



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

October 19, 2011

The Honorable Dianne Feinstein
Chairman
Caucus on International Narcotics Control
United States Senate
Washington, D.C. 20510

Dear Madam Chairman:

Enclosed please find responses to questions for the record arising from the appearance of Thomas Harrigan, Chief of Operations, Drug Enforcement Administration, before the Caucus on May 25, 2011, at a hearing entitled "U.S. – Central America Security Cooperation." We hope that this information is of assistance to the Caucus.

Please do not hesitate to call upon us if we may be of additional assistance. 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 "m wil".

Ronald Weich
Assistant Attorney General

Enclosure

cc: The Honorable Charles Grassley
Co-Chairman

**Questions for the Record for Thomas Harrigan
Chief of Operations
Drug Enforcement Administration**

Senate Caucus on International Narcotics Control

“U.S. – Central America Security Cooperation”

May 25, 2011

Questions for the Record from Chairman Dianne Feinstein

1. Mexican Drug Traffickers in Central America

Drug transshipment through Central America has been taken over by Los Zetas and the Sinaloa Cartel. These Mexican drug trafficking organizations are most active in Guatemala and Honduras where they are battling for control of drug smuggling routes. There have always been drug traffickers in Central America, but how concerned are you about these major drug trafficking organizations taking over routes from local traffickers? Has this created more violence?

DEA believes that local traffickers are already being impacted by the more organized and structured cartels based in Mexico. However, DEA believes that the Mexican cartels are likely taking command and employing the local traffickers due to their knowledge of the local police and landscape, rather than trying to displace them altogether.

Violence in Guatemala and El Salvador is higher now than during their civil wars, and Guatemala estimates that 2/5 of homicides are related to drug trafficking disputes. In 2009, the Government of Belize estimated that 90 percent of the homicides occurring in their country were related to drug trafficking activities. Therefore, there has been a clear impact on the Central American countries by the violence associated with these criminal organizations. This is the reason that DEA continues to work closely with the Central American governments in an attempt to stem this trend before it gets worse by building the infrastructures of these countries to deny the use of Central America as a drug transit route.

2. To what extent do you believe that the criminal organizations operating in Central America are controlled by the leadership of Los Zetas and the Sinaloa Cartel based in Mexico? Which countries in Central America are you most concerned about being the next targets of Mexican drug trafficking organizations?

Each Central American country has documented the presence of Mexican Drug Trafficking Organization (DTO) cells within their countries. Criminal organizations operating in Central America are not controlled by the leadership of Los Zetas and the Sinaloa Cartel based in Mexico. Rather, one of two methods of cooperation or coercion controls interactions between Central American traffickers and Mexican cartels. Either the local DTOs operate on a deal-to-deal basis, transporting cocaine through Central America for whichever Mexican cartel pays them, or the Central American organization works exclusively with one Mexican cartel. The latter relationships tend to be controlled by locally based representatives for the Mexican cartels, rather than by central leadership in Mexico.

In order to curb the expansion of DTOs in Central America, DEA has developed a counternarcotics strategy which implements regional programs and initiatives to build capacity for combating narcotics trafficking in each country in Central America. Therefore, DEA intends to make the costs and consequences of operating in any country too steep for the DTOs to continue to operate. DTOs will have no safe havens in which to retreat. This plan complements the broader Merida/CARSI strategic approach that guides Administration actions in the region.

3. Sensitive Investigative Units

In Mexico and Colombia, Sensitive Investigative Units or SIUs, which are highly trained vetted units that work with host country counterparts, have been very successful in helping to combat high-profile drug traffickers. How many Sensitive Investigative Units or other vetted units do we have in Central America?

DEA currently sponsors two SIU's in Central America – Panama and Guatemala. In addition, DEA has vetted units supported by the Department of State in El Salvador and Honduras.

4. Given the increased presence of Mexican drug trafficking organizations in Central America and high levels of violence in the sub region, do you think a great number of SIUs and other vetted units are needed?

The fact that more Mexican DTOs are present in that region indicates a greater number of SIU's or other vetted units in Central America could be beneficial in obtaining increased actionable intelligence to disrupt or dismantle these DTOs.

5. Drug Trafficking Routes

I understand that as recently as 2007, only a small amount of cocaine that passed through Mexico first transited through Central America. Currently, according to the state Department, 95 percent of all cocaine entering the United States flows through Mexico or its territorial waters, with 60 percent of that cocaine first transiting through Central America. How long do you predict that this current pattern will hold?

DEA predicts that the current pattern of cocaine flow, first transiting through Central America and then Mexico, on its way to the United States will change in response to increased law enforcement. Presently, DEA has a five-year counternarcotics strategy designed to build local law enforcement capacity, enhance cooperation between Central American nations, and disrupt illicit trafficking activity. This strategy complements the broader Merida/CARSI strategic approach that guides Administration actions in the region, and is in direct support of the Southwest Border Counternarcotics Strategy, released by the Administration earlier this year. At the conclusion of DEA's five-year strategy, we expect to see positive changes in the abilities of Central American law enforcement. DTOs are reactive and, as such we anticipate that they will adjust their trafficking strategies by reducing illicit drug flow through the region.

6. What routes do you think drug trafficking organizations will look to as enforcement in Central America increases?

Traffickers continually adapt to law enforcement successes. As a point of reference, in 2001, approximately 26 percent of detected cocaine flow from South America to the United States transited through the Caribbean. Due in large part to successful enforcement operations in the region, only 5 percent of detected cocaine flow transited the Caribbean in 2010. While it is impossible to predict with certainty trafficker patterns, it is possible that increased law enforcement in Central America will cause traffickers to change their current routes, and possibly change their destinations to countries other than the United States.

One expectation is that as overland and littoral routes are policed more heavily, DTOs will be more likely to turn to open sea and air routes. To stay one step ahead of DTOs, DEA is working with US SOUTHCOM to develop a comprehensive plan to attack DTOs in the likely scenario that this change occurs.

Questions for the Record from Co-Chairman Charles Grassley

- 7. Performance measures and benchmarks are an important matrix by which we measure program successes and failures, as well as ensure that taxpayer money is not being wasted. What performance measures and benchmarks has your agency developed for the Central American Regional Security Initiative and Caribbean Basin Security Initiative?**

While DEA has the lead on only a portion of CARSI and CBSI, DEA is very keen to justify the success of its programs and ensure that taxpayer dollars are not being wasted. DEA's primary international responsibility is to disarm, disrupt, and dismantle major Drug Trafficking Organizations (DTOs), and it executes this responsibility by attacking their command and control structures. DEA measures the performance of its programs by the number of Consolidated Priority Organization Targets (CPOTs) and Priority Target Organizations (PTOs) that are disrupted and dismantled. These targets represent the highest levels of the command and control structure for DTOs internationally and regionally. This year alone, for example, DEA's Country Office in Guatemala is reporting 10 suspects awaiting extradition to the United States for prosecution, including former Guatemala President Alfonso Portillo.

- 8. Corruption among Central American law enforcement officers and government officials has been a serious problem and has been an impediment to reform in the past. The governments in Central America have been trying to institute judicial and institutional reforms to help fight corruption and I commend them for their efforts.**

- **What is the status of these reforms and are they making a difference?**
- **What programs are being will be implemented by your agency to help the governments in Central America implement the reforms?**

DEA has assisted in producing a number of judicial and institutional reforms across the region, and our five-year counternarcotics strategy developed for the Central American Regional Security Initiative (CARSI) and Caribbean Basin Security Initiative (CBSI) focuses on continuing to enact these changes across the region. From DEA's perspective, the most effective judicial reform and institutional changes that are essential to our mission are reforming judicial wiretap laws and providing training for judges and prosecutors. Additionally, the mentoring programs in place with our Sensitive Investigative Units (SIUs) and other vetted units are critical in creating a culture of change in host nation law enforcement, and ensuring the continued efficacy of the programs.

- Guatemala formed a Police Reform Commission headed by Human Rights Activist Helen Mack that consists of a joint police-civilian workgroup that is focused on five areas: criminal investigations, crime prevention, management, human resources, and planning and internal controls. USG advisors have participated in all five areas and developed specific proposals to improve investigations, training, data control and sharing, and internal controls.

- Additionally, Guatemala implemented a judicialized telephone intercept program in 2009. Almost immediately after initiating this program, a former Director of the National Civil Police was implicated in an attempted theft of approximately 1,600 kilograms of cocaine. The former Director was removed from office and subsequently arrested. Another reform is the vetting of senior police officers in Guatemala. After the removal of another Police Director for corruption in 2010, the Government of Guatemala requested polygraph exams for 128 senior managers of the police. Although the fail rate was high, the current leadership of the police force passed the polygraph exams. The request for polygraphs is a true sign of commitment to creating a police and leadership force with integrity, which will create institutional confidence for the citizens of Guatemala and create a culture of lawfulness.

The current reforms will be implemented as a result of DEA's five-year, regional counternarcotics strategy, by country:

- Panama: Training for law enforcement, judges, and prosecutors on the identification of precursor chemicals and their respective violations, and the prosecution of trafficking organizations.
- Costa Rica: Provide equipment to take advantage of the newly passed judicialized intercept laws.
- Nicaragua: Continue to work with the government to establish conspiracy laws, judicialized wire intercept laws, undercover laws, and laws that protect informants from prosecution.
- Honduras: After a USG assessment is performed, DEA will provide the Honduran Government with the necessary equipment and training to enforce their intercept laws. Additionally, DEA will continue to work with the Honduran Government to close a loophole in the wiretap laws that prohibits tapping cellular communications.
- El Salvador: DEA will work to enhance the ability of the El Salvadoran Government to take advantage of its newly passed electronic monitoring laws.
- Belize: DEA will assist the Belizean authorities in modernizing their record-keeping and communication systems to enable them to take advantage of already established laws that allow judicial intercepts.
- Guatemala: DEA aims to expand the successful Guatemalan SIU program to provide better support for judicialized intercept investigations.

Please note that DEA's plan is partially inclusive of the broader Merida/CARSI strategic approach that guides Administration actions in the region.

9. Experts estimate that between \$18 and \$39 billion in illegal money is moved every year from the United States to Mexico. We have heard about numerous money laundering threats at the U.S.-Mexican border including bulk cash smuggling, stored value cards and mobile payment. Millions in illegal funding generated by criminal activities also poses a significant threat in Central America.

- **What additional steps can we take to strengthen our anti-money laundering laws to do a better job of stopping the movement of illegal money through Central America?**
- **What assistance are we providing to these governments to assist them in strengthening their anti-money laundering laws and activities?**

DEA, working in conjunction with our Federal counterparts within the Treasury Department and Department of Homeland Security, continues to strengthen our foreign counterparts' anti-money laundering activities in Mexico and Central America through training seminars, strong bi-lateral investigations, and specialized programs. These efforts are consistent with those outlined under Merida and CARSI. For example, DEA's Office of Financial Operations has provided financial training this past fiscal year in Guatemala, Belize, Panama, and Honduras and will be holding its third Annual Regional Money Laundering Seminar in Costa Rica. Most of the training is regional in nature, in that many of these seminars have multiple representatives participating from various countries. This type of joint training is conducted for the purpose of establishing continuity and close cooperation/understanding of the procedures of money laundering investigations in neighboring countries, and in turn, educating the counterparts on how money laundering investigations are comparatively handled in the United States. All of the training is designed to provide counterparts with additional methods to investigate drug money laundering activities and exploit financial documents for successful prosecution. There have been several instances of successful seizures occurring shortly after our counterparts received the training in Central America.

10. The Northern Triangle area of Central America is now considered to be one of the deadliest place on Earth. Drug Trafficking Organizations control up to 40 percent of Guatemalan territory. The border between Guatemala and Mexico is virtually wide open with only 8 manned crossing along six hundred miles of open land. Criminal organizations are currently able to move drugs and other illegal goods back and forth with little or no interference from either government.

- **What, if any, steps are Guatemala and Mexico taking to try to increase security along their border region?**
- **Due to increased violence in the region, the Guatemalan president recently implemented a "State of Siege" to increase military presence. Do you believe that this effort will be successful and does the Government have to political will to continue this fight?**

The U.S. Department of Defense provided approximately \$21.5 million in FY 2011 to assist the Government of Guatemala in their Counternarcotics Programs. A significant portion of these

funds will be utilized to form an Inter-agency Counter Illicit Trafficking Unit that will be based at the Tecun Uman border crossing, which borders Mexico. The focus of this initiative is to counter the significant threat presented by the DTOs operating along the Guatemalan/Mexican border, as well as complement efforts to assist Guatemala in interdiction of illicit trafficking along Guatemala's Pacific coast. The unit will have a mobile interdiction component that will patrol several key locations surrounding the Tecun Uman border crossings, essentially creating a security zone that will serve to significantly disrupt illicit trafficking activities in the area. The U.S. will monitor this initiative closely and, if successful, can assist Guatemala in replication of this program in other Guatemalan border areas, as determined by the location of existing and emergent DTO threats.

Guatemala's problems are not problems that can be solved quickly. Continued U.S. assistance to the Government of Guatemala to help them maintain their political will is critical. Whether or not that assistance will be enough to maintain political will throughout an extended period of time is unknown.

11. Many look at the decades-long struggle in Colombia as a guide for how to address the problems in Central America but we all know that what works in one country may not work in another country.

- **What do you see as the significant similarities and differences between Colombia and the countries of Central America in the fight against narco-traffickers?**
- **What programs do you believe would work best to help Central America gain control of their territories?**
- **What recommendations would you make to the Government of Colombia in its efforts to help Central America fight the narco-traffickers?**

The most significant difference between Colombia and the Central America Region is political will. The Colombians utilized U.S. assistance to aggressively target DTOs, and former President Uribe greatly assisted the effort by approving a record number of extraditions to the United States. In Guatemala, however, political and law enforcement corruption is wide-spread and there has been insufficient effort on the part of the Government of Guatemala to target DTOs. Although this situation is slowly improving as indicated by the success in 2011 in arresting U.S. fugitives in Guatemala, significantly more must be done by the incoming government to demonstrate sustained political will.

DEA has many years of experience in the region, and we have carefully chosen the programs outlined in our five-year counternarcotics strategy as the most pressing areas of reform needed in these nations. While we have tailored our programming in each country to the specific set of circumstances each country faces, DEA's overall goal was to develop a more comprehensive regional strategy. The chief purpose of this regional strategy is to ensure that law enforcement capabilities and judicial and institutional reform across the region are at an equivalent level and that communication among the countries is open, giving DTOs no safe haven to traffic between Colombia and Mexico. To this end, the most important programs DEA is implementing over the

next five years include increased SIU and other vetted unit presence in the region, implementation of judicialized wire intercept capabilities across the region, and improving regional intelligence coordination among Central American counternarcotics law enforcement agencies. DEA will also continue to provide counternarcotics training and equipment to local law enforcement, as needed, and will continue to work with the U.S. Interagency in the region.

DEA is also recommending that the Colombians provide training for police and prosecutors to the countries of Central America. These countries are in desperate need of training in case management, judicial and prosecutorial training, asset removal, criminal investigations, operational planning, and other aspects of organizational management. Colombia has gone from a recipient of U.S. counter-drug assistance and training to an exporter of that knowledge, expertise, equipment, and training with other partners in the region.

At the Eighth Tripartite Strategy Meeting held at DEA's annual International Drug Enforcement Conference in April 2011, attended by DEA Administrator Michele Leonhart, Mexican Secretary for Public Security Garcia Luna, and Director General of the Colombian National Police Oscar Naranjo, each representative acknowledged the importance of assisting Central America as a region in its counternarcotics efforts. Central America has always played a crucial role in the transshipment of drugs from South America to Mexico, but as enforcement efforts in Mexico have increased, many cartels have spread their operations to areas of Central America where law enforcement institutions are weak. Central America is also vulnerable to a wide variety of drug shipment methods due to porous and relatively uncontrolled borders, including the southern border of Mexico, which is weak and difficult to guard, as noted by Secretary Garcia Luna at the Tripartite Meeting. In light of these facts, the Tripartite members agreed that a focus on assistance to Central America and an increase in intelligence sharing must be implemented to stem the spread of Mexican DTOs to Central America, and to enhance Central America's ability to combat trafficking through the region. Each member of the Tripartite expressed a willingness and desire to assist Central America through any means available, including the provision of equipment and training.