



**U.S. Department of Justice**  
Office of Legislative Affairs

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Office of the Assistant Attorney General

Washington, D.C. 20530

**MAR 07 2018**

The Honorable Charles E. Grassley  
Chairman  
Senate Caucus on International Narcotics Control  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

Enclosed please find responses to questions for the record arising from the appearance of Assistant Administrator, Chief of Operations of the Drug Enforcement Administration, Anthony D. Williams, before the Senate Caucus on International Narcotics Control on September 12, 2017, at a hearing entitled "Adapting U.S. Counter-narcotics Efforts in Colombia." We hope that this information is of assistance to the Committee.

The Office of Management and Budget has advised us that there is no objection to submission of this letter from the perspective of the Administration's program.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Boyd", written over the word "Sincerely".

Stephen Boyd  
Assistant Attorney General

Enclosure

cc: The Honorable Dianne Feinstein  
Ranking Minority Member

SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

HEARING ON  
“ADAPTING U.S. COUNTERNARCOTICS EFFORTS IN COLOMBIA”

SEPTEMBER 12, 2017

QUESTIONS FOR THE RECORD

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Senator Grassley Questions

1. With the massive increase in cocaine production in Colombia, there's been a corresponding increase in cocaine trafficking to U.S. and other international markets. The Drug Enforcement Agency (DEA) reported concerns about increased consumption in the 2016 Drug Threat Assessment. Yet, it appears to me that the Government of Colombia has been unwilling and unable to take steps – including reinstating the aerial eradication program – to counter the sharp rise in coca production.

- Without aerial eradication, what programs would be effective at reducing coca production in the near term?

**DEA Response: DEA respectfully defers this question to the Department of State/INL as they are best suited to respond to this question.**

- If the next President of Colombia were to consider reinstating the spray program, what would be the time frame for getting it up and running again?

**DEA Response: DEA respectfully defers this question to the Department of State/INL as they are best suited to respond to this question.**

2. The term BACRIM is the term used to describe a vast array of different criminal groups and enterprises in Colombia. As the FARC has demobilized, the BACRIM has moved in to fill the void left behind.

- What groups are the other major players in the cocaine industry in Colombia and how will the demobilization of the FARC affect their operations?

**DEA Response: The Bandas Criminales (BACRIMs) are a significant threat to Colombian security as they are heavily-armed, organized criminal groups that utilize military grade weaponry and tactics to control vast swaths of territory in Colombia usually where there are extensive coca cultivations and drug trafficking routes, but a small governmental presence. Today, only one of these groups of any significance remains – the Clan del**

**Golfo—although several smaller groups also pose a threat. Like the FARC before their demobilization, the BACRIMs are engaged in the periphery of drug trafficking. Specifically, they are controlling overland and riverine drug trafficking routes in Colombia, providing security for cocaine processing laboratories and cocaine base marketplaces and extorting narcotics traffickers with a “tax” on all kilograms of cocaine produced, transported or dispatched from the territory under their control. DEA investigations have on occasion collected intelligence that certain members of the BACRIMs are directly involved in sending cocaine loads themselves. This usually happens when the BACRIMs accept payment for the “taxes” in the form of cocaine.**

**In the year prior to the FARC’s demobilization, there was an increase in reporting of armed BACRIM-type groups that were appearing in areas that were formerly controlled by the FARC. Many members of these new armed groups arrested in the past year and a half were later determined to have been FARC members or collaborators. In 2016 and 2017, the region surrounding Tumaco saw the largest increase in these armed groups and the increased homicide rate reflected the group’s battle for control of the region.**

**At the same time, immediately prior to the FARC’s demobilization and continuing throughout 2017, Colombian National Police (CNP) and DEA investigations have detected a similar trend of known FARC members. They have also detected entire fronts (a FARC front is the equivalent of an army platoon) that have refused to demobilize, continue to be involved in narcotics trafficking and other crimes, and are forming their own armed groups. In light of this situation, the Colombian government has named these groups as dissidents rather than employ a new term as they did previously with the BACRIMs**

**To date, DEA has received intelligence and is investigating approximately a dozen armed criminal groups comprised of FARC dissidents that are continuing in the same activities as the FARC used to do. The vast majority of DEA’s investigations target the maritime cocaine smuggling organizations in the Department of Narino and the environs of Tumaco that have some of the most extensive coca cultivations in Colombia.**

- 3. Sensitive Investigative Units (SIUs) are specially trained foreign law enforcement personnel that are vital to the law enforcement investigation and interdiction efforts in Colombia.**
  - How has the peace agreement impacted the efforts of the SIUs in conducting interdiction and money laundering operations?**

**DEA Response: DEA supports the Sensitive Investigative Units (SIUs) and DEA-mentored Vetted Units (VUs) in Colombia – whose ranks mostly come from the Colombian National Police, but also include the Cuerpo Técnico de Investigaciones (CTI) that are investigators assigned to the Colombian Attorney General’s Office. DEA personnel work bilaterally alongside these SIUs and VUs in order to identify, target, and investigate the most significant drug trafficking and money laundering organizations operating in Colombia. The targets of these investigations are the world’s biggest suppliers of cocaine and the SIU**

**groups are the world's experts in investigating transnational criminal organizations like these. The primary focus of these SIUs is on collecting evidence on the organizational leaders and significant members for indictments to effectively disrupt and dismantle their drug trafficking networks. As maritime interdictions take place, DEA believes that the peace agreement with the FARC has neither directly affected the SIU/VU investigations nor the interdiction of cocaine shipments.**

**Likewise, DEA believes that the SIU/VU investigations into money laundering and their operations to combat this threat have not been adversely affected by the peace agreement as these types of operations take place in urban areas with extensive commercial and financial infrastructure. These are not the sort of areas where the FARC has had a significant presence and thus have not been influenced by the terms of any peace agreement.**

**While the SIU/VU counter-network criminal investigations haven't been negatively impacted by the peace agreement, the same cannot be said for manual eradication of coca and some cocaine laboratory interdiction operations. Organized social protests, particularly in the prolific cultivation centers surrounding Tumaco and Buenaventura, have significantly impacted the Colombian government's ability to accomplish those missions since police and military personnel are reticent to escalate these conflicts by force.**

4. On May 16, 2016, Senator Feinstein and I sent a letter to DEA requesting answers to questions we have about the Global Discovery Program. Specifically, we want to know why DEA and DOD spent \$86 million on an aircraft for use in counternarcotics efforts in Afghanistan that has never flown a single mission in Afghanistan. The plane, instead, sat on blocks in Delaware for years due to agency mismanagement and it's our understanding that it may soon be sold at auction.

- Please provide the response to our letter that was sent to DEA over 16 months ago.
- Please document how much has been spent since May 2016 to continue modifying this plane.
- Please explain why DEA intends to auction off the plane instead of completing the modifications necessary to make it air worthy for counternarcotics missions.
- Please also explain what DEA intends to do with the funds gained by auctioning the plane and if these funds will be used to directly support counternarcotics missions in Afghanistan.

**DEA Response: On September, 22, 2017, DEA submitted correspondence to the Drug Caucus that addresses the questions raised in the May 22<sup>nd</sup> letter as well as the questions above. Regarding the use of funding, DEA has not auctioned the Global Discovery aircraft.**

5. In May 2017, the Inspectors General for the Departments of State and Justice released a report examining deadly force incidents in Honduras resulting from State and DEA supported counterdrug missions. In July 2017, Senators Feinstein, Cardin, Leahy and I sent a letter to the DEA and State Department expressing our concerns about the findings that officials provided inaccurate information to Congress, failed to conduct an internal investigation, and refused to comply with Chief of Mission authority. Moreover, we requested information about the individuals involved in these actions and the efforts to hold those individuals accountable.

- What kind of support did INL provide for these operations and what measures are being taken to ensure that incidents are investigated promptly and your agency is held accountable?
- Please provide the written response to the questions asked in the July 2017 letter.

**DEA Response: The Department of Justice and DEA are preparing a response to the July 2017 letter.**

### Senator Feinstein Questions

#### 1. Effectiveness of Plan Colombia and Future Funding

The U.S. and Colombian governments have been working together for more than 15 years to address coca production. Despite a \$10 billion investment, today Colombian coca production is greater than it was before the inception of Plan Colombia.

- a. *Which components of Plan Colombia worked best, which components failed, and what changes can be made to improve future results?*
- b. *Do you believe the Colombian government will be able to achieve measurable and sustained reductions in coca production with its current counternarcotics plan?*
- c. *In your opinion, what should be the focus of U.S. assistance in coming years – should it focus broadly on the peace agreement, be narrowly tailored to only focus on counternarcotics, or focus on some combination of supporting the implementation of peace and counternarcotics?*
- d. *Would there be a value to conditioning future funding for Colombia on decreases in coca production? Would doing so have unintended consequences?*

**DEA Response: DEA respectfully defers to the Department of State/INL as they are best suited to respond to this question.**

#### 2. Cocaine Seizures

Seizure rates by both the U.S. and Colombian governments have increased. For example, in 2016, the Colombian government increased its cocaine seizures by 46 percent compared to the previous year. It also increased the number of cocaine labs it destroyed by 26 percent.

Similarly, between 2014 and 2016, the number of Colombian cocaine labs seized with DEA support increased 53 percent. In 2016, the U.S. Coast Guard interdicted record levels of cocaine. And, in 2017, State Department assistance has contributed to the destruction of 693 labs.

- a. *What do you attribute these increased rates of seizures to? Is it simply due to the fact that more cocaine is being produced, and therefore more is being seized, or have the U.S. and Colombian governments changed their strategies?*

**DEA Response: Record-levels of cocaine production have been an important factor in the increase in seizures. The increased rate of cocaine seizures may also be partially attributed to the U.S. and Colombian Government's response to the increase in production. For example, one significant factor is a refinement in the investigative tactics by DEA and their SIUs as well as our close coordination and information sharing with our interagency partners. Colombian SIUs have targeted the command and control of the world's largest drug trafficking organizations using a myriad of investigative techniques. This same approach has recently been brought to bear in a specific geographic area of Colombia – the Department of Nariño from where a majority of the cocaine leaving Colombia departs. The leaders of these organizations were designated as Organized Crime Drug Enforcement Task Force (OCDETF) Consolidate Priority Organization Targets (CPOTs), which is the highest level target designation that the U.S. government has for drug traffickers. As such, any intelligence on drug loads associated with these individuals was given the highest priority for interdiction by Joint Interagency Task Force-South (JIATF-S). It is this type of targeting and investigative methodologies that have played a significant role in these record levels of cocaine seizures.**

### **3. International Partnerships**

Cocaine is most commonly exported using speedboats, fishing vessels, and semi-submersibles, and that Ecuador and Venezuela regularly serve as transshipment points. Colombian cocaine typically arrives in Central America – often on the Pacific coasts of Guatemala and Mexico – where it is then transported overland to the United States.

- a. *Given the number of countries through which Colombian cocaine transits prior to entering the United States, how is the Drug Enforcement Administration working with its Central and South American counterparts to combat the flow of drugs and illicit proceeds before they enter the United States?*

**DEA Response: On November 1, 2017, DEA provided a briefing to the Caucus on International Control staff regarding investigative/enforcement related operations in Central and South America and strategic efforts made to combat the flow of drugs and illicit proceeds from entering the United States. As mentioned during the briefing, DEA works bilaterally with our international partners, particularly those in Central and South America, to combat the flow of drugs and illicit proceeds through strategic enforcement and intelligence activities. To accomplish this, DEA has established numerous SIUs and VUs throughout Central and South America that work to disrupt and dismantle major drug trafficking organizations and their networks. The SIUs and VUs are mentored by DEA and provide additional investigative partners to address border and maritime security, airport interdiction and financial investigations. Additionally, our Central and South America counterparts have Judicial Wire Intercept Programs (JWIP) that provides support to domestic and international investigations. The JWIP produces actionable leads used to obtain evidence that can be used for prosecution in foreign and/or domestic judicial systems. To date in 2017, DEA has conducted 14 training classes for our host nation counterparts in the area of money laundering, financial crimes investigations, and precursor chemicals.**