



# Counter-Drug Operations

*August 14, 2020*

Fiscal Year 2020 Report to Congress



Homeland  
Security

*Under Secretary for Management*

# Message from the Office of the Under Secretary for Management

August 14, 2020

I am pleased to present the following report, “Counter-Drug Operations,” which has been prepared by the U.S. Coast Guard.

House Report 116-180 accompanying the Fiscal Year 2020 Department of Homeland Security Appropriations Act (P.L. 116-93) directs the Department to provide a report on its counter-drug operations and efforts to address operational needs in the Western Hemisphere Transit Zone and throughout the Caribbean basin, specifically in and around Puerto Rico and the U.S. Virgin Islands.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:



The Honorable Lucille Roybal-Allard  
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security.

Inquiries relating to this report may be directed to me at (202) 447-3400.

Sincerely,

A handwritten signature in blue ink that reads "R. D. Alles". The signature is written in a cursive, flowing style.

R. D. Alles  
Deputy Under Secretary for Management



# Counter-Drug Operations

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# I. Legislative Language

This document responds to direction in House Report 116-180 accompanying the Fiscal Year (FY) 2020 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-93).

House Report 116-180 states:

Counter-Drug Operations.—The Committee directs the Department to provide a report, not later than 180 days after the date of enactment of this Act, on its counter-drug operations and efforts to address operational needs in the transit zone and throughout the Caribbean basin, specifically in and around Puerto Rico and the U.S. Virgin Islands.

## II. Background

### Counter-Drug Mission Overview

The Coast Guard is the lead and only federal maritime law enforcement agency with both the authority and capability to enforce national and international law, including drug interdiction, on the high seas. The Coast Guard shares the lead for interdiction and enforcement responsibilities with U.S. Customs and Border Protection (CBP) in U.S. territorial waters. Illicit maritime drug shipments are carried both by noncommercial means such as small “go-fast” vessels with multiple outboard engines, semisubmersible vessels, fishing vessels, and sailing vessels, as well as by commercial vessels such as container ships. The majority of known maritime drug flow is conveyed via noncommercial means through the Western Hemisphere Transit Zone (WHTZ)—the waters off the coasts of Central and South America and the Caribbean Sea.

The Maritime Drug Law Enforcement Act, 46 U.S. Code (U.S.C.) §70501-70507, is the primary criminal statute that the Coast Guard enforces in the counter-drug mission. The law applies extraterritorially so that persons who are interdicted aboard suspected drug smuggling vessels in international waters may be prosecuted in the United States when the elements of the offense are met.

To combat the growing threat posed by the drug trafficking organizations’ expanded use of semisubmersible and submersible vessels, the Drug Trafficking Vessel Interdiction Act (P.L. 110-407) was enacted in 2008. Because of the danger that the drug trafficking organizations pose to our national security, Congress enacted this law making it unlawful (when certain elements are met) for any person knowingly to operate, by any means, or to embark in any submersible or semisubmersible vessel. The law applies extraterritorially so that persons who are interdicted in a semisubmersible or submersible vessel in international waters may be prosecuted in the United States when the elements of the offense are met.

The Coast Guard uses cutters, boats, and aircraft in a layered approach to combat cartels as they transport illicit drugs from the source zone, through the WHTZ and into the United States. This approach confronts the threat beyond our land borders on the high seas where traffickers are most exposed and drugs are most vulnerable to interdiction by law enforcement assets.

In the WHTZ, the Coast Guard is the major maritime interdiction asset provider to U.S. Southern Command through the Joint Interagency Task Force – South (JIATF-South), which executes the Department of Defense (DOD) statutory responsibility for detecting and monitoring illicit drug trafficking in the air and maritime domains bound for the United States. Fixed-wing maritime patrol aircraft, provided by the Coast Guard, CBP, DOD, and allies, coupled with sophisticated intelligence cueing capabilities provided through JIATF-South and other agencies, enable U.S. Government and partner nation interdiction efforts. The Coast Guard’s most capable interdiction platforms include flight deck-equipped major cutters with embarked airborne use of force rotary wing capability, deployable pursuit-capable boats, and Coast Guard law enforcement detachments embarked on U.S. Navy (USN) and allied ships.

The Coast Guard maintains an active presence in the WHTZ as the primary force provider of surface assets to JIATF-South in the whole-of-government effort to disrupt the narcotics flow and other criminal network activity. Through this role as the enforcement arm to JIATF-South, at-sea interdictions of pure cocaine are the most effective way for the Coast Guard to limit transnational organized crime and other criminal networks from trafficking their entire spectrum of illicit products. In order to increase effectiveness of Coast Guard interdictions, the Coast Guard must maximize detection and monitoring of vessel traffic in the WHTZ.

## U.S. Navy Support

U.S. laws, most notably the Posse Comitatus Act, 18 U.S.C. §1385 and 10 U.S.C. § 275, historically prohibit USN and other DOD personnel from enforcing U.S. law directly or from participating directly in law enforcement activities unless expressly authorized by Congress. In 1981, Congress specifically authorized the limited use of DOD military facilities, platforms, and equipment to assist federal authorities in maritime drug interdiction through detection and monitoring. As an example, Coast Guard Law Enforcement Detachments (LEDET) routinely deploy aboard USN vessels to conduct law enforcement boardings pursuant to authority set forth in 10 U.S.C. §379. Until 2015, USN frigates were the primary platform for deployment of LEDETs. Following the decommissioning of the USN's last remaining frigates in 2015, the Coast Guard and U.S. Southern Command continue to seek additional and/or alternate platforms from which LEDETs can embark. Since 2015, the USN has employed multiple ship classes in support of the counter-drug mission, including the Littoral Combat Ships (first deployed in 2019) and Cyclone-class coastal patrol boats. In addition to providing surface asset support, USN employs P-8 maritime patrol aircraft to bolster detection capability throughout the WHTZ. The P-8 has proven to be one of the most effective detection assets in the region, bolstering interdiction performance for U.S. Government and partner nation surface assets.

## Partner Nation Coordination

In coordination with JIATF-South, the Coast Guard engages with partner nations throughout the Western Hemisphere, leveraging their capabilities and local knowledge to improve maritime governance in the littoral regions being exploited by transnational criminal organizations. To this end, Coast Guard personnel are posted as attachés, liaisons, maritime advisors, and drug interdiction specialists at several of our embassies in the Western Hemisphere. These personnel develop strategic relationships with partner nations that facilitate the coordination of real-time operations; confirmation of vessel registry; waivers of jurisdiction; and disposition of seized vessels, contraband, and detained crews. The Coast Guard's law enforcement, legal, and regulatory expertise are in high demand from Central American partners, whose navies more closely resemble the Coast Guard, focusing primarily on maritime law enforcement. Coast Guard international training teams, as well as Coast Guard units deployed in the region, increase professional interaction, shiprider activities, and training in conjunction with operations. Shiprider activities consist of personnel embarked on partner nation enforcement vessels to aid in law enforcement operations in or near their nation's territorial seas. Coast Guard training teams also execute maritime engagement activities coincidental with port visits and patrols.

A prime example of the Coast Guard's engagement in the Western Hemisphere is the Coast Guard Support to Interdiction and Prosecution Team (CG-SIP) program, established in 2015 through collaboration with the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs. CG-SIP consists of two Coast Guard Investigative Service special agents who advise and assist the partner nation's law enforcement agencies with maritime interdiction activities. The first program was in Panama, providing maritime counter-drug and prosecutorial support and coordination between Coast Guard strategic, operational, and tactical units; the U.S. Embassy country teams in Central America; Combatant Commanders; and JIATF-South. This program serves as a blueprint for innovative expansion of Coast Guard support to partner nations, with a similar program implemented in the Dominican Republic in 2019.

Further promoting international cooperation and success, the Coast Guard leveraged the value of the U.S./Costa Rica and U.S./Guatemala bilateral agreements with joint shiprider operations from December 2018 through December 2019. Through these operations, Costa Rican and Guatemalan maritime interdiction units, supported by Coast Guard law enforcement personnel, enhanced their ability to conduct interdiction operations from their surface assets, including the newly acquired Costa Rican Libertadores (former Coast Guard 110-foot patrol boats), resulting in the removal of nearly 7 metric tons of cocaine and apprehension of 30 suspected smugglers. More important, the invaluable operational knowledge and skill sets conveyed by Coast Guard law enforcement personnel, coupled with a bolstered surface fleet, enabled both countries' maritime enforcement agencies to emerge as powerful force multipliers in the WHTZ. Joint operations like this are expected to continue in the future.

Increased cooperation with our close Western Hemisphere partners such as Panama, Colombia, and Costa Rica over the last several years has garnered substantial results in the multinational fight against transnational organized crime. In FY 2019, JIATF-South reported that partner nations contributed to 50 percent of drug interdictions in the WHTZ, the highest in JIATF-South's history. Furthermore, Coast Guard support helped Panama and Costa Rica to strengthen their prosecutorial systems to enhance the likelihood of meaningful consequences for convicted drug smugglers. This support included boarding officer witness testimony to nearly 10 in-country trials.

Working in conjunction with the Department of State and Department of Justice, the Coast Guard negotiated, concluded, and maintained 41 counter-drug bilateral agreements and operational procedures with partner nations throughout the world; the majority of which are in the Western Hemisphere. These agreements enable the Coast Guard to: board suspect vessels, facilitate interdictions in underpatrolled territorial waters of partner nations, deter illicit activity in the littoral regions, and coordinate interdiction and apprehension operations in the WHTZ. Nearly 60 percent of all Coast Guard interdictions in FY 2019 involved the use of a bilateral agreement or an operational procedure (process to facilitate law enforcement activity agreed to with a partner nation that is less formal than a bilateral agreement).

## III. Discussion

### Interdictions

In FY 2019, the Coast Guard removed 207.9 metric tons of cocaine and more than 63,000 pounds of marijuana from the WHTZ (including seizures as well as contraband lost or destroyed by traffickers, typically as a result of interdiction activity). During the past 4 years, the Coast Guard removed more than 816 metric tons of pure cocaine from the WHTZ.

- The 207.9 metric tons of cocaine removed by the Coast Guard in FY 2019 is equivalent to 4.16 billion individual doses. That is enough for EVERY American to be drugged for almost 13 consecutive days.
- The 207.9 metric tons of cocaine is valued at \$6.14 billion.

### Caribbean Basin Interdictions

In FY 2019, the Coast Guard removed 33 metric tons of cocaine from the Caribbean, Bahamas, and Florida Straits vectors. Although this is far less than the 175 metric tons removed in the Eastern Pacific, Coast Guard Caribbean interdictions were up 35 percent from FY 2018. The Coast Guard also observed a 106-percent increase in boardings of vessels claiming Venezuelan nationality from FY 2018 to FY 2019. This resulted in a 46-percent increase in cocaine removals from Venezuelan vessels and five times the number of suspects referred to the United States for prosecution. Although not included in the above figures, it should be noted that this increase in Caribbean maritime interdictions was accompanied by an apparent increase in noncommercial air smuggling of cocaine from Venezuela to Mexico and Central America. These increases are indicative of cartels modifying tactics to exploit Caribbean threat vectors.

A greater emphasis on Caribbean drug smuggling awareness, enhanced detections of smuggling conveyances, and more robust information-sharing is required in the Caribbean where shorter transit distances, legitimate vessel traffic, and close proximity to foreign territorial seas can complicate counternarcotic mission success. The Coast Guard's continued integration with the interagency as well as with partner nations is a key element to success in this region.

### The Arrival Zone

Closer to the shores of the United States, Coast Guard operational commanders work with other operational Components within DHS and across the interagency to provide a robust presence in the maritime approaches by deploying Fast Response Cutters, high-speed pursuit boats, and medium range fixed-wing aircraft. The Coast Guard Atlantic Area Commander serves as the Director of Joint Task Force East, overseeing coordination efforts for DHS Components operating in the maritime approaches of the Caribbean Sea, Gulf of Mexico, and Eastern Pacific Ocean. This task force is instrumental in the Department's aggressive posture aimed at securing the maritime borders surrounding Puerto Rico and the U.S. Virgin Islands, including the

approaches from South America, Hispaniola, and the Leeward Islands. In addition to steady state presence, Joint Task Force East conducts surge operations to counter specific threats or to respond to intelligence trends.

## Bilateral Agreements and Interagency Partnerships

The Coast Guard relies heavily on its partnerships, especially with international partners, to interdict narcotics effectively in the WHTZ. Of the 41 international bilateral agreements and operational procedures maintained by the Coast Guard, 34 are within the Western Hemisphere. Others are in the Western Pacific islands and include Kiribati, Marshall Islands, Nauru, Palau, Samoa, Tonga, and Tuvalu.

Existing bilateral agreements were enacted 192 times in FY 2019.

- This is a 6-percent decrease from FY 2018 (204 enactments).
- There were 152 enactments in FY 2017 and 161 enactments in FY 2016.

The United States - Ecuador Operational Procedures were used 71 times in FY 2019 (37 percent of all FY 2019 agreement enactments and up from 33 percent in FY 2018).

The United States - Costa Rica Bilateral Agreement was used 44 times (23 percent of all FY 2019 agreement enactments).

The United States - Colombia Bilateral Agreement was used 35 times (19 percent of all FY 2019 agreement enactments).

The United States and the recognized Government of Venezuela's operational procedures were used 33 times in FY 2019 (a 106-percent increase in Venezuela cases from FY 2018 (16 to 33)).

## IV. Conclusion

The Coast Guard dedicates a great deal of resources and effort to its counter-drug mission across the WHTZ and constantly is refining tactics, techniques, and procedures, as well as is optimizing the use of varied interdiction surface forces to counter the changing and increasingly sophisticated practices of the transnational criminal organizations responsible for drug smuggling through the WHTZ and into the United States. Working with interagency, DOD, and international partners, the Coast Guard continues to seek efficiencies and improvements in the execution of this critical mission.

The transnational criminal organizations operating throughout the WHTZ are a constantly evolving threat to our national and regional stability. Drug interdiction on the high seas where drug loads are most concentrated is a critical aspect of our National Drug Control Strategy's effort to reduce the availability of illicit narcotics in the United States. The Coast Guard will continue to work closely with its other federal and international law enforcement partners to maximize its collective effectiveness in the counter-drug mission.

## Appendix: List of Abbreviations

<b>Abbreviation</b>	<b>Definition</b>
CBP	U.S. Customs and Border Protection
CG-SIP	Coast Guard Support to Interdiction and Prosecution Team
DOD	Department of Defense
DHS	Department of Homeland Security
FY	Fiscal Year
JIATF-South	Joint Interagency Task Force – South
LEDET	Law Enforcement Detachment
U.S.C.	U.S. Code
USN	U.S. Navy
WHTZ	Western Hemisphere Transit Zone