



Advocacy for Human Rights in the Americas

## Testimony of

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As a U.S.-Latin America security relations specialist since the 1990s, I’ve observed U.S.-funded programming firsthand in seven countries around the hemisphere. Much of that has been supported by the State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL), which manages the largest single account assisting the security forces of Latin America and the Caribbean, International Narcotics Control and Law Enforcement or INCLE.

Unlike most USAID programming or military assistance, INCLE can assist both uniformed security forces and civilian institutions, like justice systems. At the outset of the “Plan Colombia” aid packages during the early 2000s, INCLE paid for priorities ranging from Black Hawk helicopters for Colombia’s Army to chickens for farmers who agreed to eradicate their coca plants (through a pass-through to USAID).

I never expected to see so-called “hard side” INCLE aid—the funding that supports security forces and security operations—frozen or cut back severely region-wide, as appears to be happening now. But here we are. Many of the Black Hawk helicopters at the core of those Plan Colombia aid packages were grounded, at least as of February.<sup>1</sup> So were training programs for Mexican authorities carrying out operations against fentanyl.<sup>2</sup> So was some assistance for the international security force fighting armed gangs in Haiti (though I cannot confirm whether that was INCLE or Peacekeeping Operations (PKO) aid).<sup>3</sup>

Similarly, I never expected to see the Bureau forced to justify its mission and existence, although that is less surprising for two reasons. First, it is an outcome of **poor public reporting** about the content and results of INL and INCLE programming. Transparency and vagueness in publicly available information have been an issue: the Bureau has not told its story well.

Second, though, **INL’s mandates and underlying statutes** are overdue for review, as they reflect a 40-year-old view of security challenges. This view upholds illicit drugs as a cause and a driver of security problems instead of an effect or a consequence of deeper, more comprehensive challenges. And they betray a belief that illicit drug supplies can be controlled by just cracking down harder—something that 40 years of unsuccessful crackdowns supported by INL have proved incorrect.

Working more closely with other agencies, a more transparent, rights-respecting, and holistic INL could be central to long-term efforts to build democratic security sectors, help states govern long-abandoned territories, and deprive organized crime of the corruption and impunity it requires to thrive. That would be a better counter-drug strategy than has been tried over the last several decades.

## Evolution

INL used to be jokingly called the “Drugs and Thugs” bureau. While you can still hear that, the Bureau has moved away from that in recent years, to the extent permitted by its statutes (discussed below) and by political pressure for short-term counter-drug gains.

In the last 10 or 15 years, at least in the Americas where I work, INL has adopted a **broader counter-organized crime focus**. In the past five to ten years, that has blossomed into an increasing “**law enforcement and justice reform**” focus, with an important anti-corruption component.

While this shift from the “N” to the “L” in “INL” can be overstated, it is real. The broader vision is the result of some notable trends.

First, **plant-based drugs** (cocaine, opium and heroin, marijuana) now account for a smaller share of the U.S. illicit drug market. That somewhat reduced the salience of countries—anywhere except Mexico, its immediate neighbors, and precursor producers—that are not significant source or transit states for fentanyl, methamphetamine, MDMA, and other non-plant-based drugs. Crop eradication, in particular, became less of a focus.

Second, since the spring of 2014, the U.S.-Mexico border has experienced far greater migration of children and families from Central America and, after 2020, from elsewhere. This population turns itself in to U.S. border authorities to seek protection and, in a non-trivial percentage of immigration court outcomes, qualifies for asylum.

This migration greatly increased U.S. interest in the “**root causes**” of this migration, which include citizen insecurity. In the late 2000s, INL and other agencies had launched the Central American Regional Security Initiative (CARSI), the Mérida Initiative in Mexico, and other programs to take on rapidly growing gang and organized-crime challenges.<sup>4</sup> With the mid-2010s increase in people fleeing violence and arriving in the United States, programming expanded in scale and in scope, and the term “root causes” came into more frequent use. Dollar amounts increased, and emphasis expanded from combating criminal gangs and their leaders to improving

institutions' ability to protect communities from their abuses, like homicides, extortion, recruitment, and gender-based violence.

With the goal of making people feel safer at home, the expanded emphasis on “**citizen security**,” with new programming ranging from “place-based” protection strategies to community-level violence initiatives, was a departure from security assistance programs' narrower earlier focus on defeating insurgencies and reducing drug supplies. This sort of assistance is something that the United States, which has neither a national police force nor a reserve of police trainers and advisors ready to be deployed, is still learning how to do.

Third, the “citizen security” challenge meant addressing why states in the region were not protecting their citizens from organized crime and gangs. The answer, often, was **corruption**. Criminal groups had made significant inroads into government institutions at many levels of government, and officials—politicians, security forces, judicial personnel—saw little likelihood of ever being held accountable for colluding with them.

This focus on corruption as a major indirect driver of insecurity—and thus migration—underlay the Obama administration's robust support for the Commission Against Impunity in Guatemala (CICIG) and the adoption of individual sanctions for people credibly alleged to be participating in significant corruption.

## **INL's mandate remains narcotics-centric**

In my view, and that of my organization, this evolution in INL's role has been welcome. Still, though, the Bureau continues to be principally a counter-drug agency. A narrower focus on drug supplies has had the most political support and the most pressure for quick results.

The Bureau's statutory authority upholds that. Sec. 481(a)(1)(A) of the Foreign Assistance Act reveals a “**Just Say No**”-era focus on drugs to the exclusion of other, tightly related security challenges: “International narcotics trafficking,” it reads, “poses an unparalleled transnational threat in today's world, and its suppression is among the most important foreign policy objectives of the United States.”

This results in an operating environment in which **the INL Bureau's success gets measured in hectares (eradicated), kilograms (seized), kingpins (arrested and sometimes extradited)**, and little else. These don't seem like the correct measures or objectives for dealing with a mid-21st-century security and criminal landscape.

For one thing, they cover only one of organized crime's current revenue streams. Other highly lucrative streams include illicit mining, human trafficking, human smuggling, ransom kidnappings, extortion, and illegal timber harvesting. At times, some of those—especially precious metals mining and human smuggling—may be more profitable than drugs. However, the INL Bureau's underlying statutes (Chapter 8 of Part I of the Foreign Assistance Act) say little about these other income streams.

They also say little about the reasons why the drug trade and other organized crime revenue thrive. Illicit drugs are not a force of nature: soil and climate are not the main conditions they

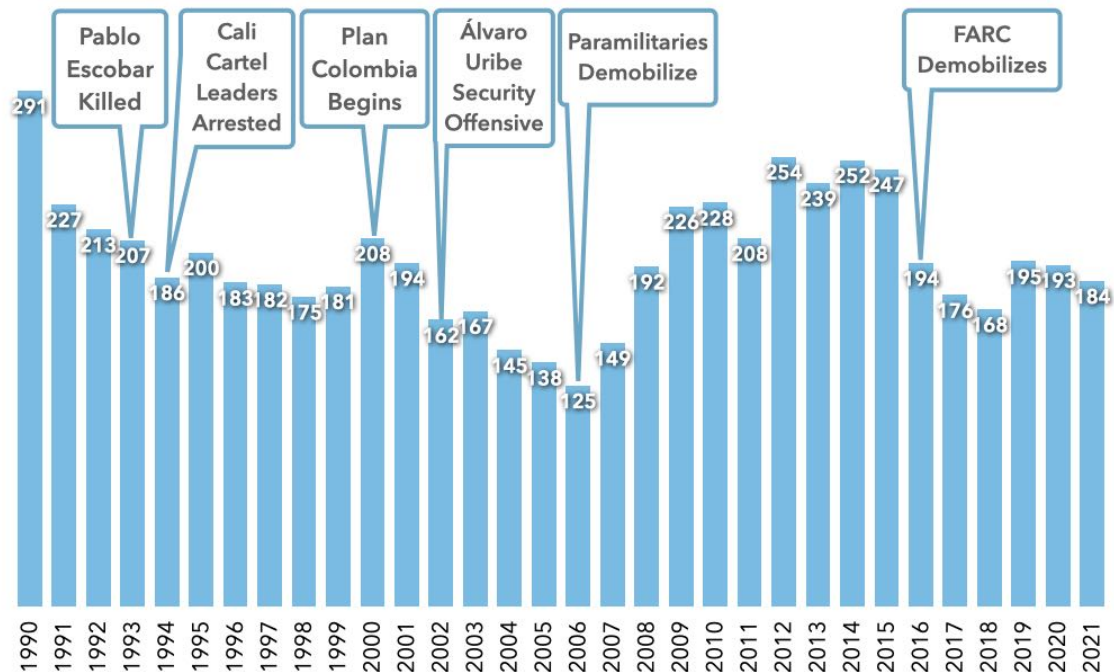
require to prosper. They need the same conditions that benefit other profitable organized crime activity: **ungoverned spaces** (or criminally governed spaces) in which to operate, high expectations of **impunity**, **collusion** with government officials who also count on impunity, weak **justice systems and civilian law enforcement**, and **honest reformers** lacking resources or even basic security protections.

## Why hasn't the narcotics focus worked?

After 40 years, the best one can say about the results of INL-backed drug supply reduction programs is that perhaps they've kept supplies from being greater than they are, although that is a hard-to-prove hypothetical.

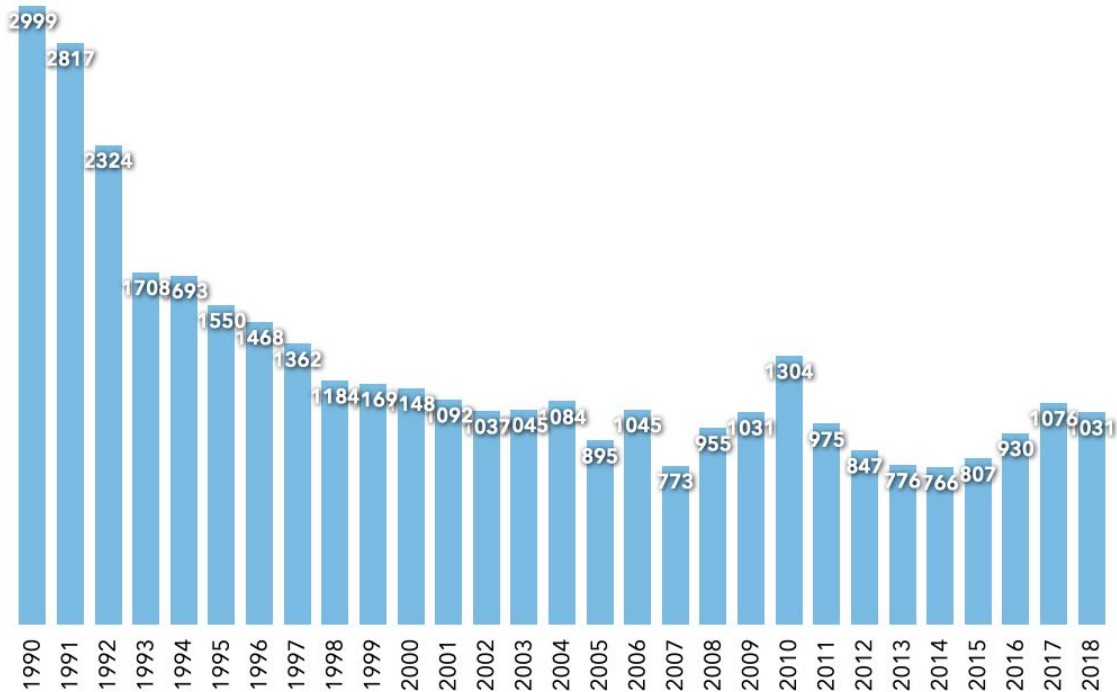
If you believe in the law of supply and demand, then the ultimate measure of a drug supply-reduction program is the price of an illicit drug on U.S. streets, adjusted for inflation and purity. Here is the inflation and purity-adjusted price data for cocaine and heroin purchased on U.S. streets since 1990, according to White House Office of National Drug Control Policy (ONDCP) data as compiled in the 2024 *World Drug Report* published by the UN Office of Drugs and Crime (UNODC, [table 8.3](#)).<sup>5</sup>

**Average cocaine retail prices (street prices) in the United States, in U.S. dollars per gram, adjusted for purity and inflation in 2021 U.S. dollars**  
 (Supply and demand: if the product were scarcer, the price would rise)



Source: UN Office on Drugs and Crime - <https://bit.ly/wdr-annex>

**Average heroin retail prices (street prices) in the United States, in U.S. dollars per gram, adjusted for purity and inflation in 2018 U.S. dollars**  
 (Supply and demand: if the product were scarcer, the price would rise)



Source: UN Office on Drugs and Crime - <https://bit.ly/wdr-annex>

According to supply and demand, a successful supply reduction policy would make the drug more expensive. If supplies are meeting demand, drugs would become cheaper.

These charts show **a general steadiness in street prices**. Fluctuations happen, but they are not radical and tend to even out. Even big events like cartel takedowns barely register as blips.

Some of this is due to the difficulty of discouraging the production and transit of products that are cheap to make but have gigantic profit margins, as prohibition inflates their prices. The big downstream markups make the supply-side effort next to impossible. Making coca so scarce that coca-leaf prices double from \$10 to \$20 per bushel, for instance, barely hits the bottom line of a criminal managing a sophisticated cocaine lab and selling their product for \$2,000 per kilo.

Crop eradication, too, happens mainly in areas with almost no government presence, in a vacuum. As a result, growers replant, as they remain far from law enforcement but also without land titles or ways to get legal crops to market. Over the years, I've heard U.S. officials who help manage coca bush eradication programs refer to their work as **“mowing the lawn.”** Even as they defend keeping the bushes shorter and forcing growers to adapt, they know they are doing a “forever job” as long as the conditions encouraging coca cultivation persist.

INL's **interdiction** programs can point to impressive numbers of tons seized by U.S.-aided forces. (The Bureau's International Narcotics Control Strategy Reports, however, inexplicably tend only to report January-through-September prior-year seizures for most countries, which

makes it hard to measure progress.) Seizures of cocaine and other drugs have increased, but that may also indicate greater supply, and the impact on street prices and purity is hard to discern.

The narrow focus on stopping drugs, while neglecting conditions that fostered their production and transshipment, often ended up spreading the problem geographically. A classic example is coca in Colombia, which expanded massively from the south-central part of the country to its Pacific coastal region, and other areas, in response to forced eradication in the late 1990s and early 2000s.

A big part of INL's supply-control strategy is creating and sustaining "**vetted units**," segments of the security forces that undergo regular background checks and are held somewhat separate from a country's regular forces. These units often work closely with DEA, HSI, FBI, or other agencies on investigations. While these units can point to many arrests and extraditions, a lack of information keeps me, an outside observer, from being able even to list the units that exist. I am also unable to evaluate how many of their arrests are genuinely "high level" in the sense of having taken important "nodes" off of the criminal network or broken important links between organized crime and the corrupt government officials on whom that network relies.

I also lack information necessary to evaluate INL's support for judicial and investigative units tracking illicit **financial flows**. This complex and labor-intensive work can be uncomfortable for host-country government officials, some of whom may participate in corruption and sit along the "money trails" being investigated. Financial investigations could undoubtedly use more INL resources and emphasis.

The statutes establishing INL, written in the 1980s and 1990s, reveal a belief, prevalent at the time, that short-term gains against the drug trade would endure. Policymakers who worked in the early 1990s have told me that they believed, for instance, that taking down the Medellín Cartel (Pablo Escobar was killed in 1993) would deal a severe blow to the cocaine trade.

That proved inaccurate. We are in the long term now, and we need to adjust goals and objectives for a longer-term strategy to help partners tackle transnational organized crime, its many income streams, and its fundamental upstream causes.

## What would a more "upstream" approach look like?

Getting at the underlying challenges means "de-narcotizing" INL's mission. It may sound counterintuitive, but loosening the fixation on hectares and kilograms, in favor of attacking the conditions that foster organized crime, offers the best hope of reducing hectares and kilograms in the long term. In other words, you can more permanently address the "N" in "INL" by focusing on the "L": law enforcement, or the rule of law.

To understand why requires considering why organized crime is so hard to combat in the first place: much harder to fight, it turns out, than an insurgency. That is because, unlike guerrillas, mafias prefer not to fight governments. They will do so if cornered, but it is bad for business. Organized crime prefers to bribe or individually threaten government officials while penetrating institutions to render them inoperable against them.

Guerrillas may attack a naval checkpoint on a river used to traffic cocaine. An organized crime group is more likely to ensure that the personnel at that naval checkpoint wave their cocaine-laden boats through. That makes the organized crime group harder to confront.

**Organized crime thrives on its relations with government.** Those relations, in turn, depend on government officials' calculation of how likely it is that they will ever be punished or held accountable for colluding with organized crime. Breaking links between organized crime and government means reducing impunity for collusion, and INL can play a key role here.

The Bureau's **support for justice systems**—judges, prosecutors, investigators, witness protection—is crucial, even as it gets less investment than military and police efforts. It has become increasingly evident that for a wide variety of missions, all roads lead through the justice system. A weak, overwhelmed, inefficient, or corrupt judiciary makes all other goals harder to achieve.

INL has been increasing its focus on judicial and rule of law programs. Many appear to be in partnership with the Justice Department's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) and USAID.

Many of these judicial programs focus on training judicial-sector personnel. While this is useful, improved indicators are needed to assess the effectiveness of this training, and programs could expand to address other priorities:

- **Physical security**, since organized crime investigations are hazardous; this also means security from “judicialization” if a more corruption-prone government takes power.
- Increasing staffing and thus reducing crippling large **caseloads**.
- Helping increase the use of **technology**, from databases to DNA to ballistics to drug testing.
- Since the judicial system is not immune to corruption either, its own **internal controls** need capacity, autonomy, and protection.
- **Transportation** to remote crime scenes before they can be altered.

## The security sector

While justice systems need more emphasis within INL programming, so do other institutions and reformers, not just those who wear uniforms.

## The “security sector”: more than just uniforms



Reducing organized crime penetration and collusion means, alongside a robust judicial system, strong internal controls, vigilance from other branches of government like legislatures, and a skilled community of outside monitors like credible NGOs and a free press. These are all legs to a table that will not stand when some are missing.

Every nation, including the United States, should aspire to have a balanced, functioning **security sector** with all these elements. Together with reform-minded allies worldwide, the U.S. government, with a rejuvenated INL Bureau, could deal organized crime a severe and enduring blow by helping to build these sectors. Though less specifically “counter-narcotic” on the surface, a turn toward security sector building would be more likely to bring lasting reductions in illicit drug supplies and other organized crime revenue streams.

Security sector reform would be even more effective if paired with a strategy to guarantee a whole-of-government presence—not just security forces—in vast **ungoverned areas** in the Americas where drugs are produced and where eradication efforts today just result in replanting.

I understand that this “security sector” approach is a hard sell because it takes a while to consolidate. Though the benefits would be longer lasting, they are not always visible in the short term. This is the opposite of an “iron fist” security strategy that brings violence measures down for a few years—often at great human rights cost—only to see them rise again because the security sector remains weak and unbalanced.

A reformed INL should be part of a larger effort to help U.S. assistance **break out of this cycle of short-term crackdowns** followed by recoveries in violence or drug supplies.

## **INL is providing aid for this, though it’s harder to evaluate**

Especially since the launch of the Central American Regional Security Initiative (CARSI), Caribbean Basin Security Initiative (CBSI), and Mérida Initiative nearly two decades ago, INL



has moved its programming in more of a law enforcement or rule-of-law strengthening direction aimed at making people feel safer where they are, rather than just helping fight drug supplies.

Support for **police reform** has been going on the longest, especially in Mexico, Central America, and the Caribbean. There have been some positive experiences, but it is hard to point to a police force transformed due to U.S. aid. Colombia's National Police comes the closest, though it continues to suffer persistent human rights and corruption challenges.

INL-backed police training is carried out heavily by private contractors, Colombian police (through the "U.S.-Colombia Action Program" for which little recent public information is available), or other agencies like DEA, Coast Guard, and CBP. The U.S. government does not have a ready corps of civilian police trainers who can be surged like military trainers.

From our non-governmental vantage point, it is hard to evaluate these law enforcement programs region-wide due to information access challenges: reporting is poor, difficult to obtain, and often quite vague—press release-level—when obtained. Still, known initiatives have included the following, and I encourage Congress to explore their effectiveness and lessons learned:

- Establishing police precincts, including "model precincts" in high-crime areas, building and hardening police stations, and equipping police units.
- Reforming and developing curricula for police academies, including some state and municipal academies.
- Advising to help make policing more of a profession with accountability mechanisms and clear guidelines for promotions, raises, and rewards.
- Assistance for community policing, data-driven policing, call centers, and other place-based methods.
- Technology (biometrics, logistics, databases, DNA, forensics, ballistics, and similar).
- Inter-American Law Enforcement Academies: a longstanding effort in six countries, but very low profile. The 2025 International Narcotics Control Strategy Report discusses all 6 of them in just 572 words.<sup>4</sup>
- Support for police inspectors-general and other internal controls.
- Prison reform and certification efforts are advanced in some countries, particularly Colombia.
- Judicial sector training, much of it carried out by OPDAT or USAID.
- Rule of Law programs carried out by non-governmental actors like the American Bar Association and local civil society organizations throughout the region.
- Support for academic and think-tank studies of organized crime and law enforcement challenges.

Between many of these programs' recency, long-term time horizons, small size, and spotty public reporting, it is hard to evaluate them for this testimony. Many seem promising but deserve greater inquiry from Congress from a "constructive criticism" posture.

I fear, though, that this is not the current posture. While information about waivers and cuts is difficult to confirm, it seems that this kind of "security sector" and "long-term rule of law" assistance has been deeply affected by **this year's aid freeze and aid cuts**, just like a lot of the "harder side" aid discussed above.

It is essential that this not happen. **It would be a grave mistake to diminish INL to the point that it reverts to a rump "drugs and thugs" bureau.** That would mean ignoring decades of bipartisan learning and turning back to short-term approaches that haven't worked and don't respond to the reasons millions have sought to migrate.

## Evaluation is difficult because of a lack of public information

A lot of my assessment of INL here lacks specificity. That is because, from outside the U.S. government, INL is hard to get to know. I don't mean that INL officials are standoffish: they tend to have pretty open doors and like talking about their programs.

However, they are less prepared to share **quantitative data or lists of program efforts or grantees**. I have found it difficult to get basic breakdowns of what INCLE has paid for in specific Latin American countries in recent years, and some regional programs, like CARSI, don't even get broken down by recipient country. I have spoken to congressional staff who have had similar difficulty getting details.

That not only makes INCLE hard to evaluate, but also makes it hard to defend when an administration comes to power questioning its programming.

As Congress considers reforming INL, it must require the Bureau to improve its reporting about its activities. This **reporting has lost specificity over the years**. Annual International Narcotics Control Strategy Reports (INCSRs) now provide much less quantitative data, and less current data, than they did as recently as the 2000s.<sup>7</sup> The "Program and Budget Guides" that the Bureau used to produce, with helpful tables breaking down assistance to key countries by function, disappeared in the early 2010s.<sup>8</sup>

The INCSRs need a fundamental rethinking, more than I can lay out here, to be valuable reports again. They especially need more hard, quantitative data instead of boilerplate text that tends to get copy-pasted from previous years. The INCSRs now don't even include the prior year's illicit crop hectareage estimates, and interdiction estimates are incomplete and tell us little.

To make evaluations minimally possible, for each country, the INCSR should report **official statistics or estimates about programming**:

- Total U.S. counter-drug and counter-TOC budget for the past five years, at least, by functional category as determined by country strategy (e.g., eradication, interdiction, justice, police reform). This should make it possible to discern approximate dollar amounts for military forces, police forces, justice systems, other civilian agencies, or NGOs, separating what often gets called "hard side" and "soft side" assistance. It should also make it possible to discern what is equipment, training, or other services.
- How much programming in each country is considered purely "anti-narcotics." To give the complete picture, budget breakdowns must include all sources of aid that could be construed as having a counter-drug nexus, including Defense Department accounts, not just INCLE.
- Identities of principal recipient units, including vetted units. Estimates of those units' personnel strength.
- If units are judicial/prosecutorial, estimates of personnel strength and caseload per professional employee.
- Units operating at borders, including principal units, should be discussed and their performance evaluated.
- How much of appropriated funds are passed through other agencies, like:
  - CBP

- DEA
- DOJ and OPDAT
- Colombian trainers
- Major private contractors: who are the most-contracted companies, and what services are they providing? Do their employees face security risks as a consequence of their duties?

The INCSR should also include **effectiveness measures**, both outcome-based measures, and its traditional output-based measures. Examples might include:

- Listing of some municipalities or neighborhoods where crime statistics or survey data indicate that people feel safer, and less inclined to migrate, after significant INL investment.
- Survey data or other measures indicating that U.S.-aided units, at any level, have experienced increased public trust and effectiveness.
- Public reporting of inflation and purity-adjusted U.S. street prices for drugs, correlating these price and availability trends, if possible, with the impact of INL programming. If there is no impact, explanations of why and what needs to change about this programming.
- Successful investigations of money laundering that can be publicly reported, including the number of cases, convictions, and estimates of importance to illicit finance networks.
- Successful investigations of organized crime-tied corruption, including number of cases, convictions, and estimate of importance to corruption networks.
- Metrics showing results against other forms of organized crime, like illicit mining, human trafficking, human smuggling, and successful investigations of related corruption and financial flows.
- Drug seizures, by drug and weight, for the past five years at least.
- Cultivation estimates, by crop and acreage, at least for the past five years.
- Eradication totals by crop, acreage, and ideally by jurisdiction (province/state/department) for the past five years at least.
- Interdiction/seizure totals by drug, weight, and domain (air, land, sea, riverine).
- Identities of major criminal groups active in the country.
- Narratives should include a more frank, specific discussion of successes (including in countries without close relations) and pending challenges (including in countries with close relations). The level of frankness and specificity—especially in discussions of corruption—should match that of the State Department’s annual human rights reports and should, to the extent possible, note when impunity for human rights abuse or corruption has hindered or prevented U.S. assistance programs or operational cooperation.

## The certification process does not help

The annual drug certification process, laid out in Sec. 490 of the Foreign Assistance Act, has outlived its usefulness. It establishes a means of cutting aid, having the U.S. representative to multilateral banks vote “no” on loans, and other punishments for governments viewed as not cooperating on counter-drug efforts. Though often an irritant in bilateral relationships, the certification process has not cut off assistance to a major U.S. aid recipient for many years.

The last time it did cut off significant aid—to Colombia during the mid-1990s, when scandal-plagued President Ernesto Samper was in office—the Clinton administration and the Republican-majority Congress ended up scrambling to restore much of it through rarely used Foreign Assistance Act authorities like emergency drawdowns and Sec. 614 waivers.

In recent years, the only countries “decertified” have been Bolivia (which, in fact, has not experienced significant growth in coca cultivation), Burma, and Venezuela.<sup>2</sup> The impact on those states’ behavior, and their concern about lost prestige from the U.S. seal of disapproval, have been minimal.

If the certification process were abolished, it would remove an irritant in U.S. relations with Latin America while having no impact on counter-drug efforts’ effectiveness. We recall the 2020 recommendation of the U.S. government’s Western Hemisphere Drug Policy Commission:

The current certification process offends our partners and does little to deter corrupt practices in unfriendly nations. Instead INL should produce a global report reviewing country efforts to counter trafficking and other transnational crimes, including US policies. This report should also assess whether US sanctions, such as the Kingpin Act, effectively target the most dangerous criminal organizations, especially those responsible for trafficking or producing fentanyl and other highly toxic substances.<sup>10</sup>

## **An INL Bureau for the mid-21st century**

An INL Bureau that is less blinkered by a specific focus on drug supply and able to address larger rule of law and security sector reform needs would be a much more appropriate organization to confront today’s metastasizing transnational organized crime challenges. The ability to focus on justice and civilian law enforcement systems, breaking ties between states and organized crime, and governing ungoverned spaces would make the Bureau a more effective tool alongside other J bureaus and offices with overlapping missions.

A final issue is the presence or absence of committed government partners in the region. INL programming is far more effective when governments share the same goals and are willing to devote their own political will and resources to a strategy that is developed through dialogue, and not just handed down from Washington. Programs developed and informed with the governments themselves, along with civil society actors known for credibility and expertise, would be much more likely to achieve their goals. This raises the reality that some governments just are not as committed to the rule of law and citizen security; when that happens, the program must creatively seek partnerships with reformers elsewhere in the broader “security sector.”

I congratulate the Subcommittee and members of both parties for encouraging a conversation about modernizing this approach, and I hope there is consensus about a way forward.

# Endnotes

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