



Department of Justice

STATEMENT OF

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U.S. DEPARTMENT OF JUSTICE**

BEFORE THE

**COMMITTEE ON FOREIGN AFFAIRS
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U.S. HOUSE OF REPRESENTATIVES**

FOR A HEARING ENTITLED

“FUTURE U.S. COUNTERNARCOTICS EFFORTS IN AFGHANISTAN”

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Statement of James L. Capra
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Chairman Ros-Lehtinen, Ranking Member Deutch, and distinguished members of Subcommittee, on behalf of Administrator Leonhart and the Drug Enforcement Administration (DEA), I appreciate your invitation to testify today regarding DEA’s counternarcotics (CN) strategy in Afghanistan.

Introduction

The July 2010 *U.S. Counternarcotics Strategy in Afghanistan* report by the Senate Caucus on International Narcotics Control stated that, “United States Policy makers need to recognize that the Taliban operates as a drug cartel and that the drug trade in Afghanistan must be addressed with the same level of resolve as the insurgency – by utilizing every means available.” The Caucus concluded that “[i]f the U.S. Government ignores the drug problem, we will fail in Afghanistan.”

DEA’s core mission is to disrupt and dismantle the most significant drug trafficking organizations posing the greatest threat to the United States. The DEA program in Afghanistan is designed to deny narcotics-generated funding to terrorism and the insurgency, break the nexus between the insurgency and drug trafficking, promote the rule of law, and expose and reduce corruption, while diminishing the overall drug threat from Afghanistan.

Background

Afghanistan, as the world’s largest source of illicit opium, figures predominantly in the U.S. long-term strategy to address drug trafficking. Opium, morphine base, heroin, and hashish produced in Afghanistan are trafficked world-wide. DEA, in its unique capacity as the world’s preeminent drug law enforcement agency, identifies, investigates, disrupts, and targets individuals and drug trafficking organizations (DTOs) responsible for the production and distribution of illegal drugs. DEA is responsible for enforcing the provisions of domestic controlled substances and chemical diversion trafficking laws, and consequently serves as the nation's primary agency for ensuring national compliance with the provisions of international drug control treaties. To accomplish this, it is essential that DEA share its knowledge and expertise with our foreign counterparts, as well as develop strong working relationships with them.

Although Afghanistan produces an estimated 80 percent of the world's illicit opiates, currently only limited quantities of heroin found in American cities is of Afghan origin. The primary markets for Southwest Asian opiates continue to be Europe, Russia, Iran, Central Asia, Southeast Asia, China and, increasingly, coastal Africa. The nexus between drug trafficking and the

insurgency in Afghanistan continues to grow and is not a new trend. Insurgent groups in Afghanistan utilize drug trafficking proceeds to advance their political agendas. Terrorist groups utilize alternative sources of financing, including fundraising from sympathizers, including certain nongovernmental organizations, and criminal activities such as arms trafficking, money laundering, kidnap-for-ransom, extortion, racketeering, and drug trafficking. Terrorist groups often seek to exploit these economic activities in their areas of influence; this is particularly true with drug trafficking due to its lucrative nature and international prevalence. The Taliban is involved in taxing opium poppy farmers; operating processing laboratories; moving narcotics; taxing narcotics transported through Taliban checkpoints and/or Taliban controlled territory; providing security to poppy fields, drug labs, and opium bazaars; and collecting “donations.”

The Government of Afghanistan developed its National Drug Control Strategy in cooperation with international partners. This strategy reaffirms the U.S. commitment to assist Afghanistan in breaking the narcotics-insurgency nexus and reinforcing the legitimacy of its governmental institutions. Given the drawdown of U.S. combat forces in Afghanistan, DEA’s efforts are focused on supporting effective and sustainable Afghan CN programs.

The Situation Today

The narcotics trade in Afghanistan undermines licit economic development, enables corruption, erodes government legitimacy, facilitates other forms of transnational organized crime, and threatens stability, security, and rule of law in Afghanistan and across the region. Sustaining the successful security transition to Afghan forces will rest in part on limiting insurgents’ access to drug-related funding and support.

In response to this challenge, in 2003, DEA reopened the Kabul Country Office (CO) in Afghanistan. By the end of fiscal year (FY) 2013, DEA had NSDD-38 approval for a total of 97 authorized positions in Afghanistan. This authorized staffing level includes 82 permanent positions plus 15 temporary duty positions (TDY). The TDY positions include 3 pilots and 12 Foreign-deployed Advisory and Support Team (FAST) members. Additionally, the DEA Kabul CO is supported by 13 contract employees, including 4 intelligence analysts, 3 pilots, 5 air wing mechanics/avionics technicians, and 1 office network technician. In FY 2014, DEA will gradually reduce staffing in a manner consistent with the U.S. military drawdown and Administration priorities.

DEA’s efforts in Afghanistan are supported through both direct annual appropriations and reimbursable agreements with the Departments of State (DoS) and Defense (DoD). In FY 2013, DEA dedicated approximately \$17 million of its annual appropriation to provide all necessary support for 13 permanent positions, plus the FAST personnel and TDY pilots in Afghanistan.

In FY 2013, DEA also received \$30.5 million from the DoS Bureau of South and Central Asia Affairs (DoS-SCA) primarily for personnel-related costs; and \$6.6 million from DoD for the operation and maintenance of aircraft, \$8.7 million for the startup costs associated with Global Discovery Aircraft, and \$350,000 for staffing reimbursements. DEA also received \$16.2 million for program costs from the DoS Bureau of International Narcotics and Law Enforcement Affairs (DoS-INL), available for use between FY 2012-2014, and to date, DoS-SCA has committed

\$15.9 million for personnel and program costs in FY 2014. DEA and DoS-SCA are still working to determine the remaining resource requirements for FY 2014.

Vetted Units and Capacity-Building

The Kabul CO is engaged in a decade-long effort to assist the Afghan government by developing Ministry of Interior specialized units of the Counternarcotics Police-Afghanistan (CNP-A) and working to break the country's nexus between narcotics and public corruption. DEA, with support from DoD and DoS, has developed the CNP-A, through training and mentoring, to be able – on its own – to investigate, arrest, and assist in the prosecution of high level drug traffickers. The DEA is actively involved in, and remains committed to, continuing to mature the CNP-A.

DEA was also instrumental in standing up the Afghan National Interdiction Unit (NIU), the Sensitive Investigative Unit (SIU), and the Technical Investigative Unit (TIU), a sub-unit of the SIU. The DEA Office of Training, in conjunction with the U.S. Central Command and Kabul CO, has also provided oversight for the Afghanistan Regional Training Team (RTT). The RTT provides basic, sustainment and advanced training to members of the CNP-A and its specialized enforcement units, the NIU, the SIU, and the TIU. For each of these three units, DEA has provided guidance to the Afghans on developing, conducting and taking an active leadership role in investigations and operations, as well as provided advice on building a sustainable organizational structure and resolving inter-agency issues.

DEA continues to develop the capability and capacity of the specialized vetted units of the CNP-A to address the illicit drug trade. Enabling the vetted units of the CNP-A to independently combat the narcotics trade, with gradually increasing degrees of responsibility and ownership, will reinforce broader U.S. security goals in the region. Candidates for the Afghanistan vetted units are carefully chosen from within the CNP-A based on professional, psychological, physical, and stringent ethical standards. All vetted unit members to include the NIU, SIU and TIU undergo background checks, urinalysis, and Leahy Vetting to ensure the most trustworthy personnel are selected for the program. SIU candidates are held to an even higher standard and are subjected to polygraph examinations conducted by DEA and receive training at the DEA Academy in Quantico, Virginia. In addition to this initial vetting process, members are randomly selected for polygraph exams and urinalysis testing during their assignment to the SIU.

DEA's capacity-building efforts include: training, providing equipment and infrastructure, and mentoring by DEA enforcement, intelligence, and training personnel. The vetted units (NIU, SIU and TIU) require specialized equipment and mentoring in technical investigative techniques, namely wire intercept equipment and in the investigative analysis of information obtained from these intercepts. DEA has provided operation and maintenance support for the Judicial Wire Intercept Program (JWIP) system as well as contract intelligence analysts to mentor Afghan law enforcement officers in the proper investigative techniques for analyzing intercepted conversations.

The NIU is a professional cadre of law enforcement personnel specially trained and equipped to safely make arrests and serve search warrants, and actively supports the SIU with a full range of

capabilities, from providing security for undercover officers meeting with drug traffickers, to air mobile operations targeting clandestine drug labs and storage sites. All investigative efforts and enforcement operations are conducted under Afghan law, which enhances the legitimacy of the Afghan government.

The RTT was formed to assist in building capacity and professionalism within Afghanistan's CN security forces. The prime focus for the RTT is to train the DEA mentored vetted units within the CNP-A. The training provided by the RTT plays an integral role in efforts to target the most significant drug trafficking networks, collect evidence, and arrest and prosecute drug traffickers in accordance with Afghan law. The RTT programs provide Afghan trainees with mentoring, training, and direct operational support, with the objective of making the CNP-A, NIU, and SIU capable of independent operations. In 2013, the RTT taught over 500 classes with approximately 10,000 Afghan students.

During the past nine months, the CNP-A initiated and led 2,490 operations in distinct parts of the country. As a result, 2,258 arrests were made, 55 drug labs were destroyed, over 60,619 liters and 32,214 kg of chemicals and over 121 metric tons of drugs were seized. The defendants arrested in these investigations are being prosecuted through the Afghan judicial system.

Financial Threat

The United Nations (UN) has estimated that the international drug trade generates \$322 billion per year in revenue, making drugs by far the most lucrative illicit activity. According to the UN, revenues from other types of illicit transnational activity, such as arms trafficking and alien smuggling, are small by comparison. Drugs provide many different avenues of revenue, including the taxing of farmers and local cartels, and the provision of security for all aspects of production, trade, and distribution. Terror organizations do not, in general, require massive sums of money for their operations, but must finance training, infrastructure needs, equipping their members, bribing local officials, recruiting, and logistics. Major criminal patronage networks are targeted for investigation and prosecution, especially those supporting terrorism and the insurgency. DEA's SIU program, which is used in a dozen countries, has proven to be highly successful in Afghanistan. Within the Afghan SIU, DEA established the SIU-Financial Investigation Team (SIU-FIT), a sub-unit of financial investigators mentored by the DEA-led Afghanistan Threat Finance Cell (ATFC); which is co-led by DoD and includes a detailee from the Department of the Treasury.

The ATFC utilized its multi-agency law enforcement personnel and its close working relationship with the vetted Afghan SIU-FIT and the Central Bank's Financial Transactions and Reports Analysis Center for Afghanistan (FINTRACA), to become a major hub for terrorist and illicit finance intelligence collection, analysis and dissemination. Information from ATFC is available to the law enforcement, intelligence, military and diplomatic communities. The threat finance networks in Afghanistan consist of mutually-beneficial relationships between the insurgency, narcotics traffickers, unscrupulous members of the financial and commercial sectors, and corrupt public officials. These relationships create the networks that the ATFC targets. This has led the ATFC to build target packages and provide information for designations pursuant to

the counterterrorism authority of E.O. 13224 and the Foreign Narcotics Kingpin Designation Act. It also develops high-level corruption investigations with the SIU-FIT.

The ATFC, in conjunction with Afghan authorities, has developed a list of core competencies for Afghan financial investigators and a robust training program for the SIU-FIT that are expected to develop of a cadre of Afghan financial investigators who can work independently of foreign mentorship. In fact, the SIU-FIT is already conducting investigations without ATFC involvement, but with ATFC leadership – at the Afghans’ request – periodically reviewing the work.

During the last two years alone, the DEA-supervised ATFC law enforcement element has identified and disrupted multiple terrorist networks, including the Herat Insurgent Network, which was led by Abdullah AKBARI. AKBARI’s network has murdered over 100 Afghan civilians and smuggled weapons, drugs, and money for Al Qaeda, the Taliban, and other Islamic extremist groups. AKBARI was killed during an arrest attempt.

In addition, DEA, in coordination with DoD, continues to implement the Afghan JWIP, the installation of which was approved by President Karzai, that provides admissible evidence for use in courts of law in Afghanistan, the United States, and other nations. The JWIP is staffed by the CNP-A TIU, by officers selected from the SIU based on their technical aptitude for working wire intercepts and conducting analysis. Additionally, vetted civilian translators work with the TIU and provide monitoring and linguistic support. This judicial intercept program, reviewed by prosecutors and authorized by judges, is used by the SIU to develop prosecutable cases against DTOs operating in and around Afghanistan. Since its inception in December 2008, JWIP efforts have led to several successful prosecutions in Afghanistan.

Foreign-deployed Advisory Support Teams (FAST)

One of five, 10-member FAST teams trained by U.S. Special Forces rotate to Afghanistan every 120 days. This allows for interoperability with U.S. Special Forces and the North Atlantic Treaty Organizations’ International Security Assistance Force. FAST augments the agency’s workforce and capabilities in Afghanistan and partners with the NIU to identify, target, disrupt, and dismantle DTOs.

Special Operations Division (SOD)

DEA’s SOD operations directly support Afghan law enforcement activities, including SIU and TIU efforts directed against significant drug trafficking organizations. While coordinating cases with SOD, Afghan vetted units learn the investigative techniques required to identify, investigate, and take down extensive drug trafficking organizations. The long-term development, establishment, and maintenance of high-level confidential sources (CS), is one of the primary objectives of SOD’s enforcement groups. The Kabul CO and their Afghan partners in the vetted units work together to identify, recruit, and direct these CSs. These CSs are then used proactively to target the most significant drug traffickers, money launderers, terrorists, and narcoterrorists in the region.

SOD also directs regional investigations with the goal of indictment, extradition of fugitives to the United States, and prosecution in the United States utilizing statutes with extra-territorial jurisdiction. SOD has assigned a Special Agent to the Kabul CO from its Counter-Narcoterrorism Operations Center (CNTOC) that provides operational coordination with the intelligence community on all of DEA's narcoterrorism related investigations.

CNTOC's assigned personnel provide direct support to the Kabul CO and its Afghan counterparts on its investigations and coordinate the investigations with Afghanistan's neighboring countries. This close coordination and real time response to Kabul CO investigations allows the office to have the greatest possible impact on complex investigations of international DTOs.

Aviation Support

DEA's Aviation program permits the successful pursuit of drug investigations and other DEA mission objectives in an otherwise hostile environment. The program's flexibility and ability to minimize operational delays and barriers is unique for civilian programs in the region.

Interagency Operations Coordination Center (IOCC)

The IOCC's mission is to provide CN network analysis and targeting support to U.S. and United Kingdom (UK)-mentored Afghan agencies and to de-conflict CN targets and operations, as well as support law enforcement agencies. Its objectives are to assist the CNP-A to arrest and present for prosecution significant traffickers and key associates to the Afghan judicial system. The IOCC is led by a director and deputy director; those positions rotate annually between senior managers of DEA and the UK's National Crime Agency, formerly the Serious Organized Crime Agency. The two primary action arms that the IOCC supports are the DEA-mentored NIU and the UK-mentored Afghan National Security Force.

Challenges ahead

DEA currently relies heavily on the U.S. military for force protection, airlift and close air support, and in extremis support during the execution of CN operations. The scope of DEA's counterdrug operations will be reduced without U.S. military and coalition forces to support field operations throughout Afghanistan, particularly in uncontrolled areas throughout Helmand and Kandahar.

Currently, the Government of Afghanistan is not capable of absorbing or replicating the scale of assistance provided by the international community, and further attention must be given to developing Afghan policymaking and programmatic capacity to ensure that Afghan law enforcement agencies can successfully operate in a challenging security environment.

In December 2012, DEA and the interagency community developed an updated *U.S. Counternarcotics Strategy for Afghanistan* focused on strengthening the Afghan government's capacity to combat the drug trade, counter the link between narcotics and the insurgency, and disrupt drug-related funding to the insurgency. This strategy prioritizes U.S. CN assistance

during the security transition and upcoming drawdown of U.S. combat forces. It establishes the basis for cooperation over the next decade, including shared commitments to combat terrorism and strengthen democratic institutions.

Consistent within this strategic framework, the United States remains committed to helping the Government of Afghanistan break the narcotics-insurgency nexus and further connect its people to their government. The DEA supports a CN plan in Afghanistan that is realistic, durable, sustainable, and that protects U.S. national security interests. Ultimately, Afghan leadership must be capable of providing security and executing CN programs.

Looking Forward

To respond to these challenges, DEA will need to transition its operational profile to more closely correspond with traditional DEA operations overseas – conducting bilateral investigations that target significant trafficking organizations while advising and assisting selected host nation law enforcement units, collecting drug-related intelligence, and supporting domestic DEA investigations. In order to meet this objective, the Kabul CO will focus narrowly on partnering with the SIU and NIU of the CNP-A in order to sustain the level of capacity and capability to conduct significant investigations and to execute effective operations that have been laboriously built over a decade of conflict.

During the security transition and continuing drawdown of U.S. combat forces, DEA will also be drawing down to a level that will represent its new normal staffing level in Afghanistan and DEA will confront a challenging security environment post-2014.

Staffing

The CN capability that the Government of Afghanistan currently demonstrates has been achieved at great cost. It represents years of great sacrifice by DEA personnel and an enormous expenditure of U.S. Government resources. The erosion of this capability puts at risk the U.S. strategic objective of achieving a stable and secure Afghanistan, given the destabilizing effect drug trafficking presents.

DEA plans to maintain a minimum staffing level in Afghanistan post-2014. The Kabul CO will continue to provide support to both the SIU and NIU through training, mentoring and coordination to ensure successful outcomes for the significant bilateral investigations and joint operations conducted by these specialized units.

Given the size and the complexity of the NIU's operational missions, DEA may supplement the Kabul CO advisory effort to the NIU with periodic deployments of FAST personnel. FAST personnel can provide the Kabul CO with mission-specific skills, such as Personnel Recovery of DEA personnel, assisting the Kabul CO and their SIU/NIU counterparts with complex investigation planning and execution of interdiction programs, and managing enforcement operations in a high threat environment with limited resources and support.

International Coordination

DEA will continue to facilitate the integration of Afghanistan into the broader, regional effort to reduce heroin trafficking. Given the inherent difficulties of fostering effective partnerships among the various participants, DEA is often called upon to facilitate the level of trust required to pursue multilateral investigations.

While much can be accomplished by the partners in the region, more can be accomplished if Afghanistan retains and grows its capacity to be an effective partner. When one considers that virtually all of the heroin trafficked in or through the region is of Afghan origin, the continued success of the NIU and the SIU, to include the JWIP, will provide a wealth of investigative leads to other partner nations.

Conclusion

DEA's enduring presence in Afghanistan is designed to preserve security gains made over the past decade and to disrupt and dismantle the most significant DTOs posing the greatest threat to the United States. DEA, through a partnership with the Afghans, plans to continue to disrupt DTOs, contain the flow of drugs from Afghanistan, dismantle threat networks, and work with external partners to coordinate CN efforts in the region, but the extent of DEA's efforts post-2014 will be impacted by the mission and footprint of U.S. forces in Afghanistan after 2014.

DEA believes that a reduced staffing presence, plus FAST and TDY pilot support, will allow the continuation of critical CN operations in Afghanistan post-2014. While DEA will be able to sustain much of the advances it has made, especially the build-up of Afghan vetted unit capabilities, the U.S. military drawdown in Afghanistan and corresponding decreases in DEA staffing levels will significantly impact the scope of DEA's operations.

Thank you for the opportunity to testify before the Subcommittee today, and we look forward to working together with you on CN Operations in Afghanistan.