtitle S): Establishes a White House Conference "(1) to share information and experiences in order to...attack drug abuse at all levels...; (2) to bring public attention to those approaches to drug abuse education and prevention which have been successful in curbing drug abuse and those methods of treatment which have enabled drug abusers to become drug-free; (3) to highlight the dimensions of the drug abuse crisis, to examine the progress made...and to assist in formulating a national strategy to thwart the sale and solicitation of illicit drugs and to prevent and treat drug abuse; and (4) to examine the essential role of parents and family members in preventing the basic causes of drug abuse and successful treatment efforts."
- Common Carrier Operations Under the Influence of Alcohol or Drugs (Subtitle T): Amends Title 18 (U.S.C.) by establishing penalties for the operation of a common carrier while under the influence of alcohol or drugs.
- Federal Drug Law Enforcement Agent Protection Act of 1986 (Subtitle U): Amends the CSA by providing for awards of up to \$100,000 "to any individual who provides original information which leads to the arrest and conviction of a person who kills or kidnaps a Federal drug law enforcement agent."

## Title II - International Narcotics Control

- Additional Funding for International Narcotics Control Assistance and Regional Cooperation (Section 2002): Increases the FY 1987 authorization for the International Narcotics Control program under the Foreign Assistance Act--from \$57.5 million to \$75.4 million--and authorizes an additional \$45 million provided a spending plan is submitted.
- Aircraft Provided to Foreign Countries for Narcotics Control Purposes (Section 2003): Amends the Foreign Assistance Act to require that aircraft made available to foreign countries primarily for narcotics control purposes be provided only on a lease or loan basis.
- Pilot and Aircraft Maintenance Training for Narcotics Control Activities (Section 2004): Earmarks funds to be made available only "for education and training in the operation and maintenance of aircraft used in narcotics control interdiction and eradication efforts."
- Restrictions on the Provision of United States Assistance (Section 2005): In general, links foreign aid to performance and cooperation on narcotics control. The law suspends assistance to major illicit drug producing and transit countries unless (1) the President certifies to the Congress that such a country is cooperating with the U.S. and/or taking adequate steps on its own to reduce drug production and distribution; or (2) the President certifies that vital national security interests require continued assistance. The suspension would also effect international financing and trade benefits.
- Development of Herbicides for Aerial Coca Eradication (Section 2006): Earmarks funds to finance the research and development of herbicides for use in the aerial eradication of coca.
- Review of Effectiveness of International Narcotics Control Assistance Program (Section 2007): Calls for an investigation by the Comptroller General of the effectiveness of U.S. assistance to international narcotics control programs.
- Extradition to the United States for Narcotics-Related Offenses (Section 2008): Amends the Foreign Assistance Act by calling for inclusion in the annual international narcotics control report an examination of the extent to which certain countries have "cooperated with the United States' narcotics control efforts through the extradition or prosecution of drug traffickers," and, where appropriate, a discussion of any ongoing negotiations regarding new or updated narcotics-related extradition treaties.



- Foreign Police Arrest Action (Section 2009): Under certain circumstances, amends the Foreign Assistance Act to allow U.S. law enforcement officials greater leeway with respect to their involvement in foreign narcotics control efforts.
- Issuance of Diplomatic Passports for Drug Enforcement Administration Agents Abroad (Section 2010): Commends the Secretary of State's decision to issue diplomatic passports to employees of the Drug Enforcement Administration.
- Information-Sharing so that Visas are Denied to Drug Traffickers (Section 2011): Calls on the executive branch to establish an information system on "all drug arrests of foreign nationals in the United States so that information may be communicated to the appropriate United States embassies."
- Conditions on Assistance for Bolivia (Section 2012): Conditions assistance to Bolivia on Presidential certification that Bolivia has (1) significantly disrupted its coca industry and (2) has entered into a cooperative agreement on narcotics control, including eradication of coca leaf.
- Reports and Restrictions Concerning Certain Countries (Section 2013): Calls on the President to submit a report of each major drug producer and transit country (1) which supports drug trafficking as a matter of government policy; (2) in which any senior government official supports drug trafficking; (3) in which any official of the U.S. government has "suffered or been threatened with violence, inflicted or with the complicity of any official of such country;" or (4) which, having been requested to do so, fails to cooperate reasonably with U.S. drug enforcement activities. Assistance restrictions and restriction waivers relating to the above conditions are also provided in this section.
- Combatting Narco-Terrorism (Section 2014): Calls on the President to improve the capability of the executive branch "(1) to collect information concerning the links between narcotics trafficking and the act of terrorism abroad, and (2) to develop an effective and coordinated means for responding to the threat which these links pose." This section also makes funds available for Colombia and other countries to be used in protecting government officials from acts of narco-terrorism, and urges the establishment of a reward for information leading to the arrest of Jorge Luis Ochoa Vasquez, alleged Colombian drug trafficker.
- Interdiction Procedures for Vessels of Foreign Registry (Section 2015): Urges the Secretary of State to increase negotiations with appropriate countries to facilitate improved procedures for interdiction of vessels suspected of carrying illicit narcotics. Countries refusing to negotiate may be subject to sanctions.

- Assessment of Narcotics Trafficking from Africa (Section 2017): Calls for an updated threat assessment of narcotics trafficking from Africa and, if necessary, an examination of the need for increased U.S. assistance for African countries.
- Policy Toward Multilateral Development Banks (Section 2018): Amends the Foreign Assistance Act by stating that it will be the policy of the U.S. to use its voice and vote in multilateral development banks to promote, where necessary, programs for the reduction and eradication of illicit drugs.
- Multilateral Development Bank Assistance for Drug Eradication and Crop Substitution Programs (Section 2018): Calls on U.S. representatives to multilateral development banks to propose appropriate increases in assistance to drug eradication programs and crop substitution projects.
- Drugs as a National Security Problem (Section 2019): Declares that drugs are a national security problem and urges the President to explore the possibility of involving security-oriented organizations (such as NATO) in cooperative drug programs.
- Findings Concerning Greater International Effort to Address Drug Threat (Section 2020): Most importantly, finds that a greater international effort is needed to address the drug threat, such as greater contributions by other countries to the UN Fund for Drug Abuse and Control and greater coordination of law enforcement efforts.
- International Conference on Drug Abuse and Illicit Trafficking (Section 2021): Calls on the President to appoint a head of the U.S. delegation to the Conference and ensure that necessary resources are available for U.S. preparation and participation.
- Effectiveness of International Drug Prevention and Control System (Section 2022): Calls on the President to study the budget and program effectiveness of UN bodies involved in narcotics prevention and control and make any recommendations that result from the study.
- Narcotics Control Conventions (Section 2023): Urges the UN Commission on Narcotic Drugs to complete a new draft convention against drug trafficking and calls for more effective implementation of existing narcotics-related treaties.
- Mexico-United States Intergovernmental Commission (Section 2024): Urges the President to direct the Secretary of State, in conjunction with the National Drug Enforcement Policy Board, to negotiate with the Government of Mexico on creating a joint Intergovernmental Commission on Narcotics and Psychotropic Drug Abuse and Control.

- Opium Production in Pakistan (Section 2025): Urges the Government of Pakistan to "adopt and implement a comprehensive narcotics control program which would provide for more effective" drug law enforcement.
- Opium Production in Iran, Afghanistan, and Laos (Section 2026): Calls on the President to instruct the U.S. Ambassador to the UN to request that the UN General Secretary raise with appropriate UN bodies the problem of illicit drug production in Iran, Afghanistan, and Laos.
- Increased Funding for USIA Drug Education Programs (Section 2027): Authorizes additional funding for USIA drug education programs abroad.
- Increased Funding for AID Drug Education Programs (Section 2028): Authorizes additional funding for AID to increase "awareness of the effects of production and trafficking of illicit narcotics on source and transit countries."
- Report to Congress on Drug Education Programs Abroad (Section 2029): Calls on the Director of USIA and the Administrator of AID to include in their annual reports a description of their respective drug education programs.
- Narcotics Control Efforts on Mexico (Section 2030): In general, the Congress advised that unless substantial progress is demonstrated by Mexico in the near future on specified issues--including the investigations surrounding the murder and torture of DEA agents Camarena and Cortez, respectively--the President should consider imposing sanctions against Mexico.

### Title III - Interdiction

- Defense Drug Interdiction Act (Subtitle A): Some major elements: (1) authorizes appropriations to the Department of Defense (DOD) for enhanced support of drug interdiction activities; (2) provides for greater Naval assistance to the Coast Guard in carrying out its maritime drug law enforcement mission; (3) calls on the Secretary of Defense to submit a report describing DOD school drug education programs; (4) calls for a listing of all forms of assistance "that shall be made available by the Department of Defense to civilian drug law enforcement...agencies"; (5) calls and authorizes funds for a greater Civil Air Patrol role in drug interdiction efforts.
- Customs Enforcement Act of 1986 (Subtitle B):
  - Amendments to the Tariff Act of 1930 (Part 1):
    - (1) Establishes and strengthens reporting requirements and penalties for vessels, vehicles, aircraft, and individuals

entering and leaving the United States; (2) enhances the ability of U.S. law enforcement authorities to seize and forfeit conveyances used in illicit drug trafficking; (3) provides for compensation to informers; (4) authorizes the appropriate exchange of information with foreign law enforcement agencies; (5) in cooperation with host governments, authorizes the stationing of U.S. customs officers in foreign countries for pre-clearance purposes.

- Undercover Customs Operations (Part 2): Establishes conditions with respect to the use of funds for Customs Service undercover operations designed to detect and prosecute offenses against the United States "which are within the jurisdiction of the Secretary of the Treasury."
- Customs Service Authorizations and Forfeiture Fund (Part 3): Authorizes appropriations for Fiscal Year 1987 for the Customs Service; expands the purposes for which the Customs forfeiture fund may be made available.
- Miscellaneous Customs Amendments (Part 4): Addresses the applicability of customs requirements to recreational vessels; provides customs officers with the authority to "demand the assistance of any person" in making an arrest, search or seizure; alters the reporting requirements for the export and import of monetary instruments.
- Amendments to the Controlled Substances Import and Export Act (Part 5): Amends the Act to include the following subsection: "It shall be unlawful for any United States citizen on board any aircraft, or any person on board an aircraft owned by a United States citizen or registered in the United States to (1) manufacture or distribute a controlled substance; or (2) possess a controlled substance with intent to distribute."
- Maritime Drug Law Enforcement Prosecution Improvements Act of 1986 (Subtitle C): Amends Public Law 96-350 by stating that it is "unlawful for any person on board a vessel of the United States, or on board a vessel subject to the jurisdiction of the United States, to knowingly or intentionally manufacture or distribute, or possess with the intent to manufacture or distribute, a controlled substance"; and provides for the seizure and forfeiture of property "used or intended for use to commit, or facilitate the commission of, an offense under this Act."
- Coast Guard (Subtitle D): Authorizes additional funding for Coast Guard operations, acquisitions, construction, and improvements.

- United States-Bahamas Drug Interdiction Task Force (Subtitle E): Calls for the establishment of, and authorizes funds for, a U.S.-Bahamas Drug Interdiction Task Force to be operated jointly by the U.S. and Bahamian governments.
- Command, Control, Communications, and Intelligence Centers (Subtitle F): Authorizes funds (to the Customs Service) for the establishment of Command, Control, Communications, and Intelligence (C<sup>3</sup>I) centers in locations within the U.S.
- Transportation Safety (Subtitle G): Amends the Federal Aviation Act of 1958 by establishing restrictions and penalties regarding the operation and alteration of aircraft in connection with the transportation of controlled substances.
- Department of Justice Funds for Drug Interdiction Operations in Hawaii (Subtitle H): Authorized funds for "helicopters with forward looking infrared radiation detection devices for drug interdiction operations in Hawaii."
- Federal Communications Commission (Subtitle I): Allows the FCC to revoke any private operator's license who uses it "for the purpose of distributing, or assisting in the distribution of, any controlled substance in violation of any provision of Federal law."

#### Title IV - Demand Reduction

- In general, authorizes the appropriation of significant new funding for expansive Federal, State, and local drug abuse education, prevention, and treatment program research and development. In addition, the title earmarks funds for the establishment of an Office for Substance Abuse Prevention in the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) and an alcohol and drug abuse information clearinghouse. The title also addresses the unique needs of the American Indian and Alaskan communities with respect to drug abuse education and prevention.

#### Title V - United States Insular Areas and National Parks

- United States Insular Area Drug Abuse Act of 1986 (Subtitle A): Provides, both in terms of funding and authority, for improved drug law enforcement and public and private drug abuse prevention and treatment programs in U.S. insular areas.

- National Park Police Drug Enforcement Supplemental Authority Act (Subtitle B): Authorizes funds for equipment, facilities, and employment and training of additional Park Police "in order to improve Federal law enforcement activities relating to the use of narcotics and prohibited substances" in the national park system.

Title VI - Federal Employees Substance Abuse  
Education and Treatment Act of 1986

- Calls for the development of "appropriate prevention, treatment, and rehabilitation programs and services for drug abuse among" Federal government employees.

Title VII - National Anti-Drug Reorganization and  
Coordination Act

- Calls on the President to submit recommendations for legislation to reorganize the Executive branch to more efficiently combat drug trafficking and abuse.

Title VIII - President's Media Commission on Alcohol  
and Drug Abuse Prevention Act

- Establishes a commission known as the President's Media Commission on Alcohol and Drug Abuse Prevention to examine the role of the media in public drug abuse education, and encourage media outlets to provide relevant drug abuse education information.

Title IX - Denial of Trade Benefits to Uncooperative  
Major Drug Producing or Drug-Transit Countries

- Calls for the denial of a variety of trade benefits to major drug producing and transit countries who fail to adequately address their respective drug law enforcement problems.

Title XV - National Forest System Drug Control Act of  
of 1986

- Authorizes the Secretary of Agriculture to "take actions necessary in connection with the administration and use of the National Forest System, to prevent the manufacture, distribution, or dispensing of marijuana and other controlled

substances." Within the boundaries of the National Forest System, Forest Service officers would have authority to carry firearms, conduct investigations relating to controlled substances, and make arrests.

#### Miscellaneous Titles

- Title X - Ballistic Knife Prohibition Act of 1986
- Title XI - Homeless Eligibility Clarification Act
- Title XII - Commercial Motor Vehicle Safety Act of 1986
- Title XIII - Cyanide Wrongful Use
- Title XIV - Senate Policy Regarding Funding

## GLOSSARY

CANNABIS: Latin name for plant genus that produces the psychoactive drug found in marijuana and hashish.

CONTROLLED SUBSTANCES ACT (CSA): Common name for the Comprehensive Drug Abuse Prevention and Control Act of 1970, which provides the authority for controlled substance regulation and law enforcement.

CONTROLLED SUBSTANCE ANALOGUE: Synthetic drug that is a chemical variant of a controlled substance, typically very potent and with a high abuse potential.

DANGEROUS DRUGS: Category of substances, both licit and illicit, that includes the following: stimulants other than cocaine; narcotics other than heroin and opium; hallucinogens other than cannabis; and all depressants.

DEPRESSANT: Drug that reduces bodily functional activity. In excessive doses can cause shallow respiration, weak pulse, coma, or death. Examples: barbiturates, benzodiazepines, methaqualone.

DESIGNER DRUG: Controlled substance analogue.

DRUG ABUSE: Any use of an illicit drug or any abuse of a licit drug.

DRUG ABUSE WARNING NETWORK (DAWN): National network of hospital emergency rooms and medical examiners in selected cities that report injuries and deaths in which drug abuse was a factor. Each episode (overdose, suicide attempt, car accident, etc.) is recorded as one or more "mentions," depending on the number of drugs involved. The system relies on self reporting by the victim.

ESSENTIAL CHEMICAL: Chemical required in the drug manufacturing process as a solvent, reagent, or catalyst. Examples: ethyl ether, used to process cocaine; acetic anhydride, used to process heroin.

FORFEITURES: Assets surrendered to the government because it has been proven that they were derived from or used in illegal activities. Assets are forfeited by administrative or judicial proceedings.

HALLUCINOGEN: Drug that induces hallucinations that distort the perception of objective reality. In excessive doses can cause psychosis or death. Examples: LSD, Mescaline, Phencyclidine (PCP).

ILLICIT DRUG: Drug that has no legally sanctioned use.



INTELLIGENCE COMMUNITY: The Intelligence Community includes the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, Department of Defense intelligence components, Department intelligence elements (other than DOD), and independent agencies, including the FBI. These elements are part of the National Foreign Intelligence Program.

LICIT DRUG: Drug that has at least one legal medical use.

NARCOTIC: A drug composed of opium, opium derivatives or synthetic substitutes that in moderate doses dulls the senses, relieves pain, and induces profound sleep, but in excessive doses can cause stupor, coma, convulsions, or death. Examples: opium, morphine, codeine, methadone, fentanyl. Commonly, but inaccurately, used as a synonym for "drug."

OPERATIONAL INTELLIGENCE: A term unique to drug investigative agencies representing analytical support to the investigation and prosecution process.

PRECURSOR CHEMICAL: Chemical required for the production of a drug that becomes part of the final product. Examples: piperidine, used in the synthesis of PCP; anthranilic acid, used in the synthesis of methaqualone; phenylacetic acid, used in the manufacture of methamphetamine.

PSYCHOACTIVE DRUG: Drug that affects the mind or behavior. (Similar in definition to, and often used interchangeably with, "psychotropic" drug.)

PSYCHOTROPIC DRUG: Drug that acts on the mind.

SEIZURES: Include (a) drugs and conveyances seized by law enforcement authorities and (b) drug-related assets (monetary instruments, etc.) confiscated by law enforcement authorities based on evidence that they have been derived from or used in illegal narcotics activities.

STIMULANT: Drug that increases bodily functional activity. In excessive doses can cause agitation, hallucinations, convulsions, or death. Examples: cocaine, caffeine, nicotine, amphetamines, phenmetrazine.

STRATEGIC INTELLIGENCE: Evaluated information concerning drug production, trafficking, abuse trends, and similar data. Used in policy development and management decision-making; provides the framework for strategy development and resource allocation to support operational planning.

SYNTHETIC DRUG: Drug that has been synthesized in a laboratory using solely inorganic chemical compounds.

TACTICAL INTELLIGENCE: Actionable, real-time information regarding the current or imminent location and movement of particular smuggling targets.