Question for the Record Submitted to

Assistant Secretary William Brownfield by

Senator Chuck Grassley (#1 to #4)

Senate Caucus on International Narcotics Control

September 12, 2017

**Question 1a and 1b:**

I think we can all agree that the Colombian Government’s effort to bring peace to the country after 50 years of civil war is a positive step. However, peace at any cost isn’t. I have serious concerns about the counter-narcotics provisions in the final agreement, especially given the billions that transnational criminal organization earn every year from narcotics trafficking.

a. What is your view on FARC compliance with its drug commitments under the peace accord?

b. What steps are being taken to ensure that FARC members do not, either intentionally or unintentionally, receive U.S. assistance?

**Answer to Questions 1a and 1b:**

To date, the FARC has not fulfilled many of its obligations under the peace accord to sever all ties with illicit activities and provide information to the Colombian government on drug trafficking networks. The FARC’s behavior thus far has diminished its credibility as an entity genuinely attempting to transition to a legitimate political organization.

On the other hand, the FARC is taking a number of positive steps to implement its peace accord obligations. For instance, the FARC is working with the Colombian government and farmers to negotiate and finalize agreements to substitute coca for licit crops. In mid-August the FARC released a 135-page list of FARC goods and assets, earmarked for victim compensation under the peace accord. Various Colombian Ministers criticized the list because they believe the FARC is failing to provide a full list of assets gained through illicit activities. When the Special Jurisdiction for Peace (SJP) is fully operationalized, the FARC is required to turn over information to the Colombian government on their entire narcotrafficking chain.

The timeline for the SJP completion is yet to be determined, but the United States government will continue to advocate with the Colombian government to ensure the FARC is in compliance with this commitment. The Government of Colombia must continue to push the FARC to cooperate and assist in bringing criminal networks to justice.

In general, the U.S. government seeks to implement U.S. foreign assistance to advance U.S. goals, working with our Colombian government partners in ways that do not benefit the FARC, which remains a designated Foreign Terrorist Organization (FTO), a Significant Foreign Narcotics Trafficker, and a Specially Designated Global Terrorist. U.S. Embassy Bogota has a clear policy for vetting requests from the Colombian government for U.S. support to activities that might directly or indirectly involve or benefit the FARC to ensure that FARC members do not unintentionally receive U.S. assistance.

**Questions 1c, 1d and 1e:**

I think we can all agree that the Colombian Government’s effort to bring peace to the country after 50 years of civil war is a positive step. However, peace at any cost isn’t. I have serious concerns about the counter-narcotics provisions in the final agreement, especially given the billions that transnational criminal organization earn every year from narcotics trafficking.

c. What do you believe the FARC’s role is in the coca/cocaine surge?

d. Please document how much money INL spends on efforts other than eradication and
 international law enforcement support.

 e. Please provide information regarding how much money INL dedicates to coca eradication in
 Colombia.

**Answer to Questions 1c, 1d and 1e:**

The FARC was a key enabler, if not the key enabler, in the narcotics surge over the last three years. Following the publication of a draft of the narcotics section of the peace accord in 2014, the FARC actively encouraged and, in some cases, forced farmers to plant coca. Its goal was to take credit for government benefits that would flow to coca farmers as a consequence of the accord.

Excluding support for eradication and international law enforcement, INL spent approximately $76 million in International Narcotics Control and Law Enforcement (INCLE) funds during the first nine months of 2017 in support of various efforts, which include aviation support for the Colombian National Police; rural security expansion to areas formerly held by the FARC; rule of law capacity building, including anti-money laundering and corrections assistance; and support for Government of Colombia land and maritime narcotics interdiction.

During the first nine months of 2017, INL spent approximately $30 million in support of coca eradication, which includes, but is not limited to, aviation support for forced eradication operations throughout Colombia, construction of eradication bases, and equipment for manual eradication.  With INL support, the Government of Colombia is on pace to meet their 2017 forced eradication goal of 50,000 hectares.

**Question 2:**

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 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 reinstituting 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?

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

**Answer 2:**

In September 2015, Colombian President Juan Manuel Santos announced a new Colombian counternarcotics strategy for the post-aerial coca eradication era. This strategy outlined three key lines of effort: (1) Rural development programs to reduce drug cultivation, including crop substitution for coca growers; (2) Enhanced law enforcement efforts to dismantle organized crime groups; and (3) Public health approaches to address domestic drug consumption.

The Colombian Government is operationalizing this strategy through the Ministry of Defense-led Strategic Operational Centers (CEOs in Spanish) concept, which is an integrated, whole-of-government approach to counternarcotics. The United States government believes this concept is likely to lead to a sustained reduction in Colombian coca cultivation and cocaine production in the near- and long-term if the Government of Colombia: properly resources its counternarcotics strategy; implements enhanced eradication efforts in areas of high coca growth, including areas previously off-limits to forced eradication; develops and implements a strategy to deal with coca growers who disrupt law enforcement officials’ access to coca fields; and re-doubles its commitment to use extradition as a tool against individuals involved in drug trafficking.

It will also help provide licit opportunities to coca growing communities. Yet, challenges remain. We continue to urge our Colombian counterparts to provide the proper resources for implementation, address protestors who hamper forced eradication efforts, and de-conflict voluntary and forced eradication.

If Colombia were to re-start aerial eradication, it should be a Colombian-led effort, which the United States could consider supporting, if requested. At current International Narcotics Control and Law Enforcement (INCLE) funding levels, the U.S. would not be able to support an aerial eradication program. An aerial eradication program operating at the same level as the previous INL program would require over $100 million in start-up costs and significant additional financial resources to operate every year. We estimate it would take up to two years to bring the program back to full operational capacity, although aerial spray could likely begin within the first year on a limited basis.

**Question 3:**

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?

**Answer 3:**

Since the ratification of the peace accord, BACRIMs and the Ejército de Liberación Nacional (ELN in Spanish) have expanded their narcotrafficking activities in areas left by the FARC. The ELN is particularly strong near the Colombian border with Venezuela in Catatumbo, Norte de Santander Department. The ELN’s narcotics-related and other criminal activities also increased in areas where it has traditionally had a presence, such as Arauca, Cauca, Bajo Cauca, and Antioquia. In general, in areas where the ELN and FARC previously shared territory, the ELN now controls more of those territories vacated by the FARC. Other criminal groups, especially the Clan del Golfo, have increased their criminal penetration into areas previously operated by the FARC, notably in Antioquia and Chocó.

 While the ELN and other groups continue to fill the territorial void left by the FARC, we believe some demobilized FARC and FARC dissidents continue to actively engage in narcotrafficking activities throughout Colombia. We continue to urge the Colombians to preserve the use of extradition as a law enforcement tool, to ensure narcotraffickers do not fraudulently use the peace accord’s transitional justice measures to avoid extradition.

To deal with the threat of expansion of the ELN, Clan del Golfo, and other BACRIMs, the Colombian Ministry of Defense launched or expanded operations to dismantle the persistent threat posed by these organizations. Additionally, through Strategic Operations Centers (CEOs in Spanish), the government of Colombia is working not only to curb coca cultivation, and cocaine production and trafficking, but is also expanding police and other state presence in rural areas to prevent proliferation of new criminal organizations and increase access to justice and licit economic opportunities.

**Question 4:**

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.

**Answer:**

The Department provided you an interim response to your letter on August 23, 2017 letting you know that the Department of State views the use of deadly force as a critical issue, especially when it involves the loss of innocent lives. Given the seriousness of the allegations, the Department has been engaged in a thorough review of the issues raised by this report. We are nearing completion of this review and hope that we can soon update you on the actions we have taken to respond to this serious incident.