

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 3, 2022

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

The Honorable Janet Yellen
Secretary of Treasury
U.S. Department of Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

Dear Secretary Blinken and Secretary Yellen,

I write to urge you to take additional steps to hold former Honduran President Juan Orlando Hernandez accountable for his significant participation in international narcotics trafficking. Although Hernandez has not been formally charged, evidence presented in several U.S. federal court cases since 2019 has credibly implicated him as a co-conspirator in drug trafficking crimes.¹ In February 2021, court filings showed that U.S. prosecutors were investigating Hernandez and other high ranking government officials for alleged involvement in drug trafficking schemes.² It is long past time for the U.S. Government to pursue accountability measures against Juan Orlando Hernandez, beginning with a public revocation of his visa and designation under the Foreign Narcotics Kingpin Designation Act.³ It is imperative the Biden administration take a firm stand on behalf of the rule of law in Honduras by holding the country's leaders accountable. Accountability is a bedrock of democracy and the rule of law.

According to the Department of Justice, impunity among high-ranking government officials involved in drug trafficking activities in Honduras has contributed to the country becoming “one of the foremost transshipment points for U.S.-bound cocaine” and a “crumbling narco-state.”⁴ The U.S. government's Sentencing Submission in the case of *United States v. Juan Antonio Hernandez Alvarado* directly refers to former President Hernandez as one of these officials, alleging that he played a “leadership role in a violent, state sponsored drug trafficking conspiracy.”⁵ Although Juan Orlando Hernandez has denied these allegations, materials presented in three U.S. federal court cases in the Southern District of New York involving family members and former associates have raised incriminating evidence of his direct participation in drug trafficking activities:

¹ *United States v. Juan Antonio Hernandez Alvarado*, S2 15 Cr. 379 (PKC); *United States v. Geovanny Fuentes Ramirez*, S6 15 Cr.379 (PKC); *United States v. Juan Carlos Bonilla Valladares*.

² *United States v. Geovanny Fuentes Ramirez*, S6 15 Cr.379 (PKC), Government's Reply in Further Support of its January 8, 2021 Motions in Limine 7, [https://fcdblobstorage.blob.core.windows.net/documents/USA-v-2679.-Geovanny-Fuentes-Ram%C3%ADrez---Reply-in-support-of-8-January-motion-in-limine-\(5-February-2021\)-2679.pdf](https://fcdblobstorage.blob.core.windows.net/documents/USA-v-2679.-Geovanny-Fuentes-Ram%C3%ADrez---Reply-in-support-of-8-January-motion-in-limine-(5-February-2021)-2679.pdf).

³ 21 U.S.C. §§ 1901 – 1908.

⁴ *United States v. Juan Antonio Hernandez Alvarado*, S2 15 Cr. 379 (PKC), Government's Sentencing Submission 41, <https://bit.ly/3lBMnli>.

⁵ *Ibid.*, 1.

- On March 30, 2021, a U.S. district judge sentenced Juan Orlando Hernandez's brother, Tony Hernandez, to life in prison after he was convicted for conspiracy to traffic at least 185,000 kilograms of cocaine to the United States.⁶ Evidence presented in court proceedings in the case of *United States v. Juan Antonio Hernandez Alvarado* showed that “[b]etween 2004 and 2019, [Tony Hernandez] secured and distributed millions of dollars in drug-derived bribes to Juan Orlando Hernandez,” who acted as his co-conspirator.⁷ In 2013, for example, Tony Hernandez, at Juan Orlando Hernandez’s direction, accepted \$1 million from former Sinaloa Cartel leader El Chapo to support his brother’s presidential campaign.⁸ Court proceedings indicated, “Juan Orlando Hernandez did not deny receiving the payment.”⁹ They also revealed that Juan Orlando Hernandez in 2013 solicited \$1.6 million in drug proceeds from drug trafficker Ardon Soriano to finance his electoral campaign and campaigns for his political party.¹⁰ A final relevant piece of evidence introduced in trial was a ledger of drug proceeds seized by Honduran law enforcement in June 2018 that contained the initials of Juan Orlando Hernandez.¹¹
- On March 22, 2021, a jury in the case of *United States v Geovanny Fuentes Ramirez* convicted Geovanny Fuentes Ramirez, a former associate of Juan Orlando Hernandez, on drug trafficking charges for his participation in a criminal conspiracy involving high-ranking Honduran government officials.¹² One of those officials, identified by prosecutors as a co-conspirator, was Juan Orlando Hernandez.¹³ As alleged in the Government’s Motion *in Limine*, Juan Orlando Hernandez in 2013 and 2014 received “tens of thousands of dollars [from Fuentes Ramirez] in exchange for an ongoing promise of protection...from law enforcement scrutiny and military support of his drug-trafficking activities”.¹⁴ The Motion *in Limine* also alleged that Juan Orlando Hernandez made several incriminating statements, including admitting to “embezzling United States aid through non-governmental organizations” and wanting to “make the U.S. Drug Enforcement Administration think that Honduras was fighting drug trafficking” when

⁶ U.S. Department of Justice, U.S. Attorney’s Office, Southern District of New York, “Former Honduran Congressman Tony Hernández Sentenced To Life In Prison And Ordered To Forfeit \$138.5 Million For Distributing 185 Tons of Cocaine And Related Firearms and False Statement Offenses,” March 30, 2021, <https://www.justice.gov/usao-sdny/pr/former-honduran-congressman-tony-hernandez-sentenced-life-prison-and-ordered-forfeit>.

⁷ *United States v. Juan Antonio Hernandez Alvarado*, S2 15 Cr. 379 (PKC), Government’s Sentencing Submission 2, <https://bit.ly/3lBMnli>.

⁸ *Ibid.*, 13.

⁹ *Ibid.*

¹⁰ *Ibid.*, 11-12.

¹¹ *Ibid.*, 18.

¹² U.S. Department of Justice, U.S. Attorney’s Office, Southern District of New York, “Honduran National Convicted on Drug Trafficking and Weapons Charges,” press release, March 22, 2021, <https://www.justice.gov/usao-sdny/pr/honduran-national-convicted-drug-trafficking-and-weapons-charges>.

¹³ *United States v. Geovanny Fuentes Ramirez*, S6 15 Cr.379 (PKC), Government’s Motion in Limine 2, 14-15, <https://insightcrime.org/wp-content/uploads/2021/01/Geovanny-Fuentes-in-limine.pdf>.

¹⁴ *Ibid.*, 12-13.

instead he was interested in “flooding the United States with cocaine.”¹⁵ Data from Fuentes Ramirez’s phone, among other evidence, suggested that Fuentes Ramirez met with Juan Orlando Hernandez following two prosecutorial filings in the case against Tony Hernandez.¹⁶

- On April 30, 2020, the Department of Justice charged Juan Carlos Bonilla Valladares, a former chief of the Honduran National Police, with conspiring to import cocaine into the United States in the case of *United States v. Juan Carlos Bonilla Valladares*.¹⁷ The federal criminal complaint alleged that Bonilla Valladares used his position to protect the drug trafficking activities of his co-conspirators, Juan Orlando Hernandez and Tony Hernandez.¹⁸ It also alleged that the Hernandez brothers ordered Bonilla Valladares to murder a rival drug trafficker.¹⁹

Despite credible, deeply alarming, and growing evidence of former President Hernandez’s direct involvement in drug trafficking, the United States has yet to publicly hold Juan Orlando Hernandez accountable for his actions. He was not included in the most recent September 2021 additions to the State Department’s Section 353 list of Corrupt and Undemocratic Actors in Central America.²⁰ He is also not currently designated under the Foreign Narcotics Kingpin Designation Act. I fear that Juan Orlando Hernandez’s omission from these lists is sending the wrong message to the Honduran people at a moment of transition in their democracy, as well as to public officials throughout the region.

I ask that you take steps to promote accountability on behalf of the Honduran people and stand up for the rule of law throughout the Americas by identifying former President Hernandez as a “significant foreign narcotics trafficker” under the Foreign Narcotics Kingpin Designation Act and revoking his visa.²¹ This would ensure that Juan Orlando Hernandez is denied entry to the United States, access to U.S. financial systems, and the ability to engage in transactions with

¹⁵ *Ibid.*, 13, 20.

¹⁶ U.S. Department of Justice, U.S. Attorney’s Office, Southern District of New York, “Honduran National Convicted on Drug Trafficking and Weapons Charges,” press release, March 22, 2021, <https://www.justice.gov/usao-sdny/pr/honduran-national-convicted-drug-trafficking-and-weapons-charges>.

¹⁷ U.S. Department of Justice, U.S. Attorney’s Office, Southern District of New York, “Former Chief of Honduran National Police Charged with Drug Trafficking and Weapons Offenses,” press release, April 30, 2020, <https://www.justice.gov/usao-sdny/pr/former-chief-honduran-national-police-charged-drug-trafficking-and-weapons-offenses>.

¹⁸ *United States v. Juan Carlos Bonilla Valladares*, Complaint ¶ 10(c), April 29, 2020, <https://www.justice.gov/usao-sdny/press-release/file/1272281/download>.

¹⁹ *Ibid.*, ¶¶ 11(b), 13(c).

²⁰ Antony J. Blinken, U.S. Department of State, “United States Announces Actions Against Seven Central American Officials for Undermining Democracy and Obstructing Investigations into Acts of Corruption,” press statement, September 20, 2021, <https://www.state.gov/united-states-announces-actions-against-seven-central-american-officials-for-undermining-democracy-and-obstructing-investigations-into-acts-of-corruption/>

²¹ 21 U.S.C. § 1903(h)(1); 21 U.S.C. § 1907(7).

U.S. companies and individuals.²² It would also allow the Treasury Department to target Juan Orlando Hernandez's trafficking network by sanctioning any related businesses and operatives.²³

When former Venezuelan Vice President Tareck El Aissami was implicated in drug trafficking activities in 2017, the U.S. Government rightly held him accountable by sanctioning him under the Foreign Narcotics Kingpin Designation Act.²⁴ Similarly, when former Colombian President Ernesto Samper was implicated to have drug trafficking connections in 1996, the U.S. Government publicly denounced his actions and revoked his visa, sending a message to the "Colombian people, to the government of Colombia and to everyone else in our hemisphere that we do mean business."²⁵ The U.S. Government's actions then, should guide its actions now.

The United States must continue demonstrating its support for the rule of law and people of the Americas by identifying, denouncing, and sanctioning foreign officials involved in drug trafficking and undermining democracy in the hemisphere, regardless of whether such actors are presidents or high-ranking officials of partner countries. The allegations in the federal court cases previously cited strongly suggest that Juan Orlando Hernandez is involved in criminal activities and drug trafficking, activities that have endangered U.S. national security and the prosperity of the Honduran people and for which he has not been held accountable. By sanctioning former President Hernandez under the Foreign Narcotics Kingpin Designation Act and revoking his visa, the Biden administration can affirm its commitment to advancing rule of law in Central America and issue an unequivocal statement that government impunity will not be tolerated anywhere.

Sincerely,



Robert Menendez
Chairman

²² 21 U.S.C. §§ 1904(c), 1905(a).

²³ 21 U.S.C. § 1904(b)(2) – (b)(4).

²⁴ U.S. Department of the Treasury, "Treasury Sanctions Prominent Venezuelan Drug Trafficker Tareck El Aissami and His Primary Frontman Samark Lopez Bello," press statement, February 13, 2017, <https://www.treasury.gov/press-center/press-releases/pages/as0005.aspx>.

²⁵ Art Pine and Steven Ambrus, "U.S. Revokes Colombian President's Visa, Citing Ties to Drug Traffickers," *Los Angeles Times*, July 12, 1996, <https://www.latimes.com/archives/la-xpm-1996-07-12-mn-23364-story.html>.