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REPORT TO THE CONGRESS

Efforts To Stop Narcotics And Dangerous Drugs Coming From And Through Mexico And Central America

Drug Enforcement Administration
Department of Justice
Department of State

*BY THE COMPTROLLER GENERAL
OF THE UNITED STATES*

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DEC. 31, 1974



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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d To the Speaker of the House of Representatives
and the President pro tempore of the Senate

This is our report entitled, "Efforts to Stop Narcotics
and Dangerous Drugs Coming From and Through Mexico and
Central America."

We made our review pursuant to the Budget and Accounting
Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act
of 1950 (31 U.S.C 67).

We are sending copies of this report to the Director,
Office of Management and Budget; the Secretary of State; and
the Attorney General.

James B. Axtell

Comptroller General
of the United States

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ABBREVIATIONS

BNDD	Bureau of Narcotics and Dangerous Drugs
DEA	Drug Enforcement Administration
GAO	General Accounting Office
OMB	Office of Management and Budget

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

EFFORTS TO STOP NARCOTICS AND
DANGEROUS DRUGS COMING FROM AND
THROUGH MEXICO AND CENTRAL AMERICA
Drug Enforcement Administration
Department of Justice
Department of State

D I G E S T

WHY THE REVIEW WAS MADE

The flow of narcotics and dangerous drugs from and through Mexico to the United States is increasing.

In 1971 about 20 percent of the heroin, 90 percent of the marihuana, 80 percent of the dangerous drugs, and much of the cocaine consumed in this country came from and through Mexico. By late 1973 heroin flowing from and through Mexico to the United States had increased to about half the total consumption.

In September and October 1974, Drug Enforcement Administration officials estimated that

- 70 percent of all heroin reaching the United States comes from poppies grown in Mexico;
- virtually all the marihuana seized comes from Mexico and the Caribbean;
- about 3 billion tablets of dangerous drugs, valued at more than \$1.6 billion on the illicit market, comes from Mexico in a year; and
- cocaine, which is becoming a preferred drug of abuse, passes through Mexico on its way from South and Central America.

Central America is also a potentially important transshipment point for drugs coming to the United States.

Accordingly, GAO examined U.S. programs designed to reduce the flow of drugs coming from and through Mexico and Central America.

FINDINGS AND CONCLUSIONS

The United States is trying to stop the flow of drugs from Mexico by:

- Forcibly preventing shipment of drugs to the United States (called interdiction).
- Eliminating illicit production in Mexico.
- Assisting the Mexican Government's antidrug efforts.

The U.S. Ambassador, as the President's representative, is responsible for seeing that U.S. objectives are achieved. In the drug area he is supported by

- the Drug Enforcement Administration, the prime U.S. enforcement agency, maintaining liaison with Mexican Government narcotics enforcement agencies, and
- drug control committees in each country. (See pp. 2 and 3.)

Progress

Since 1969 the United States and Mexican Governments' antidrug efforts have:

- Increased drug seizures, opium and marihuana eradication, and arrests.
- Provided better information on drug trafficking.
- Improved Mexican capability through material assistance grants and training.
- Increased cooperation and discussion at high diplomatic levels. (See pp. 15 and 16.)

Problems

Even with this progress, increasing amounts of drugs continue to reach the United States.

Factors which have hindered greater effectiveness in reducing the flow of drugs to the United States include

- Lack of full cooperation between the two Governments regarding drug information and extradition and
- limited technical resources and manpower. (See pp. 20 to 25.)

Cooperation

One way to reduce the flow of drugs to the United States is the exchange of accurate data about the activities of known and suspected drug traffickers between the Drug Enforcement Administration and the Mexican Federal police. The Drug Enforcement Administration, however, has had only limited opportunity to interrogate persons arrested by the Federal police for drug crimes and sometimes was denied access to information the police obtained. (See p. 20.)

Immobilization of drug traffickers is further hindered because drug

traffickers who flee to Mexico are not prosecuted and incarcerated. Mexico readily grants citizenship to persons having Mexican parents or background, regardless of the solicitant's place of birth. Some of them, before becoming Mexican residents, lived in the United States until they were convicted or suspected of violating U.S. drug laws.

The Administration estimates that more than 250 such persons now live in Mexico. Some still traffick in drugs. Because they are Mexican citizens, the Mexican Government refuses to extradite them to the United States for prosecution.

In a few cases, Mexican citizens have been convicted in Mexico for drug violations in the United States. Greater use of this procedure might deter Mexicans who have violated U.S. drug laws from using Mexico as a sanctuary from prosecution. (See p. 28.)

Material assistance

Mexico is not only a major trans-shipment area but also an indigenous source of drugs. Its sparsely populated and rugged mountains make location and eradication of clandestine cultivation areas difficult and time consuming.

Its extended border with the United States and two long coastlines afford traffickers virtually unlimited locations for smuggling. This, in turn, makes it harder for its ill-equipped police to locate trafficking routes. (See pp. 6 and 25.)

Since 1970 the United States has given Mexico \$6.8 million in

equipment, such as helicopters for troop transportation. Additional equipment has been approved by the Cabinet Committee on International Narcotics Control. (See p. 26.)

More than 250 of the 350-member Mexican Federal police force have been trained in drug enforcement procedures by the Drug Enforcement Administration; this training is continuing. (See p. 26.)

The United States is also providing equipment and training to the Mexican Customs Service. (See p. 27.)

Other matters

DEA has had some success in locating and eliminating narcotics laboratories in other countries by publicly offering rewards for information about drug traffickers.

Though the Administration has had information for a number of years that heroin laboratories are operating in at least eight areas in Mexico, no significant laboratory had been seized until February 5, 1974. Since then six other laboratories have been seized.

GAO believes that publicly offering rewards would increase the identification of illicit laboratories, but the Mexican Government has not agreed to offer rewards for information, despite repeated U.S. requests.

Although the Drug Enforcement Administration recognizes that many oceangoing vessels and aircraft are used in moving drugs from Mexico illicitly, it had not monitored the use of oceangoing vessels and aircraft by drug traffickers. (See pp. 18 and 22.)

The Mexican Government recognized that corruption exists at many of its levels, including the Mexican Federal police, and developed plans to overcome this problem, such as reorganizing the police. This reorganization was to begin in January 1973, but no action had been taken as of September 1974. (See p. 18.)

Central America

Central America is not currently considered a prime source in transshipping drugs to the United States; however, it does offer traffickers many of the same benefits as does Mexico.

As enforcement improves in Mexico, the Drug Enforcement Administration expects traffickers to make greater use of the Central American countries. Plans are being developed, and the Administration plans to assign agents to these countries. (See p. 34.)

RECOMMENDATIONS

The Attorney General, in cooperation with the Secretary of State, should improve information gathering and cooperation in Mexico by encouraging the Mexican Government to

--share information obtained during interrogation of suspected drug traffickers and

--prosecute traffickers fleeing to Mexico within the Mexican judicial system if Mexico continues to refuse extradition.

AGENCY ACTIONS AND UNRESOLVED ISSUES

Department of Justice

The unclassified version of the Department of Justice's comments are included in appendix I. A copy of the Department's classified response will be made available to authorized persons upon request.

The Justice Department

--agrees with GAO's analysis of extradition problems and the possibility of prosecuting people in Mexico for violations of U.S. statutes and

--recognizes the merit of some observations concerning enforcement operations.

However, the Department believes GAO's findings, conclusions, and recommendations have serious weaknesses. The Department believes the report is a random collection of observations and includes items of secondary importance and that it ignores some significant issues, such as (1) investigative procedures used by the Mexican Judicial Police, (2) lack of operating agreements between the Drug Enforcement Administration and local Mexican police officers on custody and prosecution of arrested carriers, and (3) problems created for U.S. border investigations by the policy of the Government of Mexico which requires that known narcotics and dangerous drugs being smuggled out of Mexico be seized in Mexico. (This policy prevents the identification of U.S. traffickers by keeping the drugs under surveillance until they are delivered.)

GAO recognizes that many problems affect the efforts to stop the flow of narcotics and dangerous drugs into the United States and that these problems and their seriousness change from time to time.

At the completion of GAO's fieldwork in late 1973, GAO's findings were discussed with appropriate U.S. agency officials in the field and in Washington. At that time GAO had not identified, nor had agency officials recognized, the three above areas mentioned by the Department as causing major problems.

If the Department has sufficient evidence to identify these areas as causing real problems to their efforts to stop the flow of narcotics and dangerous drugs into the United States, no additional work by GAO to develop these problems should be necessary. GAO suggests that the Department continue to work with the Government of Mexico to overcome these problems.

The Department also commented extensively on how it believed (1) the Government of Mexico could improve its drug enforcement activities and (2) U.S. operations on the border could be improved. It said that actions had been or were being taken to improve activities in both areas but that more efforts were needed.

The Drug Enforcement Administration's comments on specific actions planned or being taken on GAO's recommendations are included in the

body of the report. (See p. 22 and 32.)

Department of State

The Department of State (see app. II) endorsed the recommendations and said actions are underway and will be pursued. These actions are included in the body of the report. (See p. 32.)

MATTERS FOR CONSIDERATION
BY THE CONGRESS

This report is being sent to the Congress to advise it of efforts needed and being taken to reduce the flow of drugs into the United States from Mexico and Central America. The report should be useful to those committees having oversight responsibilities in this area.

CHAPTER 1

INTRODUCTION

Sources of illicit drugs in the United States represent an international problem. Mexico plays an important role in illicit drug trafficking, as an indigenous source and as a transshipment point for illicit drugs originating from countries all over the world.

U.S. authorities estimated that in 1971 drugs flowing from and through Mexico represented 20 percent of the heroin, 90 percent of the marihuana, and 80 percent of the illicit dangerous drugs (amphetamines and barbiturates) consumed in the United States. By late 1973 this flow of heroin totaled about half the U.S. consumption.

In September and October 1974 Drug Enforcement Administration (DEA), Department of Justice, officials estimated that

- 70 percent of all heroin reaching the United States comes from poppies grown in Mexico;
- virtually all the marihuana seized comes from Mexico and the Caribbean;
- about 3 billion tablets of dangerous drugs, valued at more than \$1.6 billion on the illicit market, comes from Mexico in a year; and
- cocaine, which is becoming a preferred drug of abuse, passes through Mexico on its way from South and Central America.

Large seizures of drugs in the United States have also been traced directly to Central America. Some of these drugs were transshipped through Mexico. As enforcement efforts in Mexico become more successful, DEA expects drug trafficking in Central America to increase.

ORGANIZATION OF ANTIDRUG
ACTIVITIES OVERSEAS

DEA

DEA is the prime Federal agency charged with enforcing the U.S. narcotic and dangerous drug laws. DEA was established July 1, 1973, by Presidential Reorganization Plan No. 2, which transferred to DEA (1) all the functions and personnel of the Bureau of Narcotics and Dangerous Drugs (BNDD), the Office for Drug Abuse Law Enforcement, and the Office of National Narcotics Intelligence, Department of Justice, and (2) the functions and personnel of the U.S. Customs Service relating to domestic and foreign narcotics intelligence and investigations.

DEA employs about 2,200 agents, of which 132 were stationed overseas as of December 31, 1973. DEA's appropriation for fiscal year 1974 is about \$112 million. For fiscal year 1975 DEA has requested an appropriation of about \$141 million. The 1974 appropriation and the 1975 appropriation request are broken down into the following areas of activity.

<u>Budget activity</u>	<u>1974 appropriation</u>	<u>1975 request</u>
	(000 omitted)	
Law enforcement:		
Criminal enforcement	\$ 80,383	\$104,109
Compliance and regulation	9,408	10,644
State and local assistance	9,891	10,798
Intelligence	5,515	8,373
Research and development	6,502	6,617
Executive direction	<u>215</u>	<u>234</u>
Total	<u>\$111,914</u>	<u>\$140,775</u>

Six of DEA's 19 regional offices are located in foreign countries, including 1 in Mexico City which is responsible for administering DEA programs involving Mexico and all Central America north of Panama. As of August 31, 1974, this office was staffed with 21 agents, one of which was stationed in Costa Rica. In addition, 157 agents were

stationed on the U.S. border and 54 agents were in special task forces working Mexican drug cases.

In October 1974 DEA said that it planned to assign 16 more agents to the Mexico City regional office and that they should be in Mexico by December 1974.

U.S. Embassies

In 1971, U.S. Embassy involvement in drug law enforcement increased in many countries as a result of the President's directive establishing drug control committees in foreign nations important to illicit drug trafficking. The committees are responsible for coordinating and guiding U.S. antidrug activities in their respective countries. The committees' first task was to develop plans outlining, among other topics, the (1) host country's influence on the U.S. drug problem, (2) U.S. goals and objectives to counteract this influence, and (3) specific steps to achieve these goals and objectives. In Mexico, committee membership includes representatives from DEA, the U.S. Customs Service, the Department of Defense, and the Federal Bureau of Investigation. To assist in gathering and analyzing pertinent data, a Subcommittee on Narcotics Intelligence was established. Committees in Central America are similarly organized.

Cabinet Committee on International Narcotics Control

The Cabinet Committee was established in September 1971 to formulate and coordinate Federal Government policies for eliminating the illegal flow of narcotics and dangerous drugs into the United States from other countries. The Secretary of State serves as chairman and membership includes the Attorney General; Secretaries of Defense, the Treasury, and Agriculture; U.S. Representative to the United Nations; and Director of the Central Intelligence Agency. A working group within the Cabinet Committee is composed of assistant secretary-level personnel from each member agency. This group supports the Cabinet Committee and consists of six functional subcommittees: Intelligence, Law Enforcement,

Public Information, Diplomacy and Foreign Aid, Congressional Relations, and Rehabilitation Treatment and Research. A coordinating subcommittee was also established to coordinate narcotics control activities among interested agencies and departments and for other duties.

The Cabinet Committee has specific responsibility for:

- Developing comprehensive plans and programs for international drug control.
- Insuring coordination of all diplomatic, intelligence, and Federal law enforcement programs and activities of international scope.
- Evaluating all such programs and activities and their implementation.
- Making recommendations to the Office of Management and Budget (OMB) on proposed fundings.
- Providing periodic progress reports to the President.

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

The Cabinet Committee requested narcotic control plans from U.S. Embassies in countries considered to be involved in producing, consuming, or transiting illicit hard drugs. These plans include a description of the drug situation, statement of goals (see p. 14), estimated costs, priorities, and a general timetable. They are reviewed by the State Department's regional Interagency Narcotics Control Committees, the Cabinet Committee's working group, and finally by the Cabinet Committee. When the plans are approved, they are returned to the foreign posts and serve as a basis for opening discussions with host governments for the negotiation of bilateral control plans.

The Department of State has overall authority for the control of narcotics funds appropriated under the Foreign

Assistance Act. For fiscal years 1973 and 1974 approximately \$5.97 million will have been obligated under this act to fund the activities of the Cabinet Committee in Mexico. Another \$5 million is expected to be expended in fiscal year 1975 in Mexico.

SCOPE OF REVIEW

We examined Mexico's and Central America's roles in supplying illicit drugs to the United States and DEA and U.S. Embassy efforts to confront the problem. We made our review at:

- DEA's Washington, D.C., headquarters and Mexico City regional office.
- U.S. Embassies in Mexico City; San Jose, Costa Rica; Guatemala City, Guatemala; and Managua, Nicaragua.
- Department of State, Washington, D.C.

We examined DEA documents and DEA and other agencies' files on drug control activities.

Photographs in this report were supplied by DEA.

CHAPTER 2

SMUGGLING FROM MEXICO

Illicit drug traffic from and through Mexico to the United States is difficult to intercept because traffickers may use either land, air, or water routes for smuggling illicit drugs. Also, many sections of Mexico are sparsely populated and difficult to police effectively.

TRANSSHIPMENT OF DRUGS

Narcotics are transported to Mexico by means of international air lines, oceangoing freighters, and land. A 1972 U.S. Government report stated that about 18 percent of the heroin consumed in the United States had been smuggled through Mexico. An example of this smuggling is illustrated by the following case. A retired Mexican army general was arrested by French authorities in 1972 as he attempted to leave France. He had in his possession about 130 pounds of heroin which he intended to pass through Mexican customs for smuggling to the United States. Over the past few years he had made several trips to France, which DEA believed were for the purpose of smuggling heroin.

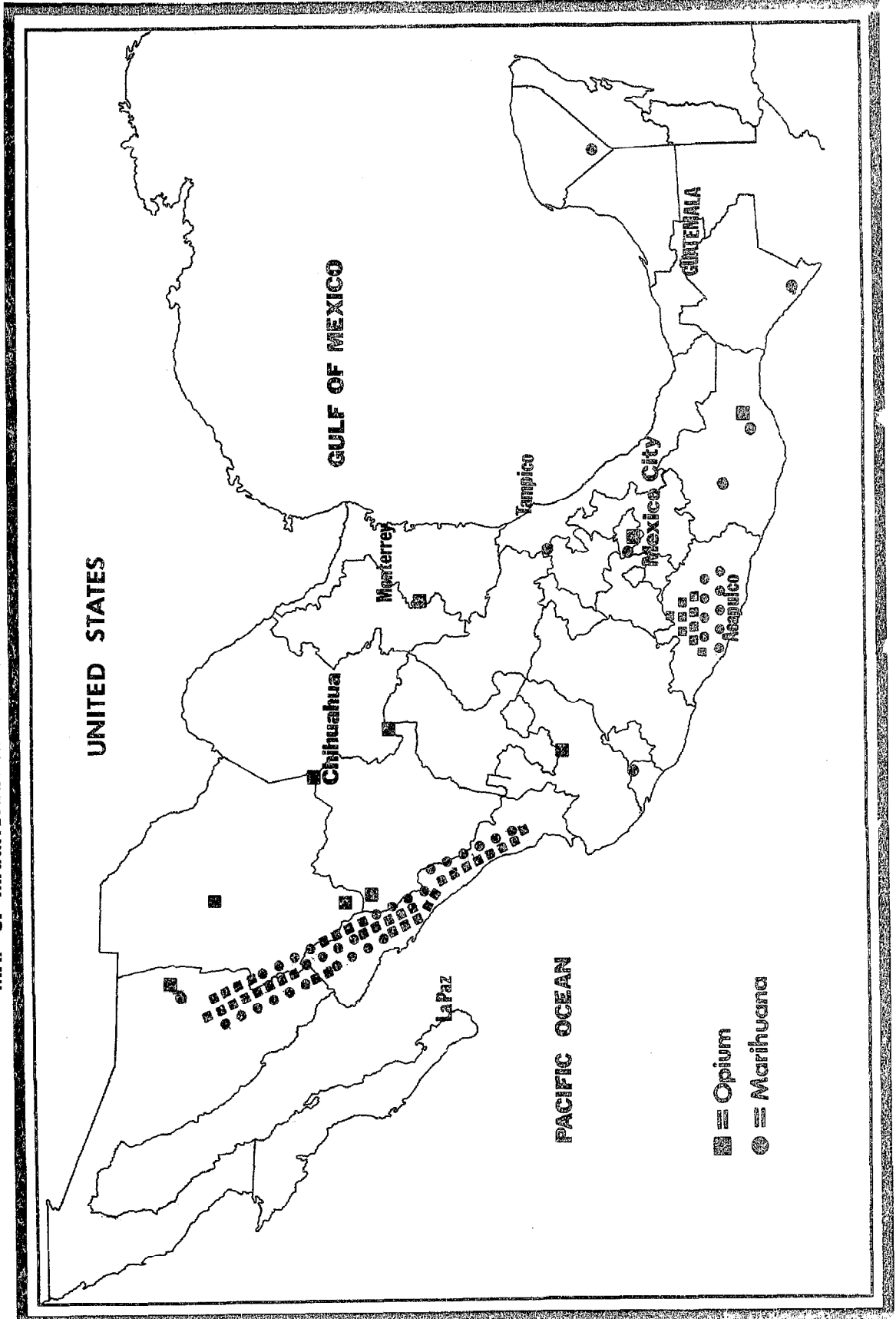
Mexico also serves as a transshipment point for cocaine destined for the United States. Almost all of the world's cocaine is cultivated in South America. Approximately 200 pounds of cocaine in the process of being transshipped to the United States were seized in Mexico in 1972.

INDIGENOUS SOURCE OF DRUGS

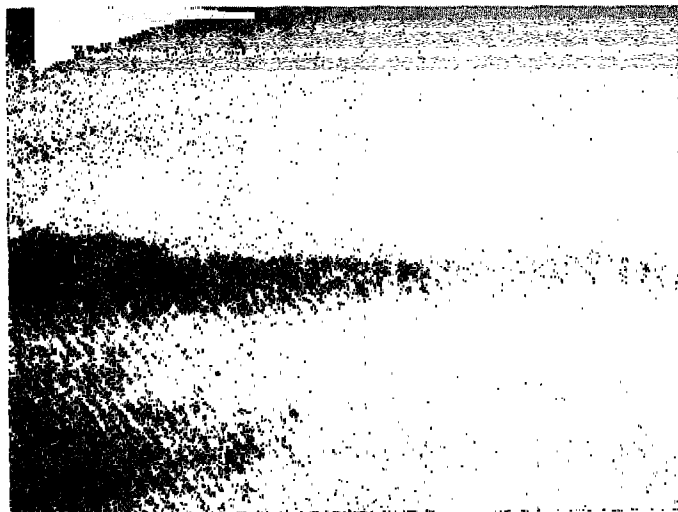
Many illicit drugs used in the United States are produced in Mexico. Sparcely populated mountainous terrain, climate favorable to growing opium poppies and marihuana, and limited governmental control in some areas have been essential elements to the increasing production of illicit drugs.

DEA estimated that about 90 percent of the marihuana consumed in the United States is produced in or transshipped through Mexico. DEA reports indicate that increasing numbers of dangerous drugs, i.e., amphetamines and barbiturates, are being produced in Mexico. Clandestine laboratories in Mexico obtain the basic ingredients for

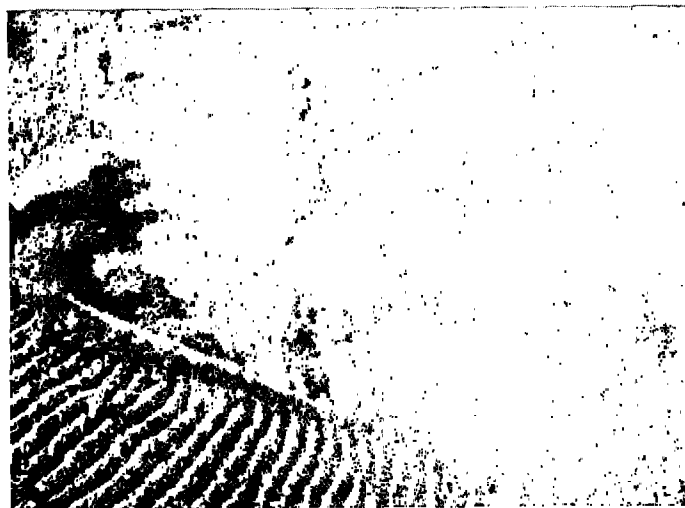
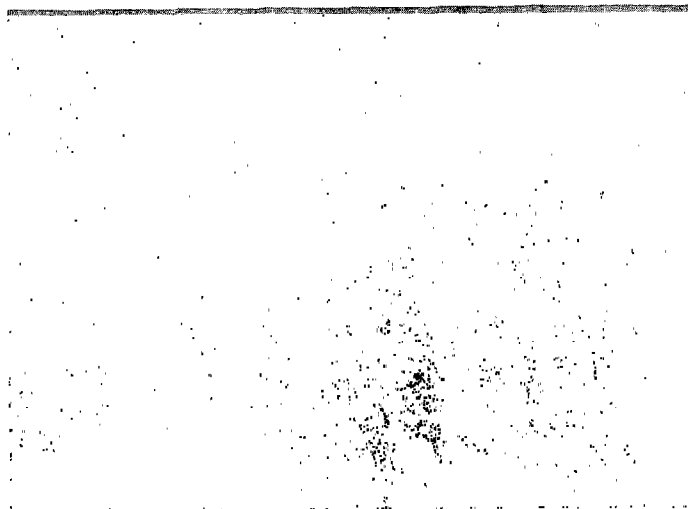
MAP OF MARIHUANA AND OPIUM GROWING AREAS IN MEXICO



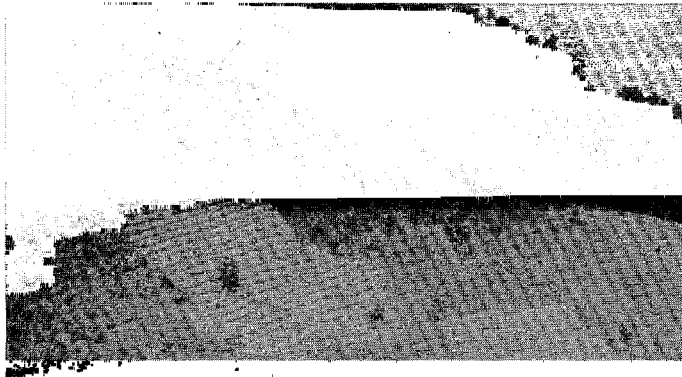
OPIUM POPPY FIELDS IN MEXICO



Most opium grown in Mexico is cultivated in States bordering the Pacific Ocean. The Sierra Madre Mountains provide a haven for many small farmers who cultivate plots of opium poppies.



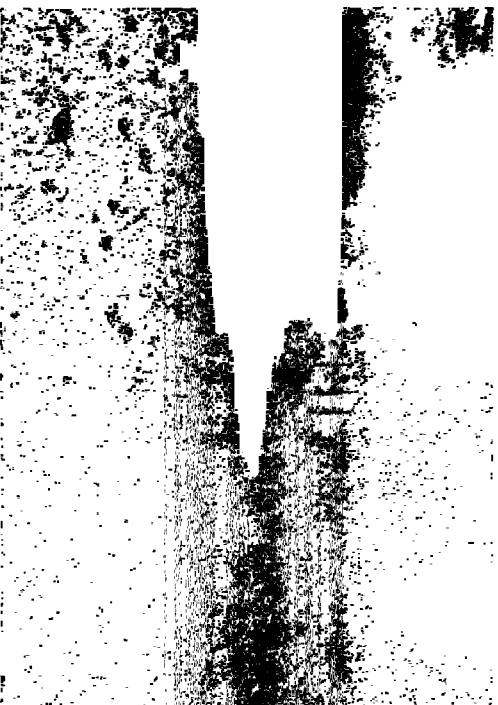
OPIUM POPPY FIELDS IN MEXICO



The average size of an opium poppy field is about 1 acre. The Mexican farmer is paid to plant his plot or grows it on his own and sells the opium gum to the buyer who visits the area.



OPIMUM POPPY FIELDS IN MEXICO



Closeup of opium poppies
ready for harvest in the
Mexican mountains.



producing dangerous drugs from United States and European drug supply houses. For example, a laboratory in Mexico, which was an affiliate of a U.S. pharmaceutical firm, was closed down in April 1972 by the Government of Mexico for illegal production and sale of amphetamines. The amphetamines were made with ingredients obtained legally from the U.S. affiliate. During 1972 the Government of Mexico seized three additional laboratories which reportedly produced and exported to the United States at least 6 million doses of barbiturates and amphetamines.

Our previous 1974 report to the Congress ^{1/} pointed out that for the first 8 months of fiscal year 1973, only 5 percent of DEA's Mexico City regional office staff time was spent in assisting the Mexican Government to eliminate the sources of these drugs.

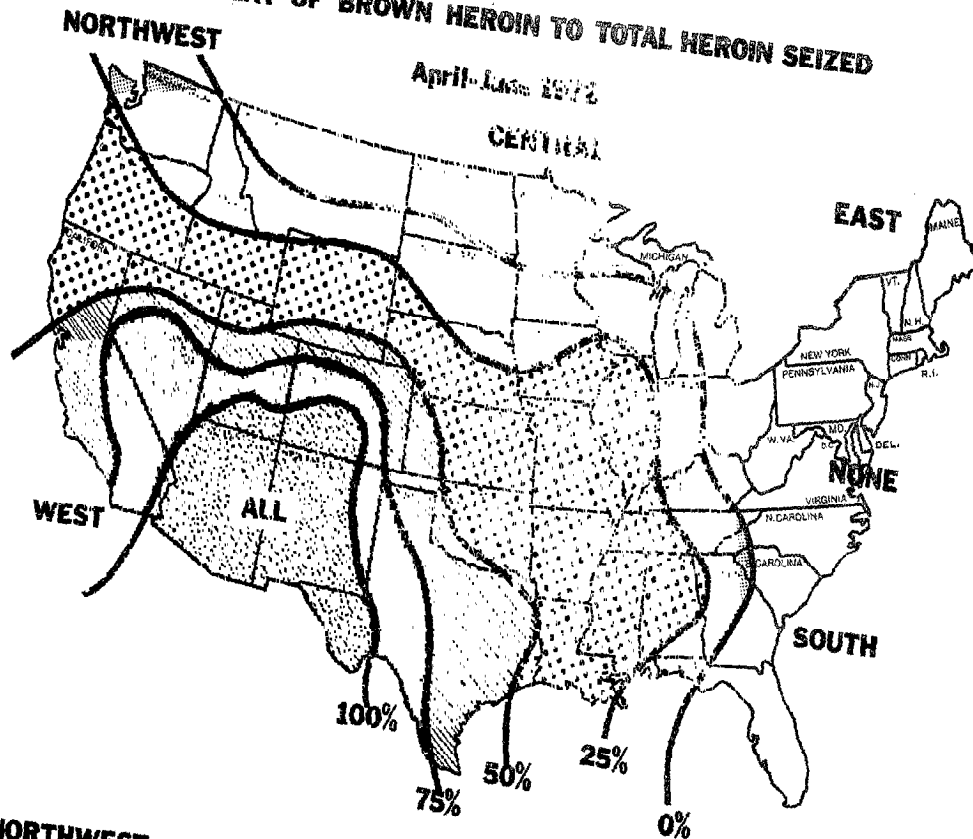
Opium and its derivative, heroin, are also produced in Mexico. DEA estimated that in 1971 about 2 percent of the U.S. supply of heroin was produced in Mexico. Since that time this has risen to about 50 percent, largely as a result of successful action against heroin entering the United States from Turkey and Western Europe. Mexican chemists follow a less sophisticated opium processing formula than the European chemists, which gives their heroin a brown color as opposed to the white color achieved by their European counterparts. Despite intensive United States and Mexican drug enforcement effort, the availability of brown heroin from Mexico continues to grow. DEA informed us that information available as of January 1974 indicates that some brown heroin may be coming from Southeast Asia and South America.

Brown heroin seized in the United States represented 37 percent of the total heroin seized in this country during fiscal year 1973 compared with 8 percent in 1972. DEA reported that, by late 1973, more than 50 percent of the heroin seized in the United States was brown heroin from Mexico. The following maps, prepared by DEA, illustrate how the distribution and concentration of brown heroin has intensified.

^{1/}Identifying and Eliminating Sources of Dangerous Drugs: Efforts Being Made, But Not Enough (B-175425), June 7, 1974.

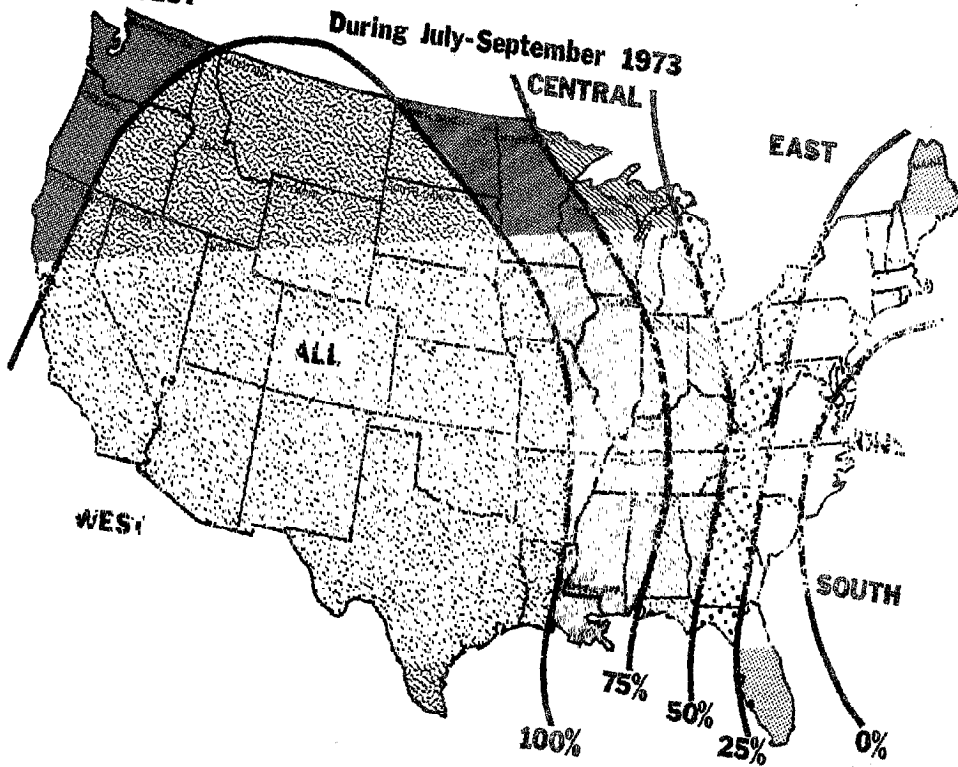
PERCENT OF BROWN HEROIN TO TOTAL HEROIN SEIZED

April-June 1972



PERCENT OF BROWN HEROIN TO TOTAL HEROIN SEIZED

During July-September 1973



DRUG ENFORCEMENT OBJECTIVES

Drug enforcement priorities of Mexico and the United States have differed in the past in that Mexico, because of its marihuana abuse problem, was more interested in eradicating marihuana, whereas the United States was more interested in stopping the flow of narcotics, particularly heroin, from Mexico. U.S. officials told us that, because of increased Embassy and DEA efforts during 1973 to convince the Mexican officials of the danger of narcotics abuse, the Mexican Government began in January 1974 to change its priorities.

MEXICAN GOVERNMENT ACTIVITIES

DEA told us that nearly all opium (to produce heroin) and marihuana grown in Mexico is shipped to the United States and very little is used domestically. Mexican Government officials advised DEA that Mexico had no sizable narcotics abuse problem, but they could not furnish statistical data supporting their views. Mexico did create a National Center for Drug Dependency Research in 1972 to conduct studies on all types of drug abuse in Mexico. The Department of State informed us that the United States is providing 1 man-year of technical assistance to this center, to establish and carry out a 2-year epidemiological study of drug abuse within Mexico.

Mexican laws prohibit the production and sale of narcotics, cocaine, and marihuana, and they were revised in January 1972 to establish control over the sale of dangerous drugs. Another law passed in 1972 prescribed severe penalties for landowners whose land is used for growing marihuana or opium poppies. Because the overriding Mexican drug legislation is Federal, the Mexican Attorney General has overall jurisdiction. Under his auspices, a 350-man Federal Judicial Police force is charged with enforcing all Federal statutes. This agency, however, has the authority to enlist the aid of State or municipal police at any time to assist in enforcement activities. Mexican army personnel are assigned to help the Federal police in their efforts, most notably to destroy opium poppy and marihuana fields. At times, up to one-fifth of the 60,000 army personnel have been involved.

Because of the remoteness of many opium and marihuana fields and the inaccessible terrain, the Mexican Government's eradication campaign cannot effectively cover all areas. Even after fields are located by Government officials, a portion of the crop usually can be harvested before enforcement personnel can reach and destroy the plants. Although the campaign has been considered effective in decreasing sources, DEA estimates that 15 or 20 percent of the opium and 60 percent of the marihuana is harvested before the fields are destroyed. Because of the favorable climate, the fields are often replanted within a few weeks. The eradication campaign is also hindered because many of the poor in Mexico's hinterlands depend on the marihuana crop, the most profitable crop that can be grown. Few farmers realize the ultimate havoc their crops cause. Since opium poppy production in Mexico is illegal (unlike in Turkey where it is lawful), it would be difficult for the Mexican Government to develop a crop substitute program. Under these circumstances farmers will continue to resist government efforts to destroy their main livelihood.

U.S. GOALS IN MEXICO

In February 1973 the drug control committee produced a plan outlining actions to be taken in Mexico.

1. Interdict the flow of all narcotics transiting from third countries into the United States.
2. Cooperate with the Mexican Government in opium poppy eradication efforts and interdiction of Mexican heroin destined for the United States.
3. Provide assistance to increase the effectiveness of the Mexican Government's border, air, and sea anti-narcotics law enforcement.
4. Work cooperatively with the Mexican Government to combat the processing and trafficking of dangerous drugs, especially amphetamines and barbiturates.
5. Convince the Government of Mexico to reorder its priorities to give top and predominant attention to "hard" drugs rather than marihuana.

6. Identify, penetrate, and collect intelligence on trafficking organizations.
7. Concentrate on major violators (as opposed to small traffickers).
8. Help train Mexican Government law enforcement officials in antidrug operations in order to carry out the objectives of goals 1, 2, 3, 4, 5, 6, and 7 above.
9. Cooperate with Mexico in marihuana eradication programs.

In addition, the U.S. Government plans to:

- Encourage the Mexican government to devote greater resources to drug enforcement.
- Collect and analyze information on illicit drug production and trafficking.
- Provide technical and material assistance to the Mexican Government.
- Provide information on illicit drug trafficking to Mexican personnel which will assist them in making drug arrests and seizures.

UNITED STATES AND MEXICAN ENFORCEMENT ACCOMPLISHMENTS

Enforcement efforts have increased since 1969, when agents began a program of detaining and searching all vehicles leaving Mexico. For example, with the Mexican Government's approval, DEA's manpower in Mexico more than doubled with district offices being established in three areas outside Mexico City. (See p. 3 for DEA's current staffing plans.) Statistics on Mexican Government drug activities before 1969 were not available, but DEA stated that drug seizures and arrests were minimal compared with current activity.

Although reliable statistics are difficult to obtain, the Mexican Government reported the following seizures

during the 12 months ended in February 1974: opium, 227 pounds; heroin, 293 pounds; cocaine, 405 pounds; marihuana, 513 tons; and dangerous drugs, 8,674,000 dosage units plus 110 pounds amphetamine powder. Though there were irregularities in reporting, the Mexican Government reported that, in its 1973 eradication program, 10,045 opium fields covering over 10,000 acres and 8,569 marihuana plantations covering over 6,000 acres were destroyed. In the first 4 months of 1974, over 7,500 poppy fields were reported destroyed, covering an area of over 4,000 acres; in the same period some 2,300 marihuana plantations were destroyed with a total area of about 1,000 acres.

The Mexican Government also reported that, during the same 12 months from February 1973 to February 1974, 3,073 persons had been detained in connection with drug trafficking. In addition it was reported that 467 farmers had been arrested for growing opium and marihuana and 2 launches, 41 airplanes, and 735 cars had been seized.

PROJECTS FOR BETTER DEFINING DRUG TRAFFICKING

DEA initiated several information-gathering projects to better define the illicit drug trafficking within Mexico. Two examples of such projects follow.

Operation Tadpol

This project was initiated in April 1972 with the objective of interdicting heroin, cocaine, and other narcotics before they reach the United States. From specially selected informants, DEA tries to get information on trafficking routes and sources of supply. During these investigations DEA determined that (1) buses and cars were used in smuggling drugs into the United States, (2) addicts were used to cultivate and harvest the opium crops and to transport the drugs, (3) addicts were not afraid of enforcement officials because they believed the officials were corrupt, and had been paid off, and (4) roadblock inspections were not effective because carriers knew how to avoid them. The gathering of this information was completed in December 1972 and this concluded Phase I of the project. Phase II involves making arrests based on this information.

Special enforcement activity

In August 1973 the Mexican attorney general expressed interest in conducting studies into the narcotics traffic in Mexico. This project consists of studies of the eradication, interdiction, and information analysis capabilities of the Mexican Government. The DEA Administrator has met with the attorney general to discuss U.S. cooperation. This project was begun in February 1974, and will enable the Mexican Government to identify areas where equipment, manpower, or procedural changes are necessary.

CHAPTER 3

ENFORCEMENT ACTION IN MEXICO

Although tons of narcotics and dangerous drugs have been stopped from reaching illicit U.S. markets, this represents only a fraction of the total drugs which illegally cross the border from Mexico to the United States.

MEXICAN GOVERNMENT CONTROL NOMINAL IN SOME AREAS

In some isolated regions noted for opium and marihuana production, especially in the mountains, Mexican Government drug enforcement has been intermittent. One reason Federal control is often hampered is because State or local governments resent Federal actions in their jurisdictions. Thus the Mexican Federal police have not mounted sustained operations in these regions.

A BNDD report dated November 29, 1972, identified this situation as the chief obstacle in investigating and immobilizing heroin laboratories. It also pointed out that the relationship between one State government and the Federal Government was so delicate that strict enforcement of Federal narcotic laws was handled with extreme diplomacy. DEA told us that in some areas the traffickers have more authority than the local police or army troops and are often better armed. Therefore, narcotic activities are carried on virtually unopposed.

PROBLEMS OF MEXICAN FEDERAL POLICE

The Mexican Government recognizes that corruption exists at many levels, including the Mexican Federal police, which sometimes restricts law enforcement efforts.

DEA believes there is corruption in the Mexican Federal police because the police are not provided good working benefits. For example, job security, hospitalization, and retirement are not provided for by a civil service system. Therefore, the police have need for additional funds, which must be obtained from other sources. The potential effect of this situation on the intensity of enforcement may be demonstrated by the following comments made to us by agents.

--When Mexican police agents are sent out of town they must pay for lodging from their own salaries.

--If an agent is wounded while on duty he must sometimes pay for his own medical care, including hospitalization.

Poor pay is also an important factor which may influence the quality of Mexican investigations. According to DEA analysis, some Mexican police:

"* * * sustain themselves on illicit monies acquired from various avenues which include prostitution, contraband smuggling, and in some cases, narcotic trafficking. Each agent, regardless of rank, sustains himself with these monies. It is the opinion of the sources of information that most of these agents are involved with minor narcotic traffickers. Most agents will not deal with major traffickers for fear of being identified or dismissed."

The Mexican Government has recognized these problems (and has used extreme care in designating agents to whom confidential information may be entrusted) and is developing programs to eliminate them. For example, Mexico's attorney general plans to restructure the police force. One element of the plan calls for establishing a career police service, a step which could be significant in improving enforcement efforts. Although the reorganization was to begin in January 1973, no action had been taken as of September 1974.

The Attorney General sees the widespread use of helicopters as extremely important in bringing the Federal law to hitherto lawless areas.

One very useful device employed by the Attorney General is the task force approach, in which flying squads of out-of-area Federal police are sent to localities where local officials or police may be suspected of corruption or ineffectiveness. These task forces can hit traffickers who might otherwise be protected by local officials.

With regard to the Mexican Government's reorganization plan, DEA officials told us in September 1974 that although

no action had as yet been taken, DEA will continue to encourage and provide managerial and technical assistance to the Government of Mexico for implementing the Federal Judicial Police reorganization plan.

DRUG TRAFFICKING INFORMATION
OFTEN NOT AVAILABLE TO DEA

One of the major goals proposed by the Drug Control Committee is to obtain information on trafficking organizations. Accurate information is one of the major drug enforcement weapons. Because DEA is restricted in gathering information in many foreign countries, it relies on the host country to supply information on narcotics traffickers. DEA's attempts to obtain information were often hampered by limited cooperation from the Mexican Government, although it readily cooperates by making many arrests.

During the past year, both DEA and the Mexican Government have increased their efforts to control illicit narcotics and dangerous drug traffic. In November 1973, top DEA and Mexican Government officials met and agreed to establish procedures for exchanging information.

Specialized training programs have been offered to and accepted by Mexican officials. In January 1974 DEA was in the process of finalizing arrangements to install a Mexico City terminal to its Narcotics and Dangerous Drugs computer information system. A number of extensive enforcement-oriented operations were jointly instituted commencing in December 1973.

These efforts, with supporting DEA Headquarters activities, have already resulted in conspiracy indictments.

Interrogation of apprehended violators

Interrogating arrested suspects may provide vital information or leads about other drug traffickers. DEA has had limited opportunity to use this source information. In Mexico, a suspect must be interrogated within 48 hours following his arrest. In most instances this time is used by the Mexican Federal police. DEA told us it does not have the opportunity to question suspects, and in some cases, has

been denied access to data obtained by the Mexican Federal police.

Gathering information

Although considerable information had been developed on certain major drug traffickers, DEA did not use all available means of obtaining additional information. For example, greater use of rewards to informants and policemen for information about traffickers and increased efforts to develop information on ocean and air smuggling would assist in identifying and immobilizing major drug traffickers.

Use of reward payments

In some foreign countries, excluding Mexico, DEA's policy had been publicly to offer monetary rewards to persons volunteering information leading to seizures of narcotics or heroin laboratories. (This policy is not followed in the United States.) The reward for information leading to the seizure of a laboratory, for example, can be \$200,000 or more depending on the amount of opium and heroin seized. This policy has resulted in the seizures of eight laboratories and 605 kilograms of heroin in other countries which might not have been seized otherwise.

DEA officials have had information for a number of years that heroin laboratories are active in at least eight areas in Mexico; however, no significant laboratory had been seized until February 5, 1974. Since then six other laboratories have been seized. Notwithstanding the recent successes, we believe that publicly offering rewards would increase the seizures of laboratories. DEA would like to offer rewards to Mexican informants for information about the location of heroin laboratories, but the Mexican Government has refused to allow such action. State Department officials told us that the Embassy had several times requested the Mexican Government to publicize the paying of rewards.

U.S. officials in Mexico pointed out that some persons may falsely accuse others solely to collect a reward. Mexican officials state that it is the duty of citizens and policemen to provide any known information on drug traffickers and that no rewards should be necessary.

DEA officials informed us on September 10, 1974, that DEA recognizes the sensitivity of the Government of Mexico regarding a program for rewarding individuals and that there are differences in the interpretation of the involved laws in the United States and Mexico. However, they said that DEA will continue to seek a change by the Government of Mexico to allow implementation of the award program, which has proven most effective for DEA elsewhere.

State Department officials informed us on August 5, 1974, that the technique of offering rewards to obtain drug trafficking information has been employed successfully in many places, and the results of experience elsewhere have been brought to the attention of Mexican authorities. They have not adopted this technique, however, and their decision must be respected.

Because both State and DEA officials are taking action on this matter, we are not making any recommendations.

Smuggling by air and sea

According to DEA, Mexico is a natural conduit for smuggling by air and sea to the United States. The joint border stretches many miles and accords smugglers numerous crossing points where risk of discovery is minimal. Isolated landing strips on each side of the border and evasive air maneuvers make aircraft a highly undetectable smuggling vehicle, particularly since there is an average of 500 private aircraft crossings a month. Mexico's two long coastlines offer illicit traffickers a multitude of embarkation points for sea voyages to U.S. coasts.

According to DEA reports, every conceivable type of oceangoing vessel has been used in the illicit movement of drugs. In response to this problem, DEA in late 1972 established as one of its major enforcement objectives the improvement of the Mexican Government's capability in surveillance of ships. However, DEA had not initiated action to accomplish this objective, until early 1974.

DEA officials informed us on August 26, 1974, that during late January and early February 1974, representatives of the Office of Intelligence and the Office of Enforcement surveyed the air narcotics smuggling problem in the south-

western United States. The survey results, coupled with previous Federal experience which indicated that interdiction without an intelligence base was unsuccessful, led to the development of the DEA Air Intelligence Program, which was started on June 27, 1974.

This program institutes an aggressive effort for collecting air intelligence by providing a formatted report form which is compatible with the Narcotics and Dangerous Drugs Intelligence System. It emphasizes collection and reporting of data on pilots, aircraft owners, aircraft, airports, and airport operators known or suspected to be involved in moving illicit substances by air. DEA officials stated that, since June 1974, numerous reference documents have been obtained or developed in conjunction with this program.

DEA officials also stated that they recognized the use of aircraft in the illicit traffic is not limited to the border areas alone. Accordingly, the Air Intelligence Program is designed to be national and international in scope with special emphasis on the borders. Since January 1974, DEA has initiated various programs and efforts to interdict the trafficking of narcotics, marihuana, and dangerous drugs by air. Tangible results are beginning to be seen and are expected to increase in the near future.

DEA officials also pointed out that, in regard to the air interdiction program, OMB performed a study in the Southwest Border area and recommended that the U.S. Customs Service be the primary U.S. Government agency for air interdiction along our southern border. Since the Mexican phase of this program is predicated upon the final resolution of OMB's conclusions and since DEA has planned significant expenditures for support of the program, before DEA accelerates its program the status of OMB's recommendation should be determined.

The Department informed us in August 1974 (see app. I) that DEA has recognized this problem and plans to establish new offices in Merida, Acapulco, and Vera Cruz in fiscal year 1975. Also, additional positions are being established in Mazatlan to place increased emphasis on ocean vessel monitoring.

DEA officials told us on September 10, 1974, that DEA and its predecessor agencies had recognized the need to monitor sea and air trafficking and that this has received major attention since the reorganization of national narcotics enforcement efforts.

DEA officials also said they are substantially increasing intelligence collection and evaluation efforts, establishing a border intelligence center at El Paso, increasing the use of aircraft, and installing new computerized assistance programs.

State Department officials told us on August 5, 1974 (see app. I), that ways and means are being explored to increase the effectiveness of surveillance over oceangoing vessels and aircraft engaged in drug trafficking. Among various steps under consideration to accomplish this is the possible stationing of DEA liaison personnel at seaports to work with their Mexican counterparts in such control activity. The problem of air trafficking is of continuing great concern to both Governments and has been discussed at high levels as well as at the operational level in recent months.

In view of actions being taken, we are making no recommendations on this matter.

Limited cooperation

In several instances the Mexican Government has failed to respond or has refused to take certain actions requested by DEA involving important drug activities. For example, DEA has been trying to obtain information on and samples of drugs produced by Mexican firms for more than 3 years with only limited success. The Mexican Government repeatedly refused to let DEA agents visit the Mexican firms. Finally, the agents were permitted to visit a few firms. However, of the hundreds of different pills made by legitimate firms in Mexico the agents were able to obtain only a few samples. Although agency officials indicated that efforts would be continued to obtain additional samples from Mexico, as of September 1973 they had not been obtained. Also, after extensive enforcement work by DEA in the United States and Europe to identify drug shipments to Mexico, the Mexican Government's cooperation was requested in November 1972 to

determine the legitimacy of the recipients. No action was taken by the Mexican Government to comply with the request until June 1973.

LIMITED CAPABILITY HINDERS
MEXICAN EFFORTS

Well-trained manpower and modern equipment are important factors in antidrug activities. In Mexico both these factors are limited, contributing to Mexico's difficulty in suppressing illegal drug activities. Grants of material by the United States have been a problem, because the Mexican Government was sensitive to any actions connoting aid and reluctant to accept needed equipment. This has now been largely overcome.

DEA said that Mexico's most important material need was transportation equipment. Although the highly inaccessible opium and marihuana plots in Mexico's mountains may be reached in a few hours by airplane or helicopter, it takes several days to reach them by ground transportation. Thus without adequate air transportation the Federal police cannot destroy the crops before a large part is harvested. Also, DEA said that, in some cases, the Mexican Government is reluctant to commit troops to destroy crops because the fields may be too small to warrant the manpower and money involved if troops must spend considerable time just to reach the areas.

Once the fields have been located, extensive effort is necessary to destroy the crops. DEA estimated that the number of opium or marihuana fields that could be spotted from a plane in 1 day would require as much as 6 to 8 months of daily effort to destroy. The Mexican army reports that to destroy a 20-acre field would require over 30 men for 7 days. The plants have to be pulled out of the ground or cut by hand, stacked, dried, and burned. Destruction is of the crops only. Most fields are used year after year, despite intermittent crop destruction.

Helicopters are also needed for moving troops to and from roadblocks in areas where information indicates ongoing trafficking. They would be especially useful in the southern areas of Mexico which, according to a DEA official

in Mexico City, are where narcotics are smuggled into Mexico.

Material assistance

To help the Mexican Government improve its operations, the United States gave Mexico's Office of the Attorney General grants of equipment valued at \$6.8 million. Under the initial grant of \$1 million, three light fixed-wing aircraft and five 5-seat helicopters were delivered between March 1970 and August 1971. In August 1971, \$200,000 was used to match \$200,000 furnished by the Mexican Government to purchase three additional helicopters. A September 1972 grant of \$1.3 million provided for transferring two 12- to 15-seat helicopters, portable radios, and mobile radio base stations.

Following a September 1973 high-level diplomatic meeting, both Governments entered into an agreement involving a material assistance program of \$3.8 million. This grant is the third such agreement between the countries and involves four Bell 212 (troop carrying) helicopters, maintenance and spare part packages, and pilot and mechanic training. The helicopters were turned over to the Mexican Government in February 1974.

On February 1, 1974, an additional agreement was concluded, providing the Mexican Government with four new Bell 206 helicopters and spare parts, the cost not to exceed \$735,000. These aircraft were delivered and the Government began using them in March.

The Cabinet Committee on International Narcotics Control has also approved the acquisition of additional equipment to enable the Mexican Government to improve its eradication capabilities. The proposed project, discussed under Special Enforcement Activity in chapter 2 (see p. 17), will provide the U.S. Government with needed information for submitting recommendations to the Cabinet Committee for the possible acquisition of additional equipment.

Training

DEA has provided training seminars for Mexican personnel on drug enforcement procedures. These seminars

included such topics as addiction, firearms, history of narcotics, and use and identification of drugs. Participants included Mexican psychiatrists, sociologists, criminal lawyers, police, and military personnel. Also, DEA has provided narcotics enforcement training to more than 250 members of the 350-man Mexican Federal police and plans to train others. In the United States, selected Mexican Federal training officers have been given extensive training in management and administration.

Trilateral conferences

In responding to Mexico's request, the Canadian Government agreed to join Mexico and the United States in periodic meetings to discuss antinarcotics programs. The first session was at the Deputy Attorney General level in Washington in October 1971; the second session was held in Mexico City in March 1972; the U.S. Attorney General, Solicitor General of Canada, and Attorney General of Mexico attended. The Deputy Attorney General from each country and their staffs met again in Canada in January 1973.

MEXICAN CUSTOMS AT INTERNATIONAL PORTS OF ENTRY NEED IMPROVEMENT

One objective included in the Narcotics Control Plan for Mexico was the interdiction of illicit drugs from third-country sources. Such interdiction would entail intensified scrutiny at international entry points, most importantly at harbors, airports, and the southern land border. The Mexican Customs Service is assigned to monitor incoming traffic at these locations.

A 1972 survey by the U.S. Customs Service found, however, that the Mexican Customs Service needed communication and transportation equipment. Since previous U.S. grants were made to improve Mexico's opium and marihuana eradication program, they did not benefit its customs efforts. U.S. Embassy officials said a grant package for customs equipment and training was being provided. The equipment consists of \$50,000 worth of aircraft radios to improve customs communications along the border. The training consisted of two customs international narcotics control courses conducted in Mexico in November

1973. Each class, of 2 weeks' duration, was presented to a group of 30 Mexican customs officers by a 4-man U.S. Customs mobile training team. In addition, slots for 10 Mexican customs officers were reserved for the Customs midmanagement class offered in Washington, D.C., in March 1974.

To achieve the Narcotics Control Plan's objective of interdicting heroin and cocaine transshipped through Mexico to the United States, it is essential that Mexico have effective customs operations, not only at the U.S. border but at other borders and at international ports of entry. The plan recognized this need, but provided for increasing Mexican capabilities at the U.S. border only and did not specifically consider the need to improve Mexican customs operations at its international ports of entry. Embassy officials stated that Mexican customs agents could have an impact on drugs being smuggled on incoming international planes, ships, and vehicles by more closely working their own ports of entry and indicated that this was their long-term plan.

Although the United States is doing much to encourage Mexico to improve its customs capabilities along the U.S. border, we believe Mexico should be encouraged to improve its customs capabilities at other borders and at ports of entry. This might be accomplished by providing additional grants of equipment and training to the Mexican Customs Service.

ALTERNATIVES TO EXTRADITION

One of the most important U.S. goals is to immobilize traffickers, either in the United States or in the other countries. To achieve this goal, DEA needs to either retrieve violators who have fled from the United States and prosecute them in U.S. Courts or in the country to which they fled.^{1/}

Extradition agreements permit the transfer of alleged criminals from one nation to another. Although the 1899

^{1/}See our report entitled "Difficulties in Immobilizing Major Narcotics Traffickers," Dec. 21, 1973 (B-175425), for a more detailed discussion on this matter.

extradition treaty between the United States and Mexico provided for mutual extradition, Mexican authorities have consistently rejected the surrender of any of its citizens to U.S. custody. However, Mexico does allow the deportation (or theoretically, extradition) of non-Mexican residents, including American citizens. The problem posed by Mexico's extradition policy arises from its practice of granting Mexican citizenship to solicitants who have Mexican parents, regardless of their place of birth, making them immune to deportation or extradition procedures. DEA believes that at least 250 fugitives from drug charges are living in Mexico and that many have continued to participate in illicit drug activities.

In view of the importance of prosecuting traffickers, especially those who use other countries to circumvent prosecution, we believe that viable alternatives to extradition must be found. In Mexico one such alternative may involve prosecuting in Mexico its citizens accused of committing drug crimes in the United States. A May 1970 U.S. review of Mexican drug laws stated that:

"In January of 1969 the Supreme Court of Justice for Mexico affirmed a conviction obtained pursuant to such a procedure in a case involving a Mexican citizen who was trafficking heroin into the United States. Several similar cases are now being prosecuted in Mexico." (Underscoring supplied.)

In a 1969 meeting between the U.S. Deputy Attorney General and his Mexican counterpart, the problem of prosecuting Mexican nationals for crimes committed in the United States was discussed. In 1971 legal experts from the Departments of State and Justice went to Mexico and discussed the extradition problem with their Mexican counterparts, including evidentiary requirements for prosecution in Mexico. A second such meeting was held in August 1972. As a result, the two Departments have considerable information on how to submit evidence for a successful prosecution in Mexico.

CONCLUSIONS

Mexico is a major source for drugs abused in the United States. DEA and the Mexican Government have intensified en-

forcement efforts in recent years, but the amount of drugs originating from or transshipped through Mexico to the United States continues to increase. Although the U.S. Government can take certain steps to improve the planning and management of its operations and help to train and equip Mexican enforcement personnel, the Mexican Government is the key to any real success. The effectiveness of drug enforcement will be determined by the priority the Mexican Government gives such enforcement and acts to resolve situations hindering progress.

RECOMMENDATIONS

We recommend that the Attorney General, in cooperation with the Secretary of State, act to improve information gathering and cooperation in Mexico by encouraging the Mexican Government to

- share information obtained during the interrogation of suspected drug traffickers and
- prosecute traffickers fleeing to Mexico within the Mexican judicial system if Mexico continues to refuse the extradition of important drug traffickers holding Mexican citizenship.

AGENCY COMMENTS

Department of Justice

The Department of Justice told us (see app. I) that:

- In general this report makes some important specific observations.
- It agreed with our analysis of the extradition problems and the possibility of prosecuting people in Mexico for violations of U.S. statutes.
- It also agreed with some observations concerning enforcement operations.
- It believes the findings, conclusions, and recommendations have serious weaknesses; namely, that the report is a random collection of observations and

includes some items of secondary importance, such as Mexican Customs and planning actions in Central America, and ignores a few significant issues, such as, (1) the investigative procedures used by the Mexican Judicial Police, (2) the lack of operating agreements between DEA and the police with respect to custody and prosecution of arrested carriers, and (3) the problems created for DEA border investigations by the policy of the Government of Mexico, which requires that known narcotics and dangerous drugs being smuggled out of Mexico be seized in Mexico. (This policy prevents the identification of U.S. traffickers by keeping the drugs under surveillance until they are delivered.)

We recognize that many problems affect the efforts to stop the flow of narcotics and dangerous drugs into the United States and that these problems and their seriousness change from time to time. At the completion of our fieldwork in late 1973, our findings were discussed with appropriate U.S. officials in the field and in Washington. At that time we had not identified, nor had agency officials recognized, the three above areas mentioned by the Department as causing major problems.

We believe that, if the Department has sufficient evidence to identify these areas as causing real problems to their efforts to stop the flow of narcotics and dangerous drugs into the United States, there is no need for additional work by us to develop these problems. The Department should, however, continue to work with the Government of Mexico to overcome these problems.

The Department also commented extensively on how it believed (1) the Government of Mexico could improve its drug enforcement activities and (2) U.S. operations on the border could be improved. It said that actions had been or were being taken to improve activities in both areas but that more efforts are needed.

With regard to information exchange, the Department of Justice informed us in August 1974 that:

"This is a complex subject. While it is true that there are occasions when information is not passed, much data is obtained from Mexican Officers. Often it is undesirable or impossible to have U.S. Agents present during interrogations and Mexican Officers lack the training and expertise to properly interrogate arrested persons concerning matters in which we have an interest."

DEA officials agreed with our recommendations and informed us on September 10, 1974, of the following actions planned or being taken.

--Sharing information:

DEA believes that much information is now being exchanged between the Government of Mexico and DEA, although further improvement is possible.

In this regard, the Government of Mexico has recently established a new narcotics intelligence capability, and the involved unit is coordinating its activities with those of DEA enforcement units.

--Prosecution of fugitive traffickers:

DEA agrees that the prosecution in Mexico or extradition to the United States for prosecution of narcotics violators is highly desirable.

Substantial efforts are now underway to implement this recommendation. For example, during the second week of September 1974, information was provided to the Attorney General of Mexico concerning the names and locations of dozens of violators wanted in the United States. Most of them were promptly arrested, and it is anticipated that many will be prosecuted in Mexico. Extradition proceedings against several of these individuals were being discussed at the time of the writing of this report.

Department of State

The Department endorsed our recommendations regarding actions that should be taken in conjunction with the Attor-

ney General to improve information gathering and cooperation in Mexico to stop the illegal flow of narcotics and dangerous drugs to the United States. The Department also informed us that actions consistent with these recommendations are underway and will be pursued. These actions are:

--Sharing information based on interrogation of suspects:

The desirability of a fuller and more systematic exchange of information on drug traffickers is recognized by both the Mexican and the United States Governments. Practical ways and means of doing this are being developed at the operational level between the two Governments; this subject was also discussed at a high-level meeting in May 1974 between the Mexican Attorney General, the Executive Director of the U.S. Cabinet Committee on International Narcotics Control, and the Administrator of DEA.

--Prosecution of fugitive traffickers in Mexico when extradition is not feasible:

Most bilateral extradition treaties between the United States and Latin American countries (including Mexico) provide that there is no obligation for the requested State to extradite its own nationals. The U.S. Supreme Court in Valentine v. U.S. ex rel Neidecker, 299 U.S. 5 (1936) held that the United States cannot extradite its own nationals unless a treaty imposes the obligation to do so, but did not rule out extradition under a treaty which authorized extradition.

Recognizing these mutual difficulties in the extradition process, the alternative is open in some cases of supplying information to support prosecution within the other country, and the Department of State concurred in the recommendation that this alternative be pursued more extensively than it has in the past. Differences in procedural requirements are an important complication in some cases, however.

CHAPTER 4

DRUG TRAFFICKING FROM AND THROUGH CENTRAL AMERICA

Central America is not currently considered a prime source for the production and transshipment of drugs; however, because of its geographic location and growing world commerce, it may become a major source of illicit drugs abused in the United States. DEA has developed some information on drugs, provided some training to local enforcement agencies, assigned temporary agents, and proposed plans to open offices in Guatemala and Costa Rica.

DEA's Mexico City regional office has responsibility in six Central American countries: Guatemala, Honduras, British Honduras, El Salvador, Nicaragua, and Costa Rica.

DEA considers Guatemala, British Honduras, and Costa Rica to be the most potential major sources of illicit drugs.

GUATEMALA

Guatemala tends to be a funnel for commercial air traffic coming from Europe and South America. It also has seaports capable of accommodating oceangoing vessels both on the Pacific Ocean and the Caribbean Sea, and it has a long land border with Mexico. Information indicates that heroin and cocaine have been transshipped through Guatemala. For example, two defendants were arrested in Mexico City after transporting 18 pounds of cocaine through Guatemala, and DEA learned that the Ecuadorian source had been transporting 100 pounds of cocaine a month for a year via commercial aircraft to Guatemala and overland to Mexico.

DEA proposes to open a new office in Guatemala City, from which it will also cover the other Central American countries. The opening of this office will depend upon a supplemental budget request and permission from the Government of Guatemala.

Diplomatic interest

Department of State reports indicate that drug enforcement in Guatemala was assigned a low priority for fiscal years

1973 and 1974. A drug control committee had been formed but no plan developed.

The U.S. Embassy security officer works with the Guatemala narcotic enforcement group, which consists of about 14 men in the national police. We were told that lack of vehicles and radios limits their drug activities. For example, in a recent investigation of a narcotics trafficker in Antigua a local agent had to use public bus transportation.

DEA has acted to improve drug enforcement in Guatemala, including preparing and updating important data, sponsoring a 3-day police drug training seminar, and sending DEA agents to Guatemala to assist on important cases.

The U.S. Embassy requested a training team from Washington to train Guatemalan customs officials. The officials agreed that a drug control plan should be established. Although Guatemala does not seem to have a serious drug problem, the Embassy believes it would be helpful to have full-time DEA agents there to improve information gathering and to assist local authorities with investigations.

COSTA RICA

Costa Rica could become a major transshipping point for drugs. There have been no known seizures of heroin within Costa Rica but cocaine transshipped through there has been seized in the United States. In July 1971 about 7 pounds of high-grade cocaine was discovered in a routine search of an aircraft from Costa Rica at New Orleans International Airport. Since then, other seizures of cocaine destined for the United States have been made in Costa Rica.

Diplomatic interest

State Department reports indicate that drug enforcement in Costa Rica was assigned a low priority for fiscal years 1973 and 1974. However, a drug control committee had been established.

The U.S. public safety officer has worked closely with the main Costa Rican drug enforcement group, which consists of about 10 police officers under the minister of public security. Except for the chief, drug personnel have had no

training and are poorly paid political appointees who are replaced with each new administration. DEA told us that the Government lacks sufficient equipment for efficient narcotics investigations.

To help improve data on Costa Rica, DEA has periodically sent agents there. In June 1972 a 3-day narcotics seminar was held for 40 law enforcement officers. Embassy officials told us it would be helpful if DEA stationed agents in Central America who could devote some time to Costa Rica. An agent was assigned to Costa Rica temporarily during November and December 1973.

BRITISH HONDURAS

British Honduras has only recently surfaced as a country significantly involved in the transshipment of drugs from Europe and the Far East to the United States. DEA said that the geographic features of the country and problems with the local police make it difficult to develop and work drug enforcement cases there. Also, the Mexico City regional office has limited information about the level and complexity of drug traffic. The DEA agent responsible for Central America has requested that a temporary agent be assigned to British Honduras to establish coordination with local authorities.

HONDURAS, EL SALVADOR, AND NICARAGUA

These countries could be used as transshipment points for drugs moving toward the United States, but at the present time there is no information indicating any important involvements or major local drug problems. The Embassies in these countries assigned drug enforcement low priorities for fiscal years 1973 and 1974. DEA told us that drug control committees have been established and that a plan has been developed for El Salvador.

DEA said that, as in the other Central American countries, local authorities lack the equipment and expertise to effectively work narcotic investigations. DEA maintains contact with these countries and has held a 3-day training seminar in Nicaragua and has been requested to hold one in El Salvador. Data on drug trafficking is limited because DEA has not spent much time in these countries cooperating with enforcement agencies and other persons familiar with drug activities.

CONCLUSION

According to DEA, Central America currently is not considered a prime source for the production and transshipment of drugs to the United States; however, because of its geographic location and growing world commerce, it may become a major source of drugs abused in the United States. In reviewing DEA's files, we found that necessary information, such as the country-by-country drug laws and police organization, were not available for each country. DEA has initiated efforts to obtain information and to help prepare local authorities to deal with the growing drug problem. Also, drug control committees have been formed in each country to keep abreast of the situation and to help prepare local officials.

Because plans have been made to assign agents to Central America and because it is expected that plans and priorities will be established, we are not making any recommendations in these areas.



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Address Reply to the
Division Indicated

Refer to Initials and Number

Mr. Victor L. Lowe

AUG 5 1974

Director

General Government Division

U. S. General Accounting Office

Washington, D. C. 20548

Dear Mr. Lowe:

This letter comments on the draft report entitled, "Greater Efforts Needed to Stop the Illegal Flow of Narcotics and Dangerous Drugs to the United States From and Through Mexico and Central America."

In general, we believe some important specific observations are made in this report. The analysis of extradition problems and the possibility of prosecuting people in Mexico for violations of U. S. statutes is excellent. The prosecution of drug violators who have fled from the United States has been a matter of great concern to the Department's Criminal Division for several years.

Beginning about 1965, then Assistant Attorney General Fred M. Vinson, Jr., met with Mexican authorities and established procedures for prosecuting certain violators by the Government of Mexico. As the draft report reflects, existing treaties between the United States and Mexico provide for extraditing violators of laws relating to narcotics and dangerous drugs. In addition, those treaties gave the chief executive officer of each country the choice of not delivering a national of his country even though he was extraditable in all other respects. On several occasions United States citizens have been extradited to Mexico, but our information shows that no Mexican national has ever been extradited to the United States for any crime. Because of this, representatives of the Government of Mexico gave assurances that, where appropriate, Mexico would prosecute the Mexican national on the basis of evidence furnished by United States authorities.

Negotiations between Assistant Attorney General Fred M. Vinson, Jr., and Mexican authorities produced a semi-formal procedure whereby the Department of Justice transmitted the request for prosecution directly to the Attorney General of Mexico and the particular Mexican Federal Prosecutor in whose district the defendant resided. One case presented to the Mexican authorities was that of Mario Aguilera Suith. This defendant was successfully prosecuted and, following an appeal to the Supreme Judicial Tribunal of Mexico, his conviction for the exportation of heroin from Mexico was upheld in 1969.

After Supreme Judicial Tribunal action in the Suith case, several meetings were held between United States and Mexican authorities to discuss the general problem of narcotics and dangerous drugs. These discussions included the particular problem of prosecuting fugitives from justice. At or about this time, the United States, following previous arrangements, furnished evidence to the Mexicans for the prosecution of Robert and Helen Hernandez. The presentation of this evidence ultimately resulted in the conviction of both defendants and the imposition of heavy sentences.

During the prosecution of the Hernandez case, United States authorities were asked by the Mexicans to [utilize standing extradition procedures]. (See GAO note 2.) The reason for this request was to permit Mexican authorities to place violators under arrest and to hold them until a determination was made to either extradite or prosecute them. After this request, our presentations to the Government of Mexico for the prosecution of violators have followed the formal extradition route.

[See GAO note 2]

We believe it is important that fugitives from justice in the United States not use Mexico as a haven. (See GAO note 2.) It appears advisable to try to negotiate a simpler procedure similar to the one negotiated in 1965 for presenting evidence to the Government of Mexico for prosecuting nationals of that country.

We recognize the merit of some observations concerning enforcement operations. The identification of intelligence, as an area where improvements can be made and would have an important effect on enforcement operations, is correct. However, "sharing intelligence" is less important than some other aspects. We also believe that the findings, conclusions, and recommendations in the draft report have two serious weaknesses.

[See GAO note 1]

The Attorney General of Mexico has shown a strong commitment to effective enforcement [GAO note 2] and Operation SEA/M has demonstrated that the Government of Mexico can [exert its complete control under difficult conditions even in the remotest corners of its territory.] [See GAO note 2]

Second, the report is nearly a random collection of observations about the problem. For example, it presents an extended discussion of issues that are currently only of secondary importance, such as [GAO note 2] Mexican Customs and planning actions in Central America; it provides only a superficial analysis of some [areas] [GAO note 2] of major importance like the role of intelligence activities in [GAO note 2] Mexican enforcement procedures; and it ignores a few issues of significant importance, such as the [GAO note 2] current investigative procedures used by the Mexican Federal Judicial Police (MFJP), the lack of operating agreements between DEA border officers and local MFJP officers with respect to custody and prosecution of [GAO note 2] "mules" on the S.W. Border, and the problems

created for DEA border investigations by the policy [of the Government of Mexico] [GAO note 2] prohibiting the convoy of loads out of Mexico. Thus, the report does not provide a properly focussed discription of the problems and opportunities in controlling the production and transshipment of drugs in Mexico.

We suggest that the report be divided into two sections. The first section could deal with factors which influence [GAO note 2] effective enforcement against transshipment or production of drugs in Mexico. The second section could deal with factors which influence our ability to keep drugs produced or transshipped through Mexico from reaching the United States.

The first section on enforcement in Mexico should emphasize the following points:

1. Effective enforcement in Mexico is 90 percent of the battle against drugs produced in or transshipped through Mexico. If enforcement fails in Mexico, even the most lavish commitment of resources to the S.W. Border will not be able to significantly improve the situation. If enforcement gets better in Mexico, even small commitments to the Border will show a dramatic improvement. Thus, factors which limit the effectiveness of enforcement in Mexico are by far the most important factors.
2. A sine qua non of effective enforcement in Mexico is a strong commitment from the Government of Mexico (GOM). [GAO note 2] The GOM has declared its intent to do an effective job in the areas of eradication, internal investigations, and developing intelligence systems, and has [been very cooperative with DEA.] [GAO note 2]
3. We do not believe the general commitment and specific responsiveness of the GOM is sufficient [of and by itself] [GAO note 2] to sustain an effective enforcement program. The MFJP must [GAO note 2] launch a well-designed attack on Mexican production and distribution systems. The basic building blocks of a sustained Mexican enforcement program [as now envisaged by the GOM] [GAO note 2] include at least the following elements:
 - a. An effective, centralized operational intelligence unit which can identify specific targets and monitor progress on investigations.
 - b. [GAO note 2] personnel systems [which encourage efficiency]. [GAO note 2]
 - c. Increased use of investigative procedures developed during Operation SEA/M (e.g., roadblocks between opium growing areas and heroin labs, [GAO note 2] etc.)

- d. Expanded and improved eradication programs sustained through the development of forward bases, better aerial reconnaissance, etc.
4. To help the GOM translate their general commitment into [even more] [GAO note 2] effective operating programs, the U.S. Government can do several things:
 - a. DEA and the [State Department can offer their expertise as a resource for GOM planning].

[GAO note 2]

- b. For those enforcement programs that require large amounts of equipment or money, the State Department can [offer] U.S. funds to support the necessary [GAO note 2] programs.

[GAO note 2]

- c. [GAO note 2]

In summary, what is required at this stage is not general discussions but specific planning of operations. DEA now has both the expertise and the liaison with the MFJP to [contribute to] [GAO note 2] this detailed planning.

[GAO note 2]

[However, DEA needs some help from the State Department to continue general coordination with the GOM; to release funds for equipment and other resources.]

The second section of the report dealing with enforcement in the United States should recognize that trying to [secure] the Southwest Border against a large flow of Mexican drugs is a second-best solution. [GAO note 2] However, there are some actions which could improve U.S. operations on the Border.

1. [GAO note 2] [An agreement with the MFJP providing for Mexican law enforcement authorities to take custody of and prosecute Mexican nationals who transport drugs across the borders (i.e. "mules") would reduce the amount of DEA agent time devoted to processing these defendants and may result in the police obtaining more information from the defendants.]
2. The Mexican Government should be encouraged to conduct joint investigations with DEA so drugs originating in Mexico are allowed out of Mexico for delivery in the U.S.

[GAO note 2]

3. [GAO note 2]

4. The U.S. Border Patrol, Customs Patrol Officers, and Customs Inspectors operating on the Southwest Border must be coordinated more effectively with DEA investigations. They should preserve the potential of leads they develop from violations discovered while on patrol, and they should avoid compromising DEA investigations by "discovering" covert operations in progress. Moreover, the size of the patrol forces needs to be kept in balance with the size of the DEA investigative forces so the patrol forces do not encroach on investigative functions, and overwhelm the investigative forces with patrol cases. If these policies are not adhered to, the effectiveness of both operations will suffer.
5. DEA has already taken three steps to increase the number and improve the quality of investigations on the Southwest Border. They have transferred 100 agents to this area; they are establishing an intelligence center at El Paso to identify major traffickers in Mexico; and they have begun the installation of a communication system that will link all border offices.

In summary, much of what is possible to [secure] [GAO note 2] the Border by unilateral action of the United States Government has begun. What is still needed for a more effective enforcement program is somewhat better coordination between the patrol forces and DEA. In addition, it is important to encourage the GOM to take greater responsibility for violators identified and charged by U.S. authorities.

Given our general view that this report does not properly emphasize the important factors influencing enforcement operations in Mexico and at the Border, some errors, of a factual nature, should be clarified. Since factual errors are only a small part of the problems with the report, simply responding to the following items will not make the report acceptable:

[GAO note 1]

We do not believe that the GAO report adequately describes DEA problems and opportunities of enforcement in Mexico. The report does not point out DEA's accomplishments in strengthening the commitment of the GOM through personal negotiations, developing effective investigation procedures during Operation SEA/M, shifting agent resources to the Southwest Border, and initiating unilaterally a large intelligence program for the area. The report does not indicate the vital role the State Department and [our Embassy in Mexico] [GAO note 2] must play in improving enforcement in Mexico. We believe that without State Department efforts [GAO note 2] virtually all of DEA's initiatives might be wasted.

APPENDIX I

Thank you for giving us the opportunity to comment on your draft report. Please contact us if you have any additional questions.

- GAO notes:
1. Deleted. Suggested changes made in body of report.
 2. Deleted or changed [] to permit letter being declassified. The revised version of this letter has been approved by officials of the Department of State for classification and by officials of the Department of Justice for content.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen E. Pommerening", with a stylized flourish at the end.

Glen E. Pommerening
Acting Assistant Attorney General
for Administration



DEPARTMENT OF STATE

Washington, D.C. 20520

August 5, 1974

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

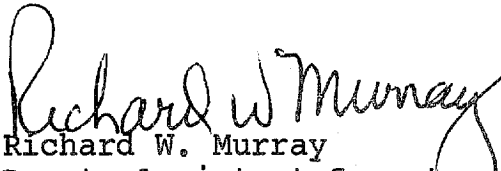
Dear Mr. Fasick:

I am replying to your letter of June 10 in which you requested the Department's comments on the draft report "Greater Efforts Needed to Stop the Illegal Flow of Narcotics and Dangerous Drugs to the United States From and Through Mexico and Central America". Enclosed are the Department's comments and a listing of suggested textual changes.

[See GAO note 1.]

The Department endorses the recommendations made in the report regarding action that should be undertaken in conjunction with the Attorney-General and appreciates the opportunity to comment on the draft report.

Sincerely yours,


Richard W. Murray
Deputy Assistant Secretary
for Budget and Finance

Enclosures

DEPARTMENT OF STATE COMMENTS ON GAO DRAFT
REPORT: "Greater Efforts Needed to Stop
the Illegal Flow of Narcotics and Dangerous
Drugs to the United States from and Through
Mexico and Central America"

The Department of State endorses the recommendations made in this report regarding actions that should be taken in conjunction with the Attorney General to improve information gathering and cooperation in Mexico to stop the illegal flow of narcotics and dangerous drugs to the United States. Actions consistent with these recommendations have been underway for sometime as outlined below, and will be pursued in the future.

-- Sharing information based on interrogation of suspects

The desirability of a fuller and more systematic exchange of information on drug traffickers is recognized by both the Mexican and the U.S. Governments. Practical ways and means of doing this are being developed at the operational level between our two governments; this subject was also discussed at a high-level meeting in May, 1974 between the Mexican Attorney General, the Executive Director of the U.S. Cabinet Committee on International Narcotics Control, and the Administrator of the Drug Enforcement Administration.

-- Prosecution of fugitive traffickers in Mexico when extradition is not feasible

Most bilateral extradition treaties between the United States and Latin American countries (including Mexico) contain a provision that there is no obligation for the requested State to extradite its own nationals. The United States Supreme Court in *Valentine v U.S. ex rel Neidecker*,

299 U.S. 5 (1936) held that the United States cannot extradite its own nationals unless a treaty imposes the obligation to do so, but did not rule out extradition under a treaty which authorized extradition.

Recognizing these mutual difficulties in the extradition process, the alternative is open in some cases of supplying information to support prosecution within the other country, and the Department of State concurs in the recommendation that this alternative be pursued more extensively than it has in the past. Differences in procedural requirements are an important complication in some cases, however.

-- Encouraging a program of rewards for information

This technique of obtaining drug trafficking information has been employed successfully in many places, and the results of experience elsewhere have been brought to the attention of Mexican authorities. The latter have not adopted this technique however, and their decision must be respected.

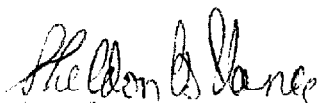
-- Monitoring sea and air trafficking

Ways and means are being explored to increase the effectiveness of surveillance over ocean-going vessels and aircraft engaged in drug trafficking. Among various steps under consideration to accomplish this is the possible stationing of DEA liaison personnel at seaports to work with their Mexican counterparts in such control activity. The problem of air trafficking is of continuing great concern to both governments and has been discussed at high levels as well as at the operational level in recent months.

APPENDIX II

Textual Changes

Attached to this memorandum is a list of changes that should be made in the draft GAO report in the interest of accuracy. [See GAO note 2.]



Sheldon B. Vance
Senior Adviser for
International Narcotics Matters

Attachment: Listing of textual changes [See GAO note 1.]

- GAO notes:
1. Deleted. Suggested changes made in body of report.
 2. Deleted. Included in body of report.

RECENT DRUG ENFORCEMENT REPORTS

ISSUED BY GAO

<u>Title</u>	<u>B-number</u>	<u>Date</u>
Efforts to Prevent Heroin from Illicitly Reaching the United States	B-164031(2)	Oct. 20, 1972
Heroin Being Smuggled Into New York City Successfully	B-164031(2)	Dec. 7, 1972
Difficulties in Immobilizing Major Narcotics Traffickers	B-175425	Dec. 21, 1973
Identifying and Eliminating Sources of Dangerous Drugs: Efforts Being Made, But Not Enough	B-175425	June 7, 1974

APPENDIX IV

PRINCIPAL OFFICIALS RESPONSIBLE FOR ADMINISTERING
ACTIVITIES DISCUSSED IN THIS REPORT

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

DEPARTMENT OF JUSTICE

ATTORNEY GENERAL OF THE UNITED STATES:

William B. Saxbe	Jan. 1974	Present
Robert H. Bork, Jr. (acting)	Oct. 1973	Jan. 1974
Elliot L. Richardson	May 1973	Oct. 1973
Richard G. Kleindienst	June 1972	Apr. 1973
Richard G. Kleindienst (acting)	Feb. 1972	June 1972
John N. Mitchell	Jan. 1969	Feb. 1972

ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION:

John R. Bartels, Jr.	Oct. 1973	Present
John R. Bartels, Jr. (acting)	July 1973	Oct. 1973

DIRECTOR, BUREAU OF NARCOTICS AND DANGEROUS DRUGS (note a):

John E. Ingersoll	Aug. 1968	July 1973
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DEPARTMENT OF STATE

SECRETARY OF STATE:

Dr. Henry A. Kissinger	Sept. 1973	Present
William P. Rogers	Jan. 1969	Sept. 1973

SENIOR ADVISOR TO THE SECRETARY AND COORDINATOR FOR INTERNATIONAL NARCOTICS MATTERS:

Ambassador Sheldon B. Vance	Apr. 1974	Present
Ambassador William J. Hadley	May 1973	Mar. 1974
Harvey R. Wellman (acting)	Feb. 1973	May 1973
Nelson G. Gross	Aug. 1971	Jan. 1973

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

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