

United States Senate

WASHINGTON, DC 20510

July 11, 2017

The Honorable Rex Tillerson
Secretary of State
Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Jeff Sessions
Attorney General of the United States
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Secretary Tillerson and Attorney General Sessions,

We write to express serious concerns about the actions of officials from the Drug Enforcement Administration (DEA) and the State Department's Bureau of International Narcotics and Law Enforcement (INL) related to operations that led to civilian casualties in Honduras in 2012.

On three separate dates, May 11, June 23 and July 3, 2012, DEA personnel were involved in deadly force incidents during counterdrug missions "designed to disrupt drug transportation flights from South America to Honduras."^[1] Failures at many levels of training, planning and organization resulted in multiple deaths and injuries of innocent individuals.

The recent joint report by the Department of State Office of the Inspector General (OIG) and the Department of Justice OIG on these incidents includes deeply disturbing findings that DEA and INL officials:

- Provided inaccurate, incomplete, and misleading information to Congress;
- Failed to conduct – and in some cases obstructed efforts to carry out – a serious internal investigation;
- Actively undermined and refused to comply with Chief of Mission authority of the U.S. Ambassador to Honduras, who serves as the President's official representative in the country;
- Admitted that DEA personnel maintained substantial control over the operations only after previously insisting they had only acted in an advisory and supporting role; and

^[1] <https://oig.justice.gov/reports/2017/o1702.pdf#page=1>, p. i.

- Were negligent in their pre-operational planning, including by failing to establish clear guidelines for the use of lethal force.

We are particularly alarmed that the OIGs found that DEA and INL officials repeatedly and knowingly misled Members of Congress and congressional staff. We request that you provide us with a detailed written account of the steps that you intend to take to ensure that officials in your Departments will comply with Congressional oversight.

We are also deeply disturbed by information provided by the OIGs that not a single official in either Department has been subject to disciplinary action. It is unacceptable that DEA and INL officials undermined congressional oversight, obstructed an internal investigation, and failed to comply with Chief of Mission authority. While we understand that most of the DEA officials that held relevant supervisory positions at the time of the incidents have left the agency, some remain, and many of the agents involved in the operations continue to work in the field. At the Department of State, most of the relevant officials remain employed at the Department. We ask that you both provide us a list of officials and personnel who were involved in any manner in these three incidents who are still employed at your Departments and a description of any disciplinary action that you intend to take.

Additionally, we are concerned that information obtained by the OIGs indicates that Honduran police officers attempted to cover up aspects of what occurred, including planting evidence, and that this may have been known to officials in your Departments. We request that you detail what steps you will take to encourage Honduran authorities to hold such individuals accountable.

Finally, we would like to express our sincere gratitude to the men and women of the Department of Justice OIG and the Department of State OIG. Without their comprehensive efforts, dedication and professionalism, Members of Congress, the American people, the people of Honduras, and the families of the victims would not have a truthful and comprehensive understanding of the events that occurred.

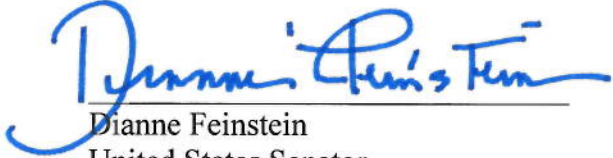
Thank you for your assistance. We look forward to your response.

Sincerely,


Benjamin L. Cardin
United States Senator


Chuck Grassley
United States Senator


Patrick J. Leahy
United States Senator


Dianne Feinstein
United States Senator