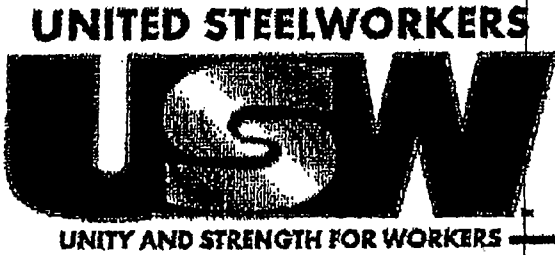


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Leo W. Gerard  
International President

June 6, 2007

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JUN -7 AM 9:31  
EXECUTIVE SECRETARIAT

**URGENT**  
**VIA FAX - 202-225-5658**

The Honorable William Delahunt, Chair  
International Organizations, Human Rights and Oversight Subcommittee  
Foreign Affairs Committee  
U.S. House of Representatives  
Washington, D.C. 20515

**Re: Protection for Witness For Drummond Hearings**

Dear Representative Delahunt:

First, I wish to thank you for all of your great leadership on the Colombia trade union issue, particularly on your decision, as reported in the Colombian press, to hold hearings on the alleged connections between the Drummond Company and the AUC paramilitaries. I write to you today in regard to an urgent matter which is quite relevant to the upcoming International Organizations, Human Rights, and Oversight International sub-committee hearings on Drummond's alleged support for the AUC paramilitaries in Colombia.

Just this morning, our union's legal department, which is involved in the lawsuit against Drummond for the murder of the three trade unionists in 2001, received an e-mail with incredibly disturbing information about Drummond's regular payments to the AUC paramilitaries, the complicity of the Colombian DAS (including former head Jorge Noguera) in the Drummond-AUC relationship, and a cover-up of the foregoing information by the Colombian Fiscalia. In short, we received a [redacted]

FOIA Exemption b(6)

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FOIA Exemption b(6)

[redacted] herein enclosed, gives specific - and, from what our legal department knows of this case from six years of litigation, very credible - details about Drummond's regular payments to the paramilitaries, the role of top Drummond officials in the murder of the three unionists in 2001, and the role of the DAS in the interfacing between Drummond and the paramilitaries. What is incredibly disturbing about this is that [redacted]

FOIA Exemption b(6)

FOIA Exemption b(6)

-2-

This is a critical situation. We sincerely believe that this

FOIA Exemption b(6)

Not only does the Fiscalia know about

I am

FOIA Exemption b(6)

FOIA Exemption b(6)

greatly concerned that, if Congress does not act immediately to publicly ask the U.S. State Department and the Colombian government for

FOIA Exemption b(6)

The world must know of

FOIA Exemption b(6)

in the context of an affirmative public request by Congress to

The information is absolutely vital to the upcoming Subcommittee hearings on Drummond.

FOIA Exemption b(6)

FOIA Exemption b(6)

So, in short, I would ask that you write an open letter, made available to the press, to Secretary of State Rice as well as to President Alvaro Uribe asking for immediate

FOIA Exemption b(6)

We need your leadership in Congress to rectify this dire circumstance - to save a life and to make sure that justice is done.

Sincerely yours,

Leo W. Gerard  
International President

LWG/pak

- c: The Honorable Condoleezza Rice w/o attachment (via fax 202-647-2283)
- The Honorable Alberto R. Gonzales w/o attachment (via fax 202-514-4507)
- Mr. Thomas A. Shannon w/o attachment (via fax 202-647-0834)

1197245  
SM

**Congress of the United States**  
**Washington, DC 20515**

May 25, 2007

The Honorable Alberto Gonzales  
Attorney General of the United States of America  
Robert F. Kennedy Building  
Washington, DC 20530

EXECUTIVE SECRETARIAT  
2007 MAY 25 PM 3:23  
RECEIVED  
DEPT. OF JUSTICE

Dear Mr. Attorney General:

We are writing to follow up on a letter sent to your predecessor, John Ashcroft, on June 25, 2003, a copy of which is attached.

In that letter, a number of us expressed grave concerns about allegations of connections between United States corporations and the United Self-Defense Forces of Colombia ("AUC"). The AUC was designated as a "terrorist organization" by the State Department on September 10, 2001 and as a "drug kingpin" by President George W. Bush on June 2, 2003. As noted in the previous letter, it is illegal under U.S. law for any person to knowingly provide material support to an entity under either such designation. As you are no doubt aware, concerns about connections between U.S. corporations and the AUC were borne out earlier this year when Chiquita Banana Corporation admitted to providing material support to the AUC over a period of several years.

The 2003 letter highlighted the specific case of Drummond Company, Inc., a corporation based in Birmingham, Alabama. According to counsel for the International Labor Rights Fund and the United Steelworkers of America, Drummond is alleged to have paid AUC paramilitaries to murder three trade union leaders - Valmore Locarno, Victor Orcasita and Gustavo Soler. This case, in addition to being the subject of a civil suit in Alabama filed in 2002 and now scheduled for trial in July of this year, is also the subject of a criminal investigation by the Colombian Attorney General, Mario Iguaran.

While it is not yet appropriate to assess the allegations against Drummond, we believe that, in light of the investigation by Colombia's Attorney General, these allegations are sufficiently credible to merit a U.S. Justice Department probe pursuant to 18 U.S.C. 2339B, which prohibits "knowingly providing material support or resources to a foreign terrorist organization."

Bearing in mind that certain information may be subject to nondisclosure, we are requesting any information that you may be permitted to share with us under applicable law and regulation concerning an investigation of Drummond, or any other U.S. company

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operating in Colombia, by the Justice Department for a possible violation of 18 U.S.C. 2339B. If no such probe has begun, we strongly urge that one be started immediately, subject to the rules and regulations of the Department of Justice.

Finally, there are [redacted] the involvement of Drummond with the AUC.

FOIA Exemption b(6)

[redacted] claims he was present at a meeting in which a Drummond official paid the AUC to "undertake violent actions" against Orcasita and Locarno, two of the three union workers who were murdered. Although [redacted]

FOIA Exemption b(6)

FOIA Exemption b(6)

Therefore we urge the Department of Justice and the U.S. Embassy in Colombia to take whatever steps possible to see that these men receive the protection necessary to ensure they will be available for any U.S. investigation.

We eagerly await your written reply to this letter.

Sincerely,

*Bill Delahunt*  
Bill Delahunt

*George Miller*  
George Miller

*Tom Lantos*  
Tom Lantos

*Elliot L. Engel*  
Elliot L. Engel

*Howard L. Berman*  
Howard L. Berman

*Chris Smith*  
Christopher H. Smith

397783

**Congress of the United States**  
**Washington, DC 20515**  
**June 25, 2003**

The Honorable John Ashcroft  
U.S. Attorney General  
Robert F. Kennedy Building  
Washington, DC 20530

Dear Mr. Attorney General:


We are writing to express our concern regarding reports that certain U.S. companies, operating through their wholly-owned subsidiaries in Colombia, have been providing material support or resources to the United Self-Defense Forces of Colombia (AUC), a violent paramilitary group that was designated a "terrorist" organization on September 10, 2001. As you know, it is unlawful under 18 U.S.C. § 2339B for any person knowingly to provide material support or resources to an organization that has been so designated. Moreover, on June 2, 2003, the President also designated the AUC as a "drug kingpin" to be subject to the sanctions provided for in the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901-08). U.S. companies and individuals are prohibited from doing business with foreign entities that have been designated as drug kingpins.


We understand that the International Labor Rights Fund (ILRF) has provided you with information citing credible allegations that three American-owned firms, the Florida-based Panamerican Beverages Company, LLC, through its wholly-owned Colombian subsidiary, Panamco Industrial de Gaseosas; Bebidas y Alimentos, a closely held company owned by Richard Kirby and other members of his family, also based in Florida; and Drummond Company, Inc., an Alabama coal company which through another Alabama company, Drummond Ltd., owns and operates a coal mine in La Loma, Colombia, have provided cash, equipment and supplies to the AUC in exchange for "security services." According to those allegations, these services have included acts of violence and intimidation directed at union workers and labor organizers.


The enactment of 18 U.S.C. § 2339B and 21 U.S.C. §§ 1901-08 expresses the commitment of Congress and the Administration to fighting terrorism and drug trafficking on all fronts. It is vital that the United States not undercut that commitment by permitting U.S. companies to violate the law with impunity. While we are not in a position to assess the accuracy of the allegations, we urge you to act promptly to see that they are thoroughly investigated, so that the American people and the nations of the world can be assured of our government's determination to punish those who violate our laws and provide assistance to terrorist or narcotics-trafficking organizations, whether here or abroad.


We thank you for your consideration of this request and would appreciate your apprising us of the steps that are being taken to investigate this matter.

Sincerely,

  
Howard L. Berman  
Member of Congress

  
Tom Lantos  
Member of Congress

  
William D. Delahunt  
Member of Congress

  
Christopher H. Smith  
Member of Congress



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 24, 2004

The Honorable Howard L. Berman  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Berman:

Thank you for your letter to Attorney General Ashcroft dated June 25, 2003, in which you recommend that the Department of Justice investigate three U.S. companies who allegedly have supported paramilitary terrorist groups in Colombia, in violation of 18 U.S.C. § 2339B. We apologize for our delay in responding. An identical letter is being sent to the three other Congressmen who co-signed your letter.

The Department takes all terrorism related allegations very seriously and we can assure you that this matter is being carefully reviewed. However, it is the Department's longstanding policy not to comment on any ongoing investigations or investigative actions until there are public filings in the particular case. Therefore, at this time we are unable to comment on this matter.

We would note that we have investigated and filed terrorism charges against individuals for supporting designated terrorist groups in Colombia, including the United Self-Defense Forces of Colombia (AUC). For example, in the Southern District of Texas, we have indicted a number of persons involved in a plot to sell \$25 million worth of weapons to the AUC. Four defendants in that case, including a U.S. citizen, a U.S. resident, and an AUC commandant, have already pleaded guilty to providing material support to a foreign terrorist organization. Moreover, a second AUC commandant was recently extradited to the United States from Costa Rica to face charges in that case. These guilty pleas reflect our overall strategy to use appropriate criminal charges to help disrupt and dismantle the AUC. American persons or companies who conspire with the AUC, such as two of the defendants in the Southern District of Texas case, are clearly within our sights.

We hope this information is helpful. If we can be of further assistance with regard to this or any other matter, please do not hesitate to contact this office.

Sincerely,

William E. Moschella  
Assistant Attorney General



U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 24, 2004

The Honorable Tom Lantos  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Lantos:

Thank you for your letter to Attorney General Ashcroft dated June 25, 2003, in which you recommend that the Department of Justice investigate three U.S. companies who allegedly have supported paramilitary terrorist groups in Colombia, in violation of 18 U.S.C. § 2339B. We apologize for our delay in responding. An identical letter is being sent to the three other Congressmen who co-signed your letter.

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Sincerely,

William E. Moschella  
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 24, 2004

The Honorable Christopher H. Smith  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Smith:

Thank you for your letter to Attorney General Ashcroft dated June 25, 2003, in which you recommend that the Department of Justice investigate three U.S. companies who allegedly have supported paramilitary terrorist groups in Colombia, in violation of 18 U.S.C. § 2339B. We apologize for our delay in responding. An identical letter is being sent to the three other Congressmen who co-signed your letter.

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We hope this information is helpful. If we can be of further assistance with regard to this or any other matter, please do not hesitate to contact this office.

Sincerely,

William E. Moschella  
Assistant Attorney General

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U.S. Department of Justice  
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 24, 2004

The Honorable William D. Delahunt  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Delahunt:

Thank you for your letter to Attorney General Ashcroft dated June 25, 2003, in which you recommend that the Department of Justice investigate three U.S. companies who allegedly have supported paramilitary terrorist groups in Colombia, in violation of 18 U.S.C. § 2339B. We apologize for our delay in responding. An identical letter is being sent to the three other Congressmen who co-signed your letter.

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Sincerely,

William E. Moschella  
Assistant Attorney General