



# Department of Justice

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**STATEMENT OF  
BRUCE C. SWARTZ  
DEPUTY ASSISTANT ATTORNEY GENERAL  
AND COUNSELOR FOR INTERNATIONAL AFFAIRS  
U.S. DEPARTMENT OF JUSTICE**

**BEFORE THE  
SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL  
UNITED STATES SENATE**

**FOR A HEARING ENTITLED  
THE NEXUS BETWEEN THE ILLICIT NARCOTICS TRADE AND  
CORRUPTION**

**PRESENTED**

**NOVEMBER 17, 2021**

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Chairman Whitehouse, Co-Chairman Grassley, and distinguished members of the Senate Caucus on International Narcotics Control, thank you for this opportunity to testify on behalf of the Department of Justice. The topic of today’s hearing – the nexus between the illicit narcotics trade and corruption – is one of central importance to the Department of Justice (Department).

At the Department, we are deeply committed to investigating and prosecuting narcotics traffickers, and those they corrupt – which we do through our Narcotic and Dangerous Drug Section, our Money Laundering and Asset Recovery Section, the Office of International Affairs, and our U.S. Attorneys’ Offices throughout the country. In this regard, our prosecutors work closely with agents from all of the Department’s law enforcement agencies, including the Department’s Drug Enforcement Administration and the Federal Bureau of Investigation. Our prosecutors also work with investigators from the Department of Homeland Security – including Homeland Security Investigations – and with the U.S. Postal Service and a wide range of other partners.

But the Department is no less committed to building the capacity of our foreign counterparts to fight narcotics, and the corruption related thereto. This is not simply a matter of providing foreign assistance: it makes our country safer as well. Through our overseas capacity building work, we help develop partners who can fight narcotics and corruption before it reaches our borders – or who can collaborate with us when the criminal activity is already present in our country.

In particular, the Caucus has asked that I discuss today the role that the Department’s Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) and our International Criminal Investigative Training Assistance Program (ICITAP), along with other related DOJ components, play in building the capacity of institutions in partner nations to prevent and curb corruption associated with drug trafficking organizations and transnational criminal organizations. I am very glad to do so, since the work of OPDAT and ICITAP – together with the related international capacity-building work of other DOJ components –

constitutes a remarkable record of achievement in helping our overseas partners to fight transnational crime and corruption – thereby making our citizens more secure as well.

I begin by describing briefly the structure – including the financing – of OPDAT, ICITAP, and other Department capacity-building programs. I then turn to some of the achievements of those programs in fighting narcotics trafficking and related corruption. Finally, I discuss what more could be done to advance this vital overseas work by the Department.

***OPDAT and ICITAP:*** This year marks the 30<sup>th</sup> anniversary of the Department’s Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), and the 35<sup>th</sup> anniversary of our International Criminal Investigative Training Assistance Program (ICITAP). During the past three decades, OPDAT prosecutors and ICITAP law enforcement experts have deployed to more than 110 countries around the world and have played leading roles in all of the U.S. Government’s overseas post-conflict and transitional justice programs. At present, there are 73 OPDAT prosecutors and 175 ICITAP personnel deployed to 69 U.S. missions around the globe.

Significantly, the OPDAT and ICITAP model is not simply to provide training courses. Rather, the Department deploys highly-experienced federal prosecutors and law enforcement assistance attachés to serve multiple-year terms as resident advisors in host countries. Assigned to U.S. Embassies, OPDAT and ICITAP advisors work on a daily basis with their foreign counterparts, with a particular emphasis on case-based mentoring – that is, advising foreign prosecutors and law enforcement personnel on how best to investigate and prosecute the most complex cases they face, including narcotics and corruption cases. Moreover, because OPDAT advisors and ICITAP attachés are federal employees, not contractors, they can link back to the Department’s domestically-based prosecutors and investigators, in order to bring the Department’s full expertise to bear, and in order to link together foreign and U.S.-based investigations regarding common criminal actors.

Similarly, in a number of countries, the DEA and FBI sponsor and coordinate with “vetted teams” – that is, teams of trusted foreign law enforcement agents, who have passed through anti-corruption processes and who receive support and mentoring from DEA and FBI agents assigned to the host country. These vetted teams play a key role in investigations within their countries, and in coordinating with the Department’s own investigations and prosecutions.

As foreign assistance authority falls with the Department of State and USAID, the Department of Justice does not receive direct appropriations to provide these OPDAT and ICITAP advisors to foreign countries, or to establish vetted teams through DEA and FBI. Accordingly, the funding for OPDAT and ICITAP, and for these vetted teams, comes from the State Department and USAID foreign assistance funding, either through the State Department’s Bureau of International Narcotics and Law Enforcement Affairs (known as INL) – whose Assistant Secretary, my friend and colleague Ambassador Todd Robinson, is also testifying today – or through State’s Counterterrorism Bureau. USAID also provides funding for one of our ICITAP programs in the Dominican Republic.

In sum, , with respect to overseas capacity building programs involving criminal justice matters – including narcotics or corruption – interagency agreements are negotiated with State/INL to determine which countries OPDAT and ICITAP may operate in, and what criminal justice areas we may address.

***OPDAT and ICITAP Achievements:*** Wherever they have been funded to operate, OPDAT and ICITAP, along with the DEA’s vetted units, have achieved remarkable results in building the capacity of their foreign counterparts to fight narcotics, and narcotics-related corruption. To cite but a few recent examples from earlier this year alone:

- The October 23rd arrest by Colombian security forces of the Clan del Golfo’s leader Dairo Usuga David, also known as Otoniel, was supported by OPDAT and the DEA’s vetted Colombian units, with funding by State’s INL Bureau. The Clan del Golfo is Colombia’s largest national-level drug trafficking organization, and Otoniel’s arrest was a remarkable achievement by the Colombian security forces. The DEA’s vetted units played an important role in the weeks leading up to the arrest, by conducting one of the largest asset forfeitures in Colombian history. Similarly, OPDAT’s Resident Legal Advisors had created a Clan del Golfo technical assistance working group, and the two Colombian prosecutors who filed charges against Otoniel had been part of that working group and had received extensive OPDAT training. Important assistance in the arrest was also provided by the Department’s Narcotic and Dangerous Drug Section attaché in Colombia, and by the Department’s Office of International Affairs.
- On July 23rd, ICITAP-trained Tactical Operations Response (TOR) officers from the Patrol Police Department of Ukraine participated in disrupting a major international drug trafficking group that was transporting more than 368 kg of heroin from Iran through Ukraine to the European Union. The multi-agency operation involved officers from several branches of the National Police of Ukraine, Border and Customs Services of Ukraine and Armenia, law enforcement from Georgia, Crimean authorities, and the Drug Enforcement Administration.
- On July 2nd, in several Albanian cities, 38 suspects – including an Albanian prosecutor, the Albanian State Police Section Chief for narcotics trafficking, four senior police officers, and one local government director – were arrested on drug trafficking charges by OPDAT-mentored prosecutors from the Special Structure against Corruption and Organized Crime (SPAK), which also received support from ICITAP. In addition to narcotics trafficking, the defendants are under investigation for corruption, abuse of office, money laundering, and other related criminal activity. During the operation, SPAK seized assets valued at more than \$4,000,000, as well as six tons of marijuana, cocaine, and hashish worth approximately \$65,000,000. As U.S. Ambassador Yuri Kim noted, this was a major blow against organized crime and corrupt officials.
- On May 22<sup>nd</sup>, an apartment in New Belgrade, Serbia, was searched by members of the Serbian Service for Combating Organized Crime (SBPOK), a department which has

participated in trainings from ICITAP in advanced investigative techniques. The apartment was being used as a vault for illegal assets owned by a major Serbian organized crime group. During the search, computer equipment and flash memory devices were seized, along with 100,000 Euros in cash. Approximately two dozen members of this group, including most of its leadership, were arrested earlier this year and recently charged with narcotics trafficking, money laundering, kidnapping and murder.

- On May 17th, DOJ-ICITAP and OPDAT-mentored Kosovo police and prosecutors led an operation resulting in the seizure of over 400 kilograms of cocaine, valued at approximately \$24 million. Applying best practices learned from ICITAP and OPDAT, and acting on information from DEA, Kosovo prosecutors coordinated with Italian and Albanian law enforcement agencies to track the cocaine, which was hidden in a food shipment from Brazil, through Italy and Albania, before being seized in Kosovo. Police also arrested seven Kosovo suspects and seized motor vehicles, firearms, ammunition, and over 25,000 Euros in cash.
- On April 6th, outside of Monterrey, Mexico, Mexican law enforcement authorities working with OPDAT-mentored prosecutors arrested Evaristo Cruz Sánchez, a/k/a “El Vaquero,” along with three other individuals. Sanchez is a leader of the powerful and violent Gulf Cartel, which operates primarily out of the Mexican State of Tamaulipas bordering Texas. In addition to firearms trafficking and narco-trafficking charges, the fourth defendant faces charges for attempted bribery after he tried to bribe federal prosecutors to release him – showing again the narcotics-corruption link.

In addition to the above cases, during this same time period, OPDAT and ICITAP advisors also provided counternarcotics and anti-money laundering mentoring and training to counterparts in, among other locations, Indonesia, Paraguay, Latvia, Malta, Morocco, North Macedonia, and the Gulf Region. Through its world-wide International Computer Hacking and Intellectual Property advisors (ICHIPs), OPDAT also provided extensive mentoring and training on cryptocurrency, and formed cryptocurrency working groups in Europe and Southeast Asia.

More generally, all the work of OPDAT and ICITAP overseas is designed to build the rule of law, and thus to fight corruption, whether that corruption originates from narcotics trafficking or other sources. Three recent examples of such anti-corruption mentoring are:

- The creation this year, with the assistance of OPDAT, of a regional working group of prosecutors focusing on corruption in El Salvador, Guatemala, and Honduras. This regional working group in turn mirrors and coordinates with the U.S.-based Central American Anti-corruption Task Force, through which the Department is focusing on prosecuting corruption-related money laundering from Central America, and on recovering corrupt assets from the region that may have been invested in the U.S.
- The arrests in Malta, on March 20th, of 11 suspects on money laundering and conspiracy charges, including the chief of staff to the former prime minister, along with other

government officials. The police superintendent and the lead prosecutor on the case are key OPDAT partners on anti-money laundering reforms.

- The charges by OPDAT-mentored prosecutors in El Salvador, on March 19th, against nine defendants, who are accused of laundering \$16 million through fraudulent or nominee entities and false contracts. The case stems from former El Salvador President Elias Antonio Saca Gonzalez's role in embezzling \$298 million while in office. Saca and six others were convicted in November 2018, with Saca receiving ten years' imprisonment for embezzlement and money laundering. OPDAT provided case-based mentoring in the Saca case and continues to do so in the current one.

***The Path Forward:*** The foregoing accomplishments from the past year are only a small part of the successes that OPDAT and ICITAP have had in fighting narcotics trafficking and corruption during their three decades of existence, supported with funding from the State Department's Bureau of International Narcotics and Law Enforcement Affairs.

Moreover, in a significant development, the Bureau of International Narcotics and Law Enforcement Affairs earlier this year supported funding the Department's proposal for the creation, through an Interagency Agreement, of a Global Anticorruption Rapid Response Fund. This Fund will allow OPDAT and ICITAP to deploy prosecutors and agents – when approved by INL and the relevant U.S. Embassy -- to provide case-based mentoring and training to foreign counterparts who need urgent assistance in investigating and prosecuting complex corruption cases. This Anticorruption Rapid Response Fund is modeled on the existing and highly successful Counterterrorism Rapid Response Fund, which was established by State's Counterterrorism Bureau in 2014, and which has permitted the rapid deployment of Department of Justice prosecutors and agents by OPDAT and ICITAP to assist in counterterrorism matters.

While the initial amount set aside under the Global Anticorruption Rapid Response Fund is modest – only \$750,000 – it is nonetheless an important step towards increasing the ability and agility of the Department to fulfill its mission of assisting foreign counterparts to fight narcotics trafficking and corruption. Whatever we can do to advance that mission in turn advances the safety of U.S. citizens.

Thank you, and I would be glad to address any questions you might have.