



United States Department of State

Washington, DC 20520

~~SENSITIVE BUT UNCLASSIFIED~~

March 24, 2025

Action Memo for the Secretary

FROM: INL – F. Cartwright Weiland, SBO

SUBJECT: ~~(SBU)~~ Use the International Narcotics Control and Law Enforcement (INCLE) “Notwithstanding Authority” to Expedite Payment to El Salvador for Assistance in Detaining Criminal Actors Removed from U.S.

~~(SBU)~~ **Recommendation:** That you approve the use of the notwithstanding authority in Section 481 of the Foreign Assistance Act to immediately send \$4.76 million to the Government of El Salvador for costs associated with the detention of 238 Tren de Aragua gang members. (Approve/Disapprove by 03/21/25).

Decision: Approve Disapprove Discuss

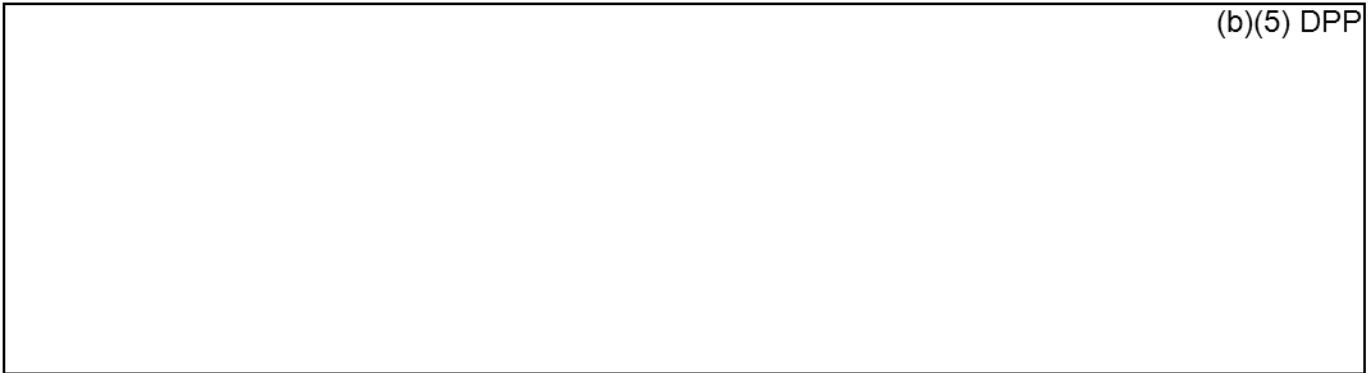
Background

~~(SBU)~~ On March 19, you approved the use of up to \$15 million in FY 2024 INCLE Central America Regional Security Initiative (CARSI) funds to provide direct budgetary assistance to the Government of El Salvador (GOES) to support costs associated with the detention of Venezuelan Tren de Aragua (TdA) members previously held in the United States.

~~(SBU)~~ Now that 238 TdA members have been removed to El Salvador, we are seeking permission to immediately send payment of an initial \$4.76 million (\$20,000 multiplied by 238 individuals) to the GOES. To send this payment expeditiously, you would need to rely upon Section 481(a)(4) of the Foreign Assistance Act (colloquially known as the INCLE “notwithstanding authority”) to overcome the 15-day congressional notification requirement with respect to this payment. Although reliance on

-2-

such “notwithstanding” provisions is rare due to concerns about Congressional relations and future funding, it has been done before. The same considerations identified in the previous action memo related to the potential reactions of Congress to the use of this INCLE “notwithstanding” authority are present here.



Approved: INL – Cart Weiland, SBO [FCW]

Drafted: INL – Cart Weiland, ext. (b)(6); work cell (b)(6); personal cell (b)(6).

Cleared:

Bureau

- S:
- L:
- P:
- S/P:
- C:
- WHA/FO
- WHA/FO
- H/FO

Name

(b)(6)

Clearance Status

- ok
- ok
- ok
- ok
- ok
- ok
- ok
- ok