

UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
OFFICE OF PROFESSIONAL RESPONSIBILITY

TAB 10

INTERVIEW

In the Matter of:

THOMAS K. SOLIS

700 Army-Navy Boulevard
Arlington, Virginia

Tuesday
September 10, 1996

The above-entitled interview was conducted
at 10:00 a.m.

BEFORE:

LANCE MROCK - Inspector

GILBERT BRUCE - Inspector

JAMES BRUBAKER - Captain, Texas Department of
Public Safety

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P-R-O-C-E-E-D-I-N-G-S

10:08 a.m.

1
2
3 INSPECTOR MROCK: All right. For the
4 record, today is September 10, 1996 and the time is
5 approximately 9:55 a.m. This deposition is being
6 taken at the Drug Enforcement Administration
7 Headquarters, Office of Professional Responsibility,
8 Arlington, Virginia.

9 For the record, the individuals present
10 are myself, Lance Mrock, Gilbert S. Bruce, Captain
11 James Brubaker, Texas Department of Public Safety, and
12 the subject of the interview Thomas K. Solis.

13 The purpose of this disposition is to
14 interview S.A. Solis regarding allegations of misuse
15 of office, unprofessional conduct, and falsification
16 of official records.

17 Agent Solis, I'm going to swear you under
18 oath. Would you please stand and raise your right
19 hand.

20 Okay. Do you solemnly swear that the
21 statements you are about to make are the whole truth
22 and nothing but the truth?

23 SPECIAL AGENT SOLIS: I do.

24 INSPECTOR MROCK: Thank you. Please be
25 seated.

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1 Prior to starting this interview, we have
2 to go through two directives with you and ensure that
3 you understand these directives. I'm going to give
4 you a document containing administrative warnings.
5 It's the warning and assurance form for DEA employees
6 who are required to provide information. I want to --
7 I want you to read this document as I read it into the
8 record.

9 Drug Enforcement Administration warning
10 and assurance to employee required to provide
11 information. I am Lance Mrock and this is Gilbert S.
12 Bruce of the Office of Professional Responsibility,
13 Drug Enforcement Administration, United States
14 Department of Justice.

15 "In accordance with the Privacy Act of
16 1974, I want to advise you that the authority to
17 conduct this interview is contained in Section 8313,
18 Planning and Inspection Manual, and Title 28 of the
19 Code of Federal Regulations, Section 0.138, Delegation
20 of Authority to the Administrator of the DEA personnel
21 in personnel matters and Section 0.100 to 0.104,
22 Redelegation of Various Authorities.

23 This inquiry pertains to allegations of
24 misuse of office, unprofessional conduct and
25 falsification of official records. The purpose of

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1 this interview is to obtain information which will
 2 assist in the determination of whether administrative
 3 action is warranted. You have a duty to reply to
 4 these questions. Agency disciplinary action,
 5 including dismissal, may be undertaken if you refuse
 6 to answer or fail to reply fully and truthfully.

7 "Neither your answers nor any information
 8 or evidence gained by reason of your answers can be
 9 used against in any criminal proceeding except that if
 10 you knowingly and willfully provide false statements
 11 of information in your answers. You may be criminally
 12 prosecuted for that action. The answers you furnish
 13 and any information or evidence resulting therefrom
 14 may be used in the course of Agency disciplinary
 15 proceedings which could result in disciplinary
 16 action."

17 At the bottom of the form is an
 18 acknowledgement. It says, "I have read the above
 19 warnings and understand my rights and responsibilities
 20 as stated above." Have you read the form, Agent
 21 Solis?

22 SPECIAL AGENT SOLIS: Yes.

23 INSPECTOR MROCK: Okay. Do you understand
 24 the warnings in the form?

25 SPECIAL AGENT SOLIS: Yes.

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1 INSPECTOR MROCK: If you do, would you
2 please execute and sign the warning and assurance form
3 in the appropriate place.

4 (Whereupon, the witness read and signed
5 the afore-mentioned document.)

6 INSPECTOR MROCK: The record should
7 reflect that S.A. Solis has read, understands and has
8 signed the warning and assurance form. This form will
9 also be signed and witnessed by Inspectors Mrock and
10 Bruce.

11 (Whereupon, Inspectors Mrock and Bruce
12 signed the afore-mentioned document.)

13 INSPECTOR BRUCE: Before we go any
14 further, I want you to understand the following
15 information. By virtue of this being a compelled
16 interview, neither your answers or anything gained
17 from your answers could be used in any way in a
18 criminal complaint or other criminal proceeding. This
19 is strictly an administrative inquiry. However, we do
20 want you to know if you knowingly and willfully
21 provide false information, you could be prosecuted for
22 that action alone regardless of the administrative
23 nature of the inquiry. Do you understand that?

24 SPECIAL AGENT SOLIS: Yes.

25 INSPECTOR MROCK: I must also mention that

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1 in addition to possible criminal exposure, any
2 sustained acts of untruthfulness are subject to
3 disclosure under Brady Giglio Principles. What this
4 means is that should you be a witness in a criminal
5 prosecution, any acts of untruthfulness which are
6 committed now are discoverable during that proceeding
7 under Brady. This could affect your ability to
8 perform your job as a special agent and that it could
9 preclude you from testifying in court. Do you
10 understand the ramifications if you don't respond
11 truthfully at this point?

12 SPECIAL AGENT SOLIS: Yes.

13 INSPECTOR MROCK: Okay. The second form
14 which I'm going to give you here is a directive to
15 maintain confidentiality form. Please read this form
16 as I read it into the record.

17 "You are being interviewed by Inspectors
18 Lance Mrock and Gilbert S. Bruce of the Office of
19 Professional Responsibility, Drug Enforcement
20 Administration, United States Department of Justice
21 concerning allegations of misuse of office,
22 unprofessional conduct, and falsification of official
23 records.

24 "Under authority of the DEA Planning and
25 Inspection Manual, Chapter 83, Internal

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1 Investigations, Subchapter 8302D7, Authority of DEA
2 Inspectors, you are hereby directed not to disclose to
3 anyone except for an attorney whom you have retained
4 to represent your interests in this matter that: 1)
5 you have been interviewed by representatives of the
6 Office of Professional Responsibility concerning this
7 matter and, 2) the fact that the Office of
8 Professional Responsibility is conducting an
9 investigation in this matter. You retain the right to
10 discuss this matter with your attorney. Failure to
11 comply with this directive may be grounds for
12 administrative action against you."

13 Agent Solis, have you read and do you
14 understand the confidentiality clause?

15 SPECIAL AGENT SOLIS: Yes, I do.

16 INSPECTOR MROCK: Okay. Would you please
17 then sign the form at the bottom at the appropriate
18 place.

19 (Whereupon, the witness read and signed
20 the afore-mentioned document.)

21 INSPECTOR MROCK: The record will reflect
22 that S.A. Solis has read, understands, and has signed
23 the confidentiality form. This form will now be
24 signed and witnessed by Inspectors Mrock and Bruce.

25 (Whereupon, Inspectors Mrock and Bruce

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1 signed the afore-mentioned document.)

2 INSPECTOR MROCK: I'll now ask you some
3 preliminary background questions. Would you please
4 state your name and spell it for the record.

5 SPECIAL AGENT SOLIS: Thomas Solis, S-O-L-
6 I-S.

7 INSPECTOR MROCK: All right. When did you
8 become a DEA employee?

9 SPECIAL AGENT SOLIS: June of '87.

10 INSPECTOR MROCK: And your present grade
11 is?

12 SPECIAL AGENT SOLIS: Thirteen.

13 INSPECTOR MROCK: What's your present
14 assignment?

15 SPECIAL AGENT SOLIS: San Antonio, Texas.

16 INSPECTOR MROCK: And who is your present
17 supervisor?

18 SPECIAL AGENT SOLIS: Tommy Ahr.

19 INSPECTOR MROCK: What DEA office were you
20 assigned to in 1991?

21 SPECIAL AGENT SOLIS: Brownsville.

22 INSPECTOR MROCK: And who was your
23 immediate supervisor at that time?

24 SPECIAL AGENT SOLIS: Armando Ramirez.

25 INSPECTOR MROCK: Who was your ASAC at

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1 that time?

2 SPECIAL AGENT SOLIS: Fred Ball.

3 INSPECTOR MROCK: Do you know why you're
4 here today?

5 SPECIAL AGENT SOLIS: I have an idea.

6 INSPECTOR MROCK: I'm going to turn this
7 over to Inspector Bruce at this time. We'll basically
8 give you a brief explanation of the allegations, and
9 then we'll start with the questions regarding those
10 allegations. Inspector Bruce.

11 INSPECTOR BRUCE: T.K., what the
12 allegations are are pretty much the same we talked
13 about last year when we interviewed you in San
14 Antonio, the first being that there's an allegation
15 that you constructed and made some fraudulent reports,
16 DEA reports.

17 Second allegation is that you, along with
18 others, allowed informants Otto Chacon and Robert
19 McClean to import approximately 2,000 kilos of cocaine
20 and subsequently deliver it in Houston. And the third
21 allegation is that you inappropriately received cash
22 and/or other goods from informant Otto Chacon. So
23 just so you know where we're going here.

24 The first thing I want to do is show you
25 a copy of the DEA-6. This is a DEA-6 dated July 12th,

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1 1991 under fall title M9910019 and it's regarding the
2 seizure of 2,293 pounds of cocaine and the arrest of
3 one defendant. This DEA-6 indicates that it was
4 prepared by you and signed on July 19th. Do you
5 remember preparing this report?

6 SPECIAL AGENT SOLIS: Not exactly.

7 INSPECTOR BRUCE: Can you identify the
8 signature on the bottom of the report?

9 SPECIAL AGENT SOLIS: Yes, I mean. You
10 know, it's my signature. I just don't recall writing
11 it.

12 INSPECTOR BRUCE: Okay. Would you, for
13 the record just initial and date the pages of that
14 report.

15 SPECIAL AGENT SOLIS: Anywhere?

16 INSPECTOR BRUCE: Probably down at the
17 bottom is fine. Yes, sure, on each page if you would.
18 That would be four pages. Okay, fine.

19 If you'd look at paragraph two, there's a
20 couple of sentences. One starts with SM9900017. Now,
21 do your records indicate that this number was assigned
22 to Otto Chacon? Is that your recollection?

23 SPECIAL AGENT SOLIS: Yes.

24 INSPECTOR BRUCE: Okay. It says that
25 "SM9900017 stated that Beto Lanu, a Colombian

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1 representative of the Cali cartel, had picked up
2 SM9900017 at his/her residence and taken 17 to Mexico
3 to assist in the smuggling of 1,000 kilos of cocaine
4 into the United States."

5 Also, it indicates that -- let's see. It
6 says that "SM917 said he/she had traveled to the
7 Carlos A. Carrillo Airport in the Mexican state of
8 Veracruz accompanied by Beto Lanu where the cocaine
9 was picked up from a Colombia King Air Aircraft."
10 Actually, the rest of the paragraph should probably be
11 read into the record also.

12 "SM9900017 further stated that Beto Lanu
13 had returned to the United States with the cocaine
14 which was currently located in a hangar at the Weslaco
15 Municipal Airport, Weslaco, Texas."

16 And I also want to read into the record
17 from paragraph five. It indicates that "At
18 approximately 9:30 a.m. S.A. Solis observed a white
19 Suburban depart the hangar and proceed to the
20 Harlingen Visitors Center, Harlingen, Texas. There
21 S.A. Solis observed Beto Lanu exit the load vehicle.
22 The load vehicle departed the area and began traveling
23 north on U.S. Highway 77."

24 Are those descriptions as you reported in
25 that DEA-6 correct --

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1 SPECIAL AGENT SOLIS: No.

2 INSPECTOR BRUCE: -- from the information
3 you had?

4 SPECIAL AGENT SOLIS: No, they're not.

5 INSPECTOR BRUCE: Why were they reported
6 that way? Why did you report the --

7 SPECIAL AGENT SOLIS: I was instructed to
8 by my supervisor.

9 INSPECTOR BRUCE: And your supervisor at
10 that time?

11 SPECIAL AGENT SOLIS: Armando Ramirez.

12 INSPECTOR BRUCE: Okay. When did this
13 instruction take place? Do you remember?

14 SPECIAL AGENT SOLIS: After the load. I
15 remember we brought the load, we did the delivery, and
16 I don't even remember what days it were, but we were
17 on the way to McAllen to see Mr. Ball.

18 INSPECTOR BRUCE: The control delivery was
19 done on July 10th and I believe it was a Tuesday. Let
20 me check and make sure.

21 SPECIAL AGENT SOLIS: Wednesday.

22 INSPECTOR BRUCE: Right. Wednesday. I'm
23 sorry. July 10th, a Wednesday. That's when the
24 control delivery was made up to El Campo, and then
25 when did you return back to Brownsville?

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1 SPECIAL AGENT SOLIS: Probably Thursday.

2 INSPECTOR BRUCE: The next day. Okay.

3 And so when you went with Ramirez to --

4 SPECIAL AGENT SOLIS: To McAllen, it would
5 have been, I guess, Friday.

6 INSPECTOR BRUCE: Okay. That would have
7 been the 12th. Go ahead. I'm sorry. What happened?

8 SPECIAL AGENT SOLIS: He told me that we
9 needed to write it to sound -- I don't know how to
10 describe it or how to -- we needed to write it to
11 cover the fact that he didn't call and get country
12 clearance because we -- I guess write it so that it
13 would be where the informant couldn't have called me
14 where he wouldn't have known, Armando wouldn't have
15 known to call Mexico is how he wanted --

16 INSPECTOR BRUCE: In other words, have it
17 written such as that the timeliness of it wouldn't
18 have allowed you to get country clearance from Mexico.

19 SPECIAL AGENT SOLIS: Exactly.

20 INSPECTOR BRUCE: Okay. And this was
21 something that he instructed you on the way to -- you
22 say you went up to McAllen -- on the way to McAllen?

23 SPECIAL AGENT SOLIS: I believe it was on
24 the way to McAllen. It was on that trip. It was
25 either on the way to McAllen or the way back, but I'm

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1 pretty sure it was on the way to McAllen. It might
2 have been on the way back.

3 INSPECTOR BRUCE: What was the purpose of
4 going to McAllen?

5 SPECIAL AGENT SOLIS: He had been called
6 up there by Mr. Ball because Mexico City was mad
7 because we didn't get country clearance.

8 INSPECTOR BRUCE: Okay. Was there a
9 meeting in McAllen with Mr. Ball?

10 SPECIAL AGENT SOLIS: Armando went and met
11 with him. I didn't.

12 INSPECTOR BRUCE: You didn't meet with
13 him?

14 SPECIAL AGENT SOLIS: No.

15 INSPECTOR BRUCE: What did you do during
16 this?

17 SPECIAL AGENT SOLIS: I just went and
18 talked to the agents. Just walked around.

19 INSPECTOR BRUCE: Okay. But you're not
20 sure if it was on the way up.

21 SPECIAL AGENT SOLIS: I don't -- don't
22 remember exactly. I remember it was on that trip, but
23 I don't remember if it was on the way up or the on the
24 way back.

25 INSPECTOR BRUCE: Okay. All right. Let

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1 me show you a copy of the cable. This is a cable that
2 was -- it's dated July 12th, which was sent from the
3 McAllen office. The gist of the cable is pretty much
4 outlining the events, and then what I'd like to have
5 you do again if you would is initial and date the four
6 pages, if you would, of the cable.

7 Okay. Did you prepare this cable?

8 SPECIAL AGENT SOLIS: Not that I remember.

9 INSPECTOR BRUCE: Okay. Any idea who
10 would have?

11 SPECIAL AGENT SOLIS: No. Not out of
12 McAllen.

13 INSPECTOR BRUCE: You wouldn't have
14 prepared this cable while you were in McAllen?

15 SPECIAL AGENT SOLIS: I don't -- I don't
16 remember doing the cable.

17 INSPECTOR BRUCE: Here in paragraph three
18 on the bottom of the first page there of the cable it
19 indicates that "On 7-10-91 the cooperating individual
20 was picked up at his/her residence by Colombian
21 traffickers and taken to an airstrip in the Rio Grande
22 Valley." Do you know from this cable and from the
23 investigator who this cooperating individual would
24 have been that's referenced here?

25 SPECIAL AGENT SOLIS: Not exactly. I

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1 would assume it would be Chacon, but it could be
2 McClean.

3 INSPECTOR BRUCE: And then the second
4 paragraph indicates "The C.I., accompanied by two
5 Colombians, flew to the Carlos Carillo Airport located
6 at 18 degrees 23 minutes north and 95 degrees 44
7 minutes west in the state of Veracruz." Again, you're
8 not really sure which C.I. we're talking about?

9 SPECIAL AGENT SOLIS: No.

10 INSPECTOR BRUCE: Okay. Who besides
11 yourself would have had the information available to
12 construct the cable, this cable?

13 SPECIAL AGENT SOLIS: Mando.

14 INSPECTOR BRUCE: Armando Ramirez?

15 SPECIAL AGENT SOLIS: Yes.

16 INSPECTOR BRUCE: I've got another DEA-6
17 we ought to take a look at. This is one dated July
18 8th. Two pages. Again, if you would initial and date
19 the pages of that DEA-6. This is a DEA-6 dated July
20 8, '91 regarding the debriefing of SM9900017 regarding
21 Javier Pardo. The report indicates that it was
22 prepared by you under file M9910019. Do you recall
23 preparing this report?

24 SPECIAL AGENT SOLIS: I don't recall, but
25 my name's on there. My signature.

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1 INSPECTOR BRUCE: Okay. Any idea why, if
2 you look down at the sign-off line, the date of the
3 report is July 8th but it appears that the dates of
4 signature of your signature and of your supervisor
5 Armando Ramirez on July 3rd of '91? I mean it would
6 have been like five days before the --

7 SPECIAL AGENT SOLIS: It looks like
8 they've -- it looks like it was dated the 23rd.

9 INSPECTOR BRUCE: And altered. Yes.

10 SPECIAL AGENT SOLIS: And then it came
11 back and --

12 INSPECTOR BRUCE: Do you have any idea why
13 that's --

14 SPECIAL AGENT SOLIS: No.

15 INSPECTOR BRUCE: -- been done?

16 SPECIAL AGENT SOLIS: No.

17 INSPECTOR BRUCE: Okay.

18 SPECIAL AGENT SOLIS: I mean it looks like
19 -- it looks like we both signed the 23rd.

20 INSPECTOR BRUCE: And then there's been,
21 it looks like a zero put over both twos for some
22 reason.

23 SPECIAL AGENT SOLIS: I have no idea.

24 INSPECTOR BRUCE: If we take a look at
25 paragraph five of the six, it indicates that

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1 "SM9900017 lastly stated that Pardo was attempting to
2 have the larger load entered into the United States on
3 July 6, 1991. Pardo requested that SM9900017 remain
4 on standby waiting for the cocaine load to be crossed
5 into the United States."

6 Isn't it -- from the other reports that
7 I've read in the file, you indicated that the
8 negotiations between Chacon and Pardo were for Chacon
9 to utilize his aircraft or the aircraft he had to go
10 to Mexico and bring these loads back. It seems to
11 conflict a little bit with what this says, that he was
12 on standby waiting for the loads to be crossed into
13 the United States.

14 SPECIAL AGENT SOLIS: As I recall, Pardo
15 at different times had said he had other ways of
16 getting it to the U.S. and would the informant fly
17 just in the U.S.

18 INSPECTOR BRUCE: So it could have been,
19 the negotiations could have gone either way?

20 SPECIAL AGENT SOLIS: I don't understand.

21 INSPECTOR BRUCE: Well, it could have
22 been, there could have been negotiations for Chacon to
23 utilize his aircraft to go down and pick up loads in
24 Mexico or possibly pick up loads inside the U.S. and
25 transport them within the country.

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1 SPECIAL AGENT SOLIS: Right.

2 INSPECTOR BRUCE: Okay.

3 SPECIAL AGENT SOLIS: I think the more
4 definite one or the more -- the one they talked about
5 more was him going to Mexico, but they were talking
6 about all kinds of things all the time. For I don't
7 know what, eight, nine, 10 months, all they did was
8 talk about doing things different ways.

9 INSPECTOR BRUCE: Okay. What were your
10 instructions to Chacon when he advised you that Pardo
11 wanted this load in the States on July 6th?

12 SPECIAL AGENT SOLIS: What --

13 INSPECTOR BRUCE: Well, if on this July
14 5th debriefing Chacon indicated to you that Pardo
15 wanted the load entered into the U.S. on July 6th, did
16 you give Chacon any instructions on --

17 SPECIAL AGENT SOLIS: I mean I'm sure I
18 did. I don't recall specifically what it was. I
19 would think it was, you know, remain in contact, let
20 me know if he calls you and the load's here or
21 something. You know, gain as much intelligence so we
22 can do something with it.

23 INSPECTOR BRUCE: Okay. But you don't
24 recall that the negotiations were actually that Chacon
25 was to go to Mexico and pick these loads up or this

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1 load up?

2 SPECIAL AGENT SOLIS: That -- it was like
3 a continued -- if you're talking this one
4 specifically, I don't recall specifically but it was
5 an ongoing thing. Probably five or six times he had
6 said they want me to come to Mexico and, you know, I'd
7 tell everybody, Hey, the C.I. says he going to pick a
8 load up, you know, and be ready, you know, in the
9 morning. They had it worked out where if he left at
10 a certain time and he was supposed to be on the strip
11 at a certain time and he would arrive back at a
12 certain time like 9:00 or 10:00 in the morning. And
13 told everybody be ready, you know, 'cause we're going
14 to go out there and then I'd always get a call, you
15 know, sometimes when I was out there, sometimes on the
16 way, you know, sometimes, you know, later in the
17 afternoon although we didn't go. It was called off
18 for lack of better -- I mean this thing just hummed
19 for 10 months.

20 INSPECTOR BRUCE: Do you know or can you
21 recall if Chacon and McClean made any flights to
22 Mexico between this July 5th debriefing and the July
23 10th date when you made the control delivery of that
24 ton?

25 SPECIAL AGENT SOLIS: I don't think -- I

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1 don't recall exactly. They at some point, you know,
2 went down and looked at the strip and I want to say it
3 had to have been before then if I'm giving the
4 location, but I don't recall it exactly.

5 INSPECTOR BRUCE: Did -- during these
6 negotiations and while these negotiations were going
7 on between Chacon and Pardo in Mexico, had you
8 obtained country clearance for the C.I. to go to
9 Mexico and bring a load out?

10 SPECIAL AGENT SOLIS: I've never heard or
11 I had never heard of country clearance until after we
12 had brought this load back and Mexico City was angry
13 with us. We used to go across every day, work
14 undercover, take undercover deliveries, go with the
15 Mex feds while they're doing their things, and I never
16 heard of country clearance. I didn't know anything
17 about it. If Mando obtained it, I don't know.

18 INSPECTOR BRUCE: Was Armando cognizant of
19 the negotiations that were going on, the development
20 of the case --

21 SPECIAL AGENT SOLIS: Absolutely.

22 INSPECTOR BRUCE: -- Pardo and these
23 negotiations between Chacon and Pardo?

24 SPECIAL AGENT SOLIS: Absolutely.

25 INSPECTOR BRUCE: Excuse me. What

1 direction did he give you with regards to how this
2 thing should go or how it should be done?

3 SPECIAL AGENT SOLIS: He said basically it
4 sounds good. Let's do it.

5 INSPECTOR BRUCE: Meaning wait and hear
6 from the C.I. and see if they get a load?

7 SPECIAL AGENT SOLIS: See if -- see if
8 some -- the thing that, like I said, it had hummed so
9 long, you know. I don't -- I don't think anybody
10 really believed it would go because, you know, it just
11 had been going on so long and humming. But he says
12 okay, that sounds good. Tell them to do it. Let's
13 go.

14 INSPECTOR BRUCE: But he hadn't mentioned
15 to you anything about having to get country clearance
16 from Mexico or anything like that?

17 SPECIAL AGENT SOLIS: No.

18 INSPECTOR BRUCE: How about -- and you
19 were working this investigation with Adan Ballesteros
20 with the state, Texas DPS at the time. Is that
21 correct?

22 SPECIAL AGENT SOLIS: That's correct.

23 INSPECTOR BRUCE: How about his
24 supervisor? I think it was Lieutenant Goodwin at the
25 time.

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1 SPECIAL AGENT SOLIS: He knew exactly what
2 was going on.

3 INSPECTOR BRUCE: He was aware of --

4 SPECIAL AGENT SOLIS: Absolutely. I know
5 he was because I talked to him when the C.I.s finally
6 said, hey, it looks really good, we think we're going
7 to do it, everything's a go, and Adan was going to be
8 out of -- he was in training, and so he had me to talk
9 to his lieutenant, his lieutenant. They were having
10 some sort of retreat at the King Ranch or somewhere on
11 a ranch, and he gave me his pagers and said, hey,
12 that's great. If it goes, give me a call and we'll
13 get, you know, everybody rounded up to do it.

14 INSPECTOR BRUCE: Did he offer any
15 supervisory oversight on the way the investigation
16 should progress or what was going on or these
17 negotiations or anything like that?

18 SPECIAL AGENT SOLIS: Not to me, not to my
19 knowledge during the negotiations. When we did the
20 delivery, they kind of insisted on how it should be
21 taken down but, you know, not during the -- not -- I
22 don't know what he did with Adan, you know, with me
23 during that nine or 10 month period or a year,
24 whatever it was, that we were working on it. He never
25 told me let's try to do this or that.

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1 INSPECTOR BRUCE: Okay. If you could,
2 kind of describe to us what transpired in the
3 investigation, what the developments were between,
4 let's say, the debriefing on the 5th of July and the
5 control delivery on the 10th.

6 SPECIAL AGENT SOLIS: As I recall, he was,
7 Chacon was in contact with Pardo. Kept saying, It's
8 looking good, we're going to do it, we're going to do
9 it. I guess it would have been the 9th because it was
10 the day before we went. He calls and says, We're set
11 to go. We're leaving at 2:00 a.m. They had it worked
12 out where if they were supposed to be at the airstrip
13 at, say, five in the morning, they knew they had to
14 leave at such and such a time prior to that to get
15 there. So he said, We'll be leaving, you know,
16 tonight. I said, All right, fine. And we were
17 sitting there in the agent's bay and I told everybody,
18 Hey, the C.I.'s -- there was a C.I. who says that
19 load's coming tomorrow, and everybody, you know,
20 everybody laughed. Mando was sitting there. I told
21 Mando, I'm just telling you what the guy's saying. He
22 goes, Okay, you know, and that was it.

23 INSPECTOR BRUCE: This was on the 9th.

24 SPECIAL AGENT SOLIS: It was on the 9th.

25 INSPECTOR BRUCE: Okay. Do you about when

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1 this would have been that he would have given you this
2 information or called on the 9th?

3 SPECIAL AGENT SOLIS: I'd say it was late
4 afternoon.

5 INSPECTOR BRUCE: At the office?

6 SPECIAL AGENT SOLIS: Yes. We were all
7 sitting there in the agent's bay in Brownsville.
8 Everybody'd usually stay until 7:00 - 7:30, and
9 everybody was just sitting around back in the bay when
10 he called. Exactly what time, I don't know, but I
11 would think it would be late afternoon.

12 INSPECTOR BRUCE: And then what happened?

13 SPECIAL AGENT SOLIS: Basically, everybody
14 was, you know, we went home. I didn't really believe
15 anything would happen. About 6:00 the next day I get
16 a phone call from the C.I. that says that we're here
17 and we have the load. You know, I was surprised. So,
18 you know, I called Mando and told him, and he was
19 surprised, and I called a few other agents to get them
20 to get everybody moving and raced out to the airstrip.

21 INSPECTOR BRUCE: Do you recall on the
22 9th, did you contact anyone from DPS?

23 SPECIAL AGENT SOLIS: This was when I
24 talked to -- I'm pretty sure it's when I talked to the
25 lieutenant.

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1 INSPECTOR BRUCE: Okay. And that would
2 have been, you say, on some retreat or something?

3 SPECIAL AGENT SOLIS: They were going--
4 yes, I guess it's like the lieutenants and captains,
5 they were doing something out on the ranch.

6 INSPECTOR BRUCE: Okay. How about Adan?
7 Did you talk to him regarding --

8 SPECIAL AGENT SOLIS: I don't -- I don't
9 recall if I did or not because he was at that school.
10 I don't know that I had a way to get in touch with
11 him. I might have, but I don't recall.

12 INSPECTOR BRUCE: Both C.I.s, both Chacon
13 and McClean indicate in their statements and in
14 numerous statements that they've had and discussions
15 we've had with them that this load was in anywhere
16 from two to four days before the 10th in the hangar in
17 Weslaco and, of course, they also say that you and
18 Adan were out at Weslaco when the load was flown in,
19 around the airport. Is this --

20 SPECIAL AGENT SOLIS: No. The first I
21 knew that load was there was when they called me and
22 I went out there.

23 INSPECTOR BRUCE: On the 10th?

24 SPECIAL AGENT SOLIS: On the 10th.

25 INSPECTOR BRUCE: Had you had any occasion

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1 to inspect the hangar at Weslaco or anything during
2 that week preceding?

3 SPECIAL AGENT SOLIS: No, not that I
4 recall.

5 INSPECTOR BRUCE: I guess the thing that's
6 a little difficult and I'm not sure how important it
7 is, is just to figure out why, you know, why this
8 difference and, you know, these two guys and, I'll
9 tell you quite frankly, independently because it was--
10 the initial interviews of Chacon and McClean were done
11 within a few days of one another and I know they had
12 no contact at that time. You know, why they would
13 indicate emphatically, Hey, that load was in, you
14 know, two to four days before the 10th and there was
15 discussion between -- the problem was there was
16 discussion between DEA and DPS on how we're going to
17 do this control delivery, and that's what the holdup
18 was for anywhere from two or three days was trying to
19 get this thing squared away as to how the control
20 delivery was going to be made.

21 SPECIAL AGENT SOLIS: No.

22 INSPECTOR BRUCE: You don't recall that at
23 all?

24 SPECIAL AGENT SOLIS: No.

25 INSPECTOR BRUCE: Okay.

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1 SPECIAL AGENT SOLIS: I mean there was
2 never -- there was never argument with DPS over how
3 we're going to do the delivery or --

4 INSPECTOR BRUCE: Was it something that
5 was decided beforehand?

6 SPECIAL AGENT SOLIS: How we're going to
7 do the --

8 INSPECTOR BRUCE: Yes.

9 SPECIAL AGENT SOLIS: Not really. I mean
10 we figured, you know, that's what I said. To tell you
11 the truth, we didn't -- I didn't really believe the
12 load -- I didn't believe it was going to happen. And
13 you know, when we were going up there, I mean we
14 didn't, you know, we -- you take the load up and you
15 knock it down. It was really decided Armando and
16 Lieutenant -- the Lieutenant got together out on the
17 road right before, right when we were delivering it in
18 El Campo.

19 INSPECTOR BRUCE: And that's where it was
20 decided to have this -- taken off?

21 SPECIAL AGENT SOLIS: That I recall.

22 INSPECTOR BRUCE: Okay. So what you're
23 indicating is that before you got -- you got a call in
24 the night at the office from Chacon saying that, Hey,
25 the deal's set. We're going south, I guess, or

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1 something like that or --

2 SPECIAL AGENT SOLIS: Right.

3 INSPECTOR BRUCE: And then the next thing
4 you really heard was when you got a call the next
5 morning from Chacon.

6 SPECIAL AGENT SOLIS: Yes.

7 INSPECTOR BRUCE: Okay. About what time
8 was that call?

9 SPECIAL AGENT SOLIS: It was early. I
10 think around 6:00, but I'm -- it was early. It was
11 earlier than we thought he would be there.

12 INSPECTOR BRUCE: Okay. And he called
13 you?

14 SPECIAL AGENT SOLIS: Yes.

15 INSPECTOR BRUCE: You didn't call him
16 first on the 10th, on the morning of the 10th?

17 SPECIAL AGENT SOLIS: No.

18 INSPECTOR BRUCE: I want you to take a
19 look at these calls here. These are a listing of
20 calls that were made from various phones, Chacon's
21 phones, the cell phone that you had, the office cell
22 phone.

23 SPECIAL AGENT SOLIS: These are from a
24 cell phone?

25 INSPECTOR BRUCE: Yes. Yes. It would

1 indicate that you initiated the first -- you initiated
2 the first call to him.

3 SPECIAL AGENT SOLIS: Right.

4 INSPECTOR BRUCE: And he called you back.

5 SPECIAL AGENT SOLIS: He called me at my
6 home phone.

7 INSPECTOR BRUCE: Oh, he had your home
8 phone number?

9 SPECIAL AGENT SOLIS: Yes. He either
10 called me at my home phone or he paged me because I
11 got the -- it woke me up and if I'm calling from my
12 cell phone, I'm in my car, so I'm already on my way
13 there.

14 INSPECTOR BRUCE: So there's obviously
15 things before, that transpired before this call on
16 your cell phone that morning.

17 SPECIAL AGENT SOLIS: Right.

18 INSPECTOR BRUCE: Chacon had your home
19 phone number?

20 SPECIAL AGENT SOLIS: Yes.

21 INSPECTOR BRUCE: And his residence was in
22 Brownsville. Right?

23 SPECIAL AGENT SOLIS: Yes.

24 INSPECTOR BRUCE: And you were living?

25 SPECIAL AGENT SOLIS: South Padre.

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1 INSPECTOR BRUCE: Okay. Is that a toll
2 call?

3 SPECIAL AGENT SOLIS: No.

4 INSPECTOR BRUCE: So your understanding
5 would be that if you were on that cell phone --

6 SPECIAL AGENT SOLIS: If I was on --

7 INSPECTOR BRUCE: -- you were on the road.

8 SPECIAL AGENT SOLIS: Exactly. I didn't
9 carry my phone. It was one of those big things. I
10 didn't carry it around with me. It was in the car.

11 INSPECTOR BRUCE: Okay. All right. When
12 Chacon contacted you on the morning of the 10th, what
13 did he indicate? What did he tell you?

14 SPECIAL AGENT SOLIS: He said, We're here.

15 INSPECTOR BRUCE: Meaning?

16 SPECIAL AGENT SOLIS: They were -- they
17 were in the U.S. and they had the load.

18 INSPECTOR BRUCE: Did he tell you where?

19 SPECIAL AGENT SOLIS: It was understood
20 Weslaco Airport. I don't -- he might have said that,
21 you know, I don't recall his exact words is why I'm
22 hesitant to say it --

23 INSPECTOR BRUCE: Sure. Sure.

24 SPECIAL AGENT SOLIS: -- but the gist was,
25 you know, they had the load in and they're in the U.S.

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1 INSPECTOR BRUCE: And then after receiving
2 that information, what action did you take?

3 SPECIAL AGENT SOLIS: I called Mando.

4 INSPECTOR BRUCE: What did you relay to
5 him?

6 SPECIAL AGENT SOLIS: That they were here
7 and they had the load.

8 INSPECTOR BRUCE: Okay. What did he --
9 what were his instructions at that time?

10 SPECIAL AGENT SOLIS: He said that he was
11 going -- he was going to, I think, call Fred Ball and
12 then he'd be heading out there.

13 INSPECTOR BRUCE: To Weslaco?

14 SPECIAL AGENT SOLIS: To Weslaco.

15 CAPTAIN BRUBAKER: Did you go straight to
16 the hangar?

17 SPECIAL AGENT SOLIS: No. I hooked up
18 with -- it was either Joe DuBois or Leo Silva on the
19 radio because they didn't know where it was, and then
20 we all drove up there.

21 INSPECTOR BRUCE: In the same car?

22 SPECIAL AGENT SOLIS: No. You know.

23 INSPECTOR BRUCE: Convoy kind of.

24 CAPTAIN BRUBAKER: Did you actually go to
25 the hangar?

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1 SPECIAL AGENT SOLIS: Not to the hangar.
2 We went out and sat out back by the road.

3 CAPTAIN BRUBAKER: Where was Chacon?

4 SPECIAL AGENT SOLIS: As I recall, they
5 weren't there then. They had gone to get the load
6 vehicle.

7 CAPTAIN BRUBAKER: Where did Chacon call
8 you from initially?

9 SPECIAL AGENT SOLIS: I don't know.

10 CAPTAIN BRUBAKER: Did he indicate that he
11 had just gotten in with the load when he called?

12 SPECIAL AGENT SOLIS: He -- I don't
13 remember his exact words but, you know, it was We're
14 here. We have the load.

15 CAPTAIN BRUBAKER: Then he probably didn't
16 drive from the hangar to Brownsville to call you. He
17 probably called from a cell phone or from Weslaco or--

18 SPECIAL AGENT SOLIS: Maybe, or I don't
19 know where they had the load vehicle or -- I don't
20 know.

21 CAPTAIN BRUBAKER: What time would they
22 have had to have left to go to the airstrip where they
23 initially picked up the load to have been back that
24 early in the morning?

25 SPECIAL AGENT SOLIS: I don't -- I don't

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1 recall. Early. But they said one of the things that
2 made it so quick was they said that the people had it
3 like down to a science. I mean they did it so
4 quickly. They said usually it's a lot more hectic and
5 it takes a real long time. He said these guys were
6 very well organized.

7 INSPECTOR BRUCE: Of course, if you read
8 the account of your debriefing of McClean on the 12th
9 of July, two days after the control delivery, he
10 indicates in that debriefing report that when they got
11 down there that the plane from Colombia hadn't arrived
12 yet and there was a lot of fog and they had all kinds
13 of problems getting that plane in. I guess that would
14 have taken some time.

15 SPECIAL AGENT SOLIS: I assume so, but --

16 INSPECTOR BRUCE: Again, another conflict
17 we're having -- and I'll just, you know, ask you for
18 your interpretation, is that when asked about the fact
19 was that flight made prior to 6:00 a.m. on the 10th,
20 they were -- McClean and Chacon, when asked, "Did you
21 go down, pick that load up, and fly it back on the
22 morning of the 10th?" They were pretty emphatic about
23 the fact that, no, there's no way we could have done
24 that because we would have had to have been down there
25 alone in the dark if we'd have done that to get back

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1 to Weslaco by 6:00 a.m. and especially McClean was
2 just absolutely emphatic about the fact that there's
3 no way he could have landed on that strip in Veracruz
4 in the dark then, that all the flights he made were
5 all daylight flights.

6 SPECIAL AGENT SOLIS: I mean, you know, I
7 can't explain it. I know it was supposedly a
8 international airport or something where they landed,
9 you know, I don't know. I can't explain what they --

10 INSPECTOR BRUCE: Okay. You know about
11 what time you got to the airport, Weslaco?

12 SPECIAL AGENT SOLIS: Not exactly. Maybe
13 7:30.

14 INSPECTOR BRUCE: And you had indicated
15 you hooked up with either DuBois or --

16 SPECIAL AGENT SOLIS: Leo Silva.

17 INSPECTOR BRUCE: -- Leo Silva. Okay. Do
18 you remember when you first met up with, physically
19 met up with Chacon or McClean on that morning on the
20 10th?

21 SPECIAL AGENT SOLIS: I think it's when
22 they were coming back. I was sitting there with Leo
23 Silva and they came back with a load vehicle.

24 INSPECTOR BRUCE: The Suburban.

25 SPECIAL AGENT SOLIS: The Suburban.

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1 INSPECTOR BRUCE: Okay. And this would
2 have been away from the airport or at least across the
3 road from the airport.

4 SPECIAL AGENT SOLIS: Yes, a little ways
5 away.

6 INSPECTOR BRUCE: Okay. Did you have a
7 discussion with him at that time, a meeting?

8 SPECIAL AGENT SOLIS: It was short. You
9 know, they said they were going to go in and load the
10 car.

11 INSPECTOR BRUCE: Okay. And that was
12 about the extent of it.

13 SPECIAL AGENT SOLIS: Yes.

14 INSPECTOR BRUCE: Okay.

15 SPECIAL AGENT SOLIS: But I -- I don't
16 recall exactly the -- it wasn't a lengthy --

17 INSPECTOR BRUCE: Did you at any time
18 during your meeting with Chacon and McClean say to
19 them, if anybody asks, you brought this stuff in this
20 morning?

21 SPECIAL AGENT SOLIS: No.

22 INSPECTOR BRUCE: Or words to that effect?

23 SPECIAL AGENT SOLIS: No.

24 INSPECTOR BRUCE: Don't have to be exact.

25 SPECIAL AGENT SOLIS: No.

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1 there. So I don't understand. To me it doesn't make
2 any sense what they're saying because how do they
3 explain to the Colombians, oh, well, it takes us two
4 days or whatever because the whole time we were going
5 there, Otto was mad because we're driving and we had
6 to stop to try to put the first kill switch on and we
7 had to wait for the guy to catch up with us and then
8 he couldn't put it on and then we had to pull over
9 later and let some people from Houston hook up with us
10 and then put the kill switch on and the whole time
11 he's mad because he's saying they know how long it
12 takes to get there. We got to hurry. We got to
13 hurry. We got to hurry. And we're driving like 90
14 miles an hour the whole way there.

15 INSPECTOR BRUCE: So they were the real
16 time crunch even bringing it in that -- if they drove
17 brought it in that morning.

18 SPECIAL AGENT SOLIS: Yes, because they're
19 -- they were supposed to be flying it to Houston.

20 INSPECTOR BRUCE: Straight in.

21 SPECIAL AGENT SOLIS: That's what they had
22 told, you know, the Colombians, they could fly it
23 straight to Houston. But since we weren't going to
24 fly it to Houston, we were flying it down there in the
25 valley and then driving it up, so we were pushed for

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1 time.

2 INSPECTOR BRUCE: Would you have any way
3 of knowing if they'd have brought it in before the
4 10th?

5 SPECIAL AGENT SOLIS: No.

6 INSPECTOR BRUCE: You wouldn't have any
7 reason or any plan to check that hangar or anything on
8 a regular basis or --

9 SPECIAL AGENT SOLIS: No. I mean I guess
10 in hindsight I should have, but at the time, no.

11 INSPECTOR BRUCE: How about that morning,
12 the 10th, before the control delivery? You didn't
13 check the hangar or look in the hangar or anything?

14 SPECIAL AGENT SOLIS: No. I was -- as I
15 say, we -- I didn't expect the thing to go and then
16 I'm out there and I'm trying to get enough people,
17 we're trying to get approval, we're trying to get, you
18 know, an op plan done so we can do our thing. I mean
19 I'm just trying to get things organized.

20 INSPECTOR BRUCE: Did you do an op plan?

21 SPECIAL AGENT SOLIS: I myself didn't. I
22 think Mando did and got something up to Manson but
23 myself, you know, I didn't. But one of the things I
24 know that we had to do was like they wanted an air --
25 an airplane op, they wanted a kill switch, you know,

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1 so we're calling around trying to get all this stuff
2 plus just getting people out and trying to get a hold
3 of DPS, get DPS out because they wanted to use a CLE
4 trooper and just trying to get all, you know, get
5 everything together. Back again to that time
6 constraint.

7 INSPECTOR BRUCE: So the load itself was
8 actually not inspected prior to, prior to leaving
9 Weslaco?

10 SPECIAL AGENT SOLIS: I -- I don't
11 remember actually seeing it, really seeing it until it
12 was -- after it was seized and we took the vehicle
13 back to, what was it, Fort Bend County Sheriff's
14 Office. I didn't actually see the cocaine. I saw it
15 when that Suburban came out though. I mean it was --
16 the bumper was dragging the ground.

17 INSPECTOR BRUCE: How about following the
18 control delivery. Did you or anybody inspect the
19 hangar after the delivery, after the control delivery?

20 SPECIAL AGENT SOLIS: I didn't and I don't
21 recall anybody else doing it if somebody did. They
22 might have but I was still just trying to get
23 everything organized and make sure we could go forward
24 with it.

25 CAPTAIN BRUBAKER: When you heard the

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1 description about writing the report the way it was
2 written, you just accepted his word. There was no
3 discussion?

4 SPECIAL AGENT SOLIS: Mando? He was my
5 supervisor.

6 CAPTAIN BRUBAKER: You weren't concerned
7 what would happen in a courtroom setting?

8 SPECIAL AGENT SOLIS: I was probably a
9 little concerned but I mean the way I was trained and
10 taught is, I mean if your boss says go to the corner,
11 walk and don't walk, you don't ask why. You just go.

12 CAPTAIN BRUBAKER: What would have
13 happened in the courtroom when the informants
14 testified one way and you testified off of your report
15 the other way?

16 SPECIAL AGENT SOLIS: Well, I wouldn't --
17 I wouldn't have perjured myself.

18 CAPTAIN BRUBAKER: Do you feel like that
19 would have jeopardized the case?

20 SPECIAL AGENT SOLIS: Possibly. I mean
21 looking back now, you know, I wished I had had more
22 experience at the time. I wished, you know -- I
23 didn't believe so much in Mando. I mean, you know,
24 there's been a lot of -- you know, it's a long time
25 since this has happened and if I had a supervisor come

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1 and tell me to write something like this now, I'd tell
2 them no. You know, it's not right because a lot of
3 things because what you're saying that at the time I
4 hadn't been on the job that long. I had a boss who I
5 thought hung the moon and when he said this is what
6 you need to do or this is what I want you to do,
7 that's what I did.

8 CAPTAIN BRUBAKER: Did he give you
9 explicit instructions on every detail of the story or
10 did he leave it up to your imagination?

11 SPECIAL AGENT SOLIS: He said we need to
12 say that somebody came by and picked up the C.I. and
13 he wasn't able to call you.

14 INSPECTOR BRUCE: How about this thing
15 about the guy being in the load vehicle when it left
16 Weslaco, the supposed Beto?

17 SPECIAL AGENT SOLIS: He had later on when
18 I submitted the report to him and he had said
19 something else about where's the guy go? I don't
20 know. And actually there was supposed to be somebody
21 coming back with them. That's the way they had always
22 said that they would do all through these negotiations
23 and everything. They had always said they would send,
24 you know, they were going to send somebody with them.
25 I believe McClean even told me that they wanted to and

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1 he told them, well, fine, then take some of the dope
2 out and they didn't want to do that.

3 CAPTAIN BRUBAKER: Where did the name Beto
4 come from?

5 SPECIAL AGENT SOLIS: It's -- it's the guy
6 that was an associate of Pardo's who we later worked
7 on and arrested down in Mexico or -- I think he was in
8 Mexico or Ecuador.

9 CAPTAIN BRUBAKER: Did you just pick him?

10 SPECIAL AGENT SOLIS: He was -- he was
11 always with Pardo. Yes. We didn't know his -- all we
12 knew at that time was Beto.

13 INSPECTOR BRUCE: You say when you
14 submitted your report to Armando, he asked you, Where
15 did the Colombian go? I mean in your report where did
16 he go?

17 SPECIAL AGENT SOLIS: Yes, I mean -- no,
18 where did -- he's here, he comes in. Now what
19 happened to him?

20 INSPECTOR BRUCE: Okay. So in other
21 words, you had to redo your report to indicate well,
22 we'll put him in the load car and let him get out at
23 Harlingen.

24 SPECIAL AGENT SOLIS: Right.

25 CAPTAIN BRUBAKER: When you said that they

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1 had been telling Pardo that they could fly it from
2 Mexico straight to Houston, where were they supposed
3 to fly into?

4 SPECIAL AGENT SOLIS: He hadn't -- he had
5 said he had a strip on a ranch I believe is what he
6 told them. You know, what we had basically wanted to
7 do was get control of it and we always wanted to try
8 to deliver it just past the checkpoint like by Corpus
9 which was still in Fred Ball's district.

10 INSPECTOR BRUCE: The Immigration
11 checkpoint.

12 SPECIAL AGENT SOLIS: Right, but just
13 north of there because that's the big thing where they
14 don't want to get it, you know, below the checkpoint.

15 INSPECTOR BRUCE: It's outside of the
16 checkpoint.

17 SPECIAL AGENT SOLIS: Where it might get
18 -- where they have to worry about crossing the
19 checkpoint. So we had always tried to get him to do
20 that and then he said no, the people want it in
21 Houston. They're firm on Houston. So I told him I
22 got a strip that I can use.

23 INSPECTOR BRUCE: Was there any discussion
24 about that with Armando or Fred Ball about the fact
25 you're going to take this thing to Houston?

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1 SPECIAL AGENT SOLIS: I think that was
2 understood all along. I'm sure it was. Nobody would
3 fly a load in just to there and have to worry about
4 going on -- and I'm sure it was because we always
5 talked about we're going to have to do the delivery up
6 to the Houston area.

7 CAPTAIN BRUBAKER: Was your initial
8 intention for them to fly it from Mexico to somewhere
9 beyond the checkpoint?

10 SPECIAL AGENT SOLIS: No. We wanted to --
11 we always wanted to get control of it in the valley
12 where we have control of it. You know, you know how
13 DEA works. You want the case. If we take it to
14 Houston, then, you know, a year of our work we get no
15 credit for. Houston, you know, will take the case.
16 So we always wanted to get it there but all we wanted
17 to do was do the control delivery. There's a place
18 called La Cuppula which is like a little rest stop in
19 Kingsville. It's a hotel and stuff. And we wanted to
20 deliver it there and they wouldn't go for it. The
21 Colombians wouldn't go for it.

22 INSPECTOR BRUCE: Okay. One of the
23 allegations that's been made is that you and Adan
24 following this control delivery allowed Chacon and
25 McClean to bring in two additional loads back to back

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1 meaning one load one day and another load the
2 following day, 1,000 kilos each, which was stored at
3 the Weslaco Airport and hangar and then subsequently
4 they were allowed to take those -- that cocaine, which
5 we're talking 2,000 kilos now, up to the airport at
6 Wharton, the Wharton City Airport and distribute the
7 cocaine from there to Houston. July 26th and July
8 27th are the dates pinpointed by McClean and Chacon as
9 to when those trips to Mexico were made and the 1,000
10 kilos each on each load were brought back and stored
11 at the hangar in Weslaco. Any recollection, any idea
12 what --

13 SPECIAL AGENT SOLIS: We were at that time
14 -- any idea -- go on.

15 INSPECTOR BRUCE: All right. What you
16 were doing with Chacon and McClean at that time. I
17 mean were negotiations with additional loads or what
18 the situation was. I guess the bottom line is, you
19 know, did you let these guys bring in a couple more
20 loads?

21 SPECIAL AGENT SOLIS: No. I mean I didn't
22 let them. I -- you know, I got no doubt they did now,
23 but I certainly didn't let them. I didn't know they
24 did. You know, I can kind of hypothesize on why they
25 did it. I mean I think I've kind of figured out why

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1 they did it, but not with my knowledge they didn't.

2 INSPECTOR BRUCE: Why do you think they
3 did it?

4 SPECIAL AGENT SOLIS: I think it got down
5 to when -- Otto had told us before that the Colombian,
6 Pardo, at one time, you know, he was down there and
7 one time the guy said -- and I don't remember the
8 guy's name -- but said Hey, do you remember Juan
9 Hernandez? And Otto says yes. He goes, Well, he says
10 to tell you hi, and I'm like, well, so what? He goes,
11 That's the guy I grew up with. That's the guy that
12 knows all my family in Venezuela. They know everybody
13 in my family. Me and him went to school together. We
14 used to race motorcycles together. You know, they
15 know, they know my family. And that was his nice way
16 of telling me, you know, we know who you are and who
17 your family is so don't screw with us.

18 And I think what happened is when he --
19 after we did this load and I told him not to go down
20 to Mexico, I told him don't go, you know, because it's
21 just too dangerous. We're taking this load off and,
22 you know, they're going to know it got taken off and
23 it's too dangerous for you. And, you know, he went
24 anyway. He insisted on going anyway and then whenever
25 he came back, I think what they did is they told him

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1 they weren't sure. If he hadn't have showed up, they
2 would have known he was the informant. But since he
3 showed up, they weren't sure and so they said, all
4 right, well, look, we're going to let you try another
5 one but if anything happens to it, you know, you're in
6 trouble. Your family is in trouble. And I think
7 that's why he did it, that plus just the greed. But
8 even that doesn't make any sense because we had
9 approvals where he could keep whatever money he was
10 paying -- he was paid.

11 INSPECTOR BRUCE: What do you mean by
12 approvals?

13 SPECIAL AGENT SOLIS: We checked with --
14 I guess Fred Ball checked with chief counsel's office
15 and they said that as long as he was paid -- if he was
16 paid in the United States, then he had to turn the
17 money over to us and then we could give him a reward
18 of up to 25 percent of it, I think is how it went, but
19 that if he was paid in Mexico, that all we could do
20 was ask him to give it to us. We couldn't tell him.
21 You know, we couldn't make him give it to us. And --
22 I forgot where I was.

23 INSPECTOR BRUCE: Just the payment, he'd
24 have been able to keep the payment from, I guess,
25 Pardo for running the load.

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1 SPECIAL AGENT SOLIS: And you know, so I
2 -- on that part, I don't understand why he would do it
3 but then when I look at the whole family situation,
4 I'm like to me that's what made sense because he knows
5 if he tells us, we're going to take it off. And at
6 the time we're trying to get approval, you know, to do
7 some more loads. What we're trying to do, even
8 Houston had got permission for an extended control
9 delivery is what they called it where instead of
10 taking off the initial recipient, they'd try to take
11 it a step or two beyond that and we were trying to get
12 approvals to do that kind of stuff. We were talking
13 with Guadalajara and Mexico City trying to coordinate,
14 you know, different ways to do things.

15 But around about when you're talking
16 about, too, is when I started kind of, because of my
17 illness, you know, I was getting ready for that.

18 INSPECTOR BRUCE: What was the situation
19 at that time with your illness? I mean were you
20 undergoing chemo or anything at that time?

21 SPECIAL AGENT SOLIS: I was doing chemo
22 every day, three times a day.

23 INSPECTOR BRUCE: Every day during this
24 period of time in early July?

25 SPECIAL AGENT SOLIS: Yes. For a year I

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1 did it.

2 INSPECTOR BRUCE: And you were still able
3 to work then?

4 SPECIAL AGENT SOLIS: I tried. I had to
5 go out and take naps in my car, but I mean I basically
6 slept probably 14 or 16 hours a day, 18 hours a day.
7 I'd come in from work and lay down and sleep until I
8 ate, then go back to bed and sleep the night through
9 and wake up at 9:00 and go to work. I mean I guess to
10 say I had other things on my mind, you know, other
11 than this case.

12 INSPECTOR BRUCE: Yes. One of the things
13 that is troublesome to us on these dates I mentioned,
14 the 26th and the 27th, is the fact that -- and again,
15 we don't have, because it's been so long, quite
16 frankly we don't have your 352s to find out if you
17 were working, if you weren't working, you know, what
18 you were doing on those dates. I mean you were right
19 up front on that. However, Adan's dailies from DPS
20 indicate on both of those days late morning to mid-
21 afternoon that he was with you at the Weslaco Airport
22 regarding surveillance on air smuggling with Chacon
23 and McClean. Were you at -- I mean did you spend time
24 out at the Weslaco Airport, I mean during that period
25 of time? This would have been, you know, like say

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1 what, 10, 16 days, I guess, after that initial control
2 delivery.

3 Now, I think he came back, from the
4 reports, I think Chacon came back from Mexico on the
5 15th of July. He flew down after that first control
6 delivery.

7 SPECIAL AGENT SOLIS: Right.

8 INSPECTOR BRUCE: I think he was back the
9 15th and this would have been 11 days later.

10 SPECIAL AGENT SOLIS: Yes. I mean I -- we
11 were -- it was a constant meeting with these guys all
12 over the place. I don't recall ever being out at the
13 airport, you know, with them. Not at the airport.
14 We'd meet. Sometimes we'd meet there, like there was
15 a Luby's. We'd meet there sometimes. I mean we're
16 meeting all over the place, but I don't recall. We
17 were working on just trying to get approvals. I think
18 what they had wanted to do actually was bring in a DC-
19 3. I'm pretty sure because we were working with Jimmy
20 Castillo in Guadalajara trying to get approval to do
21 that.

22 INSPECTOR BRUCE: Those approvals, the
23 ones that were documented, are a bit later. They're
24 like the end of the month, end of July. I guess there
25 was an ops plan that was faxed down to Mexico City.

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1 SPECIAL AGENT SOLIS: Right.

2 INSPECTOR BRUCE: Which they -- they tried
3 to revise. I mean they basically turned it down.
4 They said no, you're not flying it out of the country.
5 If you come down and pick it up, you've got to take it
6 to another airstrip within the country, an MFJ, you
7 know. We'll take the load off and you can bring a
8 representative sample back or something like that
9 which, from what I can see in the case file and the
10 cable traffic, wasn't acceptable to you all in Texas.

11 SPECIAL AGENT SOLIS: Right.

12 INSPECTOR BRUCE: But now, were these
13 things ongoing? I mean even before the written -- the
14 negotiations with Mexico City on how to do this thing
15 with the possibility of doing another load.

16 SPECIAL AGENT SOLIS: Oh, yes.

17 INSPECTOR BRUCE: Because I get the
18 indication when Chacon came back from Mexico and says
19 he just saw 22 or 23 tons of dope in Guadalajara --

20 SPECIAL AGENT SOLIS: Right.

21 INSPECTOR BRUCE: -- that, you know, even
22 Mexico started getting pretty excited about this whole
23 thing.

24 SPECIAL AGENT SOLIS: Right. They sent a
25 couple of people up to talk to them and wanted them to

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1 come down there and work and we were just -- you know,
2 it was -- it was just like an ongoing thing where
3 we're trying to, you know, we propose something, they
4 propose something different, we come back at them with
5 something, they come back at us with something.

6 INSPECTOR BRUCE: But you didn't have any
7 knowledge of these guys bringing in any load during
8 that period of time.

9 SPECIAL AGENT SOLIS: No.

10 INSPECTOR BRUCE: Why do you think you had
11 trouble with the polygraph when that came up?

12 SPECIAL AGENT SOLIS: I don't know. I
13 think a lot of it was in the question, you know,
14 because then they'd turn around and say, well, did
15 Adan tell me that the load got through or whatever,
16 and that was all truthful. I mean, you know, all I
17 can think of is just the way the question was and,
18 like I said, we had so many meetings, even after that.

19 CAPTAIN BRUBAKER: Did you ever discuss
20 letting loads go at those meetings?

21 SPECIAL AGENT SOLIS: I think early, early
22 on, you know, back when we first started the
23 investigation, we were -- I don't think necessarily --
24 I don't recall it being with the CIs although maybe
25 they were standing there but, you know, we kicked

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1 around all the possibilities of what can we do. We
2 didn't know what it is we would get, so we were just
3 kicking around what is it we can do?

4 INSPECTOR BRUCE: To include the
5 possibility of maybe having to keep these guys cool
6 and let a load go through or something?

7 SPECIAL AGENT SOLIS: Well, if we can get
8 approvals and everything, yes. I mean I didn't -- you
9 know, I'd never done a case like this before so I
10 didn't know, I didn't know what was possible that we
11 could do.

12 INSPECTOR BRUCE: How much pressure were
13 you under from Chacon to do another load after that --
14 after the load got ripped on the 10th?

15 SPECIAL AGENT SOLIS: I think he was
16 always wanting to do something. He was pushing to do
17 something and we just told him we got to get approval.
18 I mean I guess, you know, by now I knew about country
19 clearance and, you know, what happens when you don't
20 get it, so I mean we weren't going to do anything
21 without getting the right approvals.

22 INSPECTOR BRUCE: But you don't recall
23 being out at Weslaco with Adan on the 26th and 27th.

24 SPECIAL AGENT SOLIS: No.

25 INSPECTOR BRUCE: Or any meetings with

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1 Chacon and McClean up to the fact that, hey, this
2 stuff is here, you know. What are we going to do with
3 it.

4 SPECIAL AGENT SOLIS: No.

5 INSPECTOR BRUCE: It's in the hangar.
6 We've got to do something with it.

7 SPECIAL AGENT SOLIS: No.

8 INSPECTOR BRUCE: What did Adan tell you
9 about it later after the fact?

10 SPECIAL AGENT SOLIS: Tell me about what?

11 INSPECTOR BRUCE: I thought you said that
12 Adan told you that it had happened.

13 SPECIAL AGENT SOLIS: No. That was one of
14 the questions they asked me on the polygraph. You
15 brought up the polygraph. Adan, you know, he never
16 mentioned anything to me about it.

17 INSPECTOR BRUCE: Do you recall Adan going
18 up to Wharton? Had you been to the airport at
19 Wharton? You've been to the airport at Wharton,
20 haven't you? The City Airport there.

21 SPECIAL AGENT SOLIS: I've driven by
22 there. I don't recall ever being at the airport. I
23 remember seeing it because they had talked about it
24 different times.

25 INSPECTOR BRUCE: You weren't aware that

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1 Chacon had a hangar there?

2 SPECIAL AGENT SOLIS: I had heard. That's
3 when they had talked about they used to have a hangar.
4 I didn't, you know, at what point he didn't have it
5 any more, whatever, I don't know, but he had mentioned
6 before and that's why I noticed it say like driving to
7 Houston because I didn't have any idea where the place
8 was and they had talked about the Wharton Airport.

9 INSPECTOR BRUCE: Were you aware of the
10 fact that on the 30th and 31st of July that Adan was
11 in Wharton?

12 SPECIAL AGENT SOLIS: Not that I recall.
13 No.

14 INSPECTOR BRUCE: How much contact did you
15 and Adan have during this period of time?

16 SPECIAL AGENT SOLIS: I mean we're
17 talking, you know, I'm trying to get the approvals and
18 everything.

19 INSPECTOR BRUCE: Daily? Twice a day?

20 SPECIAL AGENT SOLIS: I don't really
21 recall.

22 CAPTAIN BRUBAKER: T.K., I'm a little hung
23 up on something you said at the polygraph. I'm
24 curious why you make the statement. You were
25 discussing the marrow transplant and the success rate

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1 and you made the statement that, something to the
2 effect if you were afraid something would happen that
3 you wouldn't make it. You didn't want to leave, quote
4 "leave" being thought of as a bad cop but rather leave
5 having everyone know that you were directly involved
6 with busting the big one.

7 SPECIAL AGENT SOLIS: I don't recall the
8 bad cop. I don't recall saying that.

9 CAPTAIN BRUBAKER: Well, I was sitting in
10 here listening to you say it.

11 SPECIAL AGENT SOLIS: Well, I don't recall
12 saying that. I don't know the context but, you know,
13 basically what I was trying to say is -- it's hard for
14 me to put into words again -- is that I didn't know
15 what was going to happen. I wanted to do a big load.
16 The night I did it --

17 CAPTAIN BRUBAKER: Why would they have
18 thought of you as a bad cop?

19 SPECIAL AGENT SOLIS: I don't recall
20 saying that and I don't accept that I said that.

21 CAPTAIN BRUBAKER: I'm telling you you
22 said it. I was there.

23 SPECIAL AGENT SOLIS: Well, I don't accept
24 that I said is what I'm telling you. I don't recall.
25 I don't think anybody would have thought of me as a

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1 bad cop if I hadn't have done the load.

2 INSPECTOR BRUCE: But the big thing was to
3 do the, you say the big load?

4 SPECIAL AGENT SOLIS: I just wanted to do
5 a good deal, you know. I saw where I had a chance.
6 I knew I was going into the hospital real soon, and I
7 wanted to do it, and I was pretty well satisfied after
8 we did it, tell you the truth. After that, you know,
9 we kept working, you know. If we could have done
10 something more, that would have been great. But I was
11 pretty satisfied with doing the load we did.

12 INSPECTOR BRUCE: I'm just with, you know,
13 with the contact and the phone calls back and forth
14 primarily between you and Chacon and Chacon and Adan
15 and Adan and you and one thing and another, it just
16 doesn't look like these guys dropped off the scope for
17 three or four days there to enable them to do all
18 this, you know, without you at least going on. What
19 happened to all these guys? Where did they go? I
20 mean, you know, it seemed like you guys were all in
21 pretty close contact.

22 SPECIAL AGENT SOLIS: I mean we, you know,
23 we talked but I don't guess I really understand what
24 it is you're asking. I mean did I wonder where they
25 were or what was going on or what?

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1 INSPECTOR BRUCE: Well, it seemed like you
2 had pretty good contact with them and it was, you
3 know, to enable them to bring another 2,000 kilos and
4 stash it in the hangar and then head off and spend
5 another, you know, another two days ferrying stuff up
6 to Wharton. It seemed like you'd have figured
7 something was up.

8 SPECIAL AGENT SOLIS: I didn't.

9 INSPECTOR BRUCE: What do you recall about
10 during the early part of August of '91 when Chacon
11 spent probably about 15 days or so up in Houston.
12 Were there any discussions you had with him about what
13 was going on or what he was doing?

14 SPECIAL AGENT SOLIS: That I recall, he
15 was supposed to be waiting for some money because T.O.
16 was going to buy him a plane to utilize in doing this
17 stuff. He was -- he told me he was just up there
18 waiting. And then he said later on, you know, they
19 got in an argument and he wasn't going to buy them the
20 plane any more.

21 INSPECTOR BRUCE: Did you see the money?

22 SPECIAL AGENT SOLIS: No.

23 INSPECTOR BRUCE: Did he indicate that he
24 got the money or anything?

25 SPECIAL AGENT SOLIS: He never did to me.

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1 You know, I've heard, you know, later he did but I
2 never knew he had.

3 INSPECTOR BRUCE: You never knew he picked
4 up any money in Houston or saw any suitcases with
5 money or anything like that?

6 SPECIAL AGENT SOLIS: No.

7 INSPECTOR BRUCE: T.K., this is a memo
8 that James Tanner, the Customs Agent in Mobile,
9 Alabama, wrote up and sent it to you, and it's dated
10 December 1, '94. This memorandum discusses Chacon's
11 participation in a delivery of 500 kilos of cocaine in
12 Houston.

13 SPECIAL AGENT SOLIS: Right.

14 INSPECTOR BRUCE: Do you recall this memo?

15 SPECIAL AGENT SOLIS: I don't specifically
16 recall this, but I remember when we went down to
17 Mobile and we talked to -- I don't know who exactly we
18 talked to. It might have been one -- we talked to one
19 or two of the defendants and then their informants.

20 INSPECTOR BRUCE: Okay. But you don't
21 recall receiving the memo from Tanner.

22 SPECIAL AGENT SOLIS: This exactly, no.
23 He had given me another one when I was down there. It
24 wasn't in this format, but he had given me another,
25 another thing similar to this that outlined the

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1 interviews and what the people said.

2 INSPECTOR BRUCE: And you were down there
3 what? February, I think, of --

4 CAPTAIN BRUBAKER: '93.

5 INSPECTOR BRUCE: '93.

6 SPECIAL AGENT SOLIS: I would say it was
7 -- let me think. I would have thought it would have
8 been like in '92, but it could have been '93. I
9 don't, I don't have those records to see. This, as I
10 recall, I do kind of remember this now. He had called
11 and wanted Otto to testify and he wanted us to talk to
12 Otto, but I don't think -- I don't have those records
13 with me, but I don't think -- I didn't think it was
14 December, but it could have been.

15 INSPECTOR BRUCE: Okay. How were you
16 first contacted by Tanner regarding that case in
17 Mobile, regarding the 500 kilos?

18 SPECIAL AGENT SOLIS: Regarding what they
19 thought had happened?

20 INSPECTOR BRUCE: Yes, and Chacon's
21 possible involvement.

22 SPECIAL AGENT SOLIS: He had called and
23 said they thought that Otto had run a load behind us
24 and, you know, he wanted me to know at the time Otto
25 was working in Mexico City for Mike Turner, so he's

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1 like, you know, you can come down here and talk to our
2 defendants and stuff, so I called Mike and we went to
3 Mobile.

4 INSPECTOR BRUCE: Okay. At the time you
5 were contacted by Tanner, who -- was Armando still
6 your supervisor at that time?

7 SPECIAL AGENT SOLIS: He was the -- he was
8 the RAC and then I had Gary Olinkowicz was my GS.

9 INSPECTOR BRUCE: Did you advise either
10 one of them that --

11 SPECIAL AGENT SOLIS: Yes. I remember I
12 went and told Gary I think there was a problem with
13 the informant. He said what and I told him, you know,
14 Customs had some defendants who said he ran a load.

15 INSPECTOR BRUCE: What was -- what were
16 his instructions to you after that?

17 SPECIAL AGENT SOLIS: He's like well,
18 "let's go down and, you know, go down there and see
19 what they have to say," as I recall. I mean I don't
20 remember his specific instructions, but I know we went
21 down there. You know, I called Mike Turner and told
22 him and we went to Mobile and we talked to -- they had
23 two informants and I remember one or two defendants
24 and at some point I talked with their, with their AUSA
25 on the case.

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1 INSPECTOR BRUCE: In Mobile?

2 SPECIAL AGENT SOLIS: In Mobile.

3 INSPECTOR BRUCE: Okay. Did Gary
4 Olinkowicz do any -- that you're aware of -- any paper
5 or anything on this?

6 SPECIAL AGENT SOLIS: I don't know.

7 INSPECTOR BRUCE: How about Armando? Was
8 he aware of the fact that Customs --

9 SPECIAL AGENT SOLIS: I don't recall
10 specifically Armando but he, you know, he knew pretty
11 much everything that's going on.

12 INSPECTOR BRUCE: When you went down to
13 Mobile, you and Mike, what did you do? Did you
14 interview with the Customs C.I. or --

15 SPECIAL AGENT SOLIS: Right.

16 INSPECTOR BRUCE: -- the defendant or --

17 SPECIAL AGENT SOLIS: No. There were two
18 informants that were involved in it, and then I guess
19 the defendants, you know, and interviewed them.

20 INSPECTOR BRUCE: What was the outcome of
21 those interviews?

22 SPECIAL AGENT SOLIS: I mean I pretty well
23 believed, you know, what they were saying. You know,
24 the part I -- the part that I -- the part that I
25 didn't, you know, I couldn't really understand what it

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1 opinion also is that the guy was working, it was a
 2 very good case he was working on and he was working
 3 real good, so continue the investigation. I think
 4 that's what -- and even we had talked to -- I talked
 5 to their AUSA. I don't remember if I talked to her
 6 from Brownsville. I talked to her -- it was on the
 7 phone -- and she basically told me, Hey, look, you
 8 know, we don't have venue in this case so I'm just,
 9 I'm advising you of this, you know, to do with
 10 whatever you all want to do with.

11 INSPECTOR BRUCE: Was there any discussion
 12 with her about the possible prosecution of Chacon?

13 SPECIAL AGENT SOLIS: You know, she had
 14 said if you all want to prosecute him, you got to do
 15 it in the southern district.

16 INSPECTOR BRUCE: Of Texas?

17 SPECIAL AGENT SOLIS: Of Texas.

18 INSPECTOR BRUCE: Did you follow that up?

19 SPECIAL AGENT SOLIS: Follow?

20 INSPECTOR BRUCE: The suggestion of
 21 prosecution or possible prosecution.

22 SPECIAL AGENT SOLIS: I went back and I
 23 talked to, I talked to Gary, you know, and again with
 24 Mike Turner, you know, wanting to continue the case.
 25 Gary suggested I run it by a prosecutor there in

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1 Brownsville, so I went down and told him about it and,
2 you know, he's like well, what's the C.I. doing now,
3 and I said, well, he's working, and then outlined the
4 case he's working. He's like, well, what's the
5 problem? If he's working, let him keep working.

6 INSPECTOR BRUCE: Which prosecutor?

7 SPECIAL AGENT SOLIS: Rick Lara.

8 INSPECTOR BRUCE: Do you have any idea
9 about how long after the trip to Mobile that you would
10 have had this discussion with Lara?

11 SPECIAL AGENT SOLIS: Sometime soon
12 thereafter. I'm pretty sure it was Rick Lara. I'm 99
13 percent sure.

14 INSPECTOR BRUCE: Again, I have to tell
15 you that neither Rick Lara or any of the other AUSAs
16 in Brownsville have any recollection of any
17 discussion.

18 SPECIAL AGENT SOLIS: That doesn't
19 surprise me about Rick, but I mean I know I talked to
20 him and I believe there was an ATF agent there when I
21 was talking to him about it.

22 INSPECTOR BRUCE: You know who that would
23 be?

24 SPECIAL AGENT SOLIS: Bill Newell.

25 INSPECTOR BRUCE: With ATF in Brownsville?

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1 SPECIAL AGENT SOLIS: He was in
2 Brownsville but -- and the reason I -- because Rick,
3 Rick's notorious if you talk to maybe people outside
4 the AUSA's office that he doesn't remember one thing,
5 you know, from one day to the next. I'll come and
6 talk to him about a case and I'll come back, you know,
7 the next week and I've got to start from scratch with
8 him. He doesn't remember anything. But it was just,
9 I think basically it was just decided, you know, Mike
10 wanted to continue working the guy even as late as
11 probably April before you all came to talk to me, so
12 April last year Mike had called and wanted to know if
13 the C.I. was still active and wanted me to send him
14 down there to work.

15 INSPECTOR BRUCE: Did you communicate
16 anything back to Mobile regarding --

17 SPECIAL AGENT SOLIS: I don't recall. I
18 think I wouldn't have called the AUSAs and I don't
19 really recall talking to Tanner, especially just the
20 fact that, you know, when he was telling me, if it
21 were me, I wouldn't screw a case up. I'd continue
22 working your case rather than this.

23 INSPECTOR BRUCE: Following the interview
24 in Mobile, the interviews in Mobile, you and Turner,
25 I guess, came back to Houston, as I remember. Do you

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1 recall going up there from Mobile?

2 SPECIAL AGENT SOLIS: I don't recall going
3 up there from Mobile. No. I remember going there one
4 time with Mike.

5 INSPECTOR BRUCE: To interview Chacon
6 right after you'd been to Mobile?

7 SPECIAL AGENT SOLIS: You know, I remember
8 going there and I thought it was McClean we talked to
9 but I'm -- I'm not real sure. I remember going. I
10 don't remember it being right after Mobile.

11 INSPECTOR BRUCE: It was like the next
12 day. It would have been the next day. February 21,
13 '93. The only really debriefing report is one that
14 Mike Turner did. I guess what I'm getting at is if
15 you recall who was present during the debriefing and
16 where it was.

17 SPECIAL AGENT SOLIS: I think it was at
18 the ATF office, but I don't recall who was present
19 or--

20 INSPECTOR BRUCE: Why would you meet at
21 the ATF office?

22 SPECIAL AGENT SOLIS: You know, I don't --
23 I don't know. Adan might have been there because
24 Adan's with ATF and it might have been
25 because it's out by the airport or something. I

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1 don't, you know, I can only speculate because I really
2 don't -- I don't know exactly why we -- we met there.

3 INSPECTOR BRUCE: Did you confront Chacon
4 with what you'd found out in Mobile?

5 SPECIAL AGENT SOLIS: No. I think
6 basically me and Mike said let's just wait, you know.
7 He's working. He was doing everything we wanted him
8 to do at that time. Let's just wait and see what
9 we're going to do.

10 INSPECTOR BRUCE: Okay. Did you during
11 that debriefing in Houston, did you or Adan tell
12 Chacon that if anything came up about his involvement
13 in these loads in late July, 1st of August, '91 that
14 he should just deny anything happened?

15 SPECIAL AGENT SOLIS: No.

16 INSPECTOR BRUCE: Never happened?

17 SPECIAL AGENT SOLIS: No.

18 CAPTAIN BRUBAKER: Did you ever confront
19 Chacon with the information about the Mobile case?

20 SPECIAL AGENT SOLIS: I don't recall ever
21 doing it basically because we decided to continue
22 working that other investigation and he was doing
23 everything he was instructed to by Turner.

24 INSPECTOR BRUCE: Have you ever received
25 any money or any gifts of any kind from Chacon?

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1 SPECIAL AGENT SOLIS: No.

2 INSPECTOR BRUCE: Never.

3 SPECIAL AGENT SOLIS: Never. The most
4 he's done, at one time he bought me lunch at Luby's.

5 INSPECTOR BRUCE: But he never gave you
6 any money for any reason?

7 SPECIAL AGENT SOLIS: No.

8 INSPECTOR BRUCE: Did he ever offer you
9 anything?

10 SPECIAL AGENT SOLIS: Yes. When I got out
11 of the hospital he had offered to send me and my wife
12 to Hawaii.

13 INSPECTOR BRUCE: After the bone marrow?

14 SPECIAL AGENT SOLIS: Yes.

15 INSPECTOR BRUCE: That's the only --

16 SPECIAL AGENT SOLIS: Yes.

17 INSPECTOR BRUCE: He never offered you a
18 Rolex watch?

19 SPECIAL AGENT SOLIS: No. He used to
20 always talk about, you know, I'm going to give you
21 this watch, I'm going to give you this watch. I'm
22 like, yes, whatever.

23 INSPECTOR BRUCE: When we had the
24 interview last May, '95, you indicated that at one tim
25 he had given you a cell phone to use.

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1 SPECIAL AGENT SOLIS: Right.

2 INSPECTOR BRUCE: What were the
3 circumstances surrounding that?

4 SPECIAL AGENT SOLIS: He just, he would
5 page me and I said, you know, I guess you're aware if
6 you're not in the same little town, say like if I'm
7 in, you know, McAllen and he's in Brownsville, it's a
8 long distance phone call. So what I would do is, you
9 know, if I -- if -- usually what I would do is wait--
10 if I was -- Let me start over again.

11 If it was going to be a long distance
12 call, I'd wait until I was back to the office to call
13 him. If it was, you know, going to be a local call,
14 you know, I'd call him when it was convenient and he'd
15 just, he's like hey, when I call you, I need to get
16 hold of you. You know, I'm like well, I'm calling
17 you, you know, when I can. Like well, what if I give
18 you a phone. I said well, fine. If you give me a
19 phone, we'll pay for the service and have it hooked up
20 and everything. So he got me a phone and we paid for
21 the service, had it hooked up.

22 INSPECTOR BRUCE: So he got you a cell
23 phone.

24 SPECIAL AGENT SOLIS: Yes.

25 INSPECTOR BRUCE: When was this? Do you

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1 know?

2 SPECIAL AGENT SOLIS: It was shortly after
3 we started working together. I said he would just,
4 you know, he'd page me and I mean he'd page me five
5 times a day sometimes, 10 times a day, and you know,
6 if I was out on a deal or whatever, I mean I'm not
7 going to break off the deal just to, you know, stop at
8 a pay phone to call him.

9 INSPECTOR BRUCE: You didn't have a cell
10 phone at the time?

11 SPECIAL AGENT SOLIS: No.

12 INSPECTOR BRUCE: He provided the phone.

13 SPECIAL AGENT SOLIS: Right.

14 INSPECTOR BRUCE: But what, you say the
15 office paid for the service?

16 SPECIAL AGENT SOLIS: Yes.

17 INSPECTOR BRUCE: Do you remember the
18 number on that phone?

19 SPECIAL AGENT SOLIS: No.

20 INSPECTOR BRUCE: How long was the phone
21 in use?

22 SPECIAL AGENT SOLIS: Until it got stolen.
23 I'm not real sure exactly how long it was, but --

24 INSPECTOR BRUCE: You're talking months,
25 a year?

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1 SPECIAL AGENT SOLIS: Months. I would say
2 months. I mean, you know, eight, 10 months.
3 Something like that. I'm not real sure exactly when
4 it was he got it to me.

5 INSPECTOR BRUCE: How did you handle
6 getting service? I'm trying to figure out the
7 mechanics of this.

8 SPECIAL AGENT SOLIS: Just took it to the
9 mobile phone company and said we want to get service
10 established.

11 INSPECTOR BRUCE: And bill it to DEA?

12 SPECIAL AGENT SOLIS: The DA's office paid
13 for phone calls.

14 INSPECTOR BRUCE: The DA's office?

15 SPECIAL AGENT SOLIS: Yes.

16 INSPECTOR BRUCE: Calvert County?

17 SPECIAL AGENT SOLIS: Yes. They paid for
18 all of our office to have a phone.

19 INSPECTOR BRUCE: Was this approved by
20 Armando?

21 SPECIAL AGENT SOLIS: Oh, yes. He's the
22 one that it was stolen from.

23 INSPECTOR BRUCE: The phone?

24 SPECIAL AGENT SOLIS: The phone.

25 INSPECTOR BRUCE: How did that happen?

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1 SPECIAL AGENT SOLIS: He was going to
2 Houston and he was taking a county car and his phone
3 was one of the installed ones, so he asked to use my
4 -- to take my phone up there or he took my phone up
5 there, and the car and everything got stolen.

6 INSPECTOR BRUCE: Your car, too?

7 SPECIAL AGENT SOLIS: Yes. Everything.
8 The only thing that he had just checked into a hotel
9 and carried his bags in and so the car and the phone
10 both got stolen.

11 INSPECTOR BRUCE: Do you know anything
12 about Adan receiving any money from Chacon?

13 SPECIAL AGENT SOLIS: No. I mean I just
14 heard, you know, rumors.

15 INSPECTOR BRUCE: What kind of rumors?

16 SPECIAL AGENT SOLIS: I'd heard the guy
17 had bought him a Suburban or something and the guy had
18 given him a home loan. I mean it's just rumors I
19 heard.

20 INSPECTOR BRUCE: Where did you hear them?

21 SPECIAL AGENT SOLIS: The -- some guy at
22 a golf tournament said that about the Suburban but
23 then the guy also said that Adan had the loan, you
24 know, that he didn't and then a DEA secretary told me
25 about the home loan.

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1 INSPECTOR BRUCE: The Suburban loan, you
2 say a guy at a golf tournament?

3 SPECIAL AGENT SOLIS: Yes. There's like
4 a law enforcement golf tournament we have and, you
5 know, I don't recall exactly who it was. Somebody
6 mentioned something about it.

7 INSPECTOR BRUCE: DEA guy, DPS guy?

8 SPECIAL AGENT SOLIS: It could have been
9 either because there were a lot of both of them there.
10 It could have been. You know, it's all law
11 enforcement. There's, you know, it's a four day golf
12 tournament.

13 INSPECTOR BRUCE: Where is this
14 tournament?

15 SPECIAL AGENT SOLIS: Different places.
16 They have it at a different place every year.

17 INSPECTOR BRUCE: When was it? When did
18 you hear about it?

19 SPECIAL AGENT SOLIS: Probably, it's like
20 a semi-annual tournament. Maybe not this last time,
21 the time before. So maybe a year ago or -- maybe
22 about a year ago, I think.

23 INSPECTOR BRUCE: '95?

24 SPECIAL AGENT SOLIS: See, I don't think
25 it was that -- I think it was probably this year,

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1 earlier this year. I just, I'm not real sure of the
2 dates of the tournament so I, you know.

3 INSPECTOR BRUCE: How about the secretary
4 telling you he got a home loan?

5 SPECIAL AGENT SOLIS: She said she had
6 heard that he had got a \$60,000 home loan. That was
7 -- that was in '95.

8 INSPECTOR BRUCE: Who told you that?

9 SPECIAL AGENT SOLIS: Her name's Marylou
10 Rodriguez, I think. I think she works at the
11 marshall's as a secretary in Brownsville.

12 INSPECTOR BRUCE: She was a DEA secretary?

13 SPECIAL AGENT SOLIS: She was a DEA and
14 now she's -- but I had called down there for
15 something. She said, oh, I heard, you know, and told
16 me that. I'm like --

17 INSPECTOR BRUCE: You think this was '95
18 when she told you?

19 SPECIAL AGENT SOLIS: Yes.

20 INSPECTOR BRUCE: Okay.

21 CAPTAIN BRUBAKER: Chacon ever ask you to
22 do any research through the newspapers looking for a
23 seizure because Pardo was asking questions?

24 SPECIAL AGENT SOLIS: I don't -- what now?

25 CAPTAIN BRUBAKER: Did Chacon ever ask you

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1 to look through newspapers or try to find evidence of
2 seizure because Pardo was asking some questions and
3 wanted to know what happened to one of his loads?

4 SPECIAL AGENT SOLIS: No. I know he --
5 Otto wanted us to try to get something in the paper
6 about how that, you know, that it was a traffic stop
7 on that deal. I heard that, I guess, through Adan was
8 talking to Otto's girl friend and she was talking to
9 Otto and asked, you know. He was saying something
10 needed to come out in the paper because they were
11 saying well, if it was a traffic stop, why it wasn't
12 in the paper or something like that.

13 INSPECTOR BRUCE: That was the July 10th
14 controlled delivery.

15 SPECIAL AGENT SOLIS: Yes.

16 CAPTAIN BRUBAKER: You ever seen this
17 newspaper article?

18 SPECIAL AGENT SOLIS: No.

19 CAPTAIN BRUBAKER: Otto says you provided
20 it for him.

21 SPECIAL AGENT SOLIS: I've never seen this
22 before.

23 CAPTAIN BRUBAKER: You allowed Adan to
24 have a copy of that article?

25 SPECIAL AGENT SOLIS: No. No idea.

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1 CAPTAIN BRUBAKER: Do you recognize the
2 name of the defendants or one of the defendants?

3 SPECIAL AGENT SOLIS: Oh, Bribe.

4 CAPTAIN BRUBAKER: See the date on the
5 newspaper.

6 SPECIAL AGENT SOLIS: I couldn't have
7 provided them for him. I'm in the hospital.

8 CAPTAIN BRUBAKER: When were you in the
9 hospital?

10 SPECIAL AGENT SOLIS: Huh?

11 CAPTAIN BRUBAKER: When were you in the
12 hospital?

13 SPECIAL AGENT SOLIS: From October until
14 I couldn't walk around. I mean the big deal for me
15 was getting up from bed to go to the couch until in
16 January is when I finally got totally released. Every
17 day, sometimes twice a day I had to go to the
18 hospital. I was initially in there for like two
19 months. Matter of fact, I think right before
20 Thanksgiving I got to come -- not come home but leave
21 the hospital and go. We had a small apartment there
22 by the Med Center and then but I had to go like twice
23 a day to get --

24 CAPTAIN BRUBAKER: Where were you in the
25 hospital?

1 SPECIAL AGENT SOLIS: Pardon me?

2 CAPTAIN BRUBAKER: Where were you in the
3 hospital?

4 SPECIAL AGENT SOLIS: M.D. Anderson.

5 CAPTAIN BRUBAKER: Which is in Houston?

6 SPECIAL AGENT SOLIS: Yes. But I didn't
7 give that to Otto and --

8 CAPTAIN BRUBAKER: Do you recognize the
9 name of the defendant?

10 SPECIAL AGENT SOLIS: Yes. That's one of
11 the names in here. But I've never -- I've never seen
12 that article before.

13 CAPTAIN BRUBAKER: Do you know why Adan
14 would have a copy of that article in his file?

15 SPECIAL AGENT SOLIS: I have no idea.

16 INSPECTOR MROCK: Will you initial and
17 date that because just to demonstrate that you
18 reviewed that.

19 Just one question. Not to back pedal too
20 much, but you said that Chacon offered you and your
21 wife a trip to Hawaii. Would you explain basically
22 how he came about to do that and then what your
23 response to him was, just to clarify that.

24 SPECIAL AGENT SOLIS: He said -- it was
25 when I was getting out of the hospital and he said, I

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1 want to send you and your wife on a vacation to
2 Hawaii. I said, Well, thanks but I can't do that.
3 You know, #1, I can't take it and #2, I physically,
4 you know, can't. That's what I'm trying to Mr.
5 Brubaker. I mean I weighed probably about 135 pounds
6 at the time, and all I did was throw up and lay around
7 and get medicine I.V.

8 INSPECTOR BRUCE: Do you think that Adan
9 might have had something going on with Chacon and
10 McClean you weren't aware of during this whole deal?

11 SPECIAL AGENT SOLIS: I mean it's poss--
12 you know, I hate to hypothesize just because I don't
13 know. You know, I mean I sit there and look. If it's
14 true he took money or whatever, I mean that bothers
15 me, you know. He's the one, you know, he'd known them
16 a long time. He was a lot closer to them. You know,
17 he's basically the one -- well, not basically. He's
18 the one that brought them to me, so he had the prior
19 relationship, you know, so I don't know. I'd always
20 thought Adan, there's no way. You know, Adan's just
21 not like that. That's what I'd always thought. I
22 know my attorney said, you know, his name has popped
23 up in different things or whatever.

24 INSPECTOR MROCK: You had no indication
25 throughout any of your association with Adan that he

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1 had any integrity problems related to this matter at
2 all?

3 SPECIAL AGENT SOLIS: No.

4 INSPECTOR MROCK: No indication.

5 SPECIAL AGENT SOLIS: No.

6 CAPTAIN BRUBAKER: When was the last time
7 you spoke with Adan?

8 SPECIAL AGENT SOLIS: Years.

9 CAPTAIN BRUBAKER: Has your attorney or
10 Adan's attorney been in contact with each other?

11 SPECIAL AGENT SOLIS: I don't know.

12 CAPTAIN BRUBAKER: On the Mobile case, the
13 prosecutor in Mobile, the prosecutors in Brownsville
14 and all the agents involved didn't have a problem with
15 Chacon running 1,000 pounds of cocaine around you all.

16 SPECIAL AGENT SOLIS: I think everybody
17 had a problem with it, but everybody decided he's
18 working on this other case. He's doing everything we
19 ask him to do. It's a very, very good case.
20 Probably, I think better defendants than Pardo.

21 CAPTAIN BRUBAKER: How big a load would
22 Chacon have had to have run before you all would have
23 said enough's enough?

24 SPECIAL AGENT SOLIS: Well, you know, I
25 don't know. You know, you're asking me like it's all

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1 my decision, and it wasn't. You know, I wasn't even
2 the one that was given Otto's, you know, direction at
3 the time. He was working for Mike Turner.

4 CAPTAIN BRUBAKER: Was Adan aware of all
5 the problems in Mobile?

6 SPECIAL AGENT SOLIS: I'm sure I told him.

7 CAPTAIN BRUBAKER: Did you have any
8 discussions with any of the DPS supervisors about the
9 problems that Chacon had in Mobile?

10 SPECIAL AGENT SOLIS: Not that I recall.
11 No. I know at one point though Floyd had told Otto he
12 didn't need to talk to us any more, that they could go
13 and do everything they wanted to do in Mexico without
14 us.

15 CAPTAIN BRUBAKER: Were you present when
16 that conversation took place?

17 SPECIAL AGENT SOLIS: No.

18 CAPTAIN BRUBAKER: Is that what Chacon
19 told you?

20 SPECIAL AGENT SOLIS: That's what he told
21 us and then when we called, I told Mando and Mando
22 called Fred Ball and Fred Ball called the captain and
23 then the captain talked to Floyd and then they called
24 back and said, no, you all continue doing what you're
25 doing.

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1 CAPTAIN BRUBAKER: Do you remember when
2 that occurred?

3 SPECIAL AGENT SOLIS: Right after we took
4 this load off.

5 CAPTAIN BRUBAKER: You said without us.
6 Do you mean DEA?

7 SPECIAL AGENT SOLIS: Without DEA.

8 INSPECTOR BRUCE: Were there some problems
9 there between DEA and DPS in how that thing went?

10 SPECIAL AGENT SOLIS: Not in how this one
11 went, but there had been some problems between DEA and
12 DPS which is one, probably one reason I think if we
13 had had our choice of how to, you know, how we were
14 kind of expecting to do it is take it further. Maybe
15 put it in a house in Houston, that control delivery,
16 and we would -- you know, they can see from there what
17 we can do. But DPS wanted to use a CLE trooper and we
18 weren't going to argue with them. Number one, because
19 it was their informants, you know, that were doing it.
20 And number two, they had had some problems with DEA
21 Brownsville specifically before because there had been
22 an eight ton seizure or nine ton seizure of cocaine in
23 Harlingen at DPS. And then one agent there in
24 Brownsville was also working on the group, so they
25 decided to make an OSEF case out of it and then they

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1 ended up -- that agent ended up kicking DPS off the
2 case, so there were a lot of hard feelings with all of
3 that going on.

4 INSPECTOR BRUCE: What was the relation--
5 your relationship with Adan while you were working
6 with Chacon and McClean?

7 SPECIAL AGENT SOLIS: We got along fine.
8 I mean at different points I think DPS had made, you
9 know, like they said we want to take the dope, you
10 know. We want it. It didn't really matter. I'm kind
11 of the opinion whoever starts the case, you know, it's
12 their case and these were Adan's informants and I'm
13 basically here to do as much as I can to help him, you
14 know, and if they say, you know, we want to do it this
15 way, you know, as long as it's something we can do,
16 you know, that's what we should do. I mean it's the
17 way I think every investigation should be run.

18 INSPECTOR MROCK: Do we want to take a
19 break here for a few moments and then continue or is
20 there --

21 INSPECTOR BRUCE: We can do that if that's
22 acceptable to everybody.

23 (Whereupon, the proceedings went off the
24 record at 12:17 p.m. and went back on the
25 record at 12:20 p.m.)

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1 INSPECTOR MROCK: The time is
2 approximately 12:20 p.m. We momentarily recessed
3 here. We're now back. We have a couple more
4 questions that Inspector Bruce would like to ask you.

5 INSPECTOR BRUCE: I think just probably,
6 T.K., one of the things that's keep jumping up, at
7 least to us, is the situation in Mobile. In fact,
8 that's how this whole thing got started was through
9 the U.S. Attorney's Office in Mobile. That's how we
10 got involved in this from the get go. One of the
11 things that we were told by the AUSA in Mobile by
12 Tanner, the Customs Agent in Mobile. Is that --
13 during your discussions in Mobile, they were all but
14 insistent about the prosecution of Chacon but the fact
15 that Gloria Bedwell, the AUSA, didn't feel she had, as
16 you said, jurisdiction in Mobile and that the
17 prosecution would have to be in the southern district
18 of Texas and that when you left Mobile, you told them
19 that you would go to the U.S. Attorney's Office in
20 Brownsville and discuss the prosecution of Chacon with
21 U.S. Attorney's Office and get back with them.

22 Now, you indicate that you did, you
23 discussed it with Rick Lara. He was of the opinion
24 that as long as Chacon was working and doing a good
25 job they probably shouldn't make any waves, that

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1 things seemed to be going along pretty good with the
2 guy. When we interviewed Lara, he had absolutely no
3 recollection of any meeting, any discussion. Matter
4 of fact, he indicated that if he had discussed
5 something like that with you, he at very least would
6 have been on the phone to Mobile as it would have been
7 a, you know, multi-jurisdictional type of a thing and
8 it would have been hard to avoid not at least calling
9 the other AUSA to find out what the heck's going on.

10 So it just doesn't, it just doesn't, it
11 just doesn't fit that, you know, and then you getting
12 back with Mobile, according to them, and saying, Well,
13 the U.S. Attorney's Office over here doesn't want to
14 prosecute the guy, you know. He's an informant and
15 he's doing a good job. Quite frankly, what we read
16 from that is that after leaving Mobile you didn't
17 bring it up to the U.S. Attorney's Office in
18 Brownsville. Instead you just figured hey, you know,
19 you know what it looks like. It looks like some kind
20 of a coverup.

21 SPECIAL AGENT SOLIS: I mean, you know,
22 with what you -- with what you're accepting are the
23 facts, the fact is I did talk to Gloria Bedwell. She
24 said she didn't have, you know, a venue to do
25 anything. Anything that was to be done would have to

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1 be done in the southern district of Texas. Jim Tanner
2 told me, he called me while we were, you know, at
3 their office, tells me, Hey, look, I understand you're
4 mad and everything, because I was upset about it. The
5 way I look at it, you know, we'll go out of our way to
6 try to take care of this guy and he screwed me, you
7 know. That's the way I looked at it. And I was mad
8 and I'm like I want to do him. He goes, If it -- if
9 it were me, his -- maybe not his exact words, but it
10 was to the effect of that if it were me, I wouldn't
11 screw up a good case for this. I'm giving you this
12 because you always -- because I've always told him,
13 look, I don't have a hammer on the guy. We basically
14 tried to manipulate him and get him to do things, but
15 we don't have a hammer that we can say you're going to
16 do A, B, and C. He said, Now you have a hammer if he
17 isn't doing what you to do. He goes, Beto is a good
18 target. We're working on a guy named Beto and a guy
19 named -- they call him Architecto, and we talk about
20 doing 20 tons of coke into Mexico and he's like, If it
21 were me, I wouldn't screw up a good case for this.

22 I went back. I told my G.S. about it. I
23 mean let alone the fact that Mike Turner knew about
24 it. I did go and talk to Rick Lara about it, you
25 know. I understand what Rick's saying, but the fact

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1 is that's not how Rick operates. It took me a year
2 and a half to get him to take a case, a CCE where
3 everything's done and we have all the reports and here
4 are the defendants and everything. The guy, you know,
5 to be honest with you, is lazy. He doesn't want to --
6 he doesn't want to do it. You know, I'm sure I made
7 headquarters aware of what was going on. You know, I
8 feel it's this kind of unfair, it's like I'm not even
9 the one controlling the informant any more, you know,
10 but I'm the one that's being fronted out, you know,
11 like well, you have a responsibility. I'm not even
12 the one that's, you know, working the guy. If Mike
13 Turner had disagreed, why did he say, hey, I'm -- you
14 know, why didn't he say I'm not going to work the guy
15 any more? Why didn't he say, hey, the guy, that's
16 enough, you know, we're going to stop the case?
17 That's not what happened. I mean he continued to work
18 the guy.

19 INSPECTOR BRUCE: He was a Brownsville
20 C.I. though. Right?

21 SPECIAL AGENT SOLIS: He was a Brownsville
22 C.I. but he was giving -- he was in daily contact with
23 Mike Turner. The C.I. was in daily contact with Mike
24 Turner, not with me. Basically, the agreement was
25 that if Otto was going to work this case in Mexico, he

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1 was going to receive his guidance and direction from
2 Mexico.

3 INSPECTOR BRUCE: Yes, but at the same
4 time, I mean this is --

5 INSPECTOR MROCK: Okay. Just to back up
6 one step here. If they were actively working him and
7 you went and talked to the AUSA regarding possible
8 prosecution, how come all of you weren't in this like
9 together if like basically you had been phased out of
10 the latest case or whatever, then I don't understand
11 why the discussion was between you and the AUSA rather
12 than --

13 SPECIAL AGENT SOLIS: Basically it was --

14 INSPECTOR MROCK: -- just to put the other
15 people together.

16 SPECIAL AGENT SOLIS: Well, you know, I
17 don't know why I didn't or whatever. I didn't think
18 about it. I came back and I told my G.S., you know,
19 what they had said and he's like, go run it by Rick.

20 INSPECTOR MROCK: There was never any
21 correspondence generated that you know of between the
22 U.S. Attorney's Office and between Mobile or between
23 DEA and the U.S. Attorney's Office or no response
24 where they sent any memos to you, so none of this
25 was--

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1 SPECIAL AGENT SOLIS: No.

2 INSPECTOR MROCK: -- like documented in
3 any way in any kind of writing or memos or --

4 SPECIAL AGENT SOLIS: No. Well, as far
5 as--

6 INSPECTOR MROCK: As far as a decision to
7 prosecute.

8 SPECIAL AGENT SOLIS: No, not that I know
9 of.

10 INSPECTOR BRUCE: Just if you -- you know,
11 just looking at the totality of it, and you know each
12 little thing, you take it, you can say well, you know,
13 this fits over here, you know. Armando instructed me
14 to write this report, so I wrote it the way he wanted
15 it. I don't remember where I was on July 26th or
16 27th, but I don't remember any loads going through
17 Weslaco Airport. At the same time, you know, Adan's
18 daily show him and you and the C.I.s at the airport in
19 Weslaco doing something out there. The communication
20 back and forth during this period of time. Adan's
21 trip up to Wharton. You take all of these things, you
22 know, as a total picture and it just -- it looks ugly.
23 I mean it really does.

24 SPECIAL AGENT SOLIS: I know it looks
25 ugly, but, you know, I mean as far as like with the

1 report. What did I have to gain? I mean I can't get
2 in trouble for not getting country clearance because
3 I don't have the authority to get country clearance.

4 INSPECTOR BRUCE: You're in a lot of
5 trouble by writing a false report though.

6 SPECIAL AGENT SOLIS: Well, exactly. You
7 know, I mean I, you know, get all the blame for it but
8 who -- what's it covering up? The fact that Mando
9 didn't get country clearance. You see what I'm
10 saying? I mean if I had just written what happened,
11 I'm not going to get in trouble because there wasn't
12 country clearance. Mando's going to get in trouble.

13 CAPTAIN BRUBAKER: You all were already in
14 trouble for not getting country clearance at that
15 point.

16 SPECIAL AGENT SOLIS: Not you all.

17 CAPTAIN BRUBAKER: Well, whoever. DEA,
18 whatever. There's already a hassle over the lack of
19 country clearance.

20 SPECIAL AGENT SOLIS: Exactly.

21 CAPTAIN BRUBAKER: Why compound the
22 problem? Say, hell, if we messed up, go ahead and
23 write it like it happened. We got the seizure.

24 SPECIAL AGENT SOLIS: Well, I mean, like
25 I said, that was a decision the boss made. I mean,

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1 you know, I myself, you know, maybe I'm wrong but I
2 don't think I can get in any trouble for there not
3 being country clearance since I don't have the
4 authority to get country clearance. I mean Mando knew
5 everything that was going on on that case and that's,
6 as I understand it, the boss's job. I mean, you know,
7 can you imagine what'd happen if I called Ralph
8 Saucedo, the Country Attache to Mexico, and say, Hey,
9 I want to send, you know. You know, that's just not
10 you guys' standard chain of command.

11 INSPECTOR BRUCE: I just have a hard time
12 with your -- well, the training. I mean, you know,
13 you went to the Academy and everything else. You
14 know, I mean you would take Armando's word for
15 dummied up this report.

16 SPECIAL AGENT SOLIS: Well, like I told
17 you, I think now, you know, the Academy is nice and
18 everything but when I got out, I never had a senior
19 partner, you know, somebody that knows what's going on
20 and you can go to for advice. You're in a R.O where,
21 you know, you got a RAC who's your boss who's the only
22 supervision you really have who's your boss. I mean
23 if you don't do what your RAC says, you know, you can
24 imagine how hard he can make your life, you know,
25 and--

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1 INSPECTOR BRUCE: I can understand that
2 but we're talking about possible --

3 SPECIAL AGENT SOLIS: Well, you know --

4 INSPECTOR BRUCE: -- perjury and
5 everything else.

6 SPECIAL AGENT SOLIS: I mean I didn't--

7 INSPECTOR BRUCE: -- I mean, you need draw
8 the line.

9 SPECIAL AGENT SOLIS: I mean if it -- like
10 I said, if it were now, there's no way I would do it,
11 not only just because of this experience but, you
12 know, being in a higher rank and everything. There's
13 no way I would do it. You're talking about, you know,
14 a totally different time. You know, I mean, I
15 depended on Mando to -- for guidance and direction,
16 not only, you know, I mean he was, I felt, a good
17 friend.

18 Also, you know, I looked up to the man.
19 He was, you know, somebody I really admired, you know.
20 I used to always tell people after the, you know, the
21 first RAC that we had wasn't really active and I
22 really admired the way, you know, Mando seemed very
23 pro. You know, get out and work. Let's work. Let's
24 get things done. You know, I'm like the man's been on
25 the job for 20 years. He knows what he's doing. You

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1 know, I guess I just accepted his expertise.

2 INSPECTOR BRUCE: Well he's not a good
3 friend. I can tell you exactly what he said. He said
4 he doesn't know what the hell we're talking about. He
5 says he doesn't have any idea what you're talking
6 about --

7 SPECIAL AGENT SOLIS: Well --

8 INSPECTOR BRUCE: -- that as far as he
9 knew, what was written in those reports was the truth
10 and he signed it because that's the way you wrote it.

11 SPECIAL AGENT SOLIS: Well, there -- I
12 mean as far as he knew that load was going.

13 INSPECTOR BRUCE: I'm talking about Beto
14 and the Colombians and the --

15 SPECIAL AGENT SOLIS: I guess it all gets
16 back to who does -- why -- what reason do I have to
17 write it that way? I mean for me there's no reason
18 for me to just out of my -- why would just I make this
19 up out of my head? The only reason for it to be
20 written that way is to cover country clearance not
21 being obtained and the person that gets in trouble for
22 not attaining country clearance is Mando, not me.

23 INSPECTOR BRUCE: Okay.

24 INSPECTOR MROCK: This has probably been
25 discussed and I don't want to just be repetitious on

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1 this, but since you had a close relationship with the
2 RAC, did he ever say anything to you specifically that
3 as a result of country clearance not being obtained he
4 was going to get in trouble? Was there ever anything,
5 any conversation to that effect?

6 SPECIAL AGENT SOLIS: I mean there was --

7 INSPECTOR MROCK: Any direct conversation?

8 SPECIAL AGENT SOLIS: It was basically
9 Mexico City's mad because we didn't get country
10 clearance and so -- and that's, you know, he's like
11 Mexico City's mad because we didn't get country
12 clearance and we need to write it like this.

13 CAPTAIN BRUBAKER: What could the possible
14 repercussions for not letting Mexico know have been?
15 What's the worst that could have happened?

16 SPECIAL AGENT SOLIS: I don't understand
17 your --

18 CAPTAIN BRUBAKER: I mean would they have
19 fired him for not getting country clearance? Days off
20 without pay?

21 SPECIAL AGENT SOLIS: Probably days off
22 for him. I mean maybe they would have for me. I mean
23 at that point, I didn't know anything about country
24 clearance. I'd never heard of it, to tell you the
25 truth. I don't have any idea what it, you know, just

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1 because daily --

2 CAPTAIN BRUBAKER: Was it a criminal
3 violation?

4 SPECIAL AGENT SOLIS: No.

5 CAPTAIN BRUBAKER: Policy violation?

6 SPECIAL AGENT SOLIS: Yes.

7 CAPTAIN BRUBAKER: Is falsifying a report
8 a criminal violation or a policy violation?

9 SPECIAL AGENT SOLIS: I don't know. I
10 mean I think as an agent, you know, you rely on your
11 supervisors and when they tell you to do something,
12 you do it.

13 INSPECTOR MROCK: Is there anything else?
14 Bert, have you got any additional questions?

15 INSPECTOR BRUCE: I don't think so.

16 INSPECTOR MROCK: Okay. Well, we'll put
17 it back to you here for a second. Do you have any
18 other relevant information regarding this matter that
19 we have not asked you in the last interview?

20 SPECIAL AGENT SOLIS: No.

21 INSPECTOR MROCK: If there's anything else
22 that you feel is pertinent --

23 SPECIAL AGENT SOLIS: Do you want to add
24 anything?

25 INSPECTOR MROCK: -- or anything that you

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1 want to ask -- or not ask but anything that you want
2 to emphasize or state to basically clear up anything
3 that you think might still be unclear. Now is the
4 time to respond.

5 SPECIAL AGENT SOLIS: I mean I guess all
6 I can say is, you know, obviously I used poor judgment
7 listening to Mando but all I've ever tried to do was
8 do a good job and, you know, like I just said earlier,
9 I think I was very inexperienced at the time, you
10 know, and I'm sure, you know, looking back now, you
11 know, number one I probably wouldn't touch informants
12 like these just because they're headaches but number
13 two, you know, just -- you know, you learn by trial
14 and error lots of times.

15 INSPECTOR MROCK: When this interview is
16 completed, do you want to review a copy of the
17 transcript of your deposition as soon as it becomes
18 available?

19 SPECIAL AGENT SOLIS: Yes.

20 INSPECTOR MROCK: Okay. Then I just have
21 to advise you of one more matter. The information
22 contained in the transcript of the interview is DEA
23 sensitive and can not be shared with persons outside
24 of DEA without prior approval of the Deputy Chief
25 Inspector, William B. Simpkins, or his designate. So

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1 you're aware of that.

2 SPECIAL AGENT SOLIS: What about my
3 attorney?

4 INSPECTOR MROCK: That is fine. Yes.

5 INSPECTOR BRUCE: You can discuss it.

6 INSPECTOR MROCK: That's not included
7 under that clause, but we mean you can't discuss the
8 matter -- and again, this refers back to the
9 confidentiality -- anything in the transcript can be
10 discussed with your attorney obviously but to no one
11 else. Do you understand that?

12 SPECIAL AGENT SOLIS: Yes.

13 INSPECTOR BRUCE: Also, when you get the
14 transcript, there'll be an errata sheet with it so
15 that if you go through it, if there are some things in
16 there that aren't right and a lot of times mostly
17 where it is is misspelling or a word maybe missed
18 because it's done phonetically or something like that,
19 on the errata sheet you can put down like the page and
20 the line and the change that should be made. Don't
21 write on the transcript itself, but on the sheet you
22 can put down any -- you know, whatever changes you
23 think should be made to the transcript on the errata
24 sheets and then we'll, you know, it'll become part of
25 the file so there aren't any misstatements.

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1 SPECIAL AGENT SOLIS: When will that be
2 available?

3 INSPECTOR BRUCE: I would think within a
4 couple of weeks.

5 COURT REPORTER: Yes.

6 INSPECTOR MROCK: At this point, this
7 interview is terminated and we are done. Thank you.

8 (Whereupon, the afore-mentioned matter
9 was concluded at 12:49 p.m., signature
10 having not been waived.)

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CERTIFICATE

This is to certify that the foregoing proceedings in the
matter of: The Deposition of
 THOMAS K. SOLIS
held on: SEPTEMBER 10, 1996
at the location of: 700 ARMY-NAVY BOULEVARD
 ARLINGTON, VIRGINIA

were duly recorded and accurately transcribed under my
direction; further, that said proceedings are a true and
accurate record of the testimony given by said witness; and
that I am neither counsel for, related to, nor employed by
any of the parties to this action in which this deposition
was taken; and further that I am not a relative nor an
employee of any of the parties nor counsel employed by the
parties, and I am not financially or otherwise interested in
the outcome of the action.



Notary Public/Reporter in and for

THE COMMONWEALTH OF VIRGINIA

My commission expires

09-30-96

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