



I. INSTITUTIONAL BUILDING/ NATIONAL ANTI-DRUG STRATEGY

The National Drug Control Strategy of the United States of America (US) is approved annually by its Congress since 1989. The Strategy covers the following areas: demand reduction, supply reduction, alternative development, control measures, program evaluation and has an institutional framework. There have been identified goals related to the Strategy - 10% reduction in teen and adult current drug use over the next two years and 25% reduction nationally over the next five years (Office of National Drug Control Policy, ONDCP, Report to Congress - February 2002). All components and phases are regularly measured and evaluated.

The US budget for National Drug Control Strategy includes US\$6,285 million for demand reduction activities and US\$12,895 million for supply reduction activities. The National Drug Control Budget is revised annually and submitted to Congress.

The central coordinating authority in the US is the Office of National Drug Control Policy (ONDCP). It has a separate and independent budget which has increased from US\$22.8 million in the year 2000 to US\$25.3 million in the year 2002. Funds for the ONDCP are derived from government allocation. A results management system has been established to help evaluate the adequacy of this budget.

The US has signed the United Nations Convention Against Transnational Organized Crime and the Protocol to the Convention against the Smuggling of Migrants by Land, Sea and Air and the Protocol to the Convention to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The Protocol to the Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition has not been signed. The US has not yet ratified the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms Ammunition, Explosives and Other Related Materials (CIFTA), as was recommended by CICAD in the First Evaluation Round 1999 - 2000.

Drug-related statistics are compiled, organized and coordinated through the ONDCP. Information is distributed through various means such as: web pages, libraries, national journals, press/media, targeted e-mails and publications and reports by government agencies.

RECOMMENDATIONS:

- 1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, ITS PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR AND ITS PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN. SIGN AND RATIFY THE PROTOCOL TO THE ABOVE CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.**
- 2. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO RATIFY THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA) .**

II. DEMAND REDUCTION

The US recognizes that to date drug use is still at unacceptably high levels among its youth. According to the National Household Survey on Drug Abuse (NHSDA), which provides national estimates of drug use prevalence, in 2000, 6.3% (14 million people) of the household population aged 12 and over were current or past month users of an illicit drug; however, historical data show



that drug use peaked in 1979, when 25 million people (14.1% of the population) used illegal drugs. In response, the strategy includes increased emphasis in funding to expand prevention, treatment and research capabilities. Outreach programs will be a key component. An increase of US\$224 million (Budget, 2003) is being targeted to increase access to prevention and treatment programs.

PREVALENCE OF DRUG USE IN THE GENERAL POPULATION

YEAR OF SURVEY: 2000	AGE GROUP SURVEYED: (Age 12 and older)								
	Lifetime (rate per 1000)			Last 12 months (rate per 1000)			Last 30 days (rate per 1000)		
Type of drug	M	F	Total ⁽²⁾	M	F	Total ⁽²⁾	M	F	Total ⁽²⁾
Alcohol	853	769	810	672	569	619	532	402	466
Tobacco	787	630	705	422	284	350	352	239	293
Solvents & Inhalants	98	54	75	11	6	9	4	2	3
Cannabis Type									
Hashish	387	300	342	104	64	83	62	35	48
Marihuana	387	300	342	104	64	83	62	35	48
Hallucinogens	144	92	117	20	12	16	5	3	4
LSD	110	68	88	11	5	8	3	1	2
PCP	33	20	26	2	1	1	0	0	0
Opioid									
Heroin	16	9	12	2	1	1	1	1	1
Cocaine Type									
Cocaine HCL	137	88	112	19	11	15	7	4	5
Crack	30	18	24	4	2	3	2	1	1
Tranquilizers (1) /	62	55	58	11	13	12	5	5	4
Sedatives (1)	37	27	32	3	3	3	1	1	1
Stimulants (1)	74	57	66	1	9	9	3	4	4
Methamphetamines	48	32	40	5	4	5	2	2	2

(1) Non-prescribed/non-therapeutic use only.

(2) Total refers to the number of drug users per 1,000 persons of the total population.

The US also reports that in the year 2001 there was an increase in the use of OxyContin and other semi-synthetic narcotics. An increase in multi-drug (major club drugs) use was also documented. Statistically significant increases occurred in emergency department visits related to gamma-hydroxy-butyrate (GHB) and ecstasy.

The Demand Reduction Strategy has an approved budget, which incorporates specific budgetary allocations to the areas of prevention (US\$2.1 billion in the year 2002), treatment and rehabilitation (US\$3 billion in the year 2002) and research (US\$966.6 million in the year 2002). The budget for the Demand Reduction Strategy has continued to increase during the years 2000 - 2002.

The US has a multi-pronged strategy targeting and involving key population groups. The target groups were chosen as a result of scientific evidence, e.g. surveys. Programs incorporate evaluation mechanisms in order to assess their effectiveness and efficiency.

The country has several national mechanisms for providing funding for prevention programming to States and local communities. The target populations covered include primary school, secondary school, college and university levels. Programs also exist that provide funding for prevention programming targeting children and out-of-school youth, e.g. pre-school, school dropouts, parenting teens and incarcerated youth.



The US Department of Education's Safe and Drug-Free Schools Program (SDFSP) is the federal government's primary initiative to prevent youth drug use and school violence. The most recent data available for the SDFSP are for the 1999-2000 school year. While the data are not complete (only 33 states have reported so far), initial estimates indicate that approximately 94.3 % of school districts are participating and that approximately 29 million students are covered in the participating districts. The Department of Health and Human Services/Substance Abuse and Mental Health Services Administration/Center For Substance Abuse Prevention (HHS/SAMHSA/CSAP), the lead federal agency for prevention of drug abuse, provides support for direct and indirect prevention services. For example by 2002, its major grant program, the State Incentive Grants, had provided 40 states and 1,080 communities with funding for 2,600 evidence-based prevention programs reaching over one million participants.

Community-based programs are available for adults, women and indigenous groups, as well as programs in the workplace. In addition, 39,718 prison offenders participated in prevention programs between the years of 1998-2001.

Prevention training programs are provided to teachers, community leaders, youth leaders, social workers, health workers, the media/journalists, physicians concerned with drug testing in the workplace, relevant individuals within the Department of Transportation, psychologists, Tribal Government Officials and within Indian Nations. Select Police officers in the US receive prevention training through many vehicles – three specifically include: the Drug Free Communities Program, the Safe and Drug Free Schools National Programs (Department of Education) and the Drug Abuse Resistance Education (DARE) Program - Department of Justice. Of note, prison guards have not received training. HHS/SAMHSA/CSAP's Centers for the Application of Prevention Technologies, as of 2001, have had 3,333 contacts and have helped states initiate over 1,000 positive prevention system changes. The HHS/SAMHSA/CSAP's National Clearinghouse on Alcohol and Drug Information indicates that in 2001, it had received on average almost 46,000 requests for information and that it had received a 97.5% satisfaction rating by its customers.

The Department of Education's Safe and Drug-Free Schools Program (ED/SDFSP) also works with institutions of higher education (IHEs) to provide alcohol, drug and violence prevention programs at colleges and universities. In 2001, funding was provided to 16 colleges and universities to prevent high-risk drinking and violent behavior among college students. In addition, funding was given to six institutions of higher education for alcohol and other drug prevention activities on college campuses. ED/SDFSP also funds the Higher Education Center for Alcohol and Other Drug Prevention, which provides support to all IHEs in their efforts to address alcohol and other drug problems through training, technical assistance, evaluation and publications and materials.

Regional training conferences were sponsored by the Center for Substance Abuse Treatment in partnership with the Department of Labor (DOL). Although there are currently no funds available to institutionalize this training, DOL has recommended increased education about alcohol and drug problems for DOL-funded workforce development programs. DOL will be reviewing this training program as a prototype to determine whether replication is warranted.

During the period under review 2001 – 2002, short refresher courses, undergraduate and graduate/post-graduate university level and regional and international study abroad programs in the areas of drug abuse prevention, treatment and/or research were offered. The courses are offered to disciplines such as medicine, nursing, psychology, social work, sociology and public health. The US noted that the programs identified meet the national demand for professional training in prevention and treatment.

The Department of Health and Human Services/Substance Abuse and Mental Health Services Administration/Center For Substance Abuse Prevention has enabled faculty fellows to develop



expertise in the prevention of alcohol and drug use as well as implement substance abuse prevention as part of their clinical curriculum. Over 42 universities have participated in the program and over 300 fellows have been trained. A new national initiative, The Parents Drug Corps Program, will provide training to parents in drug prevention skills. Evaluation is a key component of all US prevention activities, as is research into best practices.

In the period 2000 - 2002, the US has conducted process and/or outcome evaluation of drug abuse prevention initiatives in the following programs: Welfare Reform and Substance Abuse Prevention for Parenting Adolescents, the State Incentive Grant Program and the Family Strengthening program, the Targeted Capacity Expansion Initiatives for Substance Abuse Prevention and HIV Prevention in Minority Communities, as well as programs offered through the Department of Education and the Department of Justice. The results are pending. In addition, the following programs have been evaluated with positive results: the National Cross-Site Evaluation of High Risk Youth Program and Starting Early/Starting Smart.

According to the US in 1998 (the latest data available) approximately 5 million drug users needed treatment while 2.1 million received it. The US reports a shortage in community-based treatment programs for troubled teens dependent on drugs and treatment programs in the juvenile justice system. To address these issues the US has expanded its grant-funding mechanism for State programs and its Targeted Capacity Expansion Program (TCEP).

Guidelines exist in the US on Minimal Standards of Care for Drug Treatment but they are not mandatory. States and localities can certify providers applying different standards. However, states that receive federal money for substance abuse treatment must meet the standards concerning service delivery. The US notes that rather than making standards of care mandatory nationally, a variety of public and private entities in the United States promulgate standards of care and ensure program quality through various systems of licensure and/or accreditation.

The US continues to enhance its knowledge and capacity regarding the evaluation of treatment programs. A National Treatment Outcomes Monitoring System (NTOMS) was implemented in 2002 to provide periodic reporting on access to and effectiveness of drug abuse treatment using a nationally representative sample of patients receiving treatment. The Persistent Effects of Treatment Studies is another initiative being undertaken by the Center for Substance Abuse Treatment (CSAT) to study the longer-term outcome of people who have received treatment.

The US has multiple mechanisms to collect data on the magnitude of the use of drugs in the country. Its National Household Survey on Drug Abuse (NHSDA) provides national estimates of drug use prevalence. Data on student use among 12 year old, 14 year old and 18 year old students are collected through the Monitoring the Future Survey. The National Vital Statistics System is responsible for the the country's official vital statistics, including information on drug related mortality. Other mechanisms such as Pulse Check provide indications of emerging regional trends. The US cited funding and over-burdening of survey respondents as current problems regarding data collection.

**DRUG-RELATED MORTALITY**

YEAR TO WHICH ESTIMATE APPLIES: 1999			
Type of drug	Estimated number of drug-related deaths		
	Male	Female	Total
Alcohol	14,665	4,506	19,171
Tobacco	385	225	610
Solvents & Inhalants	1,765	522	2,287
Cannabis Type	7,657	2,453	10,110
Hallucinogens	Included in Cannabis Type Group		
Opioids	Included in Cannabis Type Group		
Cocaine Type	Included in Cannabis Type Group		
Tranquilizers / Sedatives/ Depressants	5,005	3,598	8,603
Stimulants	Included in Tranquilizers/ Sedatives/ Depressants Group		
Other Drugs	19	21	40

Source: The National Center for Health Statistics, the Centers for Disease Control and Prevention (CDC)

RECOMMENDATIONS:

- 1. DEVELOP PREVENTION TRAINING PROGRAMS FOR PRISON GUARDS.**
- 2. TAKE THE NECESSARY STEPS TO ENSURE THAT MINIMAL STANDARDS OF CARE FOR DRUG ABUSE TREATMENT BECOME MANDATORY THROUGHOUT THE COUNTRY.**

III. SUPPLY REDUCTION**A. Drug Production and Alternative Development**

Marijuana is the only illicit plant-based drug cultivated in the US. In the First Evaluation Round 1999 – 2000, it was recommended that the US develop a method for estimating cannabis (both indoor and outdoor) cultivation in the country. This has not been implemented. The US does not collect or maintain information on total area utilized for crop cultivation nor areas no longer under cultivation. The US only collects data relating to the number of plants seized and plots eradicated by state and local law enforcement agencies that participate in the Domestic Cannabis Eradication/Suppression Program (DCE/SP). The US does not gather data on "abandoned" marijuana fields. In 2000 and 2001, the number of indoor plants seized was 217,105 and 214,323 respectively.

Four states practice herbicidal eradication on cultivated marijuana crops and "Ditchweed". These 4 states must comply with the National Environmental Policy Act (NEPA) procedures and regulations. According to the US, this eradication method dispenses chemicals directly onto the plant, with minimal or no impact to the surrounding soil. The DCE/SP does not permit aerial broadcast spraying of herbicide.



B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances

National entities with legal frameworks are in place to control, regulate, and oversee distribution of pharmaceuticals and controlled chemical substances. Mechanisms exist to evaluate the effectiveness of these national entities.

Information is not provided on the number of illicit laboratories destroyed in relation to cocaine or heroin. However, there were 7,133 small illicit laboratories related to synthetic drug production destroyed in the year 2000 and 7,067 in the year 2001. This is an increase from the 4,000 illicit laboratories related to synthetic drug production destroyed in the year 1998. Funding was provided to clean up 4,519 clandestine laboratory sites in the year 2000 (FY) and 6,618 in the year 2001 (FY). This indicates an upward trend in the production of synthetic drugs.

The Drug Enforcement Administration (DEA) ensures coordination among various agencies in relation to pharmaceuticals and controlled chemical substances. Civil and criminal laws and sanctions are in place to support the agencies and their activities.

There was an increase in the number of seizures related to the top 12 pharmaceuticals most frequently mentioned in emergency rooms (hydrocodone, oxycodone, methadone, alprazolam, clonazepam, diazepam, estazolam, halazepam, lorazepam, flurazepam, flunitrazepam, chlordiazepoxide) between the years 2000 and 2001 - 968 and 1,183 respectively. However, the quantities of tablets and caplets seized during this time period significantly decreased (943,897 and 142,211 respectively). In the year 2000, 1,776 penal, 37 civil and 934 administrative sanctions against the diversion of pharmaceuticals were imposed. For 2001, 1,740 penal, 32 civil and 834 administrative sanctions were applied. As of June 30, 2002, 663 penal, 12 civil and 377 administrative sanctions had been applied.

There are a number of controlled chemical substances listed in the CICAD Model Regulations that are not controlled by the US. The US law provides penalties for distributing Tables I & II chemicals, as well as 27 other chemicals and certain laboratory supplies published by the United States in a Special Surveillance List. Pre-export notifications of controlled chemical substances were issued to and received from numerous countries supporting international collaboration efforts.

The US DEA is the national organization with principal responsibility for regulating and preventing the diversion of controlled chemical substances. In the year 2000 there were 162 penal, 8 civil and 72 administrative sanctions imposed against the diversion of controlled chemicals. In 2001 there were fewer penal and civil sanctions imposed than in the year before, 103 and 6 respectively, but a greater number of administrative sanctions for chemical diversion were applied - 110 in total.

The US has increased efforts to educate law enforcement officers and prosecutors. For example, the National Methamphetamine Chemicals Initiative, and the California Precursor Committee bring federal, state and local law enforcement officers and criminal prosecutors as well as civil trial attorneys together to discuss legal and regulatory issues, trends, strategies and targeting of "rogue" firms that funnel chemicals to clandestine laboratories. Separately, federal prosecutors in the Southwest United States consult regularly on cases and trends in that region. In addition, the DEA provides training to state and local law enforcement officials and prosecutors conducting drug and chemical diversion investigations. Training sessions were held in May and July 2002. Five more of these training sessions are scheduled for 2003.



RECOMMENDATIONS:

1. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO IMPLEMENT MECHANISMS TO CALCULATE AREAS UNDER CANNABIS CULTIVATION AND THOSE AREAS NO LONGER UNDER CULTIVATION.
2. EXTEND THE CONTROL OF CHEMICAL SUBSTANCES TO INCLUDE THOSE LISTED IN THE CICAD MODEL REGULATIONS.

IV. CONTROL MEASURES

A. Illicit Drug Trafficking

In the First Evaluation Round 1999 - 2000, it was recommended that the US strengthen the system to keep records of all Federal, State and local drug seizure operations. The current response provides statistics from the five primary federal law enforcement agencies (Federal Bureau of Investigations - FBI, DEA, Customs, Coast Guard and Border Patrol). The vast majority of federal seizures are covered by those five agencies.

In relation to state and local seizures, a requirement for this collection has been included in the General Counter Drug Intelligence Plan, (GCIP) where the objective will be to aggregate the data from the Federal-wide Drug Seizure System (FDSS) and the state/local initiatives into a common database reflecting seizures nationwide.

QUANTITIES OF DRUG SEIZED

Type of Drug	Unit of Measure	Quantity		
		2000	2001	2002 ⁽¹⁾
Opium	kg.	FDSS - 715.85	FDSS - 1,232.28	USCS 1,161 lbs.
Morphine	gm.	DEA - 429.3	DEA - 411.6	
Heroin	kg.	FDSS - 1,678.9	FDSS - 2,132.8	USCS 3,922 lbs.
Other Opiates	lb.	Customs - 1,288	Customs - 2,636	USCS 1,161 lbs.
Cocaine Hydrochloride	kg.	FDSS - 106,540.2	FDSS - 94,757.6	USCS 184,865 lbs.
Crack Cocaine	kg.	DEA - 342.89	DEA - 236.2	
Cannabis plants	kg.	DEA - 225.88	DEA - 4,559.84	
Leaf Cannabis (grass)	kg.	FDSS - 1,235,027.1	FDSS - 1,164,974.2	USCS 1,391,337 lbs.
Cannabis Resin (hashish)	kg.	FDSS - 10,878.23	FDSS - 156.7	USCS 181 lbs.
Hashish Oil (liquid cannabis)	kg.	FDSS - 127.9	FDSS - 249.51	USCS 98 gals.
Amphetamine/ Methamphetamine	kg.	FDSS - 3,374.86	FDSS - 2,599.53	USCS 2,044 lbs; 290,341 tablets
MDMA (Ecstasy)	du (2)	FDSS - 270,031	FDSS - 3,341,725 60.36 kg	USCS 5,552,941 tablets
Other amphetamine-like stimulants	du	FDSS - 675.35 kg 18,308 du	FDSS - 220.53 kg 36,454 du	
LSD	kg. l. du unk.	FDSS - 10.14 kg 4.035 l. 838 du 55,146 unk.	FDSS - 47 gm. 0.781 l. 2,135 du 43,810 unk.	USCS 310 units, 3,816 grams, 499 tablets
PCP	kg. du l.	FDSS - 21.448 kg - 22.214 l.	FDSS - 35.391 kg 1,118 du 52.54 l.	

(1) United States Customs Service (USCS) information to August 31, 2002.

(2) du: dosage unit – For MDMA/Other Amphetamine Type Stimulants (ATS) this typically means a tablet; for LSD this typically means a tablet or blotter paper section.



UNITED STATES OF AMERICA

In the year 2000, there were 14 requests for extradition for illicit drug trafficking made to the US in accordance with international agreements and 24 in the year 2001 with the following number of replies: 3 in the year 2000 and 5 in the year 2001. The US notes several reasons for not granting some of the requests such as: statute of limitations had lapsed, offense not covered by treaty, lack of evidence, or the fugitive was deported.

EXTRADITION REQUESTS MADE BY THE UNITED STATES AND ASSENTING REPLIES

Requested Country	Requests FY 2000	Requests FY 2001	Requests FY 2002⁽¹⁾
Argentina	7	1	0
Canada	19	25	2
Colombia	43	34	10
Costa Rica	1	3	0
Dominican Republic	15	55	5
Jamaica	18	11	1
Mexico	59	92	30
Peru	1	3	0
St. Vincent & Grenadines	0	1	0
Trinidad & Tobago	0	1	0
Venezuela	4	6	0
Other countries	64	1	16
TOTAL	231	233	64

(US Dept. of Justice, Criminal Division Responses)

Requested Country	Assenting Replies FY 2000	Assenting Replies FY 2001	Assenting Replies FY 2002⁽¹⁾
Argentina	1	0	0
Bahamas	0	0	1
Bolivia	0	1	0
Brazil	1	0	0
Canada	7	17	7
Colombia	4	21	6
Costa Rica	8	3	0
Dominican Republic	10	7	1
Ecuador	1		
Jamaica	1	1	2
Mexico	5	12	4
Peru	0	1	0
TOTAL	38	63	21

(1) This information is up to April 2002.

**EXTRADITION REQUESTS RECEIVED BY THE UNITED STATES AND GRANTED**

REQUESTING COUNTRY	Requests FY 2000	Requests FY 2001	Requests FY 2002⁽¹⁾
Argentina	1	2	0
Canada	0	1	0
Colombia	2	0	0
Mexico	3	2	0
Panama	1	0	0
Other countries	7	19	1
TOTAL	14	24	1

(1) This information is up to April 2002.

REQUESTING COUNTRY	Grants FY 2000	Grants FY 2001	Grants FY 2002⁽¹⁾
Canada	0	2	0
Other countries	3	3	1
TOTAL	3	5	1

(1) This information is up to April 2002.

In the year 2000, there were 28,969 people charged (Federal) with illicit drug trafficking and 30,071 in the year 2001. The number of persons convicted of illicit drug trafficking was 23,348 in the year 2000 - a 91% conviction rate. Figures are not available for the years 2001 and 2002. In relation to illicit drug possession 712 people (Federal) were charged in the year 2000 and 543 people in the year 2001. Data regarding convictions are only available for the year 2000, when 1,538 people were convicted of possession of illicit drugs.

The US has legal provisions to punish acts of corruption with conviction rates at approximately 85% of the 22,644 indictments. However, data specific to corruption related to illicit drug trafficking are not available. The country reports that it does not currently keep separate statistics regarding the number of public officials convicted for crimes related to illicit drug trafficking. It provides general statistics on prosecutions of corrupt public officials.



NATIONWIDE FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
FEDERAL OFFICIALS										
Indicted	198	158	460	408	563	596	651	629	695	615
Convicted	159	147	424	429	470	523	545	529	610	583
Awaiting Trial as of 12/31	23	38	58	77	90	83	118	86	126	103
STATE OFFICIALS										
Indicted	87	49	81	58	79	88	102	66	71	96
Convicted	66	43	65	52	66	71	76	69	54	79
Awaiting Trial as of 12/31	36	18	26	21	20	24	26	14	18	28
LOCAL OFFICIALS										
Indicted	244	257	270	203	248	232	246	276	269	257
Convicted	211	232	226	196	221	207	204	229	201	225
Awaiting Trial as of 12/31	102	58	61	74	49	55	89	79	122	98

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Total
FEDERAL OFFICIALS											
Indicted	803	624	627	571	527	456	459	442	480	441	10,403
Convicted	665	532	595	488	438	459	392	414	460	422	9,284
Awaiting Trial as of 12/31	149	139	133	124	120	64	83	85	101	92	1,892
STATE OFFICIALS											
Indicted	115	81	113	99	61	109	51	91	115	92	1,704
Convicted	77	92	133	97	61	83	49	58	80	91	1,462
Awaiting Trial as of 12/31	42	24	39	17	23	40	20	37	44	37	554
LOCAL OFFICIALS											
Indicted	242	232	309	248	236	219	255	277	237	211	4,968
Convicted	180	211	272	202	191	190	169	264	219	183	4,233
Awaiting Trial as of 12/31	88	91	132	96	89	60	118	90	95	89	1,735

B. Firearms and Ammunition

In the First Evaluation Round 1999 - 2000, it was recommended that the US continue to improve the controls at the administrative level for the prevention of offenses related to the illicit and licit manufacture and trafficking of ammunition. Although the US notes that it has sufficient administrative controls in place such as the Arms Export Control Act, Export Administration Act, the International Emergency Economic Powers Act and the Gun Control Act, CICAD notes that the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA) has not been ratified and in addition, the national legislative framework has not been updated in accordance with the international conventions.

In 2000, the rate of conviction for illicit trafficking of firearms and ammunition was 62% (8,054 persons charged and 5,012 persons convicted) and 67% (8,845 charged and 5,927 convicted) in 2001. The US Customs Service indicates that during FY 2002, up to August 31, 2002, U.S.



Customs carried out 30 firearms-related arrests. Seven of these were turned over to state law enforcement. Indictments or Informations were issued in 23 cases and 29 convictions were achieved. Data regarding the number of times a shipment of firearms or ammunition was not authorized/permited to be exported/imported because the necessary licenses or authorization were not issued by the importing or in-transit countries were not provided. In addition, there is no information regarding the number of requests issued or received from other States regarding shipments of firearms and ammunition. The lack of information provided does not enable CICAD to determine the progress of the US in this area.

Between the years 2000 and 2001, there was an increase in the number of firearms and ammunition confiscated. In 2000, 6,620 firearms were confiscated, while in 2001, 8,950 were confiscated. During FY 2002, Customs reports that it carried out 1,103 weapons and ammunition seizures, confiscating 16,373 weapons in total. The US indicates that 15 categories are included among these seizures, such as bombs, grenades, machine guns and pistols. In relation to ammunition, the quantity of various types of rounds confiscated increased from 1,751 in 2000 to 2,061 in 2001. A total of 9,005,240 individual rounds of ammunition were seized in 2002. It should be noted that of the 1,103 weapons and ammunition seizures for 2002, 167 were made in drug cases; of the 9,005,240 rounds of ammunition seized, 5,017 rounds were seized in drug-related cases; and, of the 16,373 weapons seized, 465 were seized in drug-related cases. There is a national record-keeping system that records data related to the importation of firearms and ammunition.

C. Money Laundering

The US has a legal and administrative framework in place to prevent and criminalize money laundering. In the US, over 200 crimes, both foreign and domestic, are predicate crimes for money laundering. The US has instituted varying degrees of administrative and or legal controls to prevent money laundering in the following areas: banks (including offshore banks), currency exchanges, stock exchanges, insurance, casinos, real estate and members of the accounting profession. At a minimum, all non-financial trades and businesses in the US, including the legal profession, are required to report cash transactions of US\$10,000 or more.

The US has implemented a special Financial/ Investigative/ Analysis Unit – the Financial Crimes Enforcement Network (FinCEN). The US has Memoranda of Understanding (MOUs) and letters of agreement with numerous other countries. In calendar year 2000, FinCEN supported 11,989 cases involving 49,666 subjects and 14,876 Suspicious Activity Reports. In 2001, the number of cases FinCEN supported rose to 13,690. These cases involved 55,627 subjects and 22,299 Suspicious Activity Reports. Up to June 17, 2002, FinCEN has supported 6,639 cases involving 22,196 subjects and 22,644 Suspicious Activity Reports. Extradition requests for money laundering have been made by the US to other states and responded to. Requests to lift bank secrecy in money laundering cases in accordance with international agreements have also been made to other countries and responded to.

Banks and money services businesses are required to report suspicious transactions. The US is in the process of drafting suspicious activity reporting regulations for casinos and broker-dealers in securities. The control measures include reporting large transactions, verification of client identity, preservation of records, existence of enforcement officials, existence of independent audits and know-your-client policies. Currently, control measures such as the client registry and transaction registry are not covered.

The number of suspicious transactions reported was 162,714 in the year 2000 and 203,538 in the year 2001. From January 1 to July 31, 2002, 152,094 suspicious transactions were filed. The number of financial disclosures/reports/cases analyzed /investigated by the FinCEN was 12,227



in the year 2000, 14,026 in the year 2001, and 6,014 for the period January 1 to June 1, 2002. There was a total of 1,060 money-laundering cases in which bank documents and/or financial records were provided.

The value of property forfeited in all types of cases was US\$733 million in the year 2000 and US\$704 million in the year 2001. In terms of the ultimate disposition of property or proceeds from its sale, in the year 2000 a total of US\$507 million was deposited into the Justice Asset Forfeiture Fund and US\$226 million was deposited into the Treasury Asset Forfeiture Fund. In the year 2001, US\$440 million was deposited into the Justice Asset Forfeiture Fund and US\$264 million was deposited into the Treasury Asset Forfeiture Fund. These monies were applied to law enforcement efforts.

In the year 2000, 2,317 individuals were charged with money laundering of which 1,225 were convicted. In the year 2001, 2,358 were charged for money laundering and of which 1,249 were convicted. No information has been provided for 2002.

In the period under evaluation 2001 – 2002, 450 prosecutors have been trained in the area of money laundering. In addition, the Federal Judicial Center provided: 728 education programs (including educational programs broadcast on the Federal Judicial Television Network) for more than 48,000 federal judges and court staff participants; more than 1,880 hours of educational and informational program broadcasts; approximately 2,000 answers on informational requests from judges, court staff and others; production or revision of 71 educational media programs for live or videotaped satellite broadcast or distribution on videocassette.

RECOMMENDATIONS:

- 1. CREATE A REGISTRY TO SEPARATE DATA FOR ILLICIT DRUG TRAFFICKING CORRUPTION CASES FROM OTHER CORRUPTION CASES.**
- 2. DEVELOP A NATIONAL COMPUTERIZED RECORD KEEPING SYSTEM THAT RECORDS DATA REGARDING THE IMPORTATION, EXPORTATION AND IN-TRANSIT OF FIREARMS AND AMMUNITION.**
- 3. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO STRENGTHEN THE MECHANISM FOR THE EXCHANGE OF INFORMATION REGARDING INTERNATIONAL COOPERATION FOR THE INVESTIGATION AND PROSECUTION OF CRIMES RELATED TO THE MANUFACTURE AND ILLICIT TRAFFICKING OF FIREARMS AND AMMUNITION.**
- 4. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO CONTINUE TO IMPROVE CONTROLS AT THE ADMINISTRATIVE LEVEL FOR THE PREVENTION OF OFFENSES RELATED TO THE LICIT AND ILLICIT MANUFACTURE AND TRAFFICKING OF AMMUNITION.**
- 5. UPDATE CURRENT NATIONAL FIREARMS AND AMMUNITION LEGISLATION IN ACCORDANCE WITH INTERNATIONAL CONVENTIONS, IN PARTICULAR, WITH REGARDS TO CONTROLS OVER IMPORTATION AND EXPORTATION.**
- 6. IMPLEMENT MECHANISMS TO INCLUDE CLIENT AND TRANSACTIONS REGISTRIES AS PART OF THE CONTROL MEASURES FOR SUSPICIOUS TRANSACTIONS TO PREVENT MONEY LAUNDERING.**



V. CONCLUSIONS

The US has developed a broad array of initiatives in the demand reduction area and continues to significantly increase its efforts in this area. US officials acknowledge that drug use remains at unacceptably high levels, and accordingly the US has set itself clear targets to be achieved over the next five years. CICAD also notes that the US has supported this commitment with a substantial increase in funding for prevention and treatment initiatives nationwide.

The US continues to increase its control measures and supply reduction efforts in the areas of pharmaceutical products, controlled chemical substances, clandestine laboratories and illicit drug trafficking. However, there are still several weaknesses such as the number of controlled chemical substances that remain outside the US regulatory framework. In addition, the US has still not been able to estimate the areas under marijuana cultivation and therefore, the US has not fulfilled the recommendation put forward in the First Evaluation Round 1999 - 2000.

CICAD remains concerned that recommendations from the First Evaluation Round 1999 – 2000, related to firearms and ammunition, particularly on the strengthening of the mechanism for the exchange of information and the improvement of controls at the administrative level for the prevention of offenses, have yet to be fully implemented. A national computerized record keeping system that records data regarding the importation, exportation and in-transit of firearms and ammunition has yet to be developed. In addition, the US has not ratified international conventions in this area nor updated its national legislation in accordance with these international conventions. The US needs to strengthen its exportation and importation controls. The lack of information provided in this area does not enable CICAD to determine the progress made by the US in this area.

CICAD acknowledges the progress achieved by the US in preventing money laundering; however, some key control measures remain outstanding, such as suspicious activity reporting for casinos, broker/dealers and insurance companies, as well as for accountants and lawyers.

In summary, CICAD recognizes the cooperation of the US throughout this evaluation and the ongoing commitment to the MEM process, but remains concerned that some of the key recommendations from the First Evaluation Round remain to be implemented.



SUMMARY OF RECOMMENDATIONS

1. **RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, ITS PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR AND ITS PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN. SIGN AND RATIFY THE PROTOCOL TO THE ABOVE CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.**
2. **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO RATIFY THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA).**
3. **DEVELOP PREVENTION TRAINING PROGRAMS FOR PRISON GUARDS.**
4. **TAKE THE NECESSARY STEPS TO ENSURE THAT MINIMAL STANDARDS OF CARE FOR DRUG ABUSE TREATMENT BECOME MANDATORY THROUGHOUT THE COUNTRY.**
5. **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO IMPLEMENT MECHANISMS TO CALCULATE AREAS UNDER CANNABIS CULTIVATION AND THOSE AREAS NO LONGER UNDER CULTIVATION.**
6. **EXTEND THE CONTROL OF CHEMICAL SUBSTANCES TO INCLUDE THOSE LISTED IN THE CICAD MODEL REGULATIONS.**
7. **CREATE A REGISTRY TO SEPARATE DATA FOR ILLICIT DRUG TRAFFICKING CORRUPTION CASES FROM OTHER CORRUPTION CASES.**
8. **DEVELOP A NATIONAL COMPUTERIZED RECORD KEEPING SYSTEM THAT RECORDS DATA REGARDING THE IMPORTATION, EXPORTATION AND IN-TRANSIT OF FIREARMS AND AMMUNITION.**
9. **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO STRENGTHEN THE MECHANISM FOR THE EXCHANGE OF INFORMATION REGARDING INTERNATIONAL COOPERATION FOR THE INVESTIGATION AND PROSECUTION OF CRIMES RELATED TO THE MANUFACTURE AND ILLICIT TRAFFICKING OF FIREARMS AND AMMUNITION.**
10. **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999 – 2000 TO CONTINUE TO IMPROVE CONTROLS AT THE ADMINISTRATIVE LEVEL FOR THE PREVENTION OF OFFENSES RELATED TO THE LICIT AND ILLICIT MANUFACTURE AND TRAFFICKING OF AMMUNITION.**
11. **UPDATE CURRENT NATIONAL FIREARMS AND AMMUNITION LEGISLATION IN ACCORDANCE WITH INTERNATIONAL CONVENTIONS, IN PARTICULAR, WITH REGARDS TO CONTROLS OVER IMPORTATION AND EXPORTATION.**
12. **IMPLEMENT MECHANISMS TO INCLUDE CLIENT AND TRANSACTIONS REGISTRIES AS PART OF THE CONTROL MEASURES FOR SUSPICIOUS TRANSACTIONS TO PREVENT MONEY LAUNDERING.**



