



**REPORT OF THE
COMPTROLLER GENERAL
OF THE UNITED STATES**

4 - JAN 26
COPY 1977

**United States
Participation In INTERPOL,
The International Criminal
Police Organization**

Department of the Treasury

This report describes INTERPOL operations in the United States, analyzes the kinds of criminal information being disseminated, and makes recommendations aimed at improving United States participation.



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

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1976

The Honorable Joseph M. Montoya
United States Senate

The Honorable John E. Moss
House of Representatives

This report is in response to your February 5, 1976, request for a study of U.S. involvement with INTERPOL, the International Criminal Police Organization. We directed our review to answering the 26 questions you raised regarding U.S. participation in INTERPOL. As requested by your office, formal agency comments were not obtained for this report, but we did discuss the questions with cognizant agency officials and considered their views in preparing the report.


Comptroller General
of the United States

14 Feb 77

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ABBREVIATIONS

| | |
|-----|--------------------------------------|
| AID | Agency for International Development |
| CIA | Central Intelligence Agency |
| DEA | Drug Enforcement Administration |
| FBI | Federal Bureau of Investigation |
| GAO | General Accounting Office |

REPORT OF THE
COMPTROLLER GENERAL
OF THE UNITED STATES

UNITED STATES INVOLVEMENT
IN INTERPOL, THE
INTERNATIONAL CRIMINAL
POLICE ORGANIZATION
Department of the Treasury

D I G E S T

The International Criminal Police Organization's (INTERPOL's) popular image is that of a worldwide police force whose agents travel the world pursuing international criminals. Actually, INTERPOL has no police force of its own. It provides the coordination and communication channels that the police of its 125 member nations use to make requested criminal investigations.

To facilitate this communication, each member country operates a national central bureau. The U.S. National Central Bureau is part of the Department of the Treasury, under the supervision of the U.S. Treasury representative to INTERPOL.

From January 1975 to April 1976, the U.S. Bureau received about 5,700 requests for information. GAO randomly sampled 110 of these to discern the type, use, and disposition of information being developed.

NATURE AND TYPE OF REQUESTS

- Eighty-three percent of the requests were from national central bureaus in 33 countries; the rest were from U.S. sources, primarily U.S. law enforcement agencies.
- Sixty percent of the requests, most of them from other bureaus, concerned U.S. citizens and 40 percent concerned foreign nationals and permanent resident aliens.
- Requests were usually made after a suspected crime had been committed or an individual arrested. However, most requests involved individuals with no prior criminal records. (See pp. 13 and 14.)

A basic problem

Requestors often did not furnish adequate documentation to support the requests. For example, some requests did not

- explain why the request was made,
- identify the type of activity being investigated,
- indicate whether the individual had been arrested or was being investigated, and/or
- provide fingerprints, even when a subject had been arrested.

PROCESSING THE REQUESTS

The U.S. Bureau asks the Federal Bureau of Investigation (FBI) and other Federal and local law enforcement agencies for assistance in processing the requests of other INTERPOL bureaus. (See pp. 14 to 16.)

These law enforcement agencies decide whether the request requires action and, if so, what information will be furnished. The U.S. Bureau screens the information before forwarding it to another national central bureau. (See pp. 8 and 20.)

INFORMATION SENT ABROAD

Of the 110 requests examined, 92 were from other INTERPOL bureaus. The U.S. Bureau determined that 14 required no response.

FBI and other records listing charges, arrests, and other information were furnished for 17 others. Data on the disposition of many listed charges was not available--a condition which concerns the U.S. Bureau but is difficult to resolve.

In response to other requests, the U.S. Bureau said the subjects had no criminal records and/or furnished information ranging from biographical data to criminal data resulting from investigations. (See pp. 16 and 17.)

Information on the personal habits and political activities of Americans was not being disseminated. (See p. 13.)

For the most part, after information was sent abroad, the U.S. Bureau was not advised of the outcome of the cases. (See p. 22.)

OTHER MATTERS

INTERPOL's General Secretariat, in St. Cloud, France, administers a large criminal investigations record bank to which its 125 member countries have access. (See p. 27.)

The information provided by the U.S. Bureau is only available to foreign countries through police channels by INTERPOL directives. Although there is no practical way to assure compliance, the U.S. Bureau is not aware of any abuses. (See pp. 10 and 36.)

U.S. Government law enforcement agencies operating abroad, such as the FBI and the Drug Enforcement Administration, have direct working relationships with foreign police who are, in some cases, also INTERPOL officials. No clear guidelines define U.S. Government agency working relationships with foreign police and INTERPOL. However, foreign police seem to prefer overseas U.S. Government agency channels rather than INTERPOL channels in dealing with U.S. criminal matters. (See pp. 35 and 36.)

Treasury officials responsible for INTERPOL activities felt that the U.S. Bureau's procedures for processing requests for information were effective. GAO recognizes these procedures but believes the U.S. Bureau has not been

effectively following them because almost half of the sample cases GAO reviewed involved inadequate documentation. GAO believes the U.S. Bureau prematurely proceeded with various record checks and investigations. (See p. 18.)

RECOMMENDATIONS

The U.S. Bureau should:

- Improve the screening of, and insist on adequate documentation for, requests for information.
- Encourage other bureaus to report the disposition of cases.
- Screen replies to be sent abroad to make sure they are relevant and appropriate.

Although GAO did not find any instances of improper use of information by other agencies, the U.S. Bureau may wish to explore the need for better guidelines to govern the interactions of overseas U.S. law enforcement agencies with the U.S. Bureau, foreign police, and foreign central bureaus. (See p. 40.)

CHAPTER 1

INTRODUCTION

In May 1975, a Senate Committee on Appropriations subcommittee 1/ held extensive oversight hearings on U.S. participation in the International Criminal Police Organization (INTERPOL). These hearings, followed up in February 1976 by hearings before the House and Senate Committees on Appropriations, focused on safeguarding information about U.S. citizens made available to INTERPOL member countries. Several congressmen asked us in February 1976 to respond to 26 questions about INTERPOL, including costs of and authority for U.S. participation and safeguards on the use and dissemination of information on U.S. citizens. (See app. I.)

BACKGROUND

The Office of the Attorney General in the Department of Justice is the designated office of responsibility for INTERPOL in the United States. Congress initially authorized U.S. participation in 1938, and the Federal Bureau of Investigation (FBI), under authority delegated by the Attorney General, represented the United States. In 1950, the flight of political refugees from Eastern Europe and the use of INTERPOL by a Communist member country to track them down was one of several reasons prompting the United States to withdraw from INTERPOL and the FBI director to resign his position as vice president of INTERPOL. 2/ U.S. Treasury Department officials advised us that Treasury law enforcement agencies did not concur in the FBI's withdrawal because they needed international police cooperation through INTERPOL to carry out their investigative responsibilities.

From 1951 to 1958, the Treasury Department informally represented the United States, and in 1958, the Attorney General designated Treasury as the official U.S. liaison with INTERPOL.

1/Subcommittee on Treasury, U.S. Postal Service and General Government.

2/According to the FBI, the former FBI director also gave as reasons for his resignation that the time and money spent by the United States were not commensurate with the benefits and that he disagreed with the General Secretariat's hiring of two U.S. technical consultants without prior consultation with the U.S. INTERPOL representative.

On June 24, 1976, the Attorney General initiated action to withdraw the Treasury's authority and reinstate the Justice Department as official U.S. liaison. Treasury appealed to the President to overrule the Attorney General's order. Treasury officials advised us that the President decided not to make an immediate decision on this matter. Thus, for the present, the Department of the Treasury retains responsibility for INTERPOL. 1/

The United States, like the other 124 members of INTERPOL, maintains a National Central Bureau which has access to certain Federal and local government records. As the communications link between U.S. law enforcement agencies and INTERPOL member countries, the Bureau arranges for the exchange of information between U.S. and foreign police authorities regarding specific criminal investigative requirements.

The total cost of U.S. participation in INTERPOL is not readily available. Direct U.S. costs of INTERPOL membership (salary and other operating costs of the Bureau plus membership dues) for fiscal year 1976 were estimated at \$434,000. This amount does not include costs for numerous investigations, data searches, and information provided by Federal and State agencies to the U.S. National Central Bureau nor the costs of other Government officials' attendance at INTERPOL conventions, meetings, and seminars.

1/This report comments on INTERPOL activities as they were being carried out by Treasury at the time of our study.

CHAPTER 2

INTERPOL OPERATIONS IN THE UNITED STATES

INTERPOL has no police force of its own and relies on communications among member countries to combat international crime, mainly by encouraging cooperation and contact among law enforcement groups. It consists of a General Assembly, an Executive Committee, and a General Secretariat which operates from INTERPOL headquarters in St. Cloud, just outside of Paris, and 125 National Central Bureaus located in each member country. The chart on the next page shows the INTERPOL network.

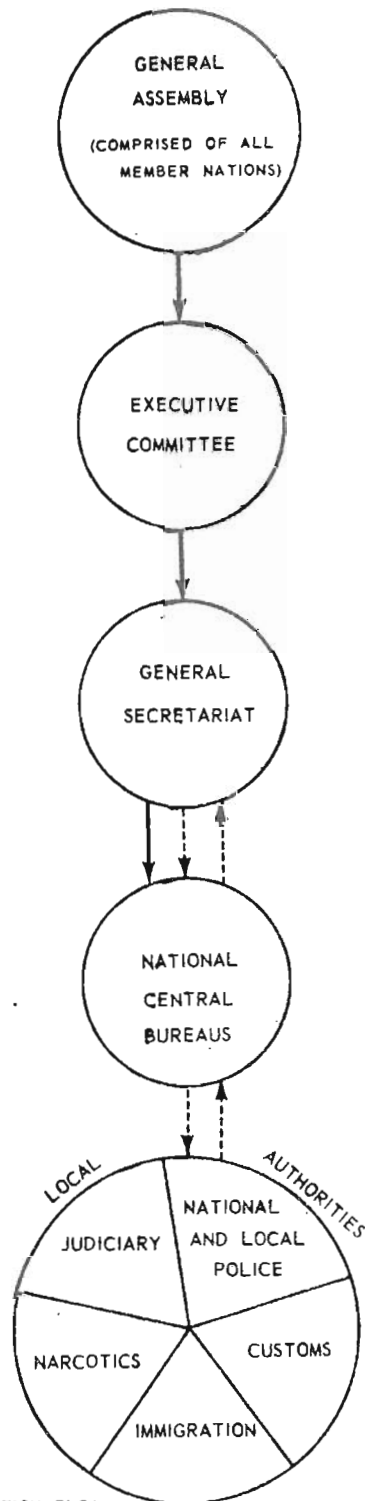
The INTERPOL constitution requires each member to designate a police body as a focal point for INTERPOL operations and to serve as a liaison between the bureaus of other countries and appropriate departments within the member country. The national central bureaus are not subject to direct control by INTERPOL, and in most countries they are part of their country's national police system. For example, the bureau of the United Kingdom is part of Scotland Yard and the Bundeskriminalamt, the German Federal Bureau of Criminal Police, is designated as the bureau in Germany. The U.S. National Central Bureau is an office within the Treasury Department and operates under the Assistant Secretary for Law Enforcement in the same manner as the U.S. Secret Service.

LEGAL STATUS

The U.S. law directly relating to INTERPOL (22 U.S.C. 263a (Supp. V, 1975)) authorizes the Attorney General to accept and maintain membership in INTERPOL on behalf of the United States. This law was originally passed in 1938 and has been amended several times to provide for increased membership dues. Under the current version of the law:

"The Attorney General is authorized to accept and maintain, on behalf of the United States, membership in the International Criminal Police Organization, and to designate any departments and agencies which may participate in the United States representation with that organization. Each participating department and agency is authorized to pay its prorata share, as determined by the Attorney General, of the expenses of such membership. The total dues to be paid for the membership of the United States shall not exceed \$120,000 per annum."

INTERPOL NETWORK



..... INFORMATION FLOW

———— ORGANIZATIONAL RELATIONSHIP

SOURCE: PREPARED BY GAO FROM DATA OBTAINED FROM GENERAL SECRETARIAT AND NATIONAL CENTRAL BUREAUS

This authority, in our view, permits the Attorney General or other participating Federal agencies to establish a U.S. National Central Bureau; allot it space in Federal buildings; and provide personnel, equipment, services, and other items reasonably required for its operations. U.S. Bureau activities are carried out by U.S. Government employees assigned to the Bureau.

We believe that this authority also allows the Bureau to coordinate and communicate criminal investigative requests with any U.S. law enforcement agency and with foreign police. The scope and extent of U.S. participation in INTERPOL is, subject to general statutory limitations on Federal activities, within the discretion of the participating agencies.

We are not aware of any other legislation which concerns U.S. participation in INTERPOL. U.S. membership is not the result of an international treaty or agreement and INTERPOL does not have expressed international status in the United States. U.N. recognition of INTERPOL is discussed on page 25.

Limited U.S. approval of INTERPOL constitution

The present INTERPOL constitution was adopted by the INTERPOL General Assembly at its 25th session in Vienna, Austria, in June 1956. INTERPOL's method of ratifying the constitution did not require formal approval by member countries, i.e., all countries represented were deemed to be INTERPOL members unless they subsequently declared through appropriate governmental authority that they could not accept the constitution. The United States submitted no non-acceptance declarations so INTERPOL considered this as approval of the constitution.

There was no official U.S. representative to INTERPOL at the time of the 1956 General Assembly meeting because the United States was not a formal member. The U.S. delegation at the meeting included officials of the Treasury Department and the predecessor of the Agency for International Development. Department of Defense officials attended as observers. The INTERPOL constitution has not been expressly approved by the executive branch or the Congress. Treasury officials noted, however, that the U.S. Bureau operates within the INTERPOL constitution's general guidelines and that the constitution does not conflict with U.S. laws and does not require criminal information to be provided abroad or investigations to be conducted in the United States.

U.S. NATIONAL CENTRAL BUREAU

As part of the Treasury Department, the U.S. Bureau receives policy guidance from and reports to the Assistant Secretary for Enforcement, Operations, and Tariff Affairs. (See organization chart on p. 7.)

Treasury officials advised us that the U.S. Bureau received the same monitoring and congressional oversight as other law enforcement agencies within Treasury. They noted that no Federal advisory board currently monitors activities of INTERPOL or the majority of other Federal law enforcement agencies.

Treasury has made no formal management studies or audits of U.S. Bureau activities to assess the pros and cons of INTERPOL membership. However, officials believe the Bureau's annual reports, case files, and position in national and international law enforcement demonstrate its value.

The operating costs of the U.S. Bureau are fragmented among several Federal agencies. Treasury's Office of the Secretary pays the Bureau's travel and communications costs and salaries for two Bureau staff members; the Department of Justice pays the salaries for three staff members, the Secret Service for two, the Customs Service for three, and the Bureau of Alcohol, Tobacco and Firearms for two. Collectively, those payments totaled about \$314,000 in fiscal year 1976.

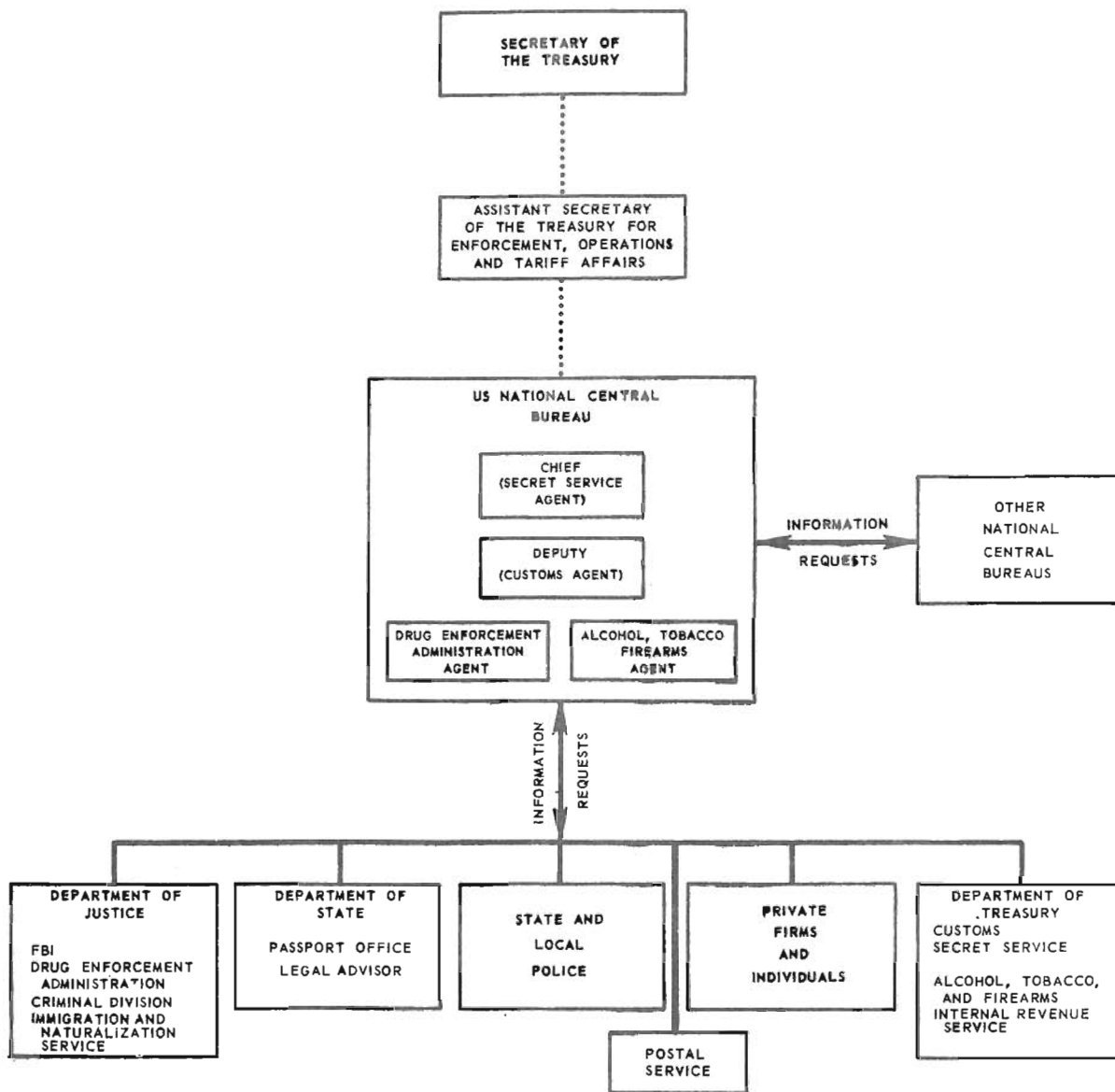
The 1976 Senate Appropriations Subcommittee hearings on INTERPOL noted that a former White House aide who did not have a professional law enforcement background was assigned to the Bureau from February 1973 until he resigned in January 1974. The former Chief of the Bureau said that in view of the aide's qualifications, he was assigned non-enforcement public service type work during his tenure. (The former Chief added that this was the only nonqualified person employed at the Bureau.)

All current professional staff members are experienced law enforcement agents.

Access to U.S. data systems

The U.S. Bureau has a computer terminal connected to Treasury's Enforcement Communications System (TECS). Treasury's

**ORGANIZATIONAL AND FUNCTIONAL RELATIONSHIPS
OF US NATIONAL CENTRAL BUREAU**



LEGEND:
 ORGANIZATIONAL RELATIONSHIP
 ————— FUNCTIONAL RELATIONSHIP

SOURCE: PREPARED BY GAO FROM INFORMATION PROVIDED BY U.S. NATIONAL CENTRAL BUREAU

GAO note: The U.S. Bureau also has contacts with the investigative offices of other Federal Government agencies not listed above.

computer system contains criminal enforcement data which is used by the U.S. Customs Service; Bureau of Alcohol, Tobacco and Firearms; Internal Revenue Service; and the U.S. Bureau. Treasury officials told us that the Internal Revenue Service limits its input to the computer system to identifying data on wanted persons. The system, in turn, connects to the FBI's National Crime Information Center. Information available in this Center is restricted to documented public record information on stolen property, wanted persons, and individuals arrested for serious crimes. The Center is not linked into the FBI's internal investigative or intelligence files.

For each request for information received, the U.S. Bureau prepares a case file and enters it into the computer network. Most cases receive a T-1 designation, which means that the information is for U.S. Bureau use only. When the request involves a wanted person, the case receives a T-5 designation. This information normally is used by U.S. Customs and Immigration and Naturalization Service officials at U.S. borders to prevent criminals wanted abroad from entering the United States. The T-5 information is also available to other U.S. law enforcement agencies that have access to Treasury's computer.

Requests are turned over to one of the four Bureau agents for required action. The agents review the requests to make sure that the reasons for the investigations or information are clearly stated; i.e., criminal matters that involve law enforcement and fall within U.S. laws.

Requests from foreign bureaus are generally sent to Federal law enforcement agencies and local police, as appropriate, for record checks or investigations. The agencies are given the details of requests, and they decide whether to provide the information and assistance requested. In this way, the U.S. Bureau says that it acts as a conduit for information and has no real capacity for initiating or conducting investigations.

For passport information, however, the U.S. Bureau staff visits the State Department Passport Office and requests permission under Privacy Act procedures to review files concerning a specific criminal investigation. The type of criminal inquiry as well as the requesting country must be stated on the written request. The U.S. Bureau has access to files containing (1) reports on U.S. citizens' arrests and detentions that have been sent to the State

Department's Bureau of Consular and Security Affairs from U.S. Missions abroad and (2) classified and unclassified reports on U.S. citizens which were received from other Government agencies. Passports are a key means of tracing the international travel of criminals, and the U.S. Bureau uses passport files to extract biographical data for responding to foreign requests. During fiscal year 1976, the Bureau reviewed about 600 passport files. Yet, this substantial activity was only about 2 percent of the total access granted to U.S. agencies by the Passport Office. Federal agencies, including the Central Intelligence Agency, Defense Investigative Service, and the FBI, all used the files extensively and were among some 35 agencies which reviewed more than 30,000 files during 1976.

Information from law enforcement agencies, local police, and the Passport Office is reviewed by Bureau agents to see that it is responsive to the request and is in accordance with U.S. laws. All replies are reviewed and approved by the Bureau chief or his designee before being mailed, cabled, or radioed to the requestor.

Requests for specific criminal investigations from U.S. requestors are sent to foreign INTERPOL bureaus for necessary investigation and information. All requests forwarded are approved by the Bureau chief or his designee before release. Foreign replies follow the same channel back through the U.S. Bureau to the requestor.

We asked U.S. Bureau officials what plans, if any, they had for increasing data exchanges between the United States and INTERPOL. The U.S. Bureau Chief told us that there were no plans to increase such data exchanges. He stated that information requests would continue to be handled on a case-by-case basis and information would be furnished only in those cases where the requestor demonstrates specific need.

Exemption from Privacy Act

The U.S. Bureau's system of records are subject to the Privacy Act of 1974 (Public Law 93-579) 1/, and the Treasury

1/Provides safeguards for individuals against invasion of personal privacy by imposing requirements on Federal agency collection, maintenance, use, and dissemination of personal information.

Department published the required notice describing the existence and character of the INTERPOL system. 1/ Record systems maintained for law enforcement purposes may be exempted from many Privacy Act requirements and Treasury has chosen to exempt the INTERPOL records 2/, as have other Federal law enforcement agencies.

In claiming these exemptions for the U.S. Bureau, Treasury explained that the disclosure to an individual of investigatory materials would hamper law enforcement by prematurely disclosing knowledge of illegal activities and the bases for possible enforcement actions. Disclosure to an individual could hinder future enforcement efforts if the record contained investigative technique and procedures.

In July 1976, a bill (H.R. 14780) was introduced in the House of Representatives which would allow U.S. membership only if INTERPOL agreed to comply with U.S. Code provisions for protecting individual privacy from misuse of Government records. Under the proposed bill, if the organization discloses the record of an American or resident alien to a foreign civil or criminal law enforcement entity, the disclosure would have to be reported to the U.S. Bureau. Also, if an American or resident alien wanted to review a record maintained on him, the organization would have to provide the record to the U.S. Bureau.

Treasury officials questioned the merits and workability of the proposed bill. They believed it to be unrealistic and unnecessary.

The information gathered by the U.S. Bureau for dissemination abroad concerns U.S. citizens or aliens under arrest or investigation abroad. This information comes from other U.S. agencies, and these agencies authorize its disclosure. There is no absolute control over the distribution of information disseminated abroad, through INTERPOL or U.S. law enforcement agency channels. It can be made available to the INTERPOL General Secretariat or to the

1/ See 40 Fed. Reg., 37661 (Aug. 26, 1975); adopted 40 Fed. Reg. 45684 (Oct. 2, 1975).

2/ See 40 Fed. Reg. 37612 (Aug. 22, 1975).

bureaus of the 124 other member countries. 1/ Treasury officials stated that the usual practice of INTERPOL bureaus, however, is to request the information from the country of origin. Also, an INTERPOL resolution passed in 1974 restricts the information to law enforcement or criminal justice channels only.

Role in extradition procedures

The United States has extradition treaties with many countries providing for the return of individuals accused of certain crimes for the purpose of judicial proceedings. Extradition is handled at the diplomatic level, with formally prescribed documents and procedures. To avoid the flight of suspected persons, some treaties provide for provisional arrest, through which an individual may be detained by notifying the arresting country that extradition will be finalized later. Under these circumstances, wanted persons can be held for various periods of time depending on existing treaties or the arresting countries' laws.

INTERPOL has a two-fold role in extradition matters. In some cases, INTERPOL channels can be used to request foreign police to make a provisional arrest. A message from the U.S. Central Bureau to the French Central Bureau, for example, could be an acceptable basis for the provisional arrest of a person wanted in the United States. INTERPOL also circulates arrest requests. Upon receipt of certain information from the requesting bureau, the General Secretariat sends out a "red-index wanted notice" to all member bureaus. When a police department locates the wanted person, it complies with the provisions of the INTERPOL notice; i.e., arrest the subject, report location, keep watch on movements, etc. In any event, the receiving country acts in accordance with its own laws and treaties.

The U.S. National Central Bureau, like other bureaus, initiates red-index wanted notices by informing the General Secretariat of the judicial authority for making the request and giving details on the case and an assurance that extradition will be requested if the suspect is located. In June 1976, about 15 such notices were circulating internationally at the request of the U.S. Bureau. Until July 1975, these

1/Includes two Communist countries, Rumania and Yugoslavia, and two countries, Iraq and Uganda, with which the United States has no diplomatic relations.

notices read, "If found anywhere in the world, please detain (arrest) and inform," then the wording was changed to "If found, do not arrest but inform..." because of an incident in which a person was arrested but not extradited.

Formal extradition requests are processed through the State Department, which advises State and local governments about provisions of the applicable treaty and steps to take in making formal requests. The State Department's Assistant Legal Advisor for Management is responsible for translating extradition papers and ensuring that they are in order for both U.S. and foreign-initiated requests.

The State Department does not want State or locally initiated provisional arrest or preventive detention requests made through INTERPOL unless it has ensured that the offense is covered by a current extradition treaty. It prefers that requests be made through diplomatic rather than police channels and currently has an informal working arrangement with the U.S. Bureau to do this before requesting detention of a suspect. In the past, however, this understanding has not always been followed and persons have been detained for suspected criminal activity not covered by current extradition treaties. Treasury officials stated that no extradition problems have arisen since informal INTERPOL, State, and Justice guidelines were put into effect in June 1975.

The Justice Department's Criminal Division directs and advises U.S. Attorneys on Federal cases warranting extradition proceedings. Justice also does not want persons detained on the basis of INTERPOL directives. It retains the exclusive prerogative (through its Criminal Division) of initiating requests, through State Department channels, for foreign authorities to detain suspects based on U.S. Federal warrants. The Justice official responsible for this activity told us that, contrary to desired procedures, U.S. agency representatives overseas have in the past requested foreign authorities to detain suspects but that this is no longer a problem.

CHAPTER 3

REVIEW OF U.S. BUREAU CASE FILES

We made a random sample of the cases handled by the U.S. National Central Bureau to determine the type of information being disseminated. On January 1, 1975, the Bureau began to file cases numerically and by April 1976 had established about 5,700 case files. These cases contained requests for information from foreign INTERPOL bureaus, U.S. law enforcement agencies, and private sources. We examined a total of 110 cases--every 50th case on hand.

Requests made to the U.S. Bureau generally did not involve established international criminals or large crime syndicates. Most cases involved individuals with no prior criminal record who were arrested or being investigated for a wide variety of offenses (summarized on p. 14). The U.S. Bureau usually was asked to provide information after a crime had been committed or an individual arrested. The number and significance of cases handled by the U.S. Bureau appeared to be limited by the tendency of foreign police officials to work directly with U.S. law enforcement officials overseas. For example, most narcotics cases, the largest category of requests handled by the U.S. Bureau, 1/ involved young Americans or U.S. servicemen arrested overseas with small quantities of drugs, such as marijuana.

Treasury officials stated that cases handled by the U.S. Bureau are significant, although limited in certain areas where foreign police deal directly with the overseas representatives of U.S. agencies, such as the Drug Enforcement Administration (DEA).

There was no evidence in the files made available to us that personal or political information about Americans was being disseminated abroad by the U.S. Bureau. Information sent abroad was related largely to suspected criminal activity.

1/U.S. Bureau officials stated that their fiscal year 1976 criminal statistics indicate that drugs and drug-related cases made up about 34 percent of the caseload, while frauds and thefts constituted approximately 29 percent.

ORIGIN AND SUBJECT OF REQUESTS

Of the cases in our sample, 83 percent (92 cases) came from foreign INTERPOL bureaus in 33 countries. Six countries--West Germany, Italy, Argentina, France, Great Britain, and Spain--accounted for more than half of these requests. The remainder came from such U.S. sources as the DEA; Postal Service; Internal Revenue Service; Bureau of Alcohol, Tobacco and Firearms; local police; and private firms. ^{1/} Appendix II lists foreign requests processed by the U.S. Bureau during fiscal years 1975 and 1976.

About 60 percent of the requests, most of them from foreign bureaus, concerned U.S. citizens; 40 percent concerned foreign nationals and permanent resident aliens.

The cases involved the following types of criminal activity.

| | <u>Number of cases</u> | <u>Percent.</u> |
|---|----------------------------|-----------------|
| Narcotics | 28 | 26 |
| Theft | 10 | 9 |
| Wanted persons | 9 | 8 |
| Fraud | 9 | 8 |
| Type of crime not specified by requestor | 8 | 7 |
| Background investigations | 8 | 7 |
| Immigration matters | 6 | 6 |
| Other (note a) | <u>32</u> | <u>29</u> |
| Total | <u>110</u> | <u>100</u> |

a/ 13 categories, 5 cases or less in each category.

The U.S. Bureau asked the following organizations for assistance in processing the 92 requests from foreign INTERPOL bureaus.

^{1/}The U.S. Bureau advised that their fiscal year 1976 statistics show that about 70 percent of the requests came from foreign INTERPOL bureaus and about 30 percent from U.S. agencies.

| <u>Agency</u> | Number of cases (note a) |
|---|--------------------------------|
| Federal Bureau of Investigation | 52 |
| Drug Enforcement Administration | 28 |
| Customs Service | 23 |
| Immigration and Naturalization Service | 19 |
| Passport Office | 17 |
| Bureau of Alcohol, Tobacco and Firearms | 3 |
| Postal Service | 2 |
| Local police | 18 |

a/Cases do not total 92 because the Bureau contacted more than one agency on many cases.

Normally, each agency is asked for a particular type of information.

--The FBI was asked to check its criminal identification records to determine whether an individual had committed any crimes. It was not asked to perform any investigations but, in some cases, supplied information directly to foreign police about the subjects of current FBI investigations.

--The Immigration and Naturalization Service frequently was asked whether an individual had entered or left the United States.

--The Bureau of Alcohol, Tobacco and Firearms was asked several times to determine the previous owners of guns.

--DEA and the Customs Service were informed of INTERPOL requests involving narcotics. DEA was asked to check its records to see if an individual had a history of involvement with drugs. On a few occasions, it was also asked for investigative reports relating to narcotics arrests in the United States. The Customs Service was informed of narcotics cases to help it screen travelers at U.S. ports of entry. Most of the information requested from the Customs Service, however, related to merchandise entering or leaving the United States.

--The Passport Office was asked whether an individual had a passport and for biographical data from the subject's passport application.

--The two requests to the Postal Service involved the investigation of a firm allegedly mailing pornographic material overseas and a case of suspected mail fraud.

--Local police were asked for various types of assistance, such as the locations of individuals, surveillance, whether arrests had been made, and investigation of a suspected murder.

We did not attempt to determine the extent to which other agencies created their own records in the cases examined. It is clear, however, that the information provided by the U.S. Bureau led the agencies to establish or add to their own records. For example, the FBI routinely adds to or establishes criminal records on the basis of fingerprints provided by the U.S. Bureau and the Customs Service enters such data into the Treasury Enforcement Communications System computer and uses it to screen travelers returning from overseas.

INFORMATION SENT ABROAD

The U.S. Bureau gave foreign INTERPOL bureaus the following kinds of responses to their 92 requests. 1/

--For 42 requests, information was furnished ranging from background data (dates of birth, current addresses, and results of interviews) to criminal data resulting from law-enforcement investigations. Some cases involved collecting readily available data, such as the current address of an American being investigated abroad for cashing a worthless check. Other cases involved the compilation of data by local police and Federal law enforcement agencies through various types of investigations.

--For about 40 cases, the Bureau advised that the subjects had no criminal records. In some instances, biographical information or photographs obtained from other Federal agencies was furnished at the same time.

--For 17 cases, FBI and other criminal history records were furnished concerning arrests for both felonies

1/ The requests total more than 92 because more than one kind of information was included in some of the responses.

and misdemeanors. No disposition data was available for many of the charges listed.

--For 14 cases, no response was made, either because the case did not require a response or because it was resolved before the Bureau processed the request.

The remainder of the cases, about 3 percent, were pending at the time of our review and no data had been furnished.

PROBLEMS IN PROCESSING REQUESTS

The U.S. Bureau's basic problem in processing requests was that the requestors were not furnishing adequate documentation to support their requests. The Bureau recognized the problem and has made efforts to improve request documentation.

An INTERPOL resolution and U.S. Bureau procedures require requestors to fully explain and support their requests. In 49 percent of the cases in our sample, however, requestors had provided insufficient data. In most instances, the Bureau did not request additional supporting data before asking other agencies to make record checks or investigations. The requestors did not (1) explain why the request was made, (2) identify the type of criminal activity being investigated, (3) precisely describe the charges, (4) furnish evidence to support allegations that individuals had criminal backgrounds, (5) indicate whether an individual had been arrested or was being investigated, and (6) provide fingerprints, even though a subject had been arrested. The following examples illustrate one or more of these problems.

1. A cablegram from a Middle East central bureau advised that an American had committed "an offense against legislation in trade." It gave the subject's date and place of birth and asked for all available information. The U.S. Bureau learned from the FBI that the subject had no criminal record, but it obtained a photo and biographical data from the Passport Office and sent this information to the requestor.

No reason was given for the request; specific information was not requested; the charge was vaguely described; it was not clear whether the subject was under arrest or being investigated; and, if the subject was arrested, fingerprints and/or a photograph were not provided. The

requestor also did not say how urgently the information was needed. In this case, it took about 60 days for the Bureau to obtain the information it furnished.

2. A South Pacific central bureau advised that a 24-year-old American was "possibly involved in a narcotics charge" and that the subject's father was reportedly president of a fraternal organization located in a northeastern city. It asked for any data on the subject. The U.S. Bureau was informed by the FBI that the subject had no criminal record. It obtained a report from a DEA office which stated the individual had no known connection with narcotics. DEA also advised that nobody with the subject's name had been president of the fraternal organization for the past 4 years, that State Police records showed the subject had six motor vehicle violations for which the fines had been paid, and that the subject's drivers license had been suspended. This information was conveyed to the foreign bureau.

The charge was vaguely described, the foreign bureau did not indicate what stage its investigation had reached, what specific information it needed, or whether the subject was still being detained in its country.

Bureau efforts to improve request documentation

In response to the initiative of the U.S. delegation, the October 1975 INTERPOL General Assembly Delegation unanimously accepted a resolution calling for better request documentation. Treasury officials felt that the U.S. Bureau had implemented this resolution with effective operating procedures. They also felt that, in most cases, they did not release criminal information to requestors who did not adequately support their requests. Although the U.S. Bureau has adopted guidelines for screening requests, almost half of the sample cases we reviewed involved inadequate documentation and we believe the U.S. Bureau prematurely proceeded with the various record checks and investigations. Thus, our study shows that additional efforts have to be made to improve documentation practices.

Records established

A serious ramification of the inadequate documentation of requests is the chain reaction which takes place, including the creation of criminal information records at various

agencies contacted, such as the FBI. For example, when an INTERPOL request in our sample included fingerprints, an FBI criminal record was established or added to. In almost half the cases for which FBI records were established, the crimes were only vaguely described. The following charges, quoted directly from cases, are the only data on the nature of the offense supplied by the foreign bureau: "theft," "possession of narcotics," "drug users," "intentionally causing bodily injury thru negligence by car," "assault on representative of authorities." In several other cases, the type of narcotic drug was identified but not the quantity. The vagueness of these descriptions makes it difficult to judge the seriousness of the offenses.

Treasury officials told us that information received by the U.S. Bureau is provided in its original form to U.S. agencies and that police officials who have access to this information are experienced in law enforcement and can no doubt evaluate it properly. They also said that it is each agency's prerogative to determine, based upon the information, whether or not the material will be retained and a file set up.

The Chief of the U.S. Bureau and other U.S. law enforcement officials believe that offenses committed overseas by Americans should be reported to and recorded by the FBI. Since FBI criminal records are furnished upon request to U.S. law enforcement authorities, it is equally important that these records be complete.

SENDING CRIMINAL HISTORY INFORMATION ABROAD

It is customary in the United States for criminal justice agencies to exchange criminal history information obtained from various Federal, State, and local agency files. Criminal history information is data developed on an individual between arrest and final release from custody, and it could include name; dates of arrests; nature and disposition of charges; and the name of each arresting agency, court, or correctional institution. When transmitted from one agency to another, this information is generally recorded on a "rap sheet." The rap sheet is requested by submitting a fingerprint card on the individual in question, usually at the time of arrest.

Basic questions stemming from U.S. participation in INTERPOL is how much and what kind of information the U.S.

Bureau should furnish to foreign requestors. Policy direction on this question is essential because, generally, the foreign bureaus ask for all relevant information on subjects under investigation or arrest. Also, the information released will be used in an unknown environment, i.e., under differing national customs, standards of conduct, peculiarities in law, and due process of law, and by governments ranging from liberal democracies to totalitarian regimes.

The U.S. Bureau indicates that its procedures provide for a double screening of information. The U.S. agencies providing the information initially decide whether the request is of a nature and type to require any action and, if so, what information to provide. U.S. Bureau agents then screen the information again to determine that the information for dissemination abroad is appropriate, considering the request.

Furnishing criminal records

Our sample study showed that the Bureau furnished criminal records for 17 of the 92 foreign requests. Actions taken by the Bureau in furnishing these records and questions raised in doing so are discussed below.

According to the Chief of the U.S. Bureau, criminal history records on Americans would not be sent overseas if the individuals had been acquitted or the offenses were misdemeanors, such as drunk driving. However, such entries would not be purged from records which also listed felonies. Records which contained misdemeanors would be forwarded only if the charges showed definite patterns.

Criminal records obtained from the FBI, DEA, and others and furnished to foreign INTERPOL bureaus did not always indicate whether the subjects were convicted or found innocent. Only 5 of the 17 sample cases for which criminal records were sent abroad contained the dispositions for all the charges listed. When furnishing a criminal record without the disposition, the U.S. Bureau states that it is not known whether the subject was convicted. The U.S. Bureau chief stressed the difficulty of obtaining disposition data from U.S. law enforcement agencies. This is a recognized inherent weakness in such records. We believe the value of furnishing criminal records without final dispositions is questionable because it is not clear how useful this information can be or how it will be used overseas. The potential problem of losing control over the

use of information was noted in a recent GAO report on FBI domestic intelligence activities. ^{1/} We reported that the FBI should be cautious in distributing information developed during preliminary inquiries because once information is disseminated the FBI loses control over how it is used or interpreted and how long it is retained. We believe information dissemination problems are further magnified when criminal information without disposition is distributed abroad.

Relevancy of responses

The Bureau indicated that information obtained from other agencies is screened to insure that it is relevant to the original request. However, no written procedures provide guidance as to what constitutes relevant information. In 69 of 80 applicable cases we examined, the data provided appeared relevant. For the other 11 cases, however, data furnished did not appear to be relevant to the suspected criminal activity. For example, in 7 cases the Bureau was asked to investigate U.S. citizens arrested or being investigated on narcotics charges. The investigations disclosed that the Americans had no known connection with narcotics. However, information forwarded by the U.S. Bureau included such data as drivers' license numbers, places of employment, addresses, and birth dates.

Treasury officials stated that it would be impractical to draw up written procedures to cover every possible contingency and to provide detailed guidance for deciding what information is relevant for each case. They emphasized that the U.S. Bureau screens out irrelevant information daily and does not provide information unless it falls within the request and has been released by the originating agency. Treasury also explained that the U.S. Bureau's practice of furnishing identifying data is appropriate for helping the requestors resolve their investigations. It stated that identifying data concerning an individual is necessary for making a positive identification and that, in many instances, this information proves to the foreign police that the subject of the request is an imposter and protects the person whose name or identification is being used.

^{1/}"FBI Domestic Intelligence Operations--Their Purpose and Scope: Issues That Need To Be Resolved," GGD-76-50, Feb. 24, 1976.

Disposition of cases

In the 1975 INTERPOL hearings, the Senate Subcommittee Chairman asked whether the U.S. National Central Bureau required foreign requestors to report on what happens to individuals for whom it has furnished information. This reflected concern about whether foreign governments are legitimately asking for information. The Chairman was assured that the Bureau did require disposition information and that it was located in each individual case file.

We analyzed 44 foreign request cases involving American citizens who were being investigated or had been arrested to see whether disposition information had been furnished. The Bureau had been advised of the outcome of 16 cases and did not know the disposition of 28 cases. Of the latter, 16 cases were unanswered for more than 180 days and 10 cases for more than 90 days. Thus, our study showed that the Bureau was having problems in getting timely outcome information. Without this feedback, the Bureau does not know whether its information-gathering activities are meaningful and effective.

Appendix III includes cases for which disposition information was not made available to the U.S. Bureau.

The Bureau was trying to overcome this problem through a 180-day followup procedure whereby foreign bureaus were asked to report on what happened in the cases for which information was supplied from U.S. law enforcement sources.

We believe it is important to obtain disposition information because, in some cases, it was not clear why the individuals were under criminal investigation or arrest. This makes the propriety of sending information abroad under these circumstances questionable.

Treasury officials pointed out that foreign and U.S. courts often do not dispose of cases for periods ranging up to a year or more. The same problem (on a larger scale) exists in the United States, as evidenced in FBI attempts to obtain dispositions of arrests in this country. They said that improvement is strived for in both areas and that the U.S. Bureau still makes every effort to obtain the disposition information in all cases involving arrests or investigations of U.S. citizens abroad.

State Department disposition data

The State Department, through its U.S. Embassy officers, has a system for reporting on the status of Americans arrested abroad. State officials told us their objective is to offer appropriate assistance to detained or arrested U.S. citizens. We reviewed State Department records for 18 cases in which Americans had been arrested abroad and foreign bureaus had not furnished disposition information to the U.S. National Central Bureau. State had information on 9 of the cases--the disposition was recorded for 7 (i.e., the subject had been fined, deported, etc.), disposition was not known for 1, and 1 case was pending. State had no information on the other 9 cases--3 involved U.S. military personnel, 1 involved a subject born and living in a foreign country, and 5 involved situations apparently not reported on by State overseas officials.

The U.S. Bureau does not have access to disposition data collected through State Department channels. State feels that this data is collected for the purpose of assisting Americans and not for law enforcement purposes. We believe, however, that it would be helpful if State under Privacy Act guidelines, was able to inform the U.S. Bureau when an American was convicted or acquitted of a crime committed overseas. This could be beneficial because U.S. Bureau records--and possibly records created by such agencies as the FBI--are now incomplete.

U.S. Bureau access to State Department data on arrested Americans might also be used to obtain facts which frequently are not supplied by foreign INTERPOL bureaus. In general, State Department data on charges against Americans and the circumstances surrounding some cases appeared to be more complete. In one case in which the U.S. Bureau sent a foreign bureau an American's FBI record indicating a previous conviction for possession of marijuana, the State Department had submitted a formal diplomatic note to the country complaining that the American had been mistreated during interrogation. Additional facts such as these could help the U.S. Bureau to decide how to handle foreign bureau requests.

It could also be helpful for the State Department to have access to the U.S. Bureau's information on Americans arrested abroad. As previously noted, State was not aware, in some cases, that Americans had been arrested abroad.

Treasury officials advised us that the U.S. Bureau wants State Department data on U.S. citizens arrested abroad, so as to have the best possible information on which to base decisions concerning responses to the requestors. They also said that the Bureau would be pleased to provide State with information concerning U.S. citizens arrested abroad. To that end, the Bureau is initiating a meeting with the State Department to further explore this exchange.

CHAPTER 4

INTERPOL INTERNATIONAL NETWORK

Member countries agree to abide by the general tenets of the INTERPOL constitution, and combine as a General Assembly and an Executive Committee to formulate policy and procedural guidelines. Most INTERPOL funds come from membership dues.

A General Secretariat maintains INTERPOL's permanent offices. It operates a comprehensive criminal information file and a worldwide communications network to assist member countries in coordinating their efforts on criminal matters.

Although the United States is not a party to any international agreements or treaties defining INTERPOL's international status, various terms have been used to describe INTERPOL's status. The United Nations, the General Secretariat, and U.S. Treasury officials refer to it as intergovernmental; others call it a private or nongovernmental organization, and many perceive it as an organization in the mold of a United Nations. INTERPOL's status is important to its ability to elicit cooperation among its members, compliance with its rules and regulations, and recognition.

At one time, INTERPOL was considered a nongovernmental organization and held consultative status with the U.N. Economic and Social Council. In June 1971, this Council entered into a special arrangement with INTERPOL providing for exchanges of information, consultations, technical cooperation, representation by observers at organization meetings, and written statements and exchange of agenda items for matters of mutual interest. This cooperative arrangement was based on the rights and privileges normally granted to nongovernmental organizations and took into account the special arrangements existing between the Council and intergovernmental organizations. 1/

Treasury officials emphasized that INTERPOL is intergovernmental because each INTERPOL bureau is an official office within its country's government, which appropriates funds for it; the laws governing the operation of each

1/For further information, refer to the following documents of the U.N. Economic and Social Council; E/4799 (Mar. 14, 1970); E/4945 (Feb. 18, 1971); E/RES1579(L) (June 3, 1971); E/INF149 (July 14, 1975).

bureau are the laws of its country; and the INTERPOL officers and Executive Committee members are elected by government officials from all the countries.

INTERPOL's international status, however, is not directly relevant to its operations in the United States. Operations supporting its international objectives are carried out by the Treasury Department, which is subject to the force of U.S. law.

OBJECTIVES

INTERPOL's objectives, as described in article 2 of its constitution, are to (1) ensure and promote the widest possible mutual assistance between all police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights and (2) establish and develop all institutions likely to contribute effectively to the prevention and suppression of crime.

Its activities are limited by article 3, which states that:

"It is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character."

Thus, some investigations are considered to be outside of INTERPOL's established mandate.

GOVERNING BODIES

The General Assembly, composed of delegates appointed by member nations, and the Executive Committee, composed of the president, three vice presidents, and nine delegates from different countries, determine overall INTERPOL policy. A General Secretariat is responsible for applying the decisions of these governing bodies.

The General Assembly meets once a year to discuss and act on matters of mutual concern. The October 1976 agenda, for example, included three countries' applications for membership; the annual budget; a progress report; elections; and discussion of problems, such as international fraud, currency counterfeiting, and drugs. Regional conferences and seminars on criminal matters are held throughout the year.

Matters requiring detailed study are handled by the Executive Committee. In 1976, the Committee consisted of four officers and of delegates from Niger, Indonesia, Lebanon, Italy, West Germany, the United States, Kenya, Sweden, and Argentina.

The General Secretariat

The General Secretariat, headed by a Secretary General elected by the General Assembly, maintains a central file of criminals and cases, operates a worldwide communications system, publishes the "International Criminal Police Review," and conducts research studies of criminal activities. As of May 1975, it had 155 employees, including law officers assigned from 20 member countries, one from the United States.

Central file

The central file enables the Secretariat to monitor the activities of international criminals, respond to requests for information, initiate wanted notices, and provide basic data for such special research studies as trends in types of criminal activity.

Each national central bureau is asked, but not obligated, to send copies of all correspondence to the Secretariat and to the bureau concerned. For example, Germany might inform France that an American citizen residing in France has been arrested for drug trafficking and ask for any information available on the individual; a copy of the correspondence should be sent to the General Secretariat and to the U.S. Bureau. It is acknowledged, however, that relevant information is not always provided to the General Secretariat or to other bureaus. Nevertheless, the Secretariat receives daily information through letters, telegrams, investigation reports, fingerprints, photographs, conviction sheets, and wanted notices.

The central files consist mainly of index cards, reference folders, and individual and case files. They duplicate to a limited degree the individual files maintained by the various national central bureaus.

Index cards are established by name and by special information categories. Name cards list offenders, accomplices, victims, reporters of crimes or important witnesses, dates and places of birth, given names, aliases, and the

like. Special information cards supplement the name cards with additional data, such as the type, date, and place of the offense; type and registration of car used; and passport numbers.

Documents received by the Secretariat are put in reference folders until the information is considered of sufficient importance or magnitude to justify opening a specific individual or case file.

Files on individuals contain their aliases, arrest records, foreign travels, wanted notices, etc. Files on specific cases contain all available information on complex cases involving several people, stolen art objects, and unidentified dead bodies.

A monthly Secretariat statistical report shows that at May 1, 1976, the following records were maintained.

| | | | |
|-------------------|----------------|--|------------------|
| Index cards: | | | |
| Alphabetical | 944,000 | | |
| Phonetical | 938,000 | | |
| Special | <u>609,000</u> | | 2,491,000 |
| Reference folders | | | 287,000 |
| Files: | | | |
| Individual | 23,000 | | |
| Case | 3,500 | | |
| Art objects | 2,200 | | |
| Dead bodies | <u>300</u> | | <u>29,000</u> |
| Total | | | <u>2,807,000</u> |

Generally, only the General Secretariat and national central bureaus have access to the files in support of their criminal investigations. However, DEA has an agent working full-time at the Secretariat and other U.S. agencies in Paris, such as the Secret Service and the FBI (legal attache), use information from the files for criminal investigations.

The 1975 Senate Appropriations Subcommittee hearings on INTERPOL explored the question of whether the U.S. Bureau was provided with copies of all information in the General Secretariat files that involved U.S. citizens. The Secretary General was questioned about this in a cable and he responded that it is INTERPOL custom to keep national bureaus informed

of cases involving their countrymen. He noted, however, that the Secretariat files could contain some exceptional cases involving document exchanges between national bureaus for which the U.S. Bureau did not have copies. He offered to introduce a systematic check of all correspondence exchanged by national bureaus to ensure that the U.S. Bureau would receive documents affecting U.S. citizens. He added, however, that he wanted official confirmation from the U.S. Bureau that such a measure was necessary before such action would be taken.

Treasury officials advised us that a verbal request was made to the Secretary General immediately following his offer (in May 1975) to accomplish such screening. This was followed up by a written request in January 1976. However, the U.S. Government has not made a one-time request for full access to all information available at INTERPOL headquarters on U.S. citizens.

Communications system

The major national central bureaus and the Paris headquarters are linked by a worldwide radio network with regional relay stations. This slow and outmoded communications system continues in operation because it is relatively inexpensive, although some smaller, less wealthy member countries have been unable to acquire necessary radio equipment. Requests for record and identity checks, criminal records, (number and types of arrests/convictions) criminal investigations, whereabouts of family members, and identification of deceased persons are made from one bureau to another and to INTERPOL headquarters in St. Cloud, where the central files are maintained. Priority messages are sent by commercial telex, low priority messages by mail. In some locations, such as Paris, U.S. Department of State communication lines are used to transmit messages from U.S. agencies to INTERPOL headquarters. A code-word system helps to protect the confidentiality of messages and decreases the cost by using five letter code-words in place of complete phrases. Each country has a decoding book in its own language, so the code-word system also helps in translations.

FUNDING

INTERPOL derives its funds mainly from membership dues. Its 1975 income totaled \$2,903,500, approximately \$2,229,300,

or about 77 percent, derived from dues. ^{1/} The remaining income sources were:

| | |
|--|---------------------------|
| Special contributions for drug prevention and other purposes | \$ 412,100 |
| Audio-visual teaching material | 5,600 |
| Subscriptions to the International Police Review | 8,800 |
| Publications | 1,800 |
| Royalties | 65,600 |
| Earnings from investments | 4,000 |
| Sale or redemption of investment securities | 3,100 |
| Bank interest | 29,100 |
| Income from property rentals | 15,500 |
| Other income, reimbursements, and transfers | <u>128,600</u> |
| Total (including \$2,229,300 from dues) | <u><u>\$2,903,500</u></u> |

Annual dues are set and approved by the votes of member countries at the General Assembly. The amount of dues paid recognizes the size and state of development of a country as well as its use of INTERPOL. The United States, Germany, France, Italy, and the United Kingdom are assessed the highest, with each contributing 60 budget units, or about 6 percent of the total assessment. In 1975, a budget unit was valued at about \$2,360, which made the United States and the other four countries shares about \$140,000 each.

The United States has been in arrears in dues payments because the current congressional appropriation ceiling limits payments to not more than \$120,000 a year. This amount has not been enough to cover increased dues assessments and the declining value of the U.S. dollar in relation to the Swiss franc. Treasury officials told us that they introduced legislation in early 1976 to raise the ceiling and resolve the dues-arrears. The proposal was not acted upon and will be reintroduced in the 95th Congress. As of September 1976, the United States still owes \$18,800 for 1975 membership dues and \$20,000 for 1976.

^{1/}Dues are assessed and financial records maintained in Swiss francs. For reporting purposes, we converted Swiss francs to U.S. dollars at an exchange rate of about 40 cents per franc.

Although INTERPOL's policy is to receive no private contributions, an item in its February 1970 International Criminal Police Review stated that:

"Two exceptional contributions had been paid during 1968, one by Venezuela, the other by Switzerland; also, another contribution had been paid by Brazil in 1969. More than 20 contributions of this kind had already been received."

Secretariat officials explained that contributions from these countries were simply part of the extraordinary building budget established to construct the headquarters building. They further explained that these contributions were from governments of the countries, not from individuals.

A board of auditors, which includes a professional auditor, certifies the General Secretariat's annual report of income and expenses. The report is made available to all members. INTERPOL's ordinary and extraordinary (special) budgets and financial situation statement is examined by the U.S. Treasury Department, which found the financial reports of calendar year 1974 satisfactory. This was the most recent report filed by INTERPOL at the time of our study.

U.S. GRANT TO INTERPOL

In December 1974, the United States disbursed \$135,000 to INTERPOL from Agency for International Development (AID) funds. This disbursement constituted a one-time grant to extend a European plan to gather intelligence on narcotics activities to South America and Southeast Asia. The money was to be used to recruit two liaison officers, one in each region, for the purpose of promoting the exchange of international narcotics control intelligence.

The grant stemmed from a 1972 proposal to establish a special Narcotics Intelligence Group at INTERPOL headquarters. Central Intelligence Agency (CIA) officials told us that the CIA and Treasury Department jointly developed the proposal at the request of the Cabinet Committee on International Narcotics Control. As documented in a previous GAO report, 1/

1/Problems in Slowing the Flow of Cocaine and Heroin From and Through South America, GGD-75-80, May 30, 1975. Sections of the report are classified Confidential.

the CIA in 1969 had been requested directly by the Executive Office of the President to use its foreign intelligence resources to support the U.S. international narcotics control program. With the formation of the Cabinet Committee on International Narcotics Control in 1971, the CIA was assigned responsibility for collecting and analyzing international narcotics intelligence by clandestine means. In this role, it chaired the Cabinet Committee's Intelligence Subcommittee, which considered the proposal and ultimately recommended its approval. The proposal was approved by the Cabinet Committee. The Bureau of Customs was asked to support the proposal since it was related to the role of gathering narcotics intelligence. Customs was authorized to appoint the then-president of INTERPOL as a consultant for the program, and he made several trips to various countries to get the project started. According to a Treasury official, these trips were financed by the Bureau of Customs. The project as initially proposed envisioned higher dollar amounts than the final \$135,000 grant. It was designed to create an international squad of police officers to be drawn from 10 to 15 countries, such as Germany, Iran, Turkey, Pakistan, Lebanon, and Hong Kong, who would collect and solicit information from their countries on drug traffic.

In May 1972 and thereafter, INTERPOL officials indicated their interest in pursuing this effort to increase surveillance over drug activities. Subsequent modifications to the U.S. plan eventually decreased the cost to \$135,000. The proposal evolved into a plan aimed at gathering and disseminating information on narcotics trafficking in South America and Southeast Asia among drug enforcement and INTERPOL bureau officials.

The desire to support such an effort posed a problem for the executive branch as to how the funds might be made available to INTERPOL. Memorandums during 1972-74 indicated concern over the proper means of making funds available. Treasury's Office of Management and Budget maintained that Treasury had no authority to make any payments in excess of the then \$80,000 annual membership dues. A June 1973 memorandum stated that AID had suggested that Treasury act as implementing agency for AID as a means of funneling the funds.

In June 1973, Treasury's Office of General Counsel concurred that the proposal should be financed from funds earmarked in AID's budget for international narcotics

programs. The Counsel also concurred that AID should transfer the necessary funds to Treasury during the fiscal year so that Treasury, as the U.S. representative to INTERPOL, could make the contribution. This possible arrangement was later discarded, and in December 1974, after funds were appropriated by the Congress, a check was issued to INTERPOL's account by the AID Comptroller's office in the amount of \$135,000 from foreign assistance funds. The U.S. contribution, according to the U.S. Central Bureau's 1975 report, is used to support INTERPOL liaison officers for drug enforcement, one assigned to Southeast Asia and one to Latin America. The same program is carried on in Europe and is funded by European countries.

Treasury, AID, and INTERPOL officials told us that this was the only case in which U.S. funds were provided to INTERPOL outside of the normal annual contributions.

CHAPTER 5

NATIONAL CENTRAL BUREAUS

Police activities in the countries we visited (Germany, France, Italy, Spain, India, Japan, Thailand, Peru, Brazil, and Venezuela) ^{1/} were centralized under their ministries of justice or interior. One office within these ministries usually handled all international activities and part of that office was designated as the national central bureau. The bureaus were headed by designated chiefs who were professional law officers.

The staff size of the INTERPOL offices we visited varied from a few persons in India to about 50 in Germany. We were told that the offices, exclusive of clerical personnel, are staffed by professional law officers. Staff members appeared to be trained, qualified officers, and many of them have police academy training and diverse police experience. The General Secretariat has no voice in the way bureaus are staffed as this decision is reserved to each member country.

CENTRAL BUREAU COORDINATION

The essence of INTERPOL membership is cooperation in international criminal police activities. A high degree of cooperation probably exists among the central bureaus, particularly in Europe. For example, Italy, Germany, and France apparently are in constant contact on criminal matters.

Foreign bureau requests to the U.S. Bureau may originate with individuals, other government organizations, local police units, or the national police. The foreign bureau screens the requests and decides whether to make formal requests for information, what information to request and from whom. Thus, central bureaus are the focal points in country for transmitting and receiving requested information. Typically, requests to the U.S. Bureau are for such information as criminal records, fingerprints, and photographs. Although direct requests from U.S. police departments (i.e. not through the U.S. Bureau) are generally

^{1/}These 10 countries and the General Secretariat accounted for 47 percent of the total foreign requests processed by the U.S. Bureau during fiscal years 1975 and 1976.

answered by foreign bureaus, there is little direct exchange of data between U.S. police departments and foreign bureaus. Requests for information are generally made through the U.S. Bureau or through U.S. agencies in Washington.

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INTERPOL is well known in international law enforcement circles and the national central bureaus are on a high organizational plane in most countries. Yet, our overseas work indicated that foreign police and national central bureaus make extensive use of non-INTERPOL channels in dealing with U.S. matters. Our overseas discussions indicated that foreign police prefer the communication channels of overseas U.S. agencies to satisfy criminal information needs. The Drug Enforcement Administration, FBI, Customs, and, to a lesser extent, such agencies, as the Secret Service and Immigration and Naturalization Service, have offices in major cities of the world. The tendency of foreign police and central bureaus is to try to obtain information through these agencies because they are considered faster, more flexible than INTERPOL in terms of the types of cases they handle, and more effective, at least in connection with providing information relevant to immediate investigatory matters.

INTERPOL channels, on the other hand, are used when U.S. agency contacts are not available or when a worldwide canvass is necessary to locate a suspect or to determine whether arrest records exist in several countries.

Treasury officials disagreed with our comments on the presence of other U.S. agencies abroad, stating that, with the possible exception of DEA, U.S. agencies do not have representatives in most major cities of the world and agency representatives often cover several countries and even entire continents.

We believe our contacts with U.S. overseas agency officials and other readily available staffing information evidences the extensive overseas representation of U.S. officials.

We did not review U.S. agency files in each country, so we could not measure the degree of similarity between information exchanged through INTERPOL channels and through U.S. agency channels. Comparable statistical data was also unavailable but, based on the best estimates of U.S. agency representatives we interviewed, the majority of foreign

requests being made to the United States come through overseas offices of U.S. agencies. For example, information compiled at our request in the three South American countries we visited indicated that less than 25 percent of the foreign requests for information came through INTERPOL channels.

Treasury officials stated their belief that foreign police use U.S. agency overseas channels only for matters which fall within the investigative jurisdiction of these agencies and use INTERPOL channels for other information needs. They also stated that there are no statistics or records to specifically substantiate how foreign police route their investigative requests.

INFORMATION PROVIDED ON U.S. CITIZENS

Information provided to recipient countries by the U.S. Bureau is for use in connection with specific criminal investigations. Foreign bureau officials claimed that the information was restricted to police channels, but there is no practical way to insure this is the only use made of the information. In some countries, the alliance of foreign police systems with the intelligence branches certainly does not preclude the sharing of such information.

Treasury officials stated that information handled through INTERPOL is restricted to police and criminal justice channels by an INTERPOL privacy resolution. Also, the U.S. Bureau red stamps all outgoing documents with the statement that the material furnished is not to be disseminated outside the receiving organization except to official law enforcement and justice agencies without the expressed permission of the U.S. Bureau. The officials also agreed that there is no practical way to insure the use made of the information but emphasized that no examples have been found of abuses. They said that each country is aware that unauthorized information disclosures would result in the U.S. Bureau not giving further information. Treasury noted that, because of the alliance of foreign police systems with their intelligence branches, there is always the potential for information to be accessible to them; however, the U.S. Bureau has found no examples of this.

The FBI and DEA also have close direct working relationships, sometimes under formal agreements, with police officials abroad. In some cases, these police officials are also INTERPOL officials. Many times, information is shared

routinely. For example, the FBI specifically earmarks information on U.S. citizens for dissemination to foreign police officials and provides them with requested criminal records and record checks. Also, Article 3 of DEA's protocol with the French police encourages cooperation, stating that:

"Within the framework of their respective laws, the two services will exchange, at the earliest possible time any information relative to their respective fields, particularly concerning investigations, arrests, seizures and illicit movements of drugs or suspects."

The DEA, in recognition of the requirements of the Privacy Act, maintains a file of accountability showing information disclosed on U.S. citizens and to whom. Its Paris office file, for example, shows that information on U.S. citizens has been given to the U.S. Internal Revenue Service, United Kingdom Customs Service, and INTERPOL office in Oslo, Norway, among others.

We asked U.S. agencies whether instructions had been issued to guide working relationships with foreign police officials and contacts with INTERPOL. The FBI has not issued such instructions and DEA has only general guidelines for operations in foreign countries. This suggests that relationships are handled according to individual situations.

DEA officials felt that their general guidelines provided effective guidance to overseas DEA agents who have to make judgements on how to proceed in specific cases. They emphasized that, generally, DEA agents work on important narcotics cases and refer routine drug matters to INTERPOL for processing.

USEFULNESS OF INFORMATION PROVIDED BY U.S. BUREAU

Officials abroad thought the information provided by the U.S. Bureau was useful and some characterized it as slow but adequate. As stated earlier, many INTERPOL requests are routine and informational and appears to be used for developing more comprehensive data. For example, French authorities told us that inquiries are routinely made to the country of each foreigner arrested in France to learn whether the person is wanted.

Treasury officials took the position that inquiries not only inform the home country of the criminal activity of its citizens but often resolve unsolved cases in the home country and that it is important for citizens to know that they cannot commit criminal offenses without those offenses being recorded in their home country.

CHAPTER 6

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

At various times, the United States has been a full-time member and an informal member of INTERPOL. It is currently a full-time member and is emphasizing greater use of INTERPOL facilities among U.S. agencies and local police organizations.

The U.S. National Central Bureau subscribes generally to the objectives, rules, and regulations of INTERPOL and has been a party to and initiated INTERPOL resolutions which have become operating guidelines for members. The Bureau has (1) access on a case-by-case basis to the files of Federal and local government agencies, (2) space in a Federal building, (3) professional and clerical staff, and (4) telecommunication privileges.

In the case files we examined, we found no disclosure of an individual's personal habits or political activities. We did find, however, a need to require better documentation in support of requests for information. We recognize that the U.S. Bureau faces the difficult task of responding to numerous requests from foreign police--individuals with different traditions, standards, and procedures. We also recognize the inherent difficulties in 125 countries agreeing to and performing under a common code of conduct. Nonetheless, a concerted effort must be made to clearly substantiate reporting of alleged criminal offenses and provide a sound basis for investigating such matters. The U.S. Bureau should be the model for other countries to follow in this regard.

The Department of the Treasury has been the designated representative to INTERPOL and the focal point for U.S. Government contact. Yet, the FBI, DEA, and other U.S. agencies exchange information directly with INTERPOL offices in many countries. Indeed, the information channels of these agencies from their overseas offices to Washington headquarters were the preferred route for the foreign police units and INTERPOL offices we surveyed. These contacts take place with only general and informal agency guidance.

RECOMMENDATIONS

We recommend that the U.S. Bureau:

- Improve the screening of information by requiring specific information before proceeding with criminal record checks or other criminal investigations.

For individuals charged with crimes, the Bureau should require (1) specific statements of the criminal act or acts, including the dates and places, and (2) data necessary to establish their identity, such as fingerprint records, photographs, descriptions, distinguishing physical marks, and appropriate biographical data.

For individuals convicted of crimes, requestors should be required to furnish specific information on the convictions and sentences passed.

- Encourage foreign bureaus to report on case dispositions. Outcome data would give the U.S. Bureau a valuable insight into whether requests from foreign governments are legitimate and whether they are serving useful law enforcement purposes.
- Carefully screen all replies, particularly those to be sent abroad, to ensure that the information is relevant to the charges or investigations being made.
- Although we did not find any instances where information was improperly used by foreign entities, the U.S. Bureau may want to explore the need for better defined policy guidelines and operating procedures for the interaction of various overseas U.S. law enforcement agencies with the U.S. Bureau, foreign police, and foreign national central bureaus.

CHAPTER 7

SCOPE OF REVIEW

Our work was directed primarily toward answering the 26 questions raised by the congressmen. We did not evaluate the economy or efficiency of U.S. participation in INTERPOL.

Principal audit work was performed at the U.S. National Central Bureau in Washington, D.C., where we talked with officials, reviewed policies and operating procedures, and examined 110 case files for the nature of requests made to the Bureau; actions taken to respond to requests; and type of information disclosed, particularly to foreign sources.

Coordination of information between the U.S. Bureau and various government and local police agencies was discussed with representatives in Washington of the State and Justice Departments, Customs Service, FBI, Immigration and Naturalization Service, Secret Service, Central Intelligence Agency, Internal Revenue Service, and Drug Enforcement Administration.

Our work overseas, in May and June 1976, examined (1) the relationships between the INTERPOL General Secretariat in St. Cloud, France, and member national central bureaus, (2) how the bureaus were organized and staffed, and (3) how they requested law enforcement information from the United States. We also talked with representatives of U.S. agencies overseas to determine how they related to local bureaus and to the U.S. Bureau. Countries and agencies we visited are listed below.

SCOPE OF OVERSEAS FIELDWORK

EUROPE

Persons interviewed

INTERPOL:

Headquarters, St. Cloud,
France

Secretary General and
members of his staff

National Central Bureaus:

Wiesbaden, Germany
Paris, France
Madrid, Spain
Rome, Italy

Bureau chief
Assistant to bureau chief
Bureau chief
Bureau chief

EUROPE (cont'd)

Persons interviewed

U.S. representatives:

U.S. Embassies:

Bonn, Germany
Paris, France

Madrid, Spain

Rome, Italy

U.S. Consulate, Frank-
furt, Germany

FBI Legal Attache
FBI Legal Attache,
DEA Assistant Special
Agent in Charge, Se-
cret Service Special
Agent in Charge, and
Customs Special Agent
in Charge

FBI Legal Attache and DEA
Special Agent in Charge
FBI Legal Attache, DEA Spe-
cial Agent in Charge, and
Immigration and Naturali-
zation Service Special
Agent in Charge

DEA Special Agent in Charge,
Senior Customs Repre-
sentative

ASIA

Offices visited

Persons interviewed

INTERPOL:

National Central Bureaus:

Tokyo, Japan
Bangkok, Thailand

New Delhi, India

Deputy bureau chief
Bureau chief and INTERPOL
Regional Narcotics
Liaison Officer
Bureau chief

U.S. representatives:

U.S. Embassies:

Tokyo, Japan

FBI Assistant Legal Attache,
DEA Special Agent in Charge,
Customs Attache, Assistant
Security Officer, and Consul
General

ASIA (cont'd)

| <u>Offices visited</u> | <u>Persons interviewed</u> |
|--|---|
| U.S. representatives: | |
| U.S. Embassies: | |
| Bangkok, Thailand | DEA Special Agent in Charge, and his assistant and Re- gional Security Officer |
| New Delhi, India | DEA Special Agent in Charge, Regional Security Officer, and U.S. Consular Officer |
| Foreign government: | |
| Government of India, Revenue Intelligence, New Delhi | Deputy Director and his as- sistant |

SOUTH AMERICA

| | |
|---|---|
| INTERPOL: | |
| National Central Bureaus: | |
| Caracas, Venezuela | Bureau chief |
| Lima, Peru | Bureau chief |
| Brasilia, Brazil | Bureau chief |
| U.S. representatives: | |
| U.S. Embassies: | |
| Caracas, Venezuela | Charge d'Affairs, FBI Legal Attache, DEA Regional Director, DEA District Agent, Regional Security Officer, Deputy Consul General, and U.S. Consular Officers |
| Lima, Peru | U.S. Ambassador, DEA Special Agent in Charge, Regional Security Officer, and U.S. Consular Officers |
| Brasilia, Brazil | U.S. Ambassador, Deputy Chief of Mission, FBI Legal Attache, DEA Special Agent in Charge, Regional Security Officer, Defense Attache Officers, Political Officer, and U.S. Consular Officer |
| U.S. Consulate, Rio de Janeiro, Brazil | Chief of U.S. Consular Sec- tion and DEA District Agent |

JOHN E. MOSS
3RD DISTRICT
SACRAMENTO, CALIFORNIA

ADMINISTRATIVE ASSISTANT
KATHLEEN BENSON
LEGISLATIVE ASSISTANT
PATRICIA LYNCH



WASHINGTON OFFICE:
ROOM 1234
RAYBURN HOUSE OFFICE BUILDING
PHONE (202) 225-7163

DISTRICT OFFICE:
DISTRICT REPRESENTATIVE
JERRY WYMORE
800 B FEDERAL BUILDING
650 CAPITOL MALL
SACRAMENTO, CALIFORNIA 95814
PHONE (916) 449-3543

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

GOVERNMENT OPERATIONS COMMITTEE
SUBCOMMITTEES:
LEGISLATION AND NATIONAL SECURITY
GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS

DEMOCRATIC STEERING AND POLICY COMMITTEE

INTERSTATE AND FOREIGN COMMERCE COMMITTEE:
CHAIRMAN,
OVERSIGHT AND INVESTIGATIONS SUBCOMMITTEE

JOINT COMMITTEE ON ATOMIC ENERGY

B-161370

February 5, 1976

Elmer B. Staats
Comptroller General
General Accounting Office
441 G Street
Washington, D. C. 20548

Dear Mr. Comptroller General:

The United States is a member of INTERPOL, ostensibly an International Criminal Police Organization through which police forces in 120 countries may exchange data on criminal suspects. Members transfer information by access to each other's law enforcement files. In the U. S., this can include the FBI's massive National Crime Information Center. Interpol's National Central Bureau here, operating from Treasury Department facilities, seems to operate under no guidelines limiting what data on Americans can be disseminated abroad. Americans working for Interpol are Federal employees on loan from the Secret Service, Customs, the Bureau of Alcohol, Tobacco and Firearms and the Drug Enforcement Administration.

Interpol is a private organization, and we have been unable to establish that it has ever been established by any international charter or treaty. Its constitution and bylaws, binding on its U. S. office, have never, to our knowledge, been submitted to or approved by the U. S. Congress. Yet it seems to be enjoying all privileges of a U. S. Federal agency.

Interpol is not, to our knowledge, a part of the United Nations, and has never been granted any status by the General Assembly of that body. Therefore, because of America's financial contributions, use of the U. S. law enforcement personnel and facilities as well as crucial privacy and data access questions, we request that the GAO probe our involvement with Interpol, seeking specific answers to the following questions:

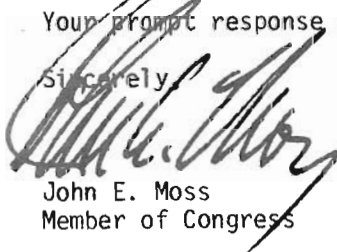
- 1) Exactly how much information does Interpol receive from the U. S. and precisely what is its nature? (See p. 16.)
- 2) Does Interpol have access to the FBI's NCIC system of the U. S. criminal information files, through Treasury's TECS system or any other ADP or manual system; including NLETS? (See p. 6.)
- 3) Do Federal law enforcement agencies collect criminal data from state and local authorities at Interpol request, and third party it abroad through Interpol? (See p. 15.)
- 4) What plans, if any, are being made to increase such data exchanges between the U. S. and Interpol? (See p. 9.)
- 5) Can Interpol place its own data on individuals into NCIC or other U. S. law enforcement agency files? (See p. 16.)
- 6) Does Interpol's office here, the National Central Bureau, possess or operate under any guidelines limiting what information on Americans may be disseminated to other nations? (See p. 20.)
- 7) Is data from American law enforcement agency files, once transmitted to Interpol, accessible to all 120 Interpol members, including several Communist nations and certain countries with whom we have no formal diplomatic relations? (See p. 10.)
- 8) A number of Americans, employees of various Federal law enforcement arms, staff the Interpol bureau at Treasury. Who do they report to and seek final approval of policies from? (See p. 6.)
- 9) Does Interpol have any legal right or permission to initiate investigations or data exchanges with U. S. law enforcement entities or state or local levels? If so, please elaborate. (See p. 5.)
- 10) What kinds of data banks and/or dossiers are being maintained in Paris on Americans and what does the U. S. government know about their contents or how they are utilized and the data disseminated? (See p. 27.)
- 11) Does the U. S. Government have full access to all such information in Paris at one time upon request? (See p. 28.)
- 12) Has our government ever made such a request? (See p. 29.)

- 13) Is the American government helping to underwrite a growing international data bank it cannot monitor? (See p. 28.)
- 14) Interpol acknowledges in its internal publication that "exceptional contributions" have been made to it by unnamed persons in Switzerland, Venezuela and Brazil. Who are these individuals, and does the U. S. have access to information on them? (See p. 31.)
- 15) Have non-professionals lacking law enforcement experience ever been placed in Interpol's Washington office because of a politically-oriented referral? (See p. 6.)
- 16) Is there any dissemination by Interpol of personal and political information about American citizens neither accused nor suspected of criminal activity? (See p. 13.)
- 17) Interpol maintains files not only on known criminals but also on individuals "under suspicion", as well as data on complainants, victims and witnesses involved in criminal cases. Who has access to this data and to whom is it disseminated? (See p. 28.)
- 18) Are there any guidelines, either from Interpol's international headquarters or originating in Washington, governing exchange of unverified accusations, raw intelligence data and other information potentially damaging to innocent U. S. citizens? (See p. 20.)
- 19) Should Interpol be housed at the Treasury Department as if it were a Federal agency? (See p. 5.)
- 20) Does the U. S. receive any accounting from Interpol's Paris headquarters on how our financial contributions are being spent?
(See p. 31.)
- 21) Interpol requested and received a \$135,000 grant from the State Department in September, 1974. Sheldon Vance of the State Department approved that request, yet the funds in question were administered by the Agency for International Development. Why was this request made? Who made it? What similar requests have been made and what was the disposition of the request? Why did AID administer it rather than the Treasury Department? (See p. 31.)
- 22) How deeply is Interpol involved in diplomatic functions, such as extradition requests? What is its relationship with our State Department regarding such requests? (See p. 11.)

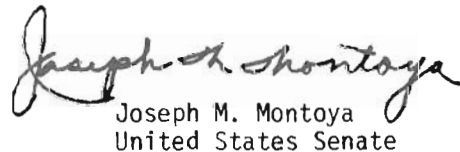
- 23) Where is the scope of Interpol's authority to operate as described within the U.S. spelled out by statute? (See p. 3.)
- 24) Is Interpol carrying out police, diplomatic, intelligence, law enforcement and other functions without effective American oversight? (See p. 6.)
- 25) Does Interpol have access to the State Department's passport files? (See p. 8.)
- 26) Does Interpol have a U.S. Federal advisory board? (See p. 6.)

Your prompt response to this inquiry is urgently requested.

Sincerely,



John E. Moss
Member of Congress



Joseph M. Montoya
United States Senate

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GAO note: Numbers in parentheses refer to pages of this report containing the answers to questions raised.

FOREIGN REQUESTS PROCESSED BY THE U.S. BUREAU
FISCAL YEARS 1975 AND 1976

| <u>Requesting country</u> | <u>Number of requests</u> | | <u>Total (note a)</u> |
|---------------------------|---------------------------|-------------|---------------------------|
| | <u>1975</u> | <u>1976</u> | |
| Algeria | 4 | - | 4 |
| Arab Republic of Egypt | 5 | 4 | 9 |
| Argentina | 87 | 43 | 130 |
| Australia | 84 | 78 | 162 |
| Austria | 40 | 36 | 76 |
| The Bahamas | - | 1 | 1 |
| Belgium | 44 | 57 | 101 |
| Bermuda | - | 1 | 1 |
| Bolivia | 1 | 1 | 2 |
| Brazil | 32 | 24 | 56 |
| Canada | 53 | 57 | 110 |
| Central African Republic | 3 | - | 3 |
| Chile | 18 | 8 | 26 |
| Colombia | 27 | 28 | 55 |
| Costa Rica | 6 | 2 | 8 |
| Cyprus | 6 | - | 6 |
| Denmark | 33 | 40 | 73 |
| Dominican Republic | 2 | 8 | 10 |
| Ecuador | 3 | 9 | 12 |
| Ethiopia | 2 | - | 2 |
| Fiji Islands | 4 | - | 4 |
| Finland | 15 | 8 | 23 |
| France | 85 | 95 | 180 |
| Gabun | 1 | - | 1 |
| Germany | 396 | 319 | 715 |
| Ghana | 9 | 4 | 13 |
| Gibraltar | - | 3 | 3 |
| Greece | 54 | 67 | 121 |
| Guatemala | 16 | 10 | 26 |
| Guyana | - | 1 | 1 |
| Honduras | 1 | 3 | 4 |
| Hong Kong | 13 | 14 | 27 |
| India | 36 | 38 | 74 |
| Indonesia | - | 4 | 4 |
| Iran | 11 | 12 | 23 |
| Iraq | 4 | 1 | 5 |
| Ireland | 2 | 2 | 4 |
| Israel | 9 | 13 | 22 |
| Italy | 201 | 223 | 424 |
| Jamaica | 9 | 1 | 10 |

a/Does not include INTERPOL's wanted circulars, all-points bulletins, requests for information on police-support functions, or requests forwarded by the U.S. Bureau to foreign police.

| <u>Requesting country</u> | <u>Number of requests</u> | | <u>Total</u> |
|------------------------------|---------------------------|--------------|--------------|
| | <u>1975</u> | <u>1976</u> | |
| Japan | 60 | 18 | 78 |
| Jordan | 2 | 3 | 5 |
| Kenya | 2 | 1 | 3 |
| Korea | 1 | - | 1 |
| Kuwait | 3 | 2 | 5 |
| Laos | 1 | - | 1 |
| Lebanon | 22 | 8 | 30 |
| Liberia | 17 | 9 | 26 |
| Libya | 1 | 5 | 6 |
| Luxembourg | 5 | 7 | 12 |
| Malta | - | 2 | 2 |
| Mexico | 12 | 4 | 16 |
| Monaco | 2 | 3 | 5 |
| Morocco | 47 | 23 | 70 |
| Nepal | 8 | - | 8 |
| The Netherlands | 39 | 50 | 89 |
| Netherland Antilles | 26 | 17 | 43 |
| New Zealand | 25 | 21 | 46 |
| Nigeria | 19 | 14 | 33 |
| Norway | 12 | 18 | 30 |
| Pakistan | 4 | 5 | 9 |
| Panama | 6 | 4 | 10 |
| Paraguay | 7 | 3 | 10 |
| Peru | 66 | 43 | 109 |
| Philippines | 2 | 4 | 6 |
| Portugal | 4 | 14 | 18 |
| Romania | 4 | 2 | 6 |
| Saudi Arabia | 1 | - | 1 |
| Senegal | 1 | - | 1 |
| Sierra Leone | 1 | 1 | 2 |
| Singapore | - | 11 | 11 |
| Somalia | - | 1 | 1 |
| Spain | 171 | 101 | 272 |
| Sri Lanka | 3 | 9 | 12 |
| Sweden | 50 | 27 | 77 |
| Switzerland | 49 | 67 | 116 |
| Syria | 3 | 3 | 6 |
| Thailand | 35 | 23 | 58 |
| Trinidad and Tobago | 6 | 1 | 7 |
| Turkey | 12 | 5 | 17 |
| Uganda | 1 | - | 1 |
| The United Kingdom | 226 | 189 | 415 |
| Uruguay | 25 | 13 | 38 |
| Venezuela | 19 | 17 | 36 |
| Yugoslavia | 20 | 18 | 38 |
| Zaire Republic | 2 | - | 2 |
| INTERPOL General Secretariat | <u>41</u> | <u>27</u> | <u>68</u> |
| Total | <u>2,379</u> | <u>2,008</u> | <u>4,387</u> |

CASE STUDY SUMMARIES

Summarized below are selected cases from our random sample of 110 cases from files of the U.S. National Central Bureau of INTERPOL. These cases describe some of the kinds of information requests the U.S. Bureau processes.

1. A South American Bureau asked for a U.S. citizen's criminal record and any other available information but did not specify the reason for its investigation. The U.S. Bureau obtained biographical data from Passport Office files and learned from the FBI that the subject had no criminal record. This data was furnished to the foreign bureau.

2. A West European Bureau asked the U.S. Bureau for details on the birth and parentage of the owners of a U.S. firm that allegedly sent pornographic material to that country. The request was referred to the U.S. Postal Service. Investigative data prepared by the Postal Service was forwarded through the U.S. Bureau. This information, which included physical descriptions and identifying data on the firm's owners, indicated that the firm sold material which could possibly be considered pornographic. The firm was being investigated by the Postal Service, which asked for but did not receive details of the investigation being conducted overseas. About 2 years after the initial inquiry, the West European Bureau reported that the U.S. owners had been given a suspended 6-month jail term and a fine for mailing obscene material. The Postal Service asked the U.S. Bureau to determine whether the owners had actually been on trial overseas.

3. On behalf of one of its country's public prosecutors, a West European Bureau asked for details on a U.S. citizen's birth and parentage. The foreign bureau did not indicate what crime had been committed and supplied only the person's name, age, and address. The U.S. Bureau attempted to clarify the subject's address since there was no such city, but the foreign bureau never replied. No information was furnished to the foreign bureau.

4. A South American Bureau asked the U.S. Bureau to keep a discreet watch on a South American citizen who had a "suspended conviction" for drug trafficking, i.e., a conviction followed by a suspended sentence. The subject apparently intended to reside in the United States. The U.S. Bureau notified the Customs Service, DEA, and the Immigration and Naturalization Service. Immigration told the U.S. Bureau that the subject had been granted permanent residency and that his residency application indicated no

previous arrests or convictions. Immigration indicated that it would take no further action in the case until it obtained certified copies of the violated statute, the arrest, and the conviction, which could be used to revoke the permanent residency. The U.S. Bureau was not asked to obtain this data and had no information on the disposition of this case.

5. On behalf of its local police, a West European Bureau asked for the true identity of a U.S. citizen who had paid his hotel bill with a worthless check. The foreign bureau could not supply the subject's passport number or date and place of birth but did provide the identification numbers found on the check. The U.S. Bureau was unable to obtain any response to several inquiries made of the New York Bank on which the check was drawn. About 2 years after the original request, the foreign bureau sent a photocopy of the check. Another inquiry at the bank revealed that the subject had opened an account using a false name and background data. The U.S. Bureau sent this information to the foreign bureau.

6. A South Pacific Bureau informed the U.S. Bureau that charges against a U.S. citizen arrested for possession of cannabis had been dismissed. The foreign bureau stated also that, based on pornographic material found in the subject's luggage, the subject might be a homosexual. No fingerprints or other data was furnished. The U.S. Bureau sent this information to Customs since this was a potential violation of U.S. Customs laws. They also contacted DEA, requested an FBI record check, and biographical data from the Passport Office. The foreign bureau was informed that the subject had no known criminal convictions and was given biographical data and a photograph.

7. A South American Bureau asked for all relevant data to complete its information on one of its nationals who was fingerprinted by the FBI in 1946. The subject's date and place of birth and parents' names were provided. Both the FBI and the Immigration and Naturalization Service told the U.S. Bureau that they had no record of the subject. The U.S. Bureau passed this information on to the foreign bureau and also indicated that, if the subject's FBI identification number were forwarded, a further check of FBI records could be made.

8. A South American Bureau investigating one of its citizens for alleged trafficking in currency gave his date and place of birth and asked the U.S. Bureau to determine how much currency the suspect had in his possession, its origin, his activities, and any criminal record. No

evidence or additional explanation of the charge was provided. The foreign bureau also furnished the flight number of the aircraft it thought the subject took to the United States. The U.S. Bureau sent the request to the Immigration and Naturalization Service to alert it to a possible illegal alien in the U.S. The Bureau was told by Immigration that it had no record of the subject's entry. The FBI indicated that the subject had no criminal record. A Customs Service investigation disclosed that the subject had leased an apartment at a certain address until 1977 and was living there with his wife and grandson. These facts, together with the negative results of the FBI check, were sent to the foreign bureau.

9. A West European Bureau advised the U.S. Bureau that a foreign national arrested for trafficking in narcotics had a notebook containing the names of three U.S. citizens and asked for all available information on this matter. DEA was asked to investigate, and it reported that the names were checked through DEA files with negative results. The U.S. Bureau sent a copy of the DEA report to the foreign bureau.

10. A local U.S. police department asked the U.S. Bureau to make a background check on a foreign national who had applied for a job as a "junket arranger" for a major U.S. hotel. It asked for any available intelligence or derogatory information about the individual. The U.S. Bureau advised the applicable foreign bureau that the individual had applied for a sensitive position in the United States and asked for a background investigation. The foreign bureau replied that the individual had no criminal record in that country, and this information was sent to the local U.S. police department.

11. A West European Bureau asked for all available data on an American serviceman convicted and sentenced to 6 months imprisonment for "violation of legislation concerning, drugs. The charge, date of conviction, sentence, and subject's date and year of birth were provided by the foreign bureau. The U.S. Bureau notified Customs and DEA and asked the foreign bureau for the subject's military identification or social security number. After the receipt of this data, an FBI criminal record check was conducted. The foreign bureau subsequently was notified that the subject had no previous arrests.

12. A South American Bureau asked the U.S. Bureau to take any action it saw fit regarding one of its nationals, a convicted criminal, who intended to go to the United

States. The subject had been tried for "trafficking in women." The subject's date and place of birth and passport number were provided. The U.S. Bureau notified the Immigration and Naturalization Service. Subsequently, Immigration told the U.S. Bureau it had no record of the subject's entry into this country. The foreign bureau was informed that the subject had no criminal record with Immigration.

13. A West European Bureau asked for the U.S. address of one of its citizens and two small children for its "Family" department of the prosecutor's office. They wanted to know the whereabouts of this citizen. The U.S. Bureau asked a local U.S. police department to investigate. On the basis of a telephone call from the local police department, the U.S. Bureau informed the foreign bureau of the subject's present address and employment, said the children were attending school and had obtained proper authority to leave that country for the United States, and that its diplomatic officials were already aware of this information.

14. A South American Bureau informed the U.S. Bureau that a citizen of its country, a known pickpocket, appeared to have left for the United States. The subject's date and place of birth were provided. The U.S. Bureau was informed by the Immigration and Naturalization Service that it had no record of the subject entering or leaving the country. This fact was passed on to the foreign bureau. The U.S. Bureau entered the subject's name in the Treasury Enforcement Communications System computer. If the known criminal is detected by Immigration, it will have this information for its use in determining what action to take. If a Customs agent at a U.S. port of entry checks the subject's name through the computer, he will be notified that the subject's itinerary and address in this country should be provided to the U.S. Bureau but that the subject should not be arrested.

15. A local U.S. police department was investigating a 70 year old American who was an admitted associate of one or more organized crime figures. He approached certain banks about depositing a large sum of money which he claimed he would receive from foreign sources. An Internal Revenue Service agent had the U.S. Bureau query several foreign bureaus to check the "subscribers and givers" of telephone numbers used by the subject. Some of the phone numbers were traced and others could not be. Subsequently, the U.S. Bureau received a copy of a local police investigative report which included police interviews with the subject

and his family and indications of mafia contacts dating back over many years. This information was sent to the foreign bureau. The local police were still investigating the case.

16. A West European Bureau advised the U.S. Bureau that a U.S. citizen was guilty of illicit driving and wanted to know if the individual had a U.S. drivers license. It furnished the subject's passport number and named the State where the individual's parents resided. A State police investigation disclosed that a driver's license had not been issued to the subject nor was he wanted for any crime. This information was given to the foreign bureau. The case file did not disclose the disposition of this matter.

17. A West European Bureau asked if a U.S. citizen, wanted in its country for stealing the wallet of an elderly woman, had a criminal record. The subject's date and place of birth were provided. A check with the FBI indicated that the subject had been charged with "neg and refusing to atd school." The charge was placed against the subject when he was 16 years old and the record showed no disposition for the case. The U.S. Bureau told the foreign bureau that the subject had no criminal record.

18. On October 20, 1975, a North African Bureau asked for the true identity and criminal record of an American arrested for "intentionally causing bodily injury and disturbing the public." The subject's date and place of birth, fingerprints, and photograph were provided. An FBI criminal check disclosed that the subject had a computerized criminal history which listed such offenses as possession of marijuana, rape, and sleeping in public. The disposition was given for only 1 of the 11 offenses--acquittal on a charge of grand larceny. On January 3, 1976, this record was furnished to the foreign bureau because the record was considered appropriate for consideration of officers who suspected the subject of committing a violent crime. As of May 1976, the U.S. Bureau had not been told whether the American had been convicted or acquitted.

State Department records indicated that the subject had been sentenced to a month in jail and fined \$30 shortly after being arrested for assault and battery on a North African national. On August 30, 1975--1-1/2 months before the North African Bureau made its request--the American was deported.

19. On August 4, 1975, a West European Bureau asked for all available data on three young Americans arrested at an airport several months earlier for possessing 24 pounds of hashish. Photos and fingerprints were provided. The U.S. Bureau notified Customs and DEA and requested an FBI record check. The European Bureau was told the Americans had no prior arrests. As of June 1976, the U.S. Bureau still had not been informed of the disposition of the charges.

State Department files indicated that on September 11, 1975, the Americans were given suspended prison sentences.

PRINCIPAL U.S. OFFICIALS RESPONSIBLEFOR INTERPOL ACTIVITIES (note a)

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

DEPARTMENT OF JUSTICE

ATTORNEY GENERAL:

| | | |
|---------------------------------|-----------|-----------|
| Edward H. Levi | Feb. 1975 | Present |
| William B. Saxbe | Jan. 1974 | Feb. 1975 |
| Robert H. Bork, Sr. (acting) | Oct. 1973 | Jan. 1974 |
| Elliot L. Richardson | May 1973 | Oct. 1973 |
| Richard G. Kleindienst | June 1972 | May 1973 |
| Richard G. Kleindienst (acting) | Mar. 1972 | June 1972 |
| John N. Mitchell | Jan. 1969 | Mar. 1972 |

DEPARTMENT OF THE TREASURY

SECRETARY OF THE TREASURY:

| | | |
|------------------|-----------|-----------|
| William E. Simon | May 1974 | Present |
| George P. Shultz | June 1972 | May 1974 |
| John B. Connally | Feb. 1971 | June 1972 |
| David M. Kennedy | Jan. 1969 | Feb. 1971 |

ASSISTANT SECRETARY FOR ENFORCE-
MENT, OPERATIONS, AND TARIFF
AFFAIRS:

| | | |
|--------------------|-----------|------------|
| Jerry Thomas | Oct. 1976 | Present |
| David R. Macdonald | May 1973 | Sept. 1976 |
| Edward L. Morgan | Feb. 1972 | Feb. 1973 |
| Eugene T. Rossides | Jan. 1969 | Jan. 1972 |

CHIEF, U.S. NATIONAL CENTRAL
BUREAU:

| | | |
|-----------------------|------------|------------|
| Louis B. Sims | Sept. 1974 | Present |
| Kenneth S. Giannoules | Mar. 1969 | Sept. 1974 |

a/At various times U.S. officials have been elected to the INTERPOL Executive Committee. Also, in November 1976, the Director of the U.S. Secret Service was elected a Vice President of INTERPOL.

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