

THE WHITE HOUSE
WASHINGTON
October 21, 1995

PRESIDENTIAL DECISION DIRECTIVE/NSC-42

MEMORANDUM FOR THE VICE PRESIDENT
THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
PERMANENT REPRESENTATIVE OF THE UNITED STATES
TO THE UNITED NATIONS
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET
DIRECTOR OF CENTRAL INTELLIGENCE
DIRECTOR, NATIONAL DRUG CONTROL POLICY
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION

SUBJECT: International Organized Crime

Introduction

The growth in international communications and transportation has resulted in many benefits. It has brought the world closer together. Unfortunately, it has also facilitated criminal elements so that they no longer threaten just their own country or region. The scale and extent of international organized criminal activities has become complex, global and threatening.

Criminal enterprises now move large sums through the international financial system that dwarf the gross national products of some nations. They buy and sell narcotics, migrants, currencies, nuclear material, arms, assassins and government officials. They ignore borders, except when buying safe haven behind them. Their actions increase violence in our own country, rob our nation of its wealth and result in the death of our citizens.

Their corrosive activities threaten all governments, including our own. International organized criminal enterprises, therefore, are not only a law enforcement problem, they are a threat to national security.

Acting, therefore, consistent with my constitutional obligations, I hereby direct an enhanced and integrated Federal government response to international organized crime as a matter of great priority.

The agencies of government shall:

- produce greater results in this area by increasing the priority and resources devoted to this effort;

- achieve increased effectiveness and synergy by improving coordination among agencies and across the types of international criminal activity;

- assist and work more closely with other governments to create a global response to this threat and to eliminate sanctuaries; and

- use creatively and aggressively all of the legal means available to this government to combat international organized crime.

Continuity of Policy

This Administration has already been active in addressing the components of this phenomenon. Previous Presidential Decision Directives on the individual aspects of international organized crime remain in effect:

- PDD-9 on Alien Smuggling;
- PDD-14 on International Narcotics;
- PDD-39 on Combating Terrorism, and
- PDD-41 on Nuclear Materials Safety and Security.

This directive supplements those earlier instructions and provides guidance for integrating our response to international organized crime.

While recognizing our obligation to others, the ultimate purpose of this directive is to protect the welfare, safety and security of the United States and its citizens. Americans have long been the targets of violence and attacks on foreign soil. But one of the new dimensions of international crime is that the surrogates of those criminals, who live in safe havens beyond our borders, are increasingly carrying out killings and other violent acts on American soil. For these reasons, our government must view international crime as a seamless continuum, from the criminal

barons sheltered overseas to the violence and destruction they deliver to our streets.

Going After Their Money

The primary motivation of those engaged in international organized crime is financial gain. Much of the problem posed by their activity stems from the corrosive effect on markets and governments of their large illicit funds.

While we must continue vigorously to disrupt the enterprises which produce these funds, we will now greatly increase our efforts in going after their money and other assets directly.

International organized criminal barons must not be allowed to enjoy the riches they have robbed from fragile democracies and even from the poor and young of our own country.

I, therefore direct five actions with immediate effect:

-- First, acting under extant legal authorities and a new Executive Order, the Attorney General and Secretary of the Treasury shall identify individuals principally responsible for the activities of, enterprises effectively owned or operated by, and individuals and enterprises acting on behalf of significant foreign narcotics traffickers centered in Colombia and block their assets in this country and in U.S. banks overseas;

-- Second, the Secretary of the Treasury shall prohibit any U.S. person from engaging in financial transactions or trade with those identified individuals or enterprises;

-- Third, the Secretary of the Treasury, after consulting with the Secretary of State and the Attorney General, will identify the most egregious overseas sanctuaries for illegally obtained wealth and undertake to open promptly negotiations to end safe haven status. If the Secretary reports that negotiations are not proceeding successfully, I will take appropriate action, which may include severe economic sanctions including denying continued access to the American financial system.

-- Fourth, the Secretary of State and the Attorney General may also take appropriate measures, including, as necessary, denying visas to a broad range of organized crime members, transnational criminals and related family members and to deny them entry into the United States.

-- Fifth, I direct that the first and second actions above shall be ongoing and expanded as the evidence may warrant.

Therefore, as appropriate the Attorney General and the Secretary of the Treasury, shall when the evidence warrants, designate additional major international criminal organizations. To the extent that such identification goes beyond significant foreign narcotics traffickers centered in Colombia, further authority should be sought from me in order to take such actions.

International Cooperation

No nation alone can effectively battle these supra-national criminal cartels. They seek as sanctuaries and as targets those nations whose laws or enforcement make them most vulnerable. To counter these forces the United States must cooperate with, assist and encourage other nations to join in a unified effort.

Toward that end, I direct two initiatives:

Mutual Support

Working with the Secretary of the Treasury and the Attorney General, The Secretary of State shall negotiate with other governments a Universal Declaration on Citizens' Security, in which nations would pledge their mutual cooperation in efforts to combat terrorism, narcotics, money laundering, alien smuggling, arms smuggling, trading in weapons of mass destruction, counterfeiting and major financial fraud. The Declaration should lead to specific bilateral and multilateral arrangements in these areas; and

Legislative Initiative

The Attorney General, the Secretary of State and the Secretary of the Treasury shall, in consultation with other concerned principals, develop a draft International Crime bill for presentation to the next session of Congress. The bill should strengthen the ability of the Federal government to collect evidence on and to prosecute those engaged in the various aspects of international organized crime. The bill should also authorize increased U.S.-provided training and assistance to friendly governments and additional sanctions authority against those governments which cooperate with or provide sanctuary for international organized crime.

Implementation

The Deputies Committee shall review reports of the Special Coordination Group on the implementation of this PDD at least quarterly during the next year.

The Assistant to the President for National Security Affairs shall report to me on behalf of the Principals Committee on issues and progress in this area in six months and again one year from today.

William P. Clinton