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**Answer to Question for the Record from Senator Sheldon Whitehouse U.S. Senate Caucus on International Narcotics Control “The Nexus between the Illicit Drug Trade and Corruption” Submitted on November 24, 2021**

*1. U.S. vetting policies such as the Leahy Laws are intended to ensure that law enforcement officials susceptible to corruption do not receive U.S. support or funding. Despite these efforts, there are cases where U.S.-trained law enforcement in partner nations such as Mexico and Haiti has been corrupted by the narcotics trade.*

*• What gaps exist in the United States’ vetting process and what steps can federal agencies or Congress take to close those gaps*

The Leahy Laws are highly important and impactful legislation that has had demonstrable impact on inducing greater compliance among law enforcement and military actors abroad with human rights standards. Nonetheless, in various cases, such as in U.S. cooperation with Mexico, senior officials refused to subject themselves to vetting standards even as the rest of the selected unit went through the vetting process.

In such circumstances, U.S. law enforcement officials can make the judgement that intelligence gathered from the rest of the unit is valuable enough to risk intelligence leaking out from the top counterpart agencies or that in the absence of tolerating such partial vetting, access and cooperation with the foreign counterpart would be entirely lost.

However, the presumption, and normal procedure, should be that the entire unit, including top officials, are vetted. To overcome concerns about sovereignty, U.S. counterparts can offer to subject themselves to vetting to demonstrate equal partnership. Importantly, the United States should demand that vetting of foreign counterpart members of the special investigation or interdiction units (SIUs) be vetted not simply at the beginning of the process of establishing the unit, but repeatedly and at any point throughout the existence of the unit. Such repeated vetting could identify emerging corruption in the unit or its top leadership.

A refusal by a member of the SIUs to undergo such vetting could result either in immediate suspension of the officer from the unit or the suspension of U.S. funding for the SIU. It could also trigger mandatory U.S. investigation of the unit to identify corruption.

Circumstances in which senior foreign officials refuse to subject themselves to vetting could trigger special Department of Justice procedure whereby an exception for U.S. cooperation with the SIU is granted but is accompanied, for example, by a mandatory comprehensive U.S. investigation of the senior foreign counterpart officials who refused to subject themselves to vetting.