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**THESIS**

**WORKING AGAINST CORRUPTION: HOW TO BUILD  
A SUSTAINABLE SECURITY POSTURE  
AT PORTS-OF-ENTRY AND SECURE  
AMERICA'S SOUTHERN BORDER**

by

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June 2023

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SECURITY POSTURE AT PORTS-OF-ENTRY AND SECURE AMERICA'S  
SOUTHERN BORDER**

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Submitted in partial fulfillment of the  
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## ABSTRACT

The deteriorating relationship between the United States and Mexico has allowed unprecedented levels of narcotics to flow into the United States, especially synthetic opioids. The frequency of overdose deaths attributed to synthetic opioids presents a national security concern to the United States and transnational criminal organizations operating in Mexico have little to fear for reprisal. In 2019, Mexican security forces could not outmatch cartel soldiers in direct confrontation, losing a bloody street battle and forced to release their captured target back into cartel hands. The government of Mexico also recently passed legislation in 2020 to limit U.S. enforcement agencies from operating effectively in Mexico, hindering bi-national cooperation on issues such as corruption. These troubling events allow transnational criminal organizations to flourish. Law enforcement agencies, specifically along the U.S. Southwest Land Border, would benefit from resources available to the intelligence community (IC) to combat these threats. Injecting these resources directly to the operators engaged with the threat allows for more effective disruption to criminal organizations. The traditional methods of screening travelers through a port-of-entry are no longer sufficient or sustainable. Greater accessibility to IC resources presents an opportunity to combat cross-border illicit activity and safeguard the American people.

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## LIST OF ACRONYMS AND ABBREVIATIONS

CAF	Cartel Arellano-Félix
CBP	Customs and Border Protection
CJNG	Cartel de Jalisco Nueva Generación
DEA	Drug Enforcement Agency
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FGR	Fiscalía General de la República
FTO	foreign terrorist organization
FY	fiscal year
HUMINT	human intelligence
IC	Intelligence Community
IED	improvised explosive device
MORENA	Movimiento Regeneración Nacional
NSA	National Security Agency
PI	paid informant
POE	port of entry
PRC	People’s Republic of China
SBP	Southern Border Plan
SENTRI	Secure Electronic Network for Travelers Rapid Inspection
SIGINT	signals intelligence
SWB	Southwest Border
TCO	transnational criminal organization
WOLA	Washington Office on Latin America

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## EXECUTIVE SUMMARY

The *Final Report of the Commission on Combating Synthetic Opioid Trafficking*, published in February 2022, notes an alarming death toll attributed to synthetic opioids.<sup>1</sup> According to the report, drug overdose deaths surpassed 100,000 in the prior year.<sup>2</sup> The opioid epidemic poses an immense challenge across multiple national security domains—homeland security, law enforcement, intelligence, the legal system, public health, and the demand for drugs—with no single resolution.<sup>3</sup> This thesis explores one avenue: injecting a greater presence of Intelligence Community (IC) assets along the U.S. Southwest Border (SWB) to aid law enforcement operators. Without the full suite of resources available to the IC, these operators will struggle to identify and disrupt criminal smuggling activity through the SWB and into the United States.

The traditional methods for screening travelers through the SWB for illicit contraband are neither sufficient nor sustainable. A layered enforcement strategy that combines the physical presence of officers at ports of entry (POEs), assisted by technology such as x-ray machines and various sensors, is ineffective, as evidenced by the significant overdose deaths from synthetic opioids originating from Mexico. Furthermore, American officers' inability to disrupt transnational criminal organizations (TCOs) allows the latter to leverage the SWB to amass revenue and power, creating inevitable friction with the United States, which if left unchecked damages its national security posture. The American people should expect greater resources at the SWB to slow the unprecedented overdose rates affecting the country.

The *Southwest Border Counternarcotics Strategy*, published in April 2022 by the Office of National Drug Control Policy, acknowledges that, in addition to their threat to national security, Mexican TCOs present the greatest drug trafficking threat to the United

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<sup>1</sup> Tom Cotton and David J. Trone, *Final Report of the Commission on Combating Synthetic Opioid Trafficking* (Santa Monica, CA: RAND Corporation, 2022), [https://www.rand.org/pubs/external\\_publications/EP68838.html](https://www.rand.org/pubs/external_publications/EP68838.html).

<sup>2</sup> Cotton and Trone.

<sup>3</sup> Cotton and Trone.

States.<sup>4</sup> According to the report, TCOs “control most of the U.S. drug market and have established varied transportation routes, have advanced communications capabilities, and hold strong affiliations with criminal groups and gangs in the United States.”<sup>5</sup> Although narcotics are smuggled into the United States via other methods, by air and sea, for example, they are not on the same scale as the narcotics smuggled across the SWB.<sup>6</sup>

Donald Trump’s tenure as U.S. president increased attention to the U.S.–Mexico border. Trump campaigned on a promise to build a wall across the entire SWB to prevent illicit narcotics and stop people with potentially nefarious intent from reaching the United States. An important component of any border security strategy includes physical barriers to accomplish this goal; however, even the most robust physical barriers remain vulnerable. Tens of thousands of travelers and hundreds of tons of cargo legally enter the United States every day through POEs, facilitating binational prosperity between the United States and Mexico. Because POEs are vital to the economic prosperity of both countries, they will forever pose a security threat. Even if an impenetrable wall were built along the SWB, illicit narcotics, terrorists, and criminal threats could easily blend in with the masses of legitimate people and cargo passing through POEs daily.

The Office of National Drug Control Policy present the following recommendations to address the threats from the flow of people through POEs:

- Fuse investigative information and criminal intelligence to achieve successful prosecutions and, thus, disrupt criminal networks;
- Increase access to intelligence among all stakeholders, including federal, state, territorial, local, and tribal law enforcement, to understand and successfully combat TCOs along the SWB;

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<sup>4</sup> Office of National Drug Control Policy, *National Drug Control Strategy: Southwest Border Counternarcotics Strategy* (Washington, DC: Executive Office of the President, 2022).

<sup>5</sup> Office of National Drug Control Policy, 3.

<sup>6</sup> Office of National Drug Control Policy.

- Integrate technical and non-technical collection capabilities while operating in accordance with agency and policy limitations; and
- Increase fusion of information-sharing capabilities among federal, state, territorial, local, and tribal partners.<sup>7</sup>

This thesis advocates two intelligence collection methods not explicitly mentioned in the Office of National Drug Control Policy’s report but implied in the recommendations to integrate technical and non-technical intelligence collection methods. By increasing the use of human intelligence and signals intelligence capabilities along the SWB, the United States can enhance its security posture in accordance with the aforementioned recommendations. Both intelligence collection methods require training and familiarity in the operational environments. Enforcement agencies along the border should increase the opportunities for their ground troops to receive training and gain familiarity with those vital intelligence collection functions.

Increasing the presence of officers and agents along the border, using additional canine patrol units, and employing screening technologies such as biometric recognition are all worthy endeavors to safeguard the United States. With access to the full IC tool suite and the infusion of IC resources along the SWB, officers and agents may secure POEs against criminal vulnerabilities beyond the traditional enforcement strategies they currently employ.

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<sup>7</sup> Office of National Drug Control Policy, 6.

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confidence in your courage, devotion to duty and skill in battle. We will accept nothing less than full Victory!”

## I. INTRODUCTION

If you know the enemy and know yourself, you need not fear the result of a hundred battles. If you know yourself but not the enemy, for every victory gained you will also suffer a defeat. If you know neither the enemy nor yourself, you will succumb in every battle.

—Sun Tzu, *The Art of War*

In 2007, the U.S. Congress appropriated \$1.5 billion for the Mérida Initiative, a joint security effort between the United States and Mexico to address rising rates of narcotics smuggling from Mexico and the associated cartel violence surrounding the trade. The first iteration of the binational agreement took effect from fiscal year (FY) 2008 to FY 2010.<sup>1</sup> Before FY 2008, the United States had not provided Mexico with significant security assistance, partly due to Mexican sensitivities regarding U.S. involvement in Mexico.<sup>2</sup> In 2007, President Felipe Calderón formally asked the U.S. government for more assistance and is credited with initiating the war on cartels in Mexico.<sup>3</sup> Mexican government officials were cautious in crafting the language of the Mérida Initiative by emphasizing the *shared responsibility* between the two countries. Mexico may be a source country for narcotics, but the United States' vast resources and insatiable desire for narcotics have driven the smuggling empires as well.

The Mérida Initiative created a framework through which each country acknowledged its role in the increasing levels of illicit activity and made strides to disrupt that cycle.<sup>4</sup> The United States would make greater efforts to address several internal issues, including drug dependency among its population, and slow the firearms and bulk currency

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<sup>1</sup> Clare Ribando Seelke, *Mexico: Evolution of the Mérida Initiative, FY2008–FY2021*, CRS Report No. IF10578, Version 20 (Washington, DC: Congressional Research Service, 2021), <https://sgp.fas.org/crs/row/IF10578.pdf>.

<sup>2</sup> Seelke.

<sup>3</sup> Seelke.

<sup>4</sup> Seelke.

into Mexico that fueled the cartel empires.<sup>5</sup> Meanwhile, the Mexican government pledged to tackle deep-seated corruption and strengthen the rule of law throughout the country.<sup>6</sup>

The initial phases of the Mérida Initiative allowed the United States to provide Mexico with military equipment, including aircraft and helicopters, to help identify illegal grow sites primarily for marijuana cultivation.<sup>7</sup> These efforts were successful to an extent, with acres of marijuana fields identified and destroyed by Mexican forces.<sup>8</sup> With the help of U.S. intelligence, Mexico achieved its strategic goals of arresting and extraditing—and sometimes killing—kingpins from major drug trafficking organizations.<sup>9</sup> The “kingpin strategy” was successful in toppling the heads of some major criminal organizations, but critics point out that it fueled intra-cartel violence, as homicide rates increased as the Mérida Initiative went into effect.<sup>10</sup> Although there was a drop in Mexican homicides from 2011 to 2014, the rate has since grown to historic levels.<sup>11</sup>

The Mérida Initiative went through several adjustments from 2011 to 2018 under President Barack Obama, who introduced new efforts to increase the rule of law in Mexico, for example, by training judges and prosecutors to use legal processes instead of force.<sup>12</sup> Following these efforts, under President Trump’s executive orders to combat transnational criminal organizations (Executive Order 13773) and enhance border security (Executive Order 13767), the United States prioritized reducing synthetic drug production and enhancing interdictions at the U.S.–Mexico border.<sup>13</sup>

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<sup>5</sup> Seelke.

<sup>6</sup> Seelke.

<sup>7</sup> Seelke.

<sup>8</sup> Seelke.

<sup>9</sup> Seelke.

<sup>10</sup> Seelke.

<sup>11</sup> Catherine Osborn, “The U.S.–Mexico Drug War Gets a Rebrand,” *Foreign Policy*, October 15, 2021, <https://foreignpolicy.com/2021/10/15/mexico-united-states-drug-war-security-cooperation-merida-initiative-bicentennial-framework-biden-amlo/>.

<sup>12</sup> Osborn.

<sup>13</sup> Seelke, *Evolution of the Mérida Initiative*.

The binational security framework between the United States and Mexico shifted recently from the long-standing Mérida Initiative to what officials have called the Bicentennial Framework for Security, Public Health, and Safe Communities.<sup>14</sup> Critics have panned the new framework's shift from the collaborative effort that characterized the Mérida Initiative toward an increasingly individualized approach.<sup>15</sup> Since his election in 2018, Mexican President Andrés Manuel López Obrador, nicknamed AMLO, has continually demanded that the United States show respect for Mexico's sovereignty.<sup>16</sup> Long a critic of the war on drugs, López Obrador made campaign promises to address the social causes of cartel violence and idolized narco-culture in a significant shift from his predecessors.<sup>17</sup> López Obrador has claimed the Mérida Initiative violated Mexico's sovereignty and has repeatedly supported, often successfully, legislation that limits the United States' ability to operate effectively with Mexican counterparts.<sup>18</sup>

The deteriorating relationship between the United States and Mexico has allowed transnational criminal organizations (TCOs) to operate with near impunity, the homicide rate in Mexico has reached historic levels, and narcotics interdictions by U.S. law enforcement are at historic highs. The estimated volume of narcotics that successfully make it into the United States varies widely, but overdose rates in recent years have been staggering. The cause of many of these overdose deaths is illegally obtained synthetic opioids, reportedly originating from Mexico. According to the Office of National Drug Control Policy,

Mexico is the principal source of this illicit fentanyl and its analogues today. In Mexico, cartels manufacture these poisons in clandestine laboratories with ingredients—precursor chemicals—sourced largely from the People's Republic of China. . . . Because illicit fentanyl is so powerful and such a small amount goes such a long way, traffickers conceal hard-to-detect

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<sup>14</sup> Osborn, "The U.S.–Mexico Drug War Gets a Rebrand."

<sup>15</sup> Osborn.

<sup>16</sup> "AMLO to Address Issues of Security and Sovereignty with Biden," teleSUR, July 11, 2022, <https://www.telesurenglish.net/news/AMLO-to-Address-Issues-of-Security-and-Sovereignty-With-Biden-20220711-0013.html>.

<sup>17</sup> teleSUR.

<sup>18</sup> teleSUR.

quantities in packages, in vehicles, and on persons and smuggle the drug across the U.S.–Mexico border. It is difficult to interdict given that just a small physical amount of this potent drug is enough to satisfy U.S. demand, making it highly profitable for traffickers and dealers.<sup>19</sup>

The conditions for smuggling synthetic opioids from Mexico across the SWB into the United States favor illicit manufacturers and smugglers. The production of illicit narcotics no longer takes place in large cultivated fields that require acres of land, continuous upkeep, or security personnel to prevent unwanted eyes from discovering the operation—either through force or bribes, which erode operations over time.<sup>20</sup> Manufacturers in Mexico can purchase precursor chemicals online or from licensed chemical producers overseas and synthesize the drugs in small clandestine laboratories, which are much harder to detect than fields of poppies or marijuana plants.<sup>21</sup> The final product is highly potent and easy to make, and a small amount can net smugglers huge profits.<sup>22</sup> Major trafficking routes from Mexico to the United States are the same roads traveled by tens of thousands of legitimate travelers every day, especially in cross-border cities like Tijuana–San Diego and Juárez–El Paso. The small amounts of narcotics carried by would-be smugglers blend in easily with the legitimate traffic crossing through ports of entry (POEs) on any given day. As the Office of National Drug Control Policy points out, “Overall, synthetic opioids offer economic and tactical advantages that allow criminals to vastly outpace enforcement efforts.”<sup>23</sup>

In processing 122.3 million travelers in FY 2021, Customs and Border Protection (CBP) officers at POEs along the SWB intercepted 283,000 pounds of narcotics, including 171,000 pounds of methamphetamine and 9,600 pounds of fentanyl.<sup>24</sup> According to

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<sup>19</sup> Office of National Drug Control Policy, *National Drug Control Strategy: Southwest Border Counternarcotics Strategy* (Washington, DC: Executive Office of the President, 2022).

<sup>20</sup> Tom Cotton and David J. Trone, *Final Report of the Commission on Combating Synthetic Opioid Trafficking* (Santa Monica, CA: RAND Corporation, 2022), [https://www.rand.org/pubs/external\\_publications/EP68838.html](https://www.rand.org/pubs/external_publications/EP68838.html).

<sup>21</sup> Cotton and Trone.

<sup>22</sup> Cotton and Trone.

<sup>23</sup> Cotton and Trone.

<sup>24</sup> “Traveler and Conveyance Statistics,” Customs and Border Protection, accessed August 14, 2022, <https://www.cbp.gov/newsroom/stats/travel>.

Gustavo Solis, a collaborative writer for *USA Today*'s award-winning exposé on border security and security infrastructure along the U.S.–Mexico border, in 2018, “more than 90 percent of the drug seizures happened in the port of entry, where millions of cars drive into San Diego from Mexico every year.”<sup>25</sup> Solis recognizes the challenges that officers face at the POE in determining smuggling cases within the 40 seconds allotted to each vehicle or passenger.<sup>26</sup> Most people, goods, and conveyances through POEs involve legitimate travelers who contribute millions to the U.S. economy; the few who smuggle blend in easily with the legitimate traffic, making the officers' jobs much more difficult.

Efforts to combat smuggling involve a multi-layered defense strategy that starts with a short interview, an oral declaration, with a CBP officer but may include other traditional screening techniques such as canine patrol units, x-ray technology, or data-driven systems analysis that flags potential smuggling activity.<sup>27</sup> The CBP enforcement mission is challenging in the POE environment for several reasons. First, as travelers cross the border, they know they will interact with a law enforcement official, which gives them time to prepare. Second, while wait times can sometimes be several hours, many cross the border daily, thus increasing their familiarity with border enforcement procedures. Daily crossers are susceptible to smuggling activity because of their familiarity with the process, and potential smugglers could easily gain familiarity before making a smuggling attempt by spending a few days or weeks crossing the border on “trial runs” before making a real attempt. Last, the sheer volume of traffic makes it impossible to screen travelers more thoroughly without significantly disrupting border wait times, which, in turn, hurt the U.S. economy.

Given these insurmountable obstacles, collecting intelligence on travelers who cross through POEs is paramount to disrupting the unabated flow of narcotics to the United States. The technical and non-technical collection of human intelligence and signals

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<sup>25</sup> Gustavo Solis, “Drug Smuggling, and the Endless Battle to Stop It,” *USA Today*, accessed August 14, 2022, <https://www.usatoday.com/border-wall/story/drug-trafficking-smuggling-cartels-tunnels/559814001/>.

<sup>26</sup> Solis.

<sup>27</sup> “Multi-layered Defense,” Department of Homeland Security, June 27, 2022, <https://www.dhs.gov/multi-layered-defense>.

intelligence should play a larger role in the border enforcement mission than the traditional enforcement strategies in place currently. The contentious U.S.–Mexico relationship does not bode well for increased binational cooperation against TCOs, and evidence suggests Mexico is losing the battle against the cartels. Creating a more robust intelligence collection platform at POEs along the SWB presents a sustainable option to combat smuggling attempts. If the U.S.–Mexico relationship continues to deteriorate, these efforts will continue to function, but if the U.S.–Mexico relationship recuperates, these efforts will only improve, creating a more effective border security framework for the future.

#### **A. PROBLEM STATEMENT**

This thesis explores the systemic corruption in Mexico and how a better understanding of that system would strengthen the U.S.–Mexico partnership and, thus, secure the border more effectively. Mexican General Cienfuegos’s arrest in October 2020 has strained U.S.–Mexico relations further because his detention by anti-narcotics agents in the United States infuriated the current Mexican administration under López Obrador. The current U.S. administration is working on a possible replacement for the former 2007 Mérida Initiative, which had increased cooperation between the two countries and allowed the United States to give military aid and equipment to Mexico to fight cartels and narcotics trafficking.<sup>28</sup> However, according to an anonymous Mexican official quoted in a Reuters article, “The Mérida Initiative is dead.”<sup>29</sup>

The nearly unrestricted flow of narcotics to the United States fuels criminal enterprises in Mexico that threaten the rule of law, undermine democratic institutions, and require strategic partnerships between Mexico and the United States to effectively reduce it. Additionally, failed efforts in Mexico to lower the extreme violence require updated agreements to facilitate assistance from the United States and enact internal revisions to Mexico’s enforcement and laws.

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<sup>28</sup> Dave Graham and Drazen Jorgic, “U.S., Mexico Prepare New Security Deal to Replace Merida Initiative,” Reuters, October 7, 2021, <https://www.reuters.com/world/americas/mexico-sees-us-security-deal-replace-merida-initiative-sources-2021-10-07/>.

<sup>29</sup> Graham and Jorgic.

The partnership with Mexico is vital to economic prosperity in the United States, as the Department of State has deemed Mexico the second-largest U.S. trading partner, with billions of dollars in goods flowing between the two countries.<sup>30</sup> Additionally, hundreds of thousands of people cross legally between the two countries daily, facilitating economic, educational, and cultural exchanges. Likewise, as the Department of State explains, “Security is a shared responsibility. Neither country can be secure if the other is not. Cooperation between Mexico and the United States has never been more vital in the fight to combat the deadly threat of illicit fentanyl, heroin, and synthetic drugs.”<sup>31</sup> Despite this mutual interdependence, positive attitudes toward Mexico have declined in recent years. A 2018 Gallup poll shows that few Americans view Mexico as an ally or friend to the United States. This negative attitude toward Mexico represents the lowest point in Gallup’s 20-year trend. Even more troubling, 26 percent of poll respondents see Mexico as an enemy or unfriendly toward the United States.<sup>32</sup> These shifting attitudes raise concern, and the men and women who patrol the U.S.–Mexico border feel this growing hostility. Effectively securing the U.S.–Mexico border requires increased collaboration between the agents on both sides and an understanding of the corruption culture in Mexico. Understanding these causes will provide a launch point to combat threats to the safety and security of both countries.

Understanding the corruption culture in Mexico is vital to developing a better information-sharing agenda with the country. To effectively combat the problems stemming from Mexico, the United States must make concerted efforts to demystify Mexico’s enigma: both countries’ security and prosperity are invariably interlinked. Currently, the Office of Field Operations—an entity within CBP under the Department of Homeland Security—employs officers at physical POEs. This office has augmented its intelligence capabilities as a result of technological advances, increased training projects,

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<sup>30</sup> Bureau of Western Hemisphere Affairs, “U.S. Relations with Mexico: Bilateral Relations Fact Sheet,” Department of State, September 16, 2022, <https://www.state.gov/u-s-relations-with-mexico/>.

<sup>31</sup> Bureau of Western Hemisphere Affairs, para. 19.

<sup>32</sup> R. J. Reinhart, “Fewer Americans Say Mexico Is a U.S. Friend or Ally,” Gallup, July 19, 2018, <https://news.gallup.com/poll/237443/fewer-americans-say-mexico-friend-ally.aspx>.

and strategic initiatives. As the relationship with Mexico evolves, these intelligence efforts should yield more meaningful information-sharing with Mexico in a mutually designed partnership. This thesis outlines specific advantages to injecting Intelligence Community resources into operational components stationed at POEs. Such increased capabilities create a sustainable way for operational components to combat illicit activity stemming from the U.S.–Mexico border. The relationship with Mexico is fluid, in an environment where rampant corruption undermines the information-sharing system. By increasing intelligence capabilities at POEs, U.S. operators might install a greater information-sharing system between the two countries or, if information-sharing cannot be achieved, a greater disruption posture against illicit activity.

## **B. RESEARCH QUESTION**

How can the United States posture more effectively to combat criminal networks in Mexico that use the Southwest Border (SWB) as a vector for increasing their power and influence in a highly corrupt system?

## **C. LITERATURE REVIEW**

This review encompasses a small sample of works from two opposite approaches to border security between the United States and Mexico. Many factors emanating from the shared border complicate U.S.–Mexico relations: narcotics smuggling, human trafficking, migration, terrorism, commercial fraud, and cartel violence. But this literature review confines itself to selected works on the debate over whether increased enforcement achieves a more secure border and whether collaborative policies designed to address systemic problems have had an effect.

### **1. Increased Enforcement: The Direct Approach Argument**

Many narratives advocate increased enforcement against Mexico. Even before President Trump campaigned on a hard line against the bad things coming from Mexico, several academic pieces supported an increased enforcement posture against the country to better secure the U.S. southern border.

In a 2017 Naval Postgraduate School thesis, “An Arizona Border Wall Case Study,” Justin Alexander argues that a border wall represents one element of enforcement the United States should pursue to secure the border.<sup>33</sup> The author posits that by increasing the enforcement personnel stationed along the border, developing advanced technological enforcement products, and building increased security infrastructure in strategic areas—walls or barriers—the United States can achieve a more secure border.<sup>34</sup> Although not the only solution, Alexander argues, “a wall serves as the backbone of which operational control can be achieved.”<sup>35</sup>

Fernanda Martínez Flores offers another example highlighting the success of a direct approach in controlling borders. She highlights Mexico’s enforcement efforts in stopping migrants from entering its southern border with Guatemala. Martínez Flores argues that the increased enforcement at Mexico’s southern border directly affects and effectively lessens the flow of illegal migrants entering the United States through Mexico.<sup>36</sup> Her evidence comes from the Southern Border Plan (SBP), which was implemented by the Mexican government in 2014 to curb the flow of Central American migrants from El Salvador, Guatemala, and Honduras into Mexico. The report finds that “increased enforcement in Mexico decreases the likelihood of attempting repeated unauthorized crossings.”<sup>37</sup> As Martínez Flores explains, the likelihood of Central American migrants attempting to remigrate shortly after being deported from Mexico decreased 30 percent after the implementation of the SBP.<sup>38</sup> Furthermore, the U.S. Border Patrol’s apprehensions of Central Americans decreased by approximately 500 annually

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<sup>33</sup> Justin Alexander, “An Arizona Border Wall Case Study” (master’s thesis, Naval Postgraduate School, 2017), <http://hdl.handle.net/10945/56871>.

<sup>34</sup> Alexander, 83.

<sup>35</sup> Alexander, 84.

<sup>36</sup> Fernanda Martínez Flores, “The Effects of Enhanced Enforcement at Mexico’s Southern Border: Evidence from Central American Deportees,” *Demography* 57, no. 5 (2020): 1597–1623, <https://doi.org/10.1007/s13524-020-00914-3>.

<sup>37</sup> Martínez Flores, 1597.

<sup>38</sup> Martínez Flores, 1620.

because of SBP policies.<sup>39</sup> These data suggest increased enforcement policies along Mexico's southern border lead to fewer apprehensions along the U.S.–Mexico border.

Furthermore, Martínez Flores cites several U.S. enforcement measures as successful examples of curtailing the flow of non-citizens to the United States. Increased enforcement along Mexico's southern border coupled with measures in the United States bolster the argument for a direct enforcement approach to stopping threats emanating from Mexico and across the U.S.–Mexico border. She notes several other researchers who advocate increased enforcement methods in her analysis:

State policies are effective in (1) deterring unauthorized migrants in the short-run (Amuendo-Dorantes et al. 2013), (2) decreasing the proportion of non-citizen Hispanic population in the state (Bohn et al. 2014; Lofstrom et al. 2011), and (3) changing immigration and locational choices of new Mexican immigrants (Hoekstra and Orozco-Aleman 2017).<sup>40</sup>

Another direct approach to border security weakens the support system for the Mexican cartels responsible for much of the narcotics trafficking and violence. For example, according to Kelly Hanen, Mexican cartels should be designated as foreign terrorist organizations (FTOs) by the United States. Hanen contends that designating them as such is a valid option because they meet the criteria:

to be qualified for an FTO designation, an organization must meet three statutory criteria:

- the organization must be foreign;
- the organization must engage in terrorist activity or retain the ability to engage in terrorist activity or terrorism; and
- the terrorist activity or terrorism of the organization must threaten the safety of U.S. nationals or the United States.<sup>41</sup>

If this FTO designation passes into law, U.S.-based cooperators will face several consequences. Hanen reasons that cartels have evolved from narcotics kingpins to terrorist

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<sup>39</sup> Martínez Flores, 1620.

<sup>40</sup> Martínez Flores, 1599–1600.

<sup>41</sup> Kelly Hanen, “Doubling Down: Why Mexican Drug Trafficking Organizations Should Be Designated as Foreign Terrorist Organizations and as Significant Narcotics Traffickers,” *American Journal of Criminal Law* 43, no. 2 (Spring 2016): 190.

organizations, and with their FTO designation, “the State Department will provide prosecutors and law enforcement with more tools to combat this growing threat.”<sup>42</sup>

By the same token, Hanen outlines the consequences of the FTO designation, perhaps the most severe of which would be the damage done to the U.S.–Mexico relationship. However, given the increased use of violent tactics by Mexican cartels, the U.S. decision to respond to them with force parallels its approach with such groups as Hamas, al-Qaeda, and Boko Haram.<sup>43</sup> Categorizing cartels as FTOs is an example of the United States’ rejecting cooperative narratives and following a strict law enforcement approach.

## **2. The Collaborative Approach Argument: Diplomacy and Collaboration with Mexico**

The other approach to border security includes increased collaboration whereby a joint framework between the two countries creates opportunities to dedicate resources for issues at the U.S.–Mexico border. Writing on the shared responsibilities of the United States and Mexico, Carolyn Gallaher argues that the Mérida Initiative succeeded in creating joint efforts that were previously impossible due to the sordid history of U.S.–Mexico relations, e.g., the Mexican–American War.<sup>44</sup> She contends that the direct approach to enforcement along the U.S.–Mexico border has not improved the security of either country. According to Gallaher, the border has become increasingly militarized but that hardening has neither stemmed narcotics trafficking from reaching the U.S. interior nor halted most illegal migrants from entering the country. The Mérida Initiative had formalized agreements between the two countries including a shared responsibility in countering narcotics trafficking and cartel violence.<sup>45</sup>

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<sup>42</sup> Hanen, 203.

<sup>43</sup> “Foreign Terrorist Organizations,” Department of State, accessed January 26, 2022, <https://www.state.gov/foreign-terrorist-organizations/>.

<sup>44</sup> Carolyn Gallaher, “Mexico, the Failed State Debate, and the Mérida Fix,” *Geographical Journal* 182, no. 4 (December 2016): 331–41, <https://doi.org/10.1111/geoj.12166>.

<sup>45</sup> Gallaher.

A Senate hearing comprising experts on U.S.–Mexico relations endorsed the idea of shared responsibility and advocated continued cooperation between the two countries as the ideal path forward. The 2017 hearing before the Committee on Foreign Relations pointed out that Mexico has been a source of supply for many illicit narcotics, but the country has not been entirely to blame; the “consumption problem” of the United States contributes equally to the larger issue of narcotics trafficking and the violence associated with it.<sup>46</sup> Opening statements from Robert Menendez, U.S. senator (NJ); Bill Richardson, former governor of New Mexico; and Roger F. Noriega, U.S. ambassador to the Organization of American States all echoed the need to form a better working relationship with Mexico to address shared problems. Ambassador Noriega directly addressed the need to support Mexican authorities to formulate effective anti-drug strategies and warned against establishing a system that hindered cooperation between the United States and Mexico.<sup>47</sup>

An article by Juan Carlos Gachúz Maya further explores the idea of a unified, cooperative framework between the United States and Mexico specifically against drug trafficking.<sup>48</sup> Gachúz Maya maintains that criminal organizations have benefited from the globalization process, which has increased their efficiency in moving people and narcotics.<sup>49</sup> He advocates increasing international cooperation between countries but, even further, including the participation of state and non-state actors in the fight at the regional and global levels.<sup>50</sup>

According to Gachúz Maya, the challenges of cooperation between state and national levels of government allow TCOs to exploit gaps in legal frameworks:

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<sup>46</sup> *The U.S.–Mexico Relationship: Advancing Security and Prosperity on Both Sides of the Border: Hearing before the Committee on Foreign Affairs, U.S. Senate, 115th Cong., 1st sess. (2017), 4–10, <https://www.govinfo.gov/content/pkg/CHRG-115shrg39933/pdf/CHRG-115shrg39933.pdf>.*

<sup>47</sup> S., 9–10.

<sup>48</sup> Juan Carlos Gachúz Maya, “U.S.–Mexico Drug Trafficking: Globalization, Cooperation and Challenges,” *Revista de Estudios en Seguridad Internacional* 5, no. 1 (2019): 21–35, <http://dx.doi.org/10.18847/1.9.3>.

<sup>49</sup> Gachúz Maya.

<sup>50</sup> Gachúz Maya.

States face enormous challenges due to global crime but current institutions and legal systems sometimes work either in isolation and/or at the national level. These weaknesses are used by TCOs, which freely exploit the loopholes and imperfections of state-based legal systems to extend their reach.<sup>51</sup>

He also highlights the strategy of “institutionalized cooperation,” which involves stripping away barriers not only between different countries but also between the state and federal legal frameworks. These frameworks often clash with one another—for example, marijuana possession is a crime at the federal but not the state level.<sup>52</sup> Gachúz Maya contends national cooperation automatically increases the security of the border; however, since issues have expanded beyond the local context of the border, regional and global coordination is necessary to combat these problems.<sup>53</sup>

Last, Dan Restrepo, Joel Martinez, and Michael Werz with the Center for American Progress repeat the sentiments of others in reinforcing the need to preserve the U.S.–Mexico relationship. Noting the symbiotic relationship between the United States and Mexico, the authors detail how cooperation between the two countries has increased over the past several decades, thus benefiting their shared national interests.<sup>54</sup> Restrepo, Martinez, and Werz argue that vilifying Mexico and Mexicans—a narrative that gained momentum in recent years—poses a deep security concern for both countries and recommend a cooperation-based agenda instead.<sup>55</sup> Like Gachúz Maya, the authors explain that a holistic approach to the U.S.–Mexico relationship would include state and non-state actors from both countries.<sup>56</sup> The authors warn against the nativism and nationalism that have dominated headlines and caution that policy decisions reflecting such narratives could

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<sup>51</sup> Gachúz Maya.

<sup>52</sup> Gachúz Maya.

<sup>53</sup> Gachúz Maya.

<sup>54</sup> Dan Restrepo, Joel Martinez, and Michael Werz, *Preserving and Strengthening the U.S.–Mexico Relationship* (Washington, DC: Center for American Progress, 2017), <https://www.americanprogress.org/article/preserving-and-strengthening-the-u-s-mexico-relationship/>.

<sup>55</sup> Restrepo, Martinez, and Werz.

<sup>56</sup> Restrepo, Martinez, and Werz.

wreak havoc on national security interests and economic vitality.<sup>57</sup> Their recommendations for cooperation include engaging with Mexican counterparts at various levels of federal and state government and encouraging a deeper understanding between younger Americans and their Mexican peers.<sup>58</sup>

Political divisions in the United States have exacerbated the narratives surrounding border security. Extreme narratives on one side call for increased enforcement with Mexico that severely limits the ability of people and goods to move across the border via physical infrastructure, enhanced personnel, and technological advances to stop the flow of violence and narcotics. Extreme narratives on the other side call for open borders, the almost unrestricted flow of goods and people across the U.S.–Mexico border with minimal oversight. The literature included in this review analyzed a direct approach to enforcement along the U.S.–Mexico border and a more collaborative approach with shared responsibility between the two countries.

#### **D. RESEARCH DESIGN**

The research included in this study examined complexities and challenges surrounding the security of the U.S.–Mexico border through a multiphase qualitative approach. The first phase analyzed policies previously employed to better understand the approaches to combating crime, violence, narcotics, and human smuggling. Policies, agreements, and strategic initiatives have shifted with every American administration. Understanding the historical context and consequences of those changing policies is an important aspect of this research intended to support recommendations for future decisions.

The second phase of research analyzed Mexico’s corruption culture. An abundance of scholarly research has analyzed corruption throughout Mexico and provided the necessary framework to explore this complex problem. This analysis of corruption helped to frame recommendations for future decisions with Mexico, whether the approach be

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<sup>57</sup> Restrepo, Martinez, and Werz.

<sup>58</sup> Restrepo, Martinez, and Werz, 18.

cooperative or combative. This research on corruption provided a more holistic account of the issues challenging the efforts of securing the border.

The third phase of research dissected the policies being implemented between the United States and Mexico. This research was timely and relevant, as the United States and Mexico have recently engaged in high-level strategic conversations about the renewal of their shared relationship. The dynamics between the two countries are evolving, so an analysis of the strategic initiatives being discussed enables a greater understanding of the security situation.

Ultimately, an understanding of the security situation along the Southwest Border resulted in strong policy recommendations designed to increase the security of the U.S.–Mexico border and ultimately the United States. While no single solution could address the numerous problems facing border security, an increased awareness of the issues hindering security cooperation is offered to move toward a more sustainable solution.

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## **II. THE CHANGING LANDSCAPE OF THE U.S.–MEXICO RELATIONSHIP: A CASE STUDY ANALYSIS**

Two events in recent history have significantly altered the dynamic relationship between the United States and Mexico. In October 2019, an urban battle in Culiacán, Sinaloa, Mexico, exposed the inability of Mexican security forces to outmatch the overwhelming firepower and coordination of cartel soldiers. In October 2020, the events surrounding the arrest and release of one of Mexico’s top security officials, General Salvador Cienfuegos Zepeda, uncovered corruption approaching the top levels of Mexican government. His eventual exoneration by the current government of Mexico drastically changed the U.S.–Mexico relationship, leaving deep fissures between the two countries to this day. The details surrounding these two events are covered here as case studies and serve as a launch point for recommended changes to secure the U.S.–Mexico border. Mexico is increasingly unwilling to accept externally led investigations, especially from the United States, and when confronted by cartel forces in symmetrical warfare, the Mexican government cannot retain control. These two issues serve to support growing cartel empires, undermine U.S. national security, and threaten the overall stability of the region.

### **A. THE BATTLE OF CULIACÁN**

In October 2019, as the U.S. war in Afghanistan declined, violent urban warfare erupted in a major metropolitan city far from the Middle East. The shocking, violent scenes resembled events from the war on terror, which had dominated headlines for over two decades, but played out in a location much closer to the United States. Culiacán, Sinaloa, Mexico, some 600 miles south of the U.S.–Mexico border, erupted in warfare between Mexican security forces and cartel soldiers over the arrest of Sinaloa cartel leader Ovidio Guzmán. Over several hours, cartel soldiers unleashed chaos, setting up 19 blockades by seizing large buses and setting them on fire, preventing military and police forces of federal

and state jurisdictions from accessing major traffic routes.<sup>59</sup> The heavily armed attackers were equipped with AK and AR-15 rifles, M249 SAW belt-fed machine guns, at least one M72-series shoulder-fired rocket launcher, and dozens of Beretta and Glock model handguns; at least 14 people were killed, including government and civilian personnel.<sup>60</sup>

To halt the bloodshed, the Mexican government eventually capitulated to cartel forces and released Ovidio from its custody into cartel hands. The event marked an embarrassing loss for Mexican forces and called into question Mexican President López Obrador’s strategy of shying away from direct confrontation with the cartels. The disturbing event signaled a dynamic power shift in favor of cartel forces, who were likely emboldened after their victory. The surprising ability of the cartel to coordinate and overpower Mexican forces and the failure of the Mexican government to combat that power and coordination highlight a troubling trend. Mexico’s reluctance to accept U.S.-led investigations into corruption, as emphasized in the exoneration of General Cienfuegos, and lack of internal capacity to outmatch cartel armament, as highlighted in the battle of Culiacán, have allowed TCOs to flourish and eroded the safety and security of the United States.

## 1. Sinaloa Cartel Origins and Structure

One of the most well-known TCOs in Mexico, the Sinaloa cartel, evolved to encompass a robust empire capable of enduring several iterations of the war on drugs from both the Mexican and U.S. government. The Sinaloa cartel is described by journalist Ioan Grillo as “a paramilitary complex that has transformed amid the instability of Mexico.”<sup>61</sup> At the height of the Sinaloa cartel in the early 2000s, affiliates with the organization were spotted or arrested all over the world and operated in at least 75 known U.S. cities.<sup>62</sup>

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<sup>59</sup> “Weapons Used by Sinaloa Cartel Sicarios in Culiacán, Mexico,” Armament Research Services, October 18, 2019, <https://armamentresearch.com/weapons-used-by-cartel-sicarios-in-culiacan-mexico/>.

<sup>60</sup> Armament Research Services.

<sup>61</sup> Ioan Grillo, *El Narco: Inside Mexico’s Criminal Insurgency* (New York: Bloomsbury Press, 2011).

<sup>62</sup> Malcolm Beith, “A Broken Mexico: Allegations of Collusion between the Sinaloa Cartel and Mexican Political Parties,” *Small Wars & Insurgencies* 22, no. 5 (December 2011): 787–806, <https://doi.org/10.1080/09592318.2011.620813>.

Properties owned by the Sinaloa cartel were seized in Colombia and several Eastern European nations, as the extensive smuggling network moved narcotics through South America to West Africa and on to destinations in Western Europe and Asia.<sup>63</sup>

With some of the most hospitable land for growing opium, the Mexican state of Sinaloa is the birthplace of the country’s drug trade. Miguel Angel Félix Gallardo, a.k.a. “El Padrino” (The Godfather), emerged in the 1970s as a major trafficker in Culiacán, Sinaloa.<sup>64</sup> Gallardo connected with Colombian narcotraffickers to establish trafficking routes through Mexico once the cocaine routes from Colombia to the United States came under heavier scrutiny by U.S. law enforcement during the increasingly militarized war on drugs campaign.<sup>65</sup> The Guadalajara cartel, managed by Gallardo, became one of the largest criminal organizations in the early 1980s but suffered a significant disruption after its involvement in the 1985 torture and killing of Drug Enforcement Agency (DEA) agent Enrique “Kiki” Camarena.<sup>66</sup>

Eventually arrested in April 1989 for his involvement in the murder of Agent Camarena, Gallardo resolved to fracture the Guadalajara cartel empire into smaller subdivisions, each run by a different boss, partly to decrease the chances of total disruption if government forces ever went after a single cartel leader.<sup>67</sup> In late 1989, while incarcerated in Mexico and with the help of lawyers and messengers, Gallardo convened Mexico’s top narcotraffickers to a house in Acapulco in the state of Guerrero, Mexico, where he divided the operational territories, or *plazas*.<sup>68</sup> The Tijuana route went to the Arellano-Félix brothers; the Ciudad Juárez route to the Carrillo Fuentes family; the Sonora corridor to Miguel Caro Quintero; and the Pacific Coast—or Sinaloa—operations to Joaquin Guzmán Loera (a.k.a. “El Chapo”), Héctor Luis Palma Salazar, and Ismael

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<sup>63</sup> Beith.

<sup>64</sup> Beith.

<sup>65</sup> Amy Tikkanen, “Sinaloa Cartel,” *Britannica*, accessed March 25, 2022, <https://www.britannica.com/topic/Sinaloa-cartel>.

<sup>66</sup> Tikkanen.

<sup>67</sup> Tikkanen.

<sup>68</sup> Tikkanen.

Zambada García.<sup>69</sup> By fracturing the single cartel, which in many ways paralleled a successful business corporation, Gallardo ensured that the U.S. and Mexican governments would have no single point on which to focus enforcement efforts. To completely dismantle cartel organizations or disrupt narcotics smuggling, government forces would have to strike several cartel bosses and their affiliates.

Fighting between and among these groups inevitably followed, perhaps most famously between the Arellano Félix brothers and the Sinaloa leadership, but after Benjamin Arellano Félix was arrested and Ramón Arellano Félix killed (both in 2002), the Sinaloa cartel emerged in the early 2000s as the dominant player, controlling major trafficking routes from Sinaloa through Tijuana, Mexico, and into the United States.<sup>70</sup>

## 2. The Sinaloa Cartel's Empire Crumbles

Sinaloa cartel leader El Chapo was first arrested in 1993 in Guatemala on charges of drug trafficking, murder, and kidnapping.<sup>71</sup> Turned over to Mexican authorities and incarcerated, he still ran most cartel operations and enjoyed an opulent lifestyle.<sup>72</sup> Suitcases of money showed up regularly to his jail cell, and prison guards acted as his personal servants.<sup>73</sup> A new extradition treaty between the United States and Mexico in 2001 prompted El Chapo to escape his Mexican prison to avoid serving jail time in the United States. His first famous escape from a Mexican jail was in 2001, when he easily bribed prison officials who facilitated his escape through the front door of the facility.<sup>74</sup>

Free from prison, El Chapo resumed his full-time role as Sinaloa cartel leader, and by the early 21st century, the Sinaloa cartel was responsible for most marijuana, cocaine,

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<sup>69</sup> Tikkanen.

<sup>70</sup> Tikkanen.

<sup>71</sup> Juanita Darling, "Mexico Arrests Reputed Top Drug Kingpin: Central America: Joaquin Guzman Is Believed to Have Been the Target of Attack That Killed Cardinal. He Is Captured in Guatemala," *Los Angeles Times*, June 11, 1993, [https://web.archive.org/web/20140226013039/http://articles.latimes.com/1993-06-11/news/mn-2027\\_1\\_top-drug-trafficker](https://web.archive.org/web/20140226013039/http://articles.latimes.com/1993-06-11/news/mn-2027_1_top-drug-trafficker).

<sup>72</sup> David Luhnnow and Jose de Cordoba, "The Drug Lord Who Got Away," *Wall Street Journal*, June 14, 2009, <https://www.wsj.com/articles/SB124484177023110993>.

<sup>73</sup> Luhnnow and Cordoba.

<sup>74</sup> Luhnnow and Cordoba.

heroin, and methamphetamine trafficking from Mexico, with annual revenue estimated at \$3–\$39 billion.<sup>75</sup> In 2006, Mexican President Felipe Calderón launched an aggressive war on cartels and negotiated the Mérida Initiative with the United States, leveraging American money and equipment to fight cartel organizations.<sup>76</sup> Ironically, the war on cartels served only to strengthen the Sinaloa cartel, which had gained territory from the Tijuana and Juárez cartels as their leaders were killed or captured by Mexican forces.<sup>77</sup> The Calderón administration focused on toppling the kingpins of cartel leadership and was successful in doing so, except against the most wanted drug lord of them all, El Chapo. As the kingpins fell, El Chapo capitalized on the opportunity to elevate the Sinaloa cartel to the most successful international criminal enterprise.<sup>78</sup>

Apprehended for a second time in 2014, El Chapo famously escaped that incarceration attempt through a tunnel constructed directly below the floor of his prison cell.<sup>79</sup> Caught for a third time in 2019, he was successfully extradited to the United States, where he was found guilty of drug trafficking and incarcerated at ADX Florence in Colorado.<sup>80</sup> Following his successful extradition and incarceration, one of the Sinaloa cartel’s original members, Ismael “El Mayo” Zambada García, and two sons of El Chapo, Ovidio and Ivan Guzmán, assumed control of Sinaloa operations.

### **3. The State–Cartel Relationship**

El Chapo had four wives and between 13 and 15 children, according to experts, but two of his sons, Ivan and Ovidio Guzmán, were the heirs apparent to the Sinaloa empire

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<sup>75</sup> Tikkanen, “Sinaloa Cartel.”

<sup>76</sup> Tikkanen.

<sup>77</sup> “Kingpin Bowling,” *Economist*, October 20, 2012, <https://www.economist.com/the-americas/2012/10/20/kingpin-bowling>.

<sup>78</sup> Tikkanen, “Sinaloa Cartel.”

<sup>79</sup> Tikkanen.

<sup>80</sup> Tikkanen.

following the arrest and extradition of their father.<sup>81</sup> Eager to continue dismantling the Sinaloa cartel after the successful incarceration of El Chapo, the United States considered his sons high-value targets. Indicted by the U.S. Justice Department in February 2019, Ovidio would face charges for facilitating the flow of narcotics to the United States if captured.<sup>82</sup> A combination of U.S. and Mexican intelligence led officials closer to finding Ovidio, who was careful to operate in the shadows.

Mexican forces homed in on Ovidio's location in mid-2019 and put their operation into play later that same year, mobilizing toward a sprawling compound in Sinaloa suspected to house El Chapo's son. As enforcement elements from the Mexican Army and Navy organized and executed their planned operation, they learned they did not yet have an arrest warrant and would have to wait. Critics cite a possible attempt by corrupt officials who purposefully gave the cartel time to mobilize and gain the upper hand over the security forces from the start.<sup>83</sup> As soon as Mexican officials arrived at the compound, convoys of cartel gunmen deployed throughout the city with a surprising level of coordination and armament, threatening both the government and civilian populations.<sup>84</sup>

Rising smoke from vehicle fires could be seen hovering over the city, members of the security forces were captured for a short time, a helicopter took gunfire, and the Culiacán International Airport halted operations for several hours.<sup>85</sup> Eventually, the Mexican government capitulated, releasing Ovidio back to the cartel forces in what the *Washington Post* called one of the most embarrassing moments of Mexican President López Obrador's tenure.<sup>86</sup>

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<sup>81</sup> Kevin Sieff, "The Failed Arrest of El Chapo's Son Turned a Mexican City into an Urban War Zone," *Washington Post*, October 18, 2019, [https://www.washingtonpost.com/world/major-gun-battle-in-mexico-pits-security-forces-against-el-chapos-son/2019/10/17/c28d174a-f149-11e9-89eb-ec56cd414732\\_story.html](https://www.washingtonpost.com/world/major-gun-battle-in-mexico-pits-security-forces-against-el-chapos-son/2019/10/17/c28d174a-f149-11e9-89eb-ec56cd414732_story.html).

<sup>82</sup> Sieff.

<sup>83</sup> Sieff.

<sup>84</sup> Sieff.

<sup>85</sup> Sieff.

<sup>86</sup> Sieff.

According to Jorge Castañeda, former secretary of foreign affairs under Mexican President Vicente Fox, several factors contributed to the bungled operation, but the result highlighted a troubling trend familiar to U.S. forces.<sup>87</sup> A series of cables sent by Carlos Pascual, the former American ambassador to Mexico, revealed the challenges U.S. agents have encountered when going after Mexican cartel leaders—when American authorities eventually close in on targets of interest they are forced to work with their foreign counterparts in Mexico, which often presents several unfavorable options to accomplish their objectives.<sup>88</sup> They can notify the Mexican Army, which has a history of tipping off potentially valuable targets; they can notify the federal police, which are ineffective through a combination of corruption and legally restrictive measures; or they can notify the U.S.-trained Mexican Navy, which is sometimes effective but uses exceedingly violent tactics unfavorable to the current Mexican administration.<sup>89</sup> Attempts to alleviate this precarious situation usually include embedding American agents with teams that share intelligence only with highly vetted Mexican forces, thus expending significant time and risking the lives of the vetted personnel.<sup>90</sup> Vetted Mexican forces assume extra risk should news of their cooperation with U.S. forces be leaked.<sup>91</sup>

The response of the state to criminal organizations has various underlying reasons but is rooted in resource competition. In *Mexico's Illicit Drug Networks*, Nathan P. Jones argues there are two types of illicit networks: transactional and territorial.<sup>92</sup> Transactional illicit networks focus on trafficking drugs and the logistics of moving illicit goods.<sup>93</sup> Territorial networks, by contrast, focus on controlling and taxing a territory, which puts

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<sup>87</sup> Jorge G. Castañeda, “The Bigger Story behind the Humiliating Release of El Chapo’s Son,” *New York Times*, October 23, 2019, <https://www.nytimes.com/2019/10/23/opinion/el-chapo-son-mexico.html>.

<sup>88</sup> Castañeda.

<sup>89</sup> Castañeda.

<sup>90</sup> Castañeda.

<sup>91</sup> Castañeda.

<sup>92</sup> Nathan P. Jones, *Mexico's Illicit Drug Networks and the State Reaction* (Washington, DC: Georgetown University Press, 2016).

<sup>93</sup> Jones.

them at odds with the state because both work to collect limited resources against the population they wish to control. According to Jones,

Both [types of illicit networks] are territorial, hierarchical, resilient, prone to violence, and funded by taxation. Territorial drug networks threaten the state’s underlying *raison d’être*—the ability to govern through the taxation of territory. The predatory alternative governance structure these drug networks establish through extortion and kidnapping directly challenges states by illicitly taxing the local population and exercising violence within state territory.<sup>94</sup>

Transactional illicit networks tend to be more resilient, focusing their efforts on the trafficking of narcotics, money laundering, or front businesses that are typically secondary targets for states.<sup>95</sup> Furthermore, transactional illicit networks are capable of forming alliances with states through corruption whereas territorial illicit networks, which compete directly with the state, are the focus of state-directed violence and are, therefore, less resilient.<sup>96</sup>

Some evidence suggests that the Mexican government has used this transactional-versus-territorial framework historically to shape its response to the growing power of the cartels.<sup>97</sup> According to Jones, “In 2010, an anonymous Mexican government official quoted in the *Economist* volunteered that Mexico was targeting Los Zetas because it was a more ‘territorial,’ and therefore more violent, drug network. Further, . . . the Mexican state was putting less emphasis on targeting the Sinaloa cartel because of its ‘transactional’ character.”<sup>98</sup> The state response to cartel narcotics operations and the surrounding violence has shifted across Mexican and U.S. administrations but remains a complex problem. The response of the state to illicit networks is subject to myriad competing interests and struggles with internal and external pressure. The state has a duty to its citizens and the international community to respond to illicit networks that affect its legitimacy. Thus, the

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<sup>94</sup> Jones.

<sup>95</sup> Jones.

<sup>96</sup> Jones.

<sup>97</sup> Jones.

<sup>98</sup> Jones.

Mexican government's inability to respond effectively to cartel violence threatens the legitimacy of the Mexican state and, in turn, the national security of the United States.

#### 4. Shifting Strategies by the López Obrador Administration

Mexican President López Obrador has made every indication that his administration will not pursue a war on drugs or the cartels.<sup>99</sup> Previous Mexican presidents called for an open battle against the cartels to achieve their objectives, which were backed favorably by previous U.S. administrations. President López Obrador has made open criticism of this strategy. The so-called kingpin strategy favored by previous U.S. administrations aimed to disrupt or dismantle criminal organizations by cutting off the leaders, or kingpins, of those organizations. López Obrador refutes this strategy, claiming it has led only to more violence as cartels vie for positions of power through violent means.<sup>100</sup> Twelve years of that strategy has not disrupted the major cartels, especially the Sinaloa cartel, which remains a top narcotics TCO network even stronger today than before the war on drugs began.<sup>101</sup>

Even before the battle of Culiacán, López Obrador campaigned as an alternative to his opponent's poor strategic policies in dealing with the increasing power of cartels and overwhelming violence.<sup>102</sup> He has criticized former Mexican administrations for "turn[ing] the country into a cemetery by wanting to put out fire with fire" and famously campaigned on a slogan of "hugs, not bullets."<sup>103</sup> The aim of his economic policies is to increase economic opportunities for Mexico's youth, who, with diminishing hope of legal and prosperous job prospects, turn to the cartels for support.<sup>104</sup> López Obrador also promotes an agenda of cracking down on corruption—a common theme among Mexican politicians for decades now—and creating a robust national guard force to address the

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<sup>99</sup> Castañeda, "The Bigger Story."

<sup>100</sup> Castañeda.

<sup>101</sup> Castañeda.

<sup>102</sup> "The AMLO Doctrine," *Economist*, October 26, 2019, ProQuest.

<sup>103</sup> "The AMLO Doctrine."

<sup>104</sup> "The AMLO Doctrine."

cartels as well as other domestic issues. However, these strategic objectives are not panning out as planned. While President López Obrador had hoped homicides would drop within six months under his economic and security plans, they have since risen and exceeded previous years' totals.<sup>105</sup>

According to Nathan Jones, this administration's alternative response to the cartel violence is due to civil society's being affected at unacceptable levels, which have reached a tipping point.<sup>106</sup> Jones argues, "When extortion and kidnapping reach into the lower middle class, professional class, and political elite, a critical mass of civil society is achieved. It is civil society that exerts strong pressure on the state and forces it to react."<sup>107</sup> López Obrador's renewed focus on economic and social opportunities are reflective of this shift by civil society, which is receptive to his messaging. By contrast, former President Felipe Calderón (2006–2012) deployed nearly 45,000 federal troops and police in his efforts to crack down on cartels but saw the Sinaloa cartel only flourish.<sup>108</sup> Further evidence suggests the Mexican government favored the Sinaloa cartel over others, according to interviews with former police officers who suggest bribes to government officials kept the former leader of the cartel, El Chapo, safe from the hands of law enforcement for years.<sup>109</sup>

Believed to have infiltrated the top levels of government at the height of its power, the Sinaloa cartel controlled several Mexican airports, included on its payroll top federal police who alerted the cartel to law enforcement activity before its arrival, and is suspected of using the Mexican Army to protect El Chapo as he moved around town in a caravan of vehicles reminiscent of a VIP motorcade.<sup>110</sup> As Mexican law professor and organized crime expert Edgardo Buscaglia observes,

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<sup>105</sup> "The AMLO Doctrine."

<sup>106</sup> Jones, *Mexico's Illicit Drug Networks and the State Reaction*.

<sup>107</sup> Jones.

<sup>108</sup> John Burnett, Marisa Peñaloza, and Robert Benincasa, "Mexico Seems to Favor Sinaloa Cartel in Drug War," National Public Radio, May 19, 2010, <https://www.npr.org/2010/05/19/126906809/mexico-seems-to-favor-sinaloa-cartel-in-drug-war>.

<sup>109</sup> Burnett, Peñaloza, and Benincasa.

<sup>110</sup> Burnett, Peñaloza, and Benincasa.

The Sinaloa has been clearly the winner of all that competition among organized crime groups. And as a result of that, they have gained more economic power, they have been able to corrupt with more frequency and corrupt with more scope. Now you see that Sinaloa is the most powerful criminal group, not just in Mexico, but all over Latin America.<sup>111</sup>

A 2010 National Public Radio analysis revealed disproportionate arrests of other cartel members by the government of Mexico compared to arrests of Sinaloa cartel members.<sup>112</sup> This analysis supports the idea that the government of Mexico gave preference to the Sinaloa cartel as a transactional network. Sinaloa's empire grew, in part, because it successfully infiltrated the government of Mexico. Compared to other Mexican cartels that have threatened violence against the state, the Sinaloa business model more successfully incorporates bribes, coercion, and informants at the top levels of law enforcement and the military. This model has enabled nearly unabated smuggling operations and an unlimited supply of cash.<sup>113</sup>

## **5. Implications of the Battle**

The battle of Culiacán highlights the inability of the Mexican government to respond effectively to cartel violence and offers yet another example of pervasive corruption further undermining efforts of both the United States and Mexico. Critics suggest President López Obrador's approach to domestic security has allowed cartels to operate with autonomy in certain areas to avoid violence between state government forces, who are clearly outmatched by cartel operatives.<sup>114</sup> This strategy worked previously in El Salvador, where the government openly reached a deal with street gangs in 2012 that reduced the murder rate by half.<sup>115</sup>

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<sup>111</sup> Burnett, Peñaloza, and Benincasa.

<sup>112</sup> Burnett, Peñaloza, and Benincasa.

<sup>113</sup> Burnett, Peñaloza, and Benincasa.

<sup>114</sup> "The AMLO Doctrine."

<sup>115</sup> "The AMLO Doctrine."

Mexico denies accusations that it favors certain criminal groups over others, but evidence suggests the government allowed El Chapo to enjoy a peaceful monopoly.<sup>116</sup> Anabel Hernandez, who wrote several works on El Chapo, concludes, “My hypothesis, after five years of investigation, is that [El Chapo] is the best example of corruption in Mexico.”<sup>117</sup> The relationship between the Sinaloa cartel and the Mexican government cannot be undone with the arrest and incarceration of just a few top leaders of the TCO. Cartel violence still represents a major threat to the stability of Mexico and, thus, the United States. The battle of Culiacán highlights the incapacity of Mexican security forces, who are sorely outgunned and outmatched in direct conflict with the cartels. The inability of Mexico to control cartels furthers TCOs, which increasingly affect the national security of the United States.

## **B. THE ARREST AND RELEASE OF GENERAL CIENFUEGOS**

Joint security initiatives between the United States and Mexico suffered a serious blow in October 2020 following the arrest of former Mexican Defense Secretary General Salvador Cienfuegos Zepeda.<sup>118</sup> As General Cienfuegos arrived at the Los Angeles International Airport with his family, U.S. law enforcement arrested and accused him of taking bribes from a powerful Mexican cartel that had been allowed to operate in Mexico with impunity, eventually dominate coveted smuggling routes through Mexico, and move large amounts of narcotics into the United States.<sup>119</sup> According to the indictment, Cienfuegos was known as El Padrino (The Godfather) to the H-2 cartel—a TCO notorious for extreme violence and a well-organized network of smuggling routes throughout the United States, delivering narcotics throughout California, Nevada, and as far away as New

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<sup>116</sup> “The AMLO Doctrine.”

<sup>117</sup> Burnett, Peñaloza, and Benincasa, “Mexico Seems to Favor Sinaloa Cartel in Drug War.”

<sup>118</sup> Kristen E. Eichensehr, “U.S. Arrest of Former Mexican Defense Minister on Drug Charges Poses Challenges for Future Counter-narcotics Cooperation,” *American Journal of International Law* 115, no. 2 (April 2021): 334–40, <https://doi.org/10.1017/ajil.2021.14>.

<sup>119</sup> Carrie Kahn, Alex Leff, and Mark Katkov, “U.S. Arrests Mexico’s Ex-Defense Chief, Accused of Helping Drug Cartel,” National Public Radio, October 16, 2020, <https://www.npr.org/2020/10/16/924375024/former-defense-secretary-of-mexico-arrested-in-los-angeles-on-drug-charges>.

York.<sup>120</sup> The arrest infuriated Mexican President López Obrador—who successfully negotiated for General Cienfuegos’s release and eventual exoneration—and significantly altered the relationship between the United States and Mexico.<sup>121</sup>

The arrest and surrounding evidence provided by U.S. law enforcement suggest corruption at the highest levels of government in Mexico. Representing the highest-ranking Mexican official ever arrested on drug trafficking charges, Cienfuegos’s detention toppled security cooperation between the United States and Mexico.<sup>122</sup> The arrest prompted the Mexican government to change laws and procedures that govern Mexican agencies’ engagement with U.S. counterparts, resulting in an overly formal and bureaucratic process that severely curtails what local U.S. and Mexican officers can accomplish in real time.<sup>123</sup> The dynamic relationship between the United States and Mexico has significantly altered in recent years, especially after four tumultuous years of the Trump administration, according to the Wilson Center’s Mexico Institute.<sup>124</sup> As Duncan Wood and Alexandra Helfgott, writing for the Wilson Center, remark, “Although the idiosyncratic approach adopted by the Trump Administration, using threats of tariffs and border closures to secure Mexican cooperation, had been managed admirably by Mexican foreign secretary, Marcelo Ebrard, the relationship seemed to be balanced permanently on the knife’s edge, with crisis looming just over the horizon.”<sup>125</sup> The arrest of General Cienfuegos presented a challenge to the new Biden administration and represented growing concern for the safety and security of the United States if Mexico were unable or unwilling to work with U.S. law enforcement to combat widespread corruption.

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<sup>120</sup> Kahn, Leff, and Katkov.

<sup>121</sup> Kahn, Leff, and Katkov.

<sup>122</sup> Kahn, Leff, and Katkov.

<sup>123</sup> Andrés Martínez-Fernández, “Cienfuegos Catch and Release Reveals Dysfunction in the US–Mexico Security Cooperation,” American Enterprise Institute, November 24, 2020, ProQuest.

<sup>124</sup> Duncan Wood and Alexandra Helfgott, “Seeking Process and Predictability: An Evaluation of U.S.–Mexico Relations under President Biden,” Wilson Center, January 24, 2022, <https://www.wilsoncenter.org/article/seeking-process-and-predictability-evaluation-us-mexico-relations-under-president-biden>.

<sup>125</sup> Wood and Helfgott, para. 1.

## 1. Former Mexican Presidents' Responses to the Cartels

Former Mexican President Felipe Calderón used the Mexican military extensively to crack down on cartel operations.<sup>126</sup> When Calderón took office under the National Action Party, he and his young protégé, Genaro García Luna, who Calderón appointed as head of public security, were seen as reformers intent on instituting radical change in Mexico's institutions.<sup>127</sup> However, in 2019, a year before the arrest of Cienfuegos, U.S. officials arrested García Luna, the highest-ranking Mexican official at the time. García Luna was accused of working with the Sinaloa cartel, trafficking narcotics to the United States, and accepting briefcases from cartel couriers stuffed with cash—upwards of \$3 million—on at least two occasions.<sup>128</sup>

General Salvador Cienfuegos served under the administration of President Enrique Peña Nieto of the Partido Revolucionario Institucional (Institutional Revolutionary Party) as the defense minister from 2012 to 2018.<sup>129</sup> The Mexican military was deployed in a domestic role, an unprecedented approach at the time, to combat cartels and carry out policing tasks that the local police were ill-equipped, undertrained, and seen as too corrupt to carry out.<sup>130</sup> Concerns over this tactic were widespread in Mexico, with many criticizing the strategy for disincentivizing broader police reform and placing the military in a role it was unsuited to fulfill.<sup>131</sup> Pervasive human rights violations, as well as soldiers' denial of wrongdoing and refusal to speak with human rights groups, punctuated Cienfuegos's tenure.<sup>132</sup> Cases like the execution of civilians in Tlatlaya and in Ayotzinapa, where 43

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<sup>126</sup> Kahn, Leff, and Katkov, "U.S. Arrests Mexico's Ex-Defense Chief."

<sup>127</sup> Kate Linthicum, "Mexico's Former Security Chief Held; U.S. Accuses Genaro Garcia Luna of Taking Millions in Bribes from Sinaloa Drug Cartel," *Los Angeles Times*, December 11, 2019.

<sup>128</sup> Linthicum.

<sup>129</sup> Stephanie Brewer, "Explainer: Key Points for Understanding Mexico's Cienfuegos Case," Washington Office on Latin America, January 19, 2021, <https://www.wola.org/analysis/understanding-mexico-cienfuegos-case/>.

<sup>130</sup> Brewer.

<sup>131</sup> Brewer.

<sup>132</sup> Brewer.

male students were abducted and presumably killed, were left unanswered due in large part to Cienfuegos's denying authorities the opportunity to investigate.<sup>133</sup>

While former Presidents Calderón and Peña Nieto expanded the role of the military in securing Mexico against cartel violence and trafficking, their successor, President López Obrador, campaigned on a promise to reduce the role of the military. Despite these promises, he has, in fact, expanded the role of the military, using federal troops to control important security functions including the country's vital port infrastructure projects.<sup>134</sup> The charges against García Luna and Cienfuegos suggest that cartel influence has successfully cultivated sources within the Mexican military for years, reaching the top levels of authority. National Public Radio quotes Raúl Benítez, a Mexican military analyst, as saying, "Cienfuegos' arrest will shake up the country's leaders. 'They will have to reflect on whether the military should continue doing so many internal security functions in the country.'"<sup>135</sup>

## **2. The Dual Role of General Cienfuegos—As Head of Security and El Padrino**

Accusations against General Cienfuegos included the abuse of his position, where he had intimate knowledge of U.S. military and law enforcement operations as Mexico's secretary of national defense from 2012 to 2018.<sup>136</sup> Cienfuegos used his position to direct military and investigative resources away from the violent H-2 cartel and toward rival organizations, allowing the manufacture and movement of heroin, cocaine, and methamphetamines north from Mexico to the United States for distribution.<sup>137</sup>

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<sup>133</sup> Brewer.

<sup>134</sup> Kahn, Leff, and Katkov, "U.S. Arrests Mexico's Ex-Defense Chief."

<sup>135</sup> Kahn, Leff, and Katkov.

<sup>136</sup> Eichensehr, "Arrest Poses Challenges for Future Counter-narcotics Cooperation."

<sup>137</sup> Eichensehr.

The H-2 cartel was a piece of the once mighty Beltrán-Leyva cartel, a faction of the more notable Sinaloa cartel.<sup>138</sup> Three brothers—Arturo, Alfredo, and Héctor Beltrán Leyva—worked closely as associates of the head of the Sinaloa cartel, the notorious Joaquin “El Chapo” Guzmán.<sup>139</sup> The Mexican Army arrested Alfredo in 2008, and Arturo was killed by the Mexican Navy’s special forces in 2009, leaving Héctor Beltrán Leyva, known as “El H,” at large.<sup>140</sup> Héctor hid in plain sight using a fake name and posing as a wealthy businessman and art connoisseur while his second in command, Juan Francisco Patrón Sánchez, known as “H-2,” ran the business side of cartel operations.<sup>141</sup> Héctor Beltrán Leyva was eventually arrested in 2014, leaving Patrón Sánchez in charge of operations and the sources the H-2 cartel had worked to develop in the Mexican government, the most valuable of which was General Salvador Cienfuegos.<sup>142</sup>

The connections between H-2 and Cienfuegos came to light after the 2017 arrest and guilty plea of another Mexican government official, Edgar Veytia, the Nayarit state attorney general.<sup>143</sup> The investigation of Veytia led U.S. law enforcement officials to a previously unknown figure operating within the H-2 cartel known as El Padrino, who operators suspected was a high-ranking Mexican military official, based on conversations intercepted through wiretap.<sup>144</sup> During one wiretapped conversation, agents overheard members of H-2 discussing “The Godfather” and his appearance on live TV. When agents flipped on their TV, it was none other than General Cienfuegos.<sup>145</sup>

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<sup>138</sup> Nathaniel Janowitz, “The Shadowy Drug Cartel That Brought Down Mexico’s Former Top General,” *Vice*, October 20, 2020, <https://www.vice.com/en/article/akdwq8/the-shadowy-drug-cartel-that-brought-down-mexicos-former-top-general>.

<sup>139</sup> Janowitz.

<sup>140</sup> Janowitz.

<sup>141</sup> Janowitz.

<sup>142</sup> Janowitz.

<sup>143</sup> Janowitz.

<sup>144</sup> Janowitz.

<sup>145</sup> Janowitz.

### 3. Implications of the Arrest of General Cienfuegos

The arrest of General Cienfuegos and the surrounding evidence of corruption within the Mexican government were not met favorably by President López Obrador. The stark evidence of corruption led to further deterioration of cooperation between the United States and Mexico. López Obrador publicly objected to several aspects of the U.S.-based investigation.<sup>146</sup> He expressed outrage that the investigation took place almost entirely within Mexico with no input from the Mexican government or law enforcement officials.<sup>147</sup> Mexico's secretary of foreign affairs, Marcelo Ebrard, a potential presidential candidate, warned that cooperation between the United States and Mexico could only exist if the former respected Mexico's sovereignty and called for a revision of the counternarcotics partnership between the two countries.<sup>148</sup>

After the fallout from the arrest, the U.S. Department of Justice issued a joint statement with the Fiscalía General de la República (Prosecutor General's Office; FGR) of Mexico dropping all charges against Cienfuegos in the United States.<sup>149</sup> The statement emphasized the strong law enforcement partnership that existed between the two countries and the cooperation that needed to continue for mutual benefit. Mexican Attorney General Alejandro Gertz Manero emphasized, "Our two countries remain committed to cooperation on this matter, as well as all our bilateral law enforcement cooperation. As the decision today reflects, we are stronger when we work together and respect the sovereignty of our nations and their institutions. This close partnership increases the security of the citizens of both our countries."<sup>150</sup> Cienfuegos was quickly returned to Mexico where it was understood he would still face consequences based on the U.S.-led investigation and evidence; however, the Mexican prosecution of Cienfuegos did not proceed as promised.

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<sup>146</sup> Eichensehr, "Arrest Poses Challenges for Future Counter-narcotics Cooperation."

<sup>147</sup> Eichensehr.

<sup>148</sup> Eichensehr.

<sup>149</sup> "Joint Statement by Attorney General of the United States William P. Barr and Fiscalía General of Mexico Alejandro Gertz Manero," Department of Justice, November 17, 2020, <https://www.justice.gov/opa/pr/joint-statement-attorney-general-united-states-william-p-barr-and-fiscal-general-mexico>.

<sup>150</sup> Department of Justice.

Cienfuegos was returned to Mexico and quickly cleared of all charges by January 2021. Mexico claims its own internal review did not reveal evidence of collusion between Cienfuegos and the H-2 cartel as speculated by U.S. law enforcement.<sup>151</sup> Cooperation between the two countries continued to deteriorate after Mexico’s attorney general released the Americans’ investigative file to the public, a move López Obrador applauded, citing it as evidence of full transparency by the Mexican government in fighting corruption.<sup>152</sup> In coordinating the release of the case file to the public, López Obrador issued a warning to any foreign officials who dared investigate Mexican officials without consent: “Above all else is the prestige of our nation and we cannot be held hostage by anyone.”<sup>153</sup>

According to the Washington Office on Latin America (WOLA), the case file released to the public was highly redacted and not fully legible but showed that foreign minister Marcel Ebrard had directed the FGR to investigate not only the accusations against Cienfuegos but also whether U.S. authorities had acted inappropriately.<sup>154</sup> Critics cite this detail as evidence that the FGR had been directed by the López Obrador administration to place more emphasis on the actions of the United States than the evidence presented against Cienfuegos.<sup>155</sup> WOLA claims the FGR file “does not appear to reflect an exhaustive investigation.”<sup>156</sup> Despite these concerns, López Obrador endorsed the FGR’s decision and went on publicly to accuse the DEA of fabricating the evidence against Cienfuegos.<sup>157</sup>

The United States responded with disappointment over the release of information from the case file, given to Mexico in confidence. Regarding the contents of the file, a spokesperson from the Department of Justice reiterated,

Those materials also show that the information relied upon to charge General Cienfuegos was lawfully gathered in the United States, pursuant to

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<sup>151</sup> Eichensehr, “Arrest Poses Challenges for Future Counter-Narcotics Cooperation.”

<sup>152</sup> Eichensehr.

<sup>153</sup> Eichensehr.

<sup>154</sup> Brewer, “Key Points for Understanding Mexico’s Cienfuegos Case.”

<sup>155</sup> Brewer.

<sup>156</sup> Brewer.

<sup>157</sup> Brewer.

a proper U.S. court order, and in full respect of Mexico’s sovereignty. A U.S. federal grand jury analyzed that material and other evidence and concluded that criminal charges against Cienfuegos were supported by the evidence.<sup>158</sup>

Statements made on behalf of the Department of Justice also indicate the release of information was a violation of the Treaty on Mutual Legal Assistance between Mexico and the United States and calls into question the ability of the United States to share information with Mexico in support of criminal investigations.<sup>159</sup>

Since 2008, the United States and Mexico have operated under the Mérida Initiative, an acknowledgment of the shared responsibilities of both countries in protecting their citizens against drug-fueled violence. The Mérida Initiative provided a framework for joint security operations and mutual aid from the United States to Mexico to combat the cartels. The arrest of General Cienfuegos signaled the death of the Mérida Initiative and ushered in a significant shift in the security relationship between the United States and Mexico.

Speculation over the future of U.S.–Mexico cooperation on joint security initiatives was soon realized after Mexico codified legislation that limited the ability of U.S. operatives in Mexico. A bill introduced by López Obrador created a cumbersome process for U.S. law enforcement to operate in Mexico.<sup>160</sup> Introduced quickly after the arrest of Cienfuegos and indicative of the displeasure from the Mexican administration, the legislation caught the U.S. government by surprise. Included in the legislation were the requirements that Mexican officials had to obtain permission before working with U.S. law enforcement officials, that Mexican officials would provide a written report of those meetings to the foreign and public security ministries, and that a representative of the foreign ministry would sit in on any sessions between foreign agents and Mexican

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<sup>158</sup> Eichensehr, “Arrest Poses Challenges for Future Counter-narcotics Cooperation.”

<sup>159</sup> Eichensehr.

<sup>160</sup> Eichensehr.

government officials.<sup>161</sup> A Mexico City–based security analyst summarizes the new legislation thus: “It will dramatically change the way Mexican law enforcement and U.S. law enforcement cooperate. . . . The extreme requirements will probably paralyze the relationship.”<sup>162</sup>

Investigations into narcotics smuggling are not the only ones hampered by the new legal requirements—those involving money laundering, kidnapping, and violent murders that all surround the drug trade could suffer as a result. Additionally, U.S. agents may be less willing to share sensitive case information for fear of its falling into the hands of corrupt officials under the mandatory reporting requirements. Commenting on the matter, Attorney General William Barr said, “The Justice Department was ‘troubled’ by the legislation, which would complicate bilateral cooperation. The passage of this legislation can only benefit the violent [TCOs] and other criminals that we are jointly fighting.”<sup>163</sup>

President López Obrador is often recognized as an anti-corruption crusader who has turned to alternative methods for addressing the growing influence and violence of powerful cartels. This categorization calls into question his defiance in the U.S.-led investigation into General Cienfuegos.<sup>164</sup> One contributing factor is the reality of López Obrador’s position as a nationalist, deeply concerned about the sovereignty of Mexico and its ability to operate without undue influence from other countries, namely the United States. The sight of one of the country’s most respected and powerful officials in a U.S. courtroom without any forewarning was perceived as a slight against Mexico.<sup>165</sup> The embarrassment over the arrest and the lack of oversight of Mexican officials who were

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<sup>161</sup> Mary Beth Sheridan, “Mexico Fast-Tracks Law That Could Limit Anti-drug Cooperation with U.S.,” *Washington Post*, December 11, 2020, [https://www.washingtonpost.com/world/the\\_americas/mexico-fast-tracks-law-that-could-limit-antidrug-cooperation-with-us/2020/12/11/aa2f90d4-3b43-11eb-98c4-25dc9f4987e8\\_story.html](https://www.washingtonpost.com/world/the_americas/mexico-fast-tracks-law-that-could-limit-antidrug-cooperation-with-us/2020/12/11/aa2f90d4-3b43-11eb-98c4-25dc9f4987e8_story.html).

<sup>162</sup> Sheridan.

<sup>163</sup> Sheridan.

<sup>164</sup> Martínez-Fernández, “Cienfuegos Catch and Release Reveals Dysfunction.”

<sup>165</sup> Martínez-Fernández.

clueless to the details of the investigation undermined the López Obrador administration, which has featured the Mexican armed forces as a pillar of domestic security operations.<sup>166</sup>

U.S. investigators are no strangers to the levels of corruption hindering investigations and intelligence sharing between the two countries. Infamous drug trafficker El Chapo Guzmán famously evaded capture on multiple occasions due to leaked intelligence and confidential informants, who had often been a reliable intelligence collection platform for many agencies but were compromised when corrupt officials gained access to U.S.-led intelligence collection efforts.<sup>167</sup> The failure to adequately address corruption has led to unprecedented levels of violence and an almost unabated flow of narcotics into the United States.

Mexico's reluctance to accept evidence based on a U.S.-led investigation is troubling. The safety and security of the American people is predicated on using the vast resources of U.S. military, law enforcement, and intelligence services to root out corruption. Both countries share mutual responsibility for these challenges, the violence, and the unlimited cartel wealth and influence that result when one side is left out of the equation.

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<sup>166</sup> Martínez-Fernández.

<sup>167</sup> Martínez-Fernández.

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### III. INEXORABLY CONNECTED AND DYNAMIC: THE U.S.–MEXICO RELATIONSHIP

The failed arrest of Ovidio Guzmán and the ensuing violent battle between Mexican forces and Sinaloa soldiers revealed the inability of Mexico to combat cartels in traditional symmetric warfare. The lengthy U.S.-led investigation that brought charges against General Cienfuegos only to be dismissed upon his extradition to Mexico revealed the judicial inability to hold cartel operatives accountable. Mexico is increasingly incapable of helping itself internally, yet it resists external help from the United States. Moreover, Mexico's efforts to limit U.S. participation in the mutual security framework between the two countries create obstacles for direct intervention by U.S. forces. These issues further enable cartels to develop and distribute illicit narcotics and smuggle considerable quantities across the U.S.–Mexico border for huge profits, thereby eroding the stability of the Mexican state and perpetuating deep-rooted corruption.

In January 2020, Francis Rooney, ranking member of the Committee on Foreign Affairs, remarked on the importance of the U.S.–Mexico bond:

The relationship with Mexico is among the most important strategic relationships for the United States. Our two countries are bound by strong economic, historic, and cultural ties. Due to its geographic proximity, what occurs in Mexico has a direct impact upon the United States. But sadly, we have seen the negative impact from continued violence and the deteriorating security situation in Mexico, largely driven by the drug cartels.<sup>168</sup>

In a paper published by Rice University's Baker Institute for Public Policy, Jose Rodriguez-Sanchez observes,

Mexico has ranked increasingly worse on corruption and impunity in recent years. . . . In 2017, [Transparency International] ranked Mexico 135 out of 180 countries using its CPI [Corruption Perceptions Index]. Astonishingly, Mexico had dropped 40 places on this index between 2015 and 2017. Moreover, the CPI shows that Mexico scored 29 out of 100, ranking it as

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<sup>168</sup> *Strengthening Security and the Rule of Law in Mexico: Hearing before the Subcommittee on the Western Hemisphere, Civilian Security, and Trade of the Committee on Foreign Affairs, House of Representatives*, 116th Cong., 2nd sess. (2020), 5, <https://www.govinfo.gov/content/pkg/CHRG-116hhr38914/pdf/CHRG-116hhr38914.pdf>.

the most corrupt country in both the Organisation for Economic Co-operation and Development . . . and the G-20.<sup>169</sup>

Perpetual corruption combined with the aforementioned issues has created a true national security concern for the United States. U.S. citizens are dying because of these issues, and the stability of both governments suffers as a result. The national security of the United States is inexorably linked to the security of the Mexican state; ergo, U.S. security benefits from Mexican resolve.

#### **A. THE SHIFTING NARCOTICS LANDSCAPE IN THE AGE OF SYNTHETIC OPIOIDS**

Mexican President López Obrador’s strategy shifted from that of previous administrations toward social issues, thus avoiding direct confrontation with cartels. Since this policy shift, the homicide rate in Mexico has reached historic highs, at 26.6 deaths per 100,000 people, according to 2021 data from Vision of Humanity.<sup>170</sup> Nearly 44,000 victims of homicide in 2021 equate to about 120 homicides per day (see Figure 1).<sup>171</sup> Driven by the U.S. demand for illicit narcotics, drug trafficking through Mexico contributes to the rise of violence as TCOs battle for control of lucrative smuggling routes into major metropolitan areas in the United States.<sup>172</sup> Bulk cash smuggling from drug proceeds in the United States and weapons smuggling into Mexico, due in part to liberal gun laws through much of the United States, also contribute to violence between cartel factions in Mexico.<sup>173</sup>

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<sup>169</sup> Jose I. Rodriguez-Sanchez, “Measuring Corruption in Mexico” (Houston: Rice University, Baker Institute for Public Policy, 2018), 9, <https://scholarship.rice.edu/bitstream/handle/1911/106077/bi-pub-rodriguez-sanchezcorruption-121118.pdf?sequence=1&isAllowed=y>.

<sup>170</sup> Puja Pandit, “Homicides in Mexico—Statistics,” Vision of Humanity, June 6, 2022, <https://www.visionofhumanity.org/homicides-in-mexico-statistics/>.

<sup>171</sup> Pandit.

<sup>172</sup> Pandit.

<sup>173</sup> Clare Ribando Seelke and Joshua Klein, *Mexico: Background and U.S. Relations*, CRS Report No. R42917 (Washington, DC: Congressional Research Service, 2022).

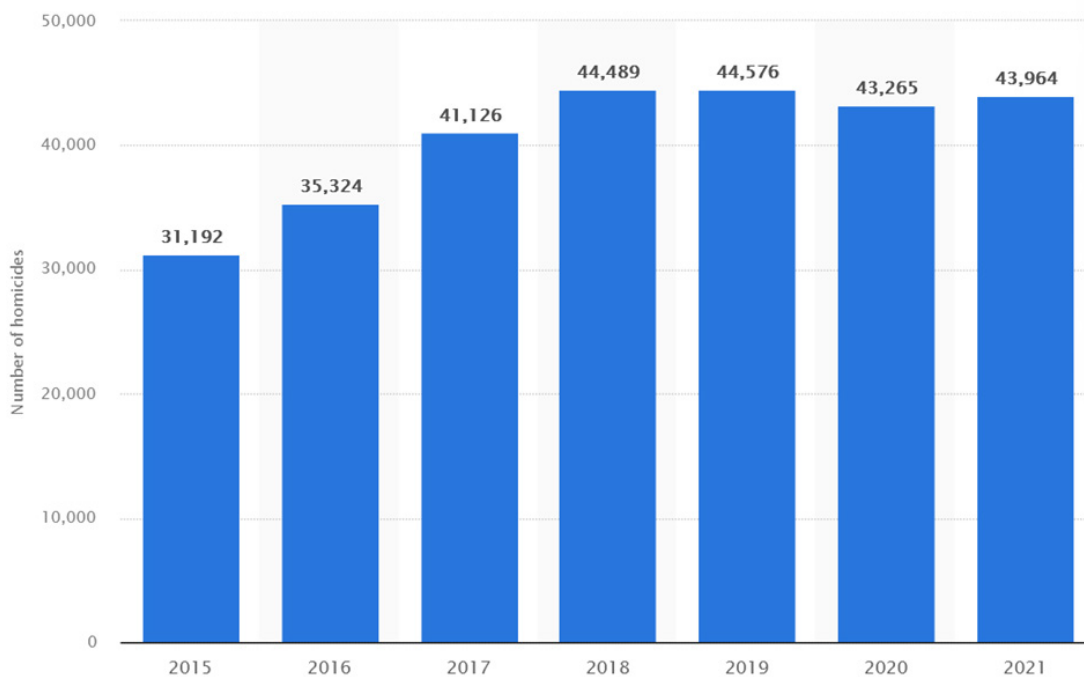


Figure 1. Homicides in Mexico, 2015–2021.<sup>174</sup>

Declared a public health emergency in the United States by President Trump in 2017, synthetic opioids now dominate the narcotics-smuggling market.<sup>175</sup> Fentanyl and methamphetamine, often created in clandestine labs in Mexico, require far less upkeep than a field of marijuana plants or poppies for cocaine production. Competing for access to the precursor chemicals used in producing synthetic opioids, controlling smuggling routes, and protecting those routes contribute heavily to cartel violence.

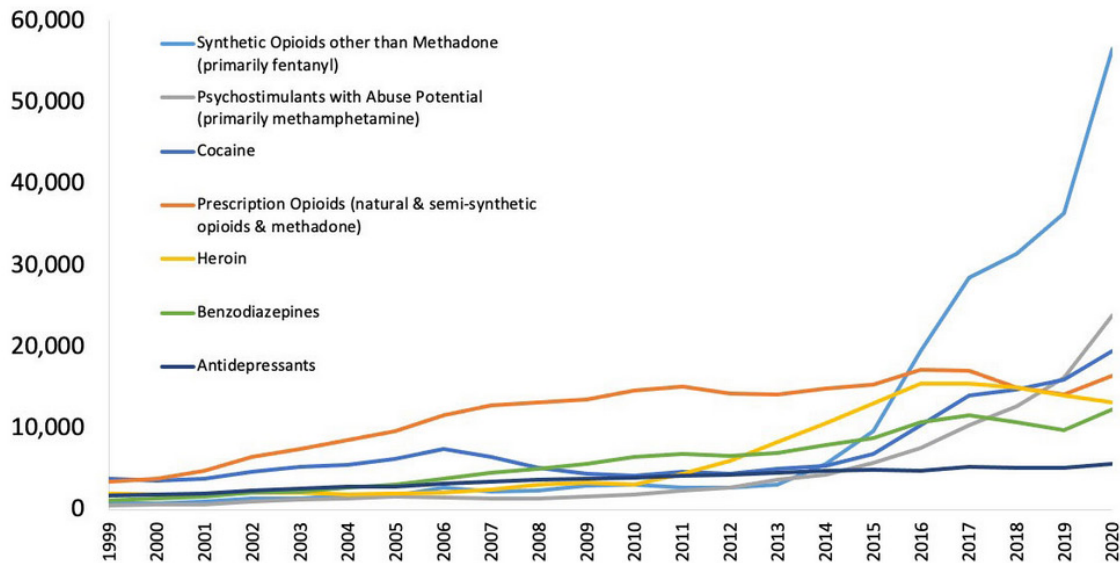
Partially attributed to overprescribing addictive prescription pain medications, opioid addiction has steadily increased in the United States since the late 1990s.<sup>176</sup> The rise in addiction and insufficient treatment options in the United States have led addicts to

<sup>174</sup> Source: Teresa Romero, “Number of Homicides in Mexico 2021,” Statista, April 27, 2022, <https://www.statista.com/statistics/959787/mexico-number-homicides/>.

<sup>175</sup> Steven Dudley, Deborah Bonello, and Jaime Lopez-Aranda, “Mexico’s Role in the Deadly Rise of Fentanyl,” Wilson Center, February 2019, [https://www.wilsoncenter.org/sites/default/files/media/documents/publication/fentanyl\\_insight\\_crime\\_final\\_19-02-11.pdf](https://www.wilsoncenter.org/sites/default/files/media/documents/publication/fentanyl_insight_crime_final_19-02-11.pdf).

<sup>176</sup> Dudley, Bonello, and Lopez-Aranda.

misuse illegally obtained opioids, specifically heroin and fentanyl.<sup>177</sup> The Centers for Disease Control and Prevention claim fentanyl was responsible for fueling a U.S. overdose epidemic that claimed upwards of 100,000 lives over 12 months ending in April 2021, an increase of 28.5 percent during the same period the year before (see Figure 2).<sup>178</sup>



\*Includes deaths with underlying causes of unintentional drug poisoning (X40–X44), suicide drug poisoning (X60–X64), homicide drug poisoning (X85), or drug poisoning of undetermined intent (Y10–Y14), as coded in the International Classification of Diseases, 10th Revision. Source: Centers for Disease Control and Prevention, National Center for Health Statistics. Multiple Cause of Death 1999–2020 on CDC WONDER Online Database, released 12/2021.

Figure 2. National Drug-Involved Overdose Deaths, All Ages, 1999–2020.<sup>179</sup>

Poor regulation of pharmaceutical and chemical industries makes China the number-one source country for illicit fentanyl, fentanyl analogues, and fentanyl precursors in the world.<sup>180</sup> China is also the chief exporter of active pharmaceutical ingredients, and

<sup>177</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>178</sup> “Drug Overdose Deaths in the U.S. Top 100,000 Annually,” Centers for Disease Control and Prevention, November 17, 2021, [https://www.cdc.gov/nchs/pressroom/nchs\\_press\\_releases/2021/20211117.htm](https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2021/20211117.htm).

<sup>179</sup> Source: “Overdose Death Rates,” National Institute on Drug Abuse, January 20, 2022, <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates>.

<sup>180</sup> Dudley, Bonello, and Lopez-Aranda, “Mexico’s Role in the Deadly Rise of Fentanyl.”

Mexico is an important gateway for those ingredients to the region.<sup>181</sup> Mexico is also a production hub for fentanyl, which often ends up in the United States, and two TCOs are attributed with controlling the vast majority of illicit fentanyl exported to the United States—the Cartel de Jalisco Nueva Generación (CJNG) and the Sinaloa cartel (see Figure 3).<sup>182</sup>

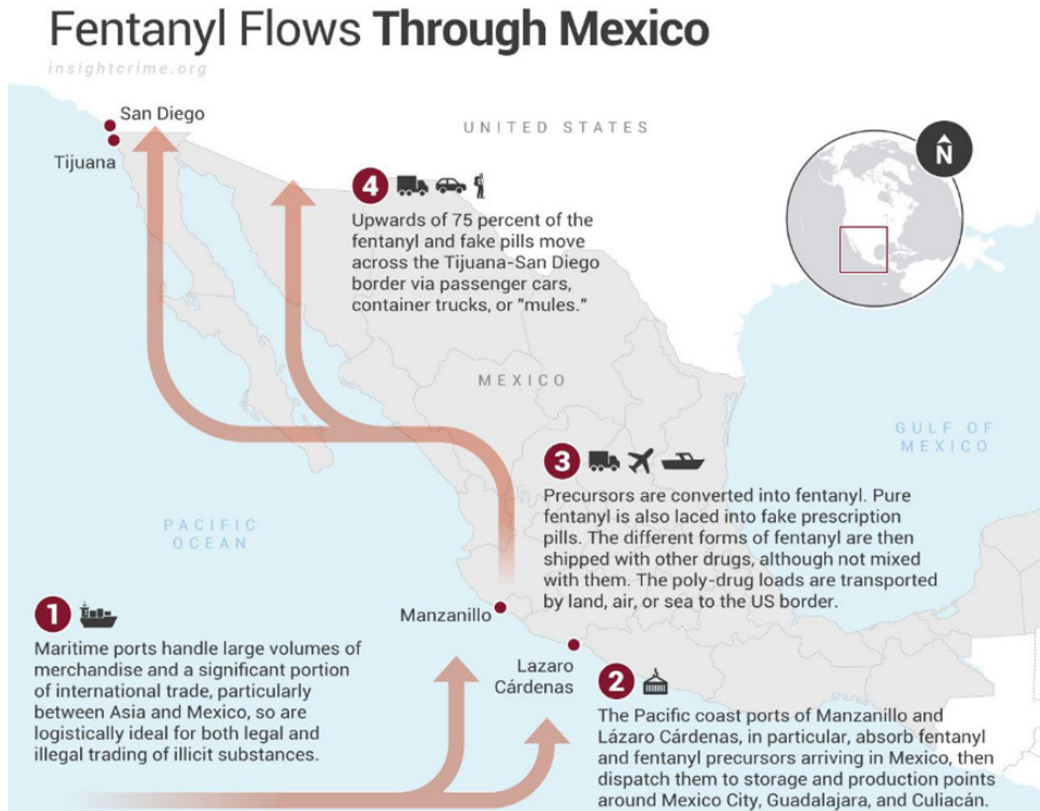


Figure 3. Mexico’s Role in the Deadly Rise of Fentanyl.<sup>183</sup>

Fentanyl is often pressed into pill form in Mexico for easy transport and distribution, with markings resembling popular prescription pain medications such as

<sup>181</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>182</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>183</sup> Source: Dudley, Bonello, and Lopez-Aranda.

oxycodone.<sup>184</sup> The counterfeit pill form gives TCOs broad access to prescription drug user populations, which expand the criminal market and profit opportunities.<sup>185</sup> Often, prescription drug addicts are not seeking fentanyl directly, but the counterfeit pills produce the same effect—they fuel addiction.<sup>186</sup> Easy access to fentanyl and fentanyl precursors from China, well-established trafficking corridors through Mexico to the United States, and an increasingly addicted population have led to soaring profits for criminal enterprises.<sup>187</sup> The San Diego Fentanyl Working Group, comprising various law enforcement agencies in the region, notes that one kilogram of fentanyl powder—whose wholesale cost is roughly \$32,000—can yield one million counterfeit pills with a street value of \$20 million.<sup>188</sup>

## **B. IMPLICATIONS FOR U.S. NATIONAL SECURITY**

Access to the smuggling routes used to push fentanyl and other illicit goods into the United States is often violently defended. The devastating effects of cartel operations sometimes have implications for U.S. citizens. In November 2019, drug traffickers linked to a group called La Línea (The Line) killed nine U.S. citizen women and children who were living in Mexico as part of a Mormon fundamentalist community. The family was on their way from Sonora, Mexico, to Arizona when Mexican officials believe they were mistaken for a rival cartel known as Los Salazar, a faction of the Sinaloa cartel.<sup>189</sup> The victims were shot and their bodies burned in their cars.<sup>190</sup> Seven individuals were eventually arrested, among them a police chief from Chihuahua. La Línea was originally composed of ex-municipal police officers who enforced the law for the Juárez cartel.

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<sup>184</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>185</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>186</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>187</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>188</sup> Dudley, Bonello, and Lopez-Aranda.

<sup>189</sup> Wil Grant, “Mexico Ambush: How a U.S. Mormon Family Ended up Dead,” BBC News, November 8, 2019, <https://www.bbc.com/news/world-latin-america-50339377>.

<sup>190</sup> Paul Fraioli, “Mexico’s Cartels and the Rule of Law,” *Strategic Comments* 26, no. 1 (2020): vii–ix, <https://doi.org/10.1080/13567888.2020.1735096>.

Evidence suggests that La Línea remains active and still employs former police officers within its ranks, further evidence of corruption of law enforcement by the cartels.<sup>191</sup>

There are conflicting reports about whether the rival cartel really mistook the women and children for enemies. The Mormon group had been in Mexico for decades and existed peacefully with their violent neighbors as each side kept to its own and acknowledged each other. However, this peace had begun to break down when the Mormon group became more vocal about the escalating violence in Mexico and the need to restrict cartels from acquiring increasingly deadly weapons.<sup>192</sup> Regardless of the true circumstances, as the victims were U.S. citizens, the incident carried international attention and drew criticism from López Obrador.<sup>193</sup>

### C. ADDRESSING CORRUPTION

President López Obrador has rejected the previous administrations' methods of directly challenging cartels and instead aimed to address underlying social issues driving corruption and violence. This opposite approach has garnered immense support from the people of Mexico. The Movimiento Regeneración Nacional (National Regeneration Movement; MORENA) party currently enjoys the top spot as Mexico's most popular political party, as of May 2022.<sup>194</sup>

Corruption and the lure of lucrative cartel lifestyles are unfortunately an embedded part of Mexico's culture.<sup>195</sup> Mexican youth who have little hope of upward mobility often gravitate toward narco-culture, increasingly seen as a viable career choice.<sup>196</sup> Indeed, a 2010 poll conducted in Mexico highlighted the youth's fascination with cartel members and narco-culture, with 26 percent of children expressing their wish to explore narco-

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<sup>191</sup> Fraioli.

<sup>192</sup> Grant, "Mexico Ambush."

<sup>193</sup> Grant.

<sup>194</sup> Peter Davies, "AMLO's Morena Party Gets Top Marks in New Poll," *Mexico News Daily*, May 20, 2022, <https://mexiconewsdaily.com/news/amlo-morena-party-popular-new-poll/>.

<sup>195</sup> Seelke and Klein, *Mexico: Background and U.S. Relations*.

<sup>196</sup> Seelke and Klein.

trafficking as a profession.<sup>197</sup> Thus, one of the more prominent programs instituted by López Obrador involves scholarships to Mexico's youth to start the process of addressing social systems at their root. The program provides opportunities for advanced education at many of Mexico's institutions of higher learning, the overall goal of which is to increase opportunities and prevent the youth's path toward the idolized cartel life. The scholarship program and others launched by the López Obrador administration represent an attempt at shifting these cultural values.

The lines between Mexican government and cartel influence are often blurred, as allegations of corrupt government officials who collaborate with Mexican cartels are rampant and not limited to the upper echelons of Mexican government officials such as General Cienfuegos. Mexico is ranked 130th of 180 countries by Transparency International in its Corruption Perceptions Index.<sup>198</sup> Transparency International has also observed that 52 percent of Mexicans who interacted with the police in 2019 paid a bribe.<sup>199</sup> Suspicions abound that cartel bribes, sometimes upwards of millions of dollars, influence political and law enforcement policies and even implicate elected leaders at the local, state, and federal levels across wide swaths of Mexico.<sup>200</sup> Andrés Martínez-Fernández, a senior research associate at the American Enterprise Institute, suggests the methods to address Mexico's inability to combat cartel violence and internal legal shortcomings should include "a technocratic approach to corruption and money laundering that addresses the realities of these challenges. U.S. diplomatic engagement, enforcement actions, and cooperation will also be key to addressing Mexico's anti-corruption and anti-money laundering blind spots, including cartel corruption and politically protected targets."<sup>201</sup>

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<sup>197</sup> George W. Grayson, *The Cartels: The Story of Mexico's Most Dangerous Criminal Organizations and Their Impact on U.S. Security* (Santa Barbara, CA: Praeger, 2014).

<sup>198</sup> Fraioli, "Mexico's Cartels and the Rule of Law."

<sup>199</sup> Fraioli.

<sup>200</sup> Fraioli.

<sup>201</sup> Andrés Martínez-Fernández, *Money Laundering and Corruption in Mexico: Confronting Threats to Prosperity, Security, and the US-Mexico Relationship* (Washington, DC: American Enterprise Institute, 2021), 4, <https://www.aei.org/wp-content/uploads/2021/02/Money-Laundering-and-Corruption-in-Mexico.pdf?x91208>.

The corruption culture in Mexico is unfortunately engrained into the very fabric of society. According to Martínez-Fernández, “A seemingly constant stream of credible accusations and revelations of corruption, including scandals that cross political and ideological lines, has contributed to the broad erosion of trust in Mexican democracy and political institutions.”<sup>202</sup> High-ranking politicians, judges, and law enforcement officials as well as low-level public works officials and local police have all been accused and sometimes investigated for their role in supporting criminal activity.<sup>203</sup> The erosion of trust in Mexican state institutions ranks high, with an estimated 98 percent of crimes in Mexico going unsolved.<sup>204</sup>

The corruption culture directly affects the U.S.–Mexico security relationship, empowering cartels to expand their influence and increase the illicit flow of narcotics to the United States, perpetuating a cycle of violence that threatens U.S. national security.<sup>205</sup> The United States provided billions of dollars in funding to counter Mexican cartels and stem the flow of narcotics under the Mérida Initiative. Intelligence sharing, training, and an institutional capacity for trust among the two governments have all fallen short as cartels have grown even more powerful, homicides have risen to historical levels, and the flow of narcotics has intensified.<sup>206</sup>

Several experts on the U.S.–Mexico security relationship often cite corruption challenges as the principal issue facing any iteration of a binational security framework. Any hope of cooperation between the two countries is hampered by an inability to securely transfer investigative information, and funding for programs aimed at addressing corruption cannot be trusted to support its intended function as it lines the pockets of government officials who enjoy the benefits of the cartels’ payroll. Legislation passed by the Mexican congress under the López Obrador administration has left DEA agents without

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<sup>202</sup> Martínez-Fernández, 6.

<sup>203</sup> Martínez-Fernández.

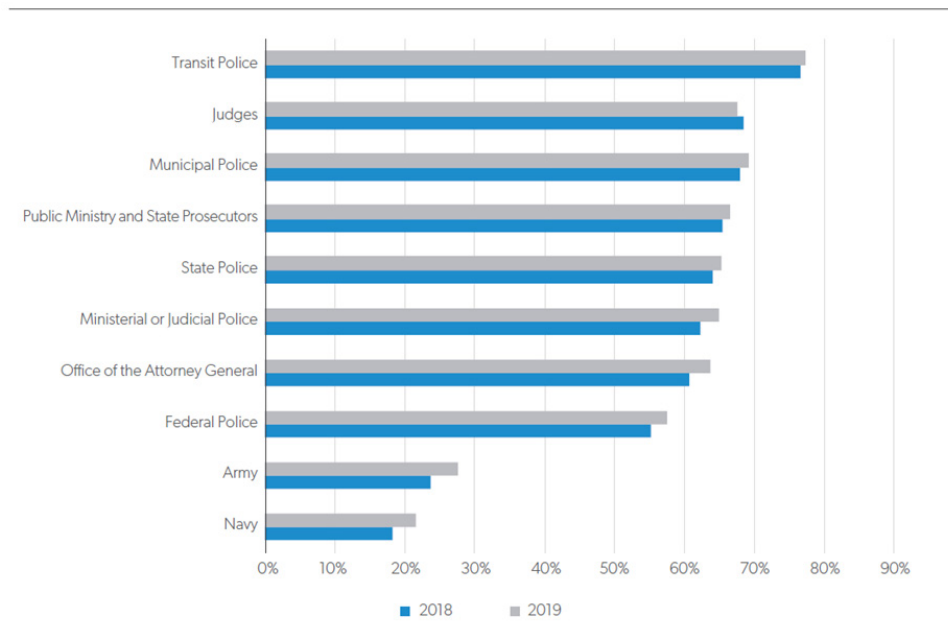
<sup>204</sup> Martínez-Fernández.

<sup>205</sup> Martínez-Fernández.

<sup>206</sup> Martínez-Fernández.

legal protection in Mexico, and any intelligence gathered in Mexico must be shared with Mexican government officials, a result of the Cienfuegos saga.<sup>207</sup>

Concerns over corruption rank high among the Mexican population as well, as a recent poll of Mexican citizens ranked criminality the most important issue facing the country followed by corruption.<sup>208</sup> Mexican democracy is threatened by the corruption culture, with fewer than half of Mexicans saying they supported democracy in 2016.<sup>209</sup> Public trust in a functional government is further eroded when more and more high-ranking officials are implicated in criminal activity, acting in dual capacity as public servants and cartel operatives (see Figure 4).



Source: National Institute of Statistics and Geography, *Encuesta Nacional de Calidad e Impacto Gubernamental 2019* [National Survey on Governmental Quality and Impact 2019], May 2020, [https://www.inegi.org.mx/contenidos/programas/encig/2019/doc/encig2019\\_principales\\_resultados.pdf](https://www.inegi.org.mx/contenidos/programas/encig/2019/doc/encig2019_principales_resultados.pdf).

Figure 4. Public Perception of Corruption in Mexican Institutions.<sup>210</sup>

<sup>207</sup> Martínez-Fernández.

<sup>208</sup> Martínez-Fernández.

<sup>209</sup> Martínez-Fernández.

<sup>210</sup> Source: Seelke and Klein, *Mexico: Background and U.S. Relations*.

Against this backdrop, President López Obrador and the MORENA party’s rhetoric against corruption has garnered widespread and popular support. Promising not to reduce but to eliminate corruption altogether, López Obrador rode a wave of anger toward his predecessor, Enrique Peña Nieto, and his administration, which is often cited as the most corrupt in Mexican history. The agreement between the two countries, the Mérida Initiative, signed into law in 2008 funneled billions of dollars from the United States to Mexico to help fight cartels and narcotics smuggling.<sup>211</sup> President López Obrador often criticizes the initiative for fueling corruption within Mexico, as the billions of dollars sent to the country did little to disrupt cartel operations but rather lined the pockets of politicians.<sup>212</sup> President López Obrador also maintains the Mérida Initiative eroded Mexico’s sovereignty, claiming that the United States dictated the scope and scale of operations in Mexico, using the vast economic resources of the former to bait the latter and its politicians into fighting battles chosen by the Americans instead of leaving the decisions to Mexico.<sup>213</sup> Following the arrest of General Cienfuegos, López Obrador modified the Mérida Initiative, which has evolved into the Bicentennial Framework, a strategy that rejects the war against cartels (see Figure 5). Instead, this new framework confronts the underlying causes of narcotics dependence and trafficking.<sup>214</sup>

The Bicentennial Framework includes three main objectives:

1. Protect our people by investing in public health as related to the impacts of drug use, supporting safe communities, and reducing homicides and high-impact crimes.
2. Prevent transborder crime by securing modes of travel and commerce, reducing arms trafficking, targeting illicit supply chains, and reducing human trafficking and smuggling.

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<sup>211</sup> Seelke and Klein, *Mexico: Background and U.S. Relations*.

<sup>212</sup> Parker Asmann, “Failed Kingpin Strategy at Heart of New US–Mexico Security Plans,” InSight Crime, December 17, 2021, <https://insightcrime.org/news/failed-kingpin-strategy-heart-us-mexico-security/>.

<sup>213</sup> Asmann.

<sup>214</sup> Stephanie Brewer, “The Bicentennial Framework: Opportunities and Challenges as U.S.–Mexico Security Cooperation Begins a New Chapter,” Washington Office on Latin America, December 3, 2021, <https://www.wola.org/analysis/the-bicentennial-framework-opportunities-and-challenges-as-u-s-mexico-security-cooperation-begins-a-new-chapter/>.

- Pursue criminal networks by disrupting illicit financiers and strengthening security and justice sectors.<sup>215</sup>

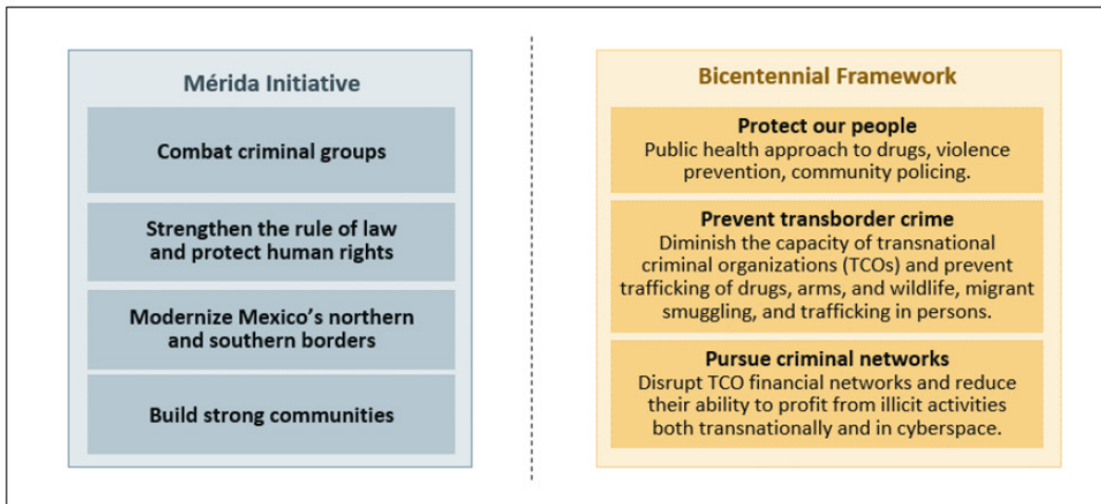


Figure 5. U.S.–Mexican Security Cooperation Frameworks.<sup>216</sup>

Achieving these objectives involves some similar initiatives to those under Mérida, including combating arms trafficking into Mexico, increasing forensic cooperation between the two countries to solve homicides, and expanding binational cooperation against human rights violations and trafficking.<sup>217</sup> Critics of the renewed framework highlight that the promising aspects of the initiatives conflict with Mexico’s current security model. To root out corruption from the Mexican Army and Navy, López Obrador created a National Guard under new leadership and directives. The creation of the Mexican National Guard shows a combative approach to criminal organizations misaligned with the verbiage of the Bicentennial Framework. Furthermore, some analysts argue the shared

<sup>215</sup> Brewer, para. 15.

<sup>216</sup> Source: Clare Ribando Seelke and Liana W. Rosen, *New U.S.–Mexico Security Strategy: Issues for Congressional Consideration*, CRS Report No. IN11859 (Washington, DC: Congressional Research Service, 2022), 2, [https://www.everycrsreport.com/files/2022-02-17\\_IN11859\\_763d22b44236164586e3afb4c4b44d9d026822a.pdf](https://www.everycrsreport.com/files/2022-02-17_IN11859_763d22b44236164586e3afb4c4b44d9d026822a.pdf).

<sup>217</sup> Brewer, “The Bicentennial Framework.”

vision between the two governments is limited and does not adequately address the necessary actions to provide a more robust and collaborative approach.<sup>218</sup>

The future of the Bicentennial Framework will be measured by the impact on public security for both the United States and Mexico, which face a critical moment in security relations.<sup>219</sup> According to Stephanie Brewer, writing for WOLA,

Mexico is experiencing record levels of lethal violence, with over 36,000 homicides in each of the last three years, coupled with a crisis of over 95,000 disappeared and missing people, the majority of whom were last seen in the last seven years. In the United States, the Centers for Disease Control and Prevention . . . estimates that more than 100,000 people died from drug overdoses from May 2020 to April 2021; Mexico, too, faces problematic drug use and overdoses.<sup>220</sup>

Against this backdrop, the United States has a vested interest in Mexico's ability to effectively police its internal issues.

In a journal article for the American Enterprise Institute, Andrés Martínez-Fernández offers recommendations for the United States, including forming a commission to conduct a binational study of money laundering linked to corruption.<sup>221</sup> Martínez-Fernández's steps for a successful commission involve 1) securing funding to identify and disrupt illicit financial flows in the United States, 2) imposing U.S. sanctions and operationalized anti-corruption actions in Mexico, and 3) combating anonymous shell companies and bolstering detection of bulk cash smuggling.<sup>222</sup> His recommendations for Mexico include 1) depoliticizing anti-corruption efforts in Mexico, 2) broadening its anti-money laundering capacity, and 3) expanding its focus on corruption linked to organized crime.<sup>223</sup> These recommendations address the financial issues surrounding narcotics trafficking, which generate billions of dollars in illicit revenue, thus fueling corruption.

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<sup>218</sup> Brewer.

<sup>219</sup> Brewer.

<sup>220</sup> Brewer, para. 3.

<sup>221</sup> Martínez-Fernández, *Money Laundering and Corruption in Mexico*.

<sup>222</sup> Martínez-Fernández.

<sup>223</sup> Martínez-Fernández.

Disrupting financial proceeds surrounding the narcotics trade is an important method in the overall strategy.

#### **D. FURTHER IMPLICATIONS FROM HALTING AMERICAN INFLUENCE**

Narcotics smuggling, cartel violence, homicide rates in Mexico, and opioid deaths in the United States dominate headlines as the U.S.–Mexico security relationship continues to evolve. The flow of migrants from Central and South America creates another host of issues for the United States, which relies on Mexico to stem the flow at its southern border. Human rights form another contentious issue, both in the United States and Mexico, and with relations between the two countries turned sour, the difficulty in combating human trafficking and dealing with immigration problems is compounded.

Diminished American influence in Mexico leaves a power vacuum for another country, or countries, to fill, thus threatening the strategic function of the U.S.–Mexico relationship as reliable Western allies. Just as President López Obrador quickly limited the role of U.S. operations in Mexico through congressional legislation, Beijing increased its presence, providing much-needed vaccines to Mexico during the COVID-19 pandemic. The increased influence and presence of the People’s Republic of China (PRC) in Mexico threatens U.S. national security. Over the last two decades, trade between the PRC and Latin America soared from \$17 billion to \$315 billion, but a limited relationship existed between the PRC and Mexico specifically, partly due to the special relationship between the United States and Mexico. Roman Ortiz, political analyst and advisor, writes, “While the U.S. and Mexico have developed an uneasy partnership as a result of the intense human, cultural and economic exchange between the two countries, relations with distant China have remained alien. Mexican authorities have, therefore, until now preferred the devil they know.”<sup>224</sup>

That alien relationship between China and Mexico has become much warmer in recent years. As Ortiz states,

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<sup>224</sup> Roman Ortiz, “Mexico, China & the US: A Changing Dynamic,” *Americas Quarterly*, January 25, 2021, para. 5, <https://www.americasquarterly.org/article/mexico-china-the-us-a-changing-dynamic/>.

A significant increase in Chinese influence over Mexico would have strong implications for U.S. security. . . . [Mexico] has kept the U.S. as its main—and practically its only—partner in domestic security matters. The development of a strong Mexican–Chinese relationship could change this equation, with Beijing emerging as an alternative source of equipment and advising to aid in Mexico’s escalating drug war.<sup>225</sup>

The Mérida Initiative included language regarding the shared responsibility of both countries to combat narcotics trafficking and the violence surrounding that trade. However, the United States largely fell flat in upholding its end of the bargain, with skyrocketing opioid addictions—and deaths—contributing to the increasing homicide rate in Mexico. Mexico has entertained the idea of a new partner in the war on drugs and crime, and China is poised to inject money, resources, and infrastructure projects into Mexico and thus increase its presence and influence.

The strained relationship between the United States and Mexico has opened the door for the PRC to exert influence, with further opportunities offered during the COVID-19 pandemic when Beijing provided 35 million doses of the Chinese CanSino vaccine to Mexico.<sup>226</sup> Marcelo Ebrard, Mexico’s secretary of foreign affairs, publicly thanked Beijing for its support, adding that Mexico “will expand the strategic partnership of both nations.”<sup>227</sup> The United States’ diminishing ability to support Mexico with its domestic issues leaves the door open for the PRC and gives the Chinese a powerful ally in the West with direct access to the United States.

The U.S.–Mexico security relationship remains complicated. Political divisions in the United States and serious domestic issues affecting both countries are complex, chaotic problems. The Bicentennial Framework and binational security conversations between both countries are positive diplomatic steps toward shared security. However, given its inability to operate effectively within the confines of Mexico, the United States must increase its intelligence collection capabilities, using techniques and lessons learned from over 20 years of war in the Middle East to focus on threats closer to home. As highlighted

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<sup>225</sup> Ortiz, para. 2.

<sup>226</sup> Ortiz.

<sup>227</sup> Ortiz.

previously, the deadly battle of Culiacán was not thousands of miles away in the Middle East but 600 miles south of the U.S.–Mexico border. Foreign-born terrorism exists in America’s neighbor to the south in the form of Mexican cartels and corrupt government officials.

TCOs use the U.S.–Mexico border as a vector to increase their wealth and influence, smuggling an unlimited supply of hard narcotics such as methamphetamines and fentanyl through POEs. Legitimate travel through POEs contributes billions of dollars to the U.S. and Mexican economies every year, but to better secure POEs against illicit smuggling efforts, the United States should deploy the full suite of resources available to the Intelligence Community to improve its posture at the U.S.–Mexico border.

#### **IV. CALM, COOL, AND UNWITTING: WORKING FOR THE SINALOA CARTEL**

*The following fictional story is based on a real technique used by smugglers across the U.S.–Mexico border, with similar incidents frequently encountered by CBP officers. Names have been fabricated, and any resemblance to real people is merely coincidental.*

In a large but inconspicuous house near the La Presa rural district of Tijuana, Mexico, Jose, a Sinaloa cartel affiliate, is carefully organizing narcotics for eventual transport across the U.S.–Mexico border. Small blue pills are bagged, secured, and wrapped with tape into a tightly wound brick that weighs about two kilograms, or 2.2 pounds. The final steps in wrapping the brick of pills include placing a strong magnet and winding a cheap GPS tracker into the package, the final product joining hundreds of other meticulously wrapped packages. Miguel, a Sinaloa-affiliated transportation facilitator, picks up five of those packages, whose destination for eventual distribution is the United States. The target Miguel has selected to carry the drugs across the U.S.–Mexico border has no idea she is about to move drugs for the Sinaloa cartel. If the smuggling operation goes smoothly, she never will.

Miguel has identified a vehicle that crosses the border daily and has access to the trusted traveler, or Secure Electronic Network for Travelers Rapid Inspection (SENTRI), lanes, which allow pre-vetted travelers faster passage across the border with little scrutiny from border officials. Miguel pulls next to that vehicle under the cover of darkness in the early morning hours of a typical weekday, exits his vehicle, rolls under the car with the five magnetic packages, and expertly attaches them to the undercarriage of the vehicle in a matter of seconds. The magnetic packages easily stick to the frame rails of the car. The drug-laden vehicle has not been tampered with, there are no visible signs that anyone has so much as touched the car, and the packages are imperceptible without physically maneuvering under it.

Later that morning, Lupita, a U.S. citizen who lives in Tijuana, gets into the drug-laden car—her car—at 5:00 a.m. to make the trek across the U.S.–Mexico border, so she can get to work and start her day. Nothing is out of the ordinary for her on this typical

morning. She makes her way toward the busiest POE along the U.S.–Mexico border, San Ysidro, where she joins thousands of other daily commuters making their way to the United States for similar activities—work, shopping, or tourism. She drives through the expedited SENTRI lanes; shows her pass to the CBP officer, who recognizes her; and declares nothing except her usual morning coffee. She is waived through the POE and enters the United States, making her way to San Diego to start her day as a school secretary.

As Lupita parks her car in nearly the same spot she always does and enters the school, nothing is amiss. Her car sits as she starts her workday, and as the morning activity of students and parents subsides, a package recovery team comes for the product. Marco and his partner Abel receive a text message from an unknown person in Tijuana who gives them the location for package pick-up and a description of a vehicle they have never seen. The two follow the GPS coordinates and easily identify the vehicle. Marco pulls up to the vehicle as his passenger, Abel, quickly rolls under it, detaches the packages, and has the bricks back inside their vehicle in a matter of seconds, and the team swiftly pulls away from the scene. This retrieval represents 6.8 kilograms, almost 15 pounds, of deadly fentanyl pills entering the American illicit drug market.

Marco and Abel are tasked with three more package pick-ups across town, each initiated by a text message with the location and vehicle description. When they are done for the day, they deliver more than 50 pounds to a house in a typical San Diego suburb and collect their payment for their day’s work. The San Diego stash house serves as a halfway point between Tijuana and the greater Los Angeles area. Eventually those pills will make their way to another stash house in Perris, California, for further distribution. Some will stay local in the Southern California market, but many will travel further into the interior of the country, feeding the deadly opioid crisis that is infecting many parts of the United States. Many of the final recipients of those pills will overdose, and some will die.

#### **A. APPLYING THE LEFT-OF-BOOM CONCEPT TO THE U.S.–MEXICO BORDER**

On August 12, 2022, a press release from the U.S. Attorney’s Office, Southern District of California, stated, “More deadly fentanyl is being seized by border officials in

San Diego and Imperial counties than at any of the nation’s 300-plus ports of entry, making this federal district an epicenter for fentanyl trafficking into the United States.”<sup>228</sup> In San Diego county alone, fentanyl-related overdose deaths have increased 2,375 percent, and seizures of fentanyl in San Diego are up by 323 percent, according to CBP.<sup>229</sup>

The “blind mule” method of smuggling narcotics across the U.S.–Mexico border is difficult to disrupt. The traveler crossing the border shows no outward signs of distress, so the tell-tale nervous behavior of smuggling activities is absent, leaving border officials with little indication of illegal activity. Narcotics detector dogs are sometimes responsible for discovering the carefully hidden packages underneath vehicles, but in a sea of daily travelers moving across the border, the odds are not in favor of law enforcement’s disrupting the smuggling attempt. Furthermore, if by chance the narcotics are discovered, the driver of the vehicle is an unwitting participant in an illegal smuggling activity. The guilty party is removed from the operation, thus providing no trail to follow to advance law enforcement investigations. If the narcotics are discovered, they are seized and destroyed, but there is no prosecution, and the smugglers simply move on to another victim. Removing the narcotics from the supply may prevent some overdose deaths, yet there is no disruption to the facilitation network, as another innocent replacement smuggler can easily be found.

Disrupting this smuggling technique must happen at the source, the origination point in Mexico where the drugs are either packaged or placed on vehicles. Such interception offers law enforcement an opportunity to disrupt the activity before drugs get to the U.S. border, in other words, moving “left of boom,” military parlance commonly used during the global war on terror. As Bob Rudis explains, “In the military, the term . . . refers to the strategy and tactics required to prevent—and protect personnel from—

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<sup>228</sup> Adam Gordon, “Fentanyl Seizures at Border Continue to Spike, Making San Diego a National Epicenter for Fentanyl Trafficking; U.S. Attorney’s Office Prioritizes Prosecutions and Prevention Programs,” U.S. Attorney’s Office, Southern District of California, August 11, 2022, <https://www.justice.gov/usao-sdca/pr/fentanyl-seizures-border-continue-spike-making-san-diego-national-epicenter-fentanyl>.

<sup>229</sup> Gordon.

explosions by making proactive decisions before the event happens.”<sup>230</sup> Left of boom meant disrupting improvised explosive devices (IEDs) before they could explode—hence boom. Beyond merely identifying where an IED is placed, the concept implies disrupting the manufacturing process and network for making the explosives. Identifying the person or persons who have the technical skillset to build the IEDs, the origin of the materials to build them, and those who support the IED-building network is part of the preventive concept to move left of boom. The left-of-boom concept applied to the U.S.–Mexico border means halting the smuggling incident before it occurs, stopping the narcotics before they reach the border, or anticipating the event and disrupting it.

CBP employs a variety of layered enforcement strategies when securing the U.S.–Mexico border. CBP officers interview travelers as they cross the border to determine their purpose of travel; databases provide some insight into travelers’ identities, and the use of technology, such as x-ray machines, aid in the inspection process. The overwhelming number of travelers who legitimately cross through POEs every day makes finding the few engaged in illegal activity extremely difficult. By the time narcotics arrive at a POE, CBP officers are at a disadvantage. If narcotics at the border represent the boom event, moving left of boom involves going beyond the CBP’s traditional physical screening techniques that take place too late at the border.

Human intelligence (HUMINT) collection and signals intelligence (SIGINT) present two significant enhancements to CBP’s enforcement mission at POEs. These intelligence collection methods could offer a more sustainable method for improving security along the U.S.–Mexico border and disrupting cartel operations. If the government of Mexico is unable to combat cartels in direct conflict and increasingly unwilling to accept U.S.-led investigations and operations, the United States must increase the ability to collect intelligence through alternative methods to move left of boom.

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<sup>230</sup> Bob Rudis, “2022 Planning: Prioritizing Defense and Mitigation through Left of Boom,” *Rapid 7* (blog), November 17, 2021, <https://www.rapid7.com/blog/post/2021/11/17/2022-planning-prioritizing-defense-and-mitigation-through-left-of-boom/>.

## B. WHAT IS SIGINT?

According to the National Security Agency (NSA), “SIGINT involves collecting foreign intelligence from communications and information systems and providing it to customers across the U.S. government, such as senior civilian and military officials. They then use the information to help protect our troops, support our allies, fight terrorism, combat international crime and narcotics, support diplomatic negotiations, and advance many other important national objectives.”<sup>231</sup> The NSA provides an overview of its mission on its official website:

NSA collects SIGINT from various sources, including foreign communications, radar and other electronic systems. This information is frequently in foreign languages and dialects, is protected by codes and other security measures, and involves complex technical characteristics. NSA needs to collect and understand the information, interpret it, and get it to our customers in time for them to take action. Our workforce is deeply skilled in a wide range of highly technical fields that allow them to do this work, and they develop and employ state-of-the-art tools and systems that are essential to success in today’s fast-changing communications and information environment.<sup>232</sup>

In the previous smuggling example, Jose, the party responsible for packaging the narcotics into bundles equipped with magnets and GPS trackers, communicates with the main supplier of narcotics in Sinaloa. The two discuss operational details including the process of moving the product from Sinaloa to the border region, specifically the greater Tijuana neighborhood. Jose also communicates with Miguel, who picks up the packages. Marco and Abel coordinate the narcotics retrieval and delivery locations with their contact in Mexico. The narcotics packages are also equipped with GPS devices that bounce data from satellites to hand-held devices, sending location data to receivers who coordinate precise locations with the extraction team. All the signal-emitting devices used in the smuggling operation represent an opportunity to better understand the smuggling network and thus an opportunity for disruption.

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<sup>231</sup> “Signals Intelligence Overview,” National Security Agency, accessed June 10, 2022, <https://www.nsa.gov/Signals-Intelligence/Overview/>.

<sup>232</sup> National Security Agency.

When CBP border officials encounter and disrupt the blind mule technique, there is an opportunity to exploit the findings—not solely to remove the narcotics from circulation but also to collect the data used to track the vehicle for future exploitation. Starting from that initial point of contact, the devices used in the network can be identified and collected on using SIGINT data with the goal of driving actions against those targets, disrupting the narcotics from the origination point, and moving left of boom. Using the data collected and owned by the NSA could help to disrupt the narcotics networks facilitating the TCO empires that contribute to the deaths of hundreds of thousands of Americans and fuel cartel violence.

The challenges of accessing SIGINT data collected and owned by the NSA are vast. Technical hurdles, legal challenges, and the availability of analysts versed in parsing the collected data are just some of the difficulties. Not to be understated, these challenges are worthy obstacles, in place to protect the individual rights of persons against unreasonable search and seizure of sensitive private data, especially those of U.S. citizens living within the borders of the United States and abroad. Historical, documented abuse and overreach by the U.S. government has fueled the American public’s cynicism and mistrust, thereby eroding the ability to provide security against worthy national security targets. The ability to access NSA data, however, could pose an immense opportunity to disrupt the smuggling techniques of TCOs.

### **C. HUMINT AND SIGINT COLLABORATION**

According to Mark Lowenthal, SIGINT capabilities expanded as an intelligence discipline against foreign terrorists.<sup>233</sup> These capabilities were originally developed to collect intelligence on the Soviet Union, and after its fall, those capabilities transitioned to identifying smaller terrorist cells with much smaller signatures.<sup>234</sup> Often these smaller signatures relied on sensors placed in proximity to targets of interest, and according to

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<sup>233</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 8th ed. (Thousand Oaks, CA: CQ Press, 2020).

<sup>234</sup> Lowenthal.

Lowenthal, the combination of HUMINT and SIGINT has offered great insight into enemy operations; HUMINT therefore enables SIGINT.<sup>235</sup>

In the blind mule smuggling technique described previously, the person moving the narcotics across the border is just one node in a larger smuggling organization. The surrounding network involves several people who assist in the operation: the people who receive the precursors from China, the cooks who create the raw product, the transportation facilitators who move the product from the lab to a location closer to the border, and finally the package makers and retrievers. HUMINT could play an essential function in identifying these people at any stage of the operation to better predict attempted smuggling operations.

The use of paid informants (PIs) to combat narcotics smuggling is a technique long employed by law enforcement at every jurisdictional level. The DEA and the Federal Bureau of Investigation (FBI) famously use PIs to develop leads and disrupt criminal activity. Unique challenges exist with the use of PIs, not the least of which are the ethical dilemmas a PI faces when confronted with conflicting motivational factors.<sup>236</sup> PIs are often directly involved with the criminal aspects of an operation but must maintain cover to accomplish their objectives for law enforcement, which typically offers a benefit to the PI—monetary rewards, lessened criminal sentencing, or even immigration benefits.<sup>237</sup>

A traditional PI program requires a trained cadre of law enforcement familiar with the operational jurisdiction of its particular area of responsibility and an established methodology that recruits, pays, and keeps hidden the identities of PIs. CBP officers have the unique opportunity to expand the use of HUMINT through PIs given the volume of interactions with the traveling public through POEs. However, there is great difficulty in cultivating sources through a robust confidential PI program, which encompasses a host of legal, procedural, and ethical considerations. Furthermore, developing and investing in an

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<sup>235</sup> Lowenthal.

<sup>236</sup> G. D. Lee, “Drug Informants: Motives, Methods, and Management,” *FBI Law Enforcement Bulletin* 62, no. 9 (September 1993).

<sup>237</sup> Lee.

officer to be an effective confidential human source handler saps resources from the agency at large.

CBP officers, by the nature of their job, have ample opportunities to collect HUMINT. Any person who enters the United States is required by law to present themselves for inspection to a CBP officer at a designated POE. A CBP officer may interact with hundreds of people on a typical day, thus providing an opportunity to collect HUMINT information without the formalized process of PIs. This capability, married with a more robust SIGINT collection platform at POEs, would enable trained analysts to confirm or refute data received regarding illicit networks. The ability to parse data from both collection platforms requires training and investment in analysts and classified data networks, both of which require upgrades to effectively combat illicit smuggling through POEs.

#### **D. CBP IN THE CLASSIFIED ENVIRONMENT**

In today's technological world, the ability to disrupt massive criminal networks threatening the national security of the United States requires the latest tools of the trade. The Department of Homeland Security (DHS) must make a concerted effort to operate more decisively in the classified arena to access, understand, and transform data into action. Along this line, the Atlantic Council's Scowcroft Center for Strategy and Security made several recommendations in 2020 for DHS:

[It] needs to invest urgently in considerably wider access to classified voice and data networks used throughout the national security community. The State Department, the Treasury Department, the Department of Justice (DOJ), and the Federal Bureau of Investigation (FBI) already have this. If DHS is to lead the defense of the nation against non-military attacks . . . [it] needs wider availability of classified voice and data networks.<sup>238</sup>

The United States may not be under direct military attack by TCOs operating in Mexico, but those organizations are the source of prolific overdose deaths affecting the United

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<sup>238</sup> Thomas Warrick and Caitlin Durkovich, *Future of DHS Project: Key Findings and Recommendations* (Washington, DC: Atlantic Council, Scowcroft Center for Strategy and Security, 2020), <https://www.atlanticcouncil.org/wp-content/uploads/2020/08/Future-of-DHS-Key-Findings-and-Recommendations.pdf>.

States. Furthermore, TCOs are undermining the legitimacy of the Mexican state, which creates a host of other issues for the United States beyond narcotics smuggling. Mass migrations of people fleeing widespread violence and the erosion of economic opportunities for both countries result when cartels gain legitimacy.

Familiarization with Intelligence Community (IC) tools and capabilities can only be achieved through greater access to classified data networks. The *9/11 Commission Report* notes that, in 1993, when the new Immigration and Naturalization Services commissioner, Doris Meissner, took over, Border Patrol agents were hampered by the technology in use at the time, which included manual typewriters.<sup>239</sup> Equally primitive was POE inspectors' use of paper watchlists to identify subjects with suspected links to terrorism crossing international borders to the United States.<sup>240</sup> The World Trade Center was attacked in 1993, and there was growing concern over non-state enemy combatants entering the country. With outdated technology and the inability to properly screen people coming across the border, an effort to modernize the Border Patrol and POE systems soon followed.

Today, screening subjects for potential terrorism links is accomplished with greater efficiency and with the use of automated computer systems instead of paper watchlists. However, the lack of access to classified data networks among DHS components more broadly is a pitfall to screening for potential threats, including terrorists, narcotics, and illicit alien smuggling. Familiarity with classified data networks and an understanding of the toolsets available to analysts and operators at POEs would create an opportunity to shift operations to better disrupt illicit smuggling across the border. With the amount of people and goods entering the country at the SWB, field operators need faster access to classified networks to properly screen for potential threats. Outside a controlled environment such as an airport, land-border field operators require greater familiarization in the classified environment to disrupt TCOs.

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<sup>239</sup> National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*, ed. Thomas H. Kean and Lee Hamilton (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004).

<sup>240</sup> National Commission on Terrorist Attacks upon the United States.

The documented overreach of government SIGINT collection against private citizens, most notably revealed in the classified information leaked by Edward Snowden, makes the proliferation of such data difficult. The NSA is perhaps the most secretive of the IC agencies, and the ability to access its holdings is highly restrictive. Concerns regarding government overreach, especially within the NSA, leave little room for error. The agency's ability to collect information from such a wide swath of targets should not be the focus of the CBP's counterterrorism and counternarcotics mission. The targets selected for collection must be proven of value to those efforts, so the marriage of SIGINT and HUMINT is paramount.

A 2013 *New York Times* article, published after the massive leaks by Snowden, characterizes the NSA as an “electronic omnivore of staggering capabilities” adept at hacking and eavesdropping on targets throughout the world.<sup>241</sup> While maintaining the utmost secrecy of its own internal functions, the NSA has celebrated its ability to gain diplomatic advantage over friends and foes using the most sophisticated and technologically advanced tools at its disposal.<sup>242</sup> James R. Clapper Jr., former director of national intelligence, is quoted in the article as saying, “The scale of eavesdropping by the [NSA], with 35,000 workers and \$10.8 billion a year, sets it apart. There's no question that from a capability standpoint we probably dwarf everybody on the planet, just about, with perhaps the exception of Russia and China.”<sup>243</sup>

Also in 2013, it was revealed that the United States had been wiretapping and eavesdropping on its closest allies, including Mexico.<sup>244</sup> The NSA gained access to the official public email address used by Mexican President Felipe Calderón and private

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<sup>241</sup> Scott Shane, “No Morsel Too Minuscule for All-Consuming N.S.A.,” *New York Times*, November 2, 2013, <https://www.nytimes.com/2013/11/03/world/no-morsel-too-minuscule-for-all-consuming-nsa.html>.

<sup>242</sup> Shane.

<sup>243</sup> Shane.

<sup>244</sup> David Shirk, “The NSA in Mexico: If You Can't Betray Your Friends, Whom Can You Betray?,” Wilson Center, November 14, 2013, <https://www.wilsoncenter.org/article/the-nsa-mexico-if-you-cant-betray-your-friends-whom-can-you-betray>.

communications of future Mexican President Enrique Peña Nieto.<sup>245</sup> David Shirk from the Wilson Center elaborates: “There is no doubt that the NSA’s wiretapping shenanigans have serious international implications, and have done a great deal to discredit the use of U.S. power abroad. Spying on our friends reveals an intelligence culture of paranoia, ingenuousness, and diplomatic naiveté that is un-American and unbecoming the world’s greatest power.”<sup>246</sup>

Furthermore, the specific targeting of Mexico’s top leaders did not seem to reveal anything of significant value yet unknown to U.S. leaders through established diplomatic conversation.<sup>247</sup> The revelations served to undermine the U.S.–Mexico relationship and did little, if anything, to disrupt criminal activity. As America emerges from these missteps nearly a decade later, it should recognize the mutual benefit in deploying these tools—but not as an “electronic omnivore” benefiting only the United States. These tools can be developed, deployed, and manipulated along the border at POEs to disrupt narcotics-smuggling efforts through the U.S.–Mexico border, which benefits the United States.

With concerns of rampant corruption in Mexico and the inability of its government to combat heavily armed cartels, increased intelligence collection on TCOs presents a viable and sustainable option to work against those challenges. The border security strategy typically encompasses several crucial elements for effective control including ground personnel, technology, and intelligence. Each of these crucial elements aids in deterring the flow of illegal goods and people. There will never be enough “boots on the ground” or enough technology to screen the thousands of travelers who enter the United States daily. With increased intelligence collection platforms, the ability to disrupt potentially dangerous goods and people before they enter the United States provides another layer of effective border security strategy. Fusing trained analysts who understand border operations with an increased presence of IC capabilities, border officials at POEs can more effectively disrupt TCOs.

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<sup>245</sup> Shirk.

<sup>246</sup> Shirk.

<sup>247</sup> Shirk.

## E. CONCLUSION: FROM STRATEGIC TO TACTICAL INTELLIGENCE

In a recent incident on Friday, August 12, 2022, violent cartel activity erupted in Baja California, Mexico, in several border cities close to San Diego, California, including Tijuana, Rosarito, Mexicali, and Ensenada.<sup>248</sup> NBC 7 San Diego reported that 24 cars were set ablaze throughout those Mexican cities, creating a terrifying situation of roadblocks and traffic jams. The motivations behind the vehicle fires remain unclear—there were no reported deaths related to the vehicle fires and only a few reported injuries. The chaotic scenes were symbolic, a representation of power and a show of force.

Several suspects arrested and charged with arson were identified as members of the CJNG, a heavily armed, violent cartel battling for some of the most lucrative smuggling routes along the U.S.–Mexico border.<sup>249</sup> The routes from the interior of Mexico to Tijuana and eventually into the United States are coveted for their dense urban populations that conceal criminal operations. Remnants of the Cartel Arellano-Félix still control some criminal activity through Tijuana, but the Sinaloa cartel and CJNG have encroached on the area. CJNG may be flexing and posturing for a future showdown; if so, violence between cartels competing for those smuggling routes would likely be horrific. Cartel violence reminiscent of the battle of Culiacán in a city close to the U.S.–Mexico border is of major concern to the United States.

The López Obrador administration is less interested than its predecessors in direct, open warfare against the cartels, which López Obrador has claimed only led to more violence and deaths. His administration has increasingly rejected U.S.-led investigations into corruption, which, López Obrador maintains, encroach on the sovereignty of Mexico.<sup>250</sup> As violence increases and illicit narcotics continue to fuel cartel empires, the agencies tasked with securing the U.S.–Mexico border should develop a more robust technical intelligence collection platform. Operational assets along the U.S.–Mexico

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<sup>248</sup> Telemundo 20 and Ana Gómez, “Wave of Violence in Baja California: Mexican Army, National Guard Arrive in Tijuana,” NBC 7 San Diego, August 13, 2022, <https://www.nbcsandiego.com/news/local/wave-of-violence-in-baja-california-booths-roads-operating-normally-17-arrested/3022756/>.

<sup>249</sup> Telemundo 20 and Gómez.

<sup>250</sup> teleSUR, “AMLO to Address Issues of Security and Sovereignty.”

border infused with IC resources offer a sustainable method to work against the corruption challenges facing Mexico.

Challenges exist in fusing IC resources and operational assets, part of which is the lack of classified data networks available to DHS, especially along the SWB, as noted by the Atlantic Council’s Scowcroft Center for Strategy and Security. The Atlantic Council has recommended that DHS “invest urgently in considerably wider access to classified voice and data networks used throughout the national security community.”<sup>251</sup> The FBI, DEA, and other national security agencies have established agency-wide access to classified voice and data networks that enable a more robust intelligence posture.<sup>252</sup> The wide access and availability to classified data networks should be replicated for DHS operations, especially along the SWB.

The *9/11 Commission Report* criticized the lack of resources available to border agents of the former Immigration and Naturalization Services who used manual typewriters at some locations when most agencies had moved on to digital data centers.<sup>253</sup> The lack of access to classified data networks throughout DHS is akin to using a manual typewriter at this point. To adequately address national security concerns posed by TCOs, the IC must apply its full arsenal of resources. Combating Mexico’s corruption and internal security challenges could be achieved more effectively with access to classified data networks and IC resources.

The traditional intelligence school of thought creates a separation between analysts and operators in the field.<sup>254</sup> Intelligence analysts should be free from bias; they analyze information to answer key intelligence questions and answer priority intelligence requirements as set by agency policy.<sup>255</sup> Intelligence analysts serve a critical function in distilling professionalized intelligence, but operators in the field need to be just as familiar

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<sup>251</sup> Warrick and Durkovich, *Future of DHS Project*.

<sup>252</sup> Warrick and Durkovich.

<sup>253</sup> National Commission on Terrorist Attacks upon the United States, *The 9/11 Commission Report*.

<sup>254</sup> Lowenthal, *Intelligence*.

<sup>255</sup> Lowenthal.

with the classified operational environment to increase their overall effectiveness. Having familiarity and awareness of the collection arsenal available to operators in the field can only increase the functionality of that arsenal.

Policing the U.S.–Mexico border carries a unique challenge in that intelligence collection exists in a reactionary posture. With thousands of vehicles and people easily crossing legitimately at a busy U.S. POE along the SWB, the actual U.S.–Mexico border might seem an arbitrary “line in the sand.” Indeed, to those unfamiliar with the territory, it is difficult to spot just where one country ends and another begins. But across that arbitrary line lies a foreign country that increasingly discourages direct intelligence collection on its soil, making such methods difficult. Any intelligence collection is typically done in reaction to an incident, for example, a narcotics-smuggling event. Officers at POEs who disrupt a smuggling event can then collect intelligence from post-seizure interviews and analyses, but identifying any of the pre-indicators of the smuggling event is challenging because they would have been evident in a foreign country. Without technical collection by the resources available to the IC, intelligence gleaned at the U.S.–Mexico border is hindered by this reactionary posture.

Intelligence collection can be used to inform all levels of interest groups engaged with border security, from high-level policymakers, to tactical operators, to ground-level personnel. There is no one solution to disrupting the flow of fentanyl into the United States, but each layer of intelligence—strategic, operational, and tactical—must work in concert to achieve a degree of disruption (see Figure 6).



Figure 6. Strategic, Operational, and Tactical Considerations

According to the Congressional Research Service, TCOs in Mexico, primarily the Sinaloa and CJNG, “appear to be largely responsible for the procurement of precursors from Asia (via maritime and air ports of entry).”<sup>256</sup> This information places the burden of fentanyl disruption on strategic-level policymakers. Disrupting the flow of precursor chemicals from Asian markets to Mexico would require long-term strategic goals, for example, to identify companies engaged with the supply chain of precursor chemicals and determine their involvement in clandestine fentanyl production. Strategic policies could include financial sanctions, for example, to discourage illicit activity. Fentanyl precursor chemicals are also used in a host of legitimate pharmaceutical products, so regulating them requires strategic-level policies aimed at controlling the flow of legitimate products. Strategic intelligence can inform policymakers on long-term goals and objectives that can eventually lead to changes in legal frameworks or agency policy, but the changes are gradual, not immediate.

<sup>256</sup> Liana W. Rosen and Clare Ribando Seelke, *Trends in Mexican Opioid Trafficking and Implications for U.S.-Mexico Security Cooperation*, IF10400 (Washington, DC: Congressional Research Service, 2022), <https://crsreports.congress.gov/product/pdf/IF/IF10400>.

As the Congressional Research Service reveals, “TCOs also manufacture wholesale volumes of low-purity illicit fentanyl in Mexico and control the cross-border trafficking of fentanyl into the United States.”<sup>257</sup> This detail informs intelligence collection at the operational level. Since TCOs are responsible for trafficking fentanyl across the border, CBP leadership must posture accordingly to disrupt that activity. Allocating more resources to the U.S.–Mexico border to disrupt the illicit activity addresses the operational landscape. Increasing the number of Border Patrol agents and field operations personnel at POEs and leveraging technology along the U.S.–Mexico border should be operational objectives to successfully stop fentanyl smuggling events. Such efforts do not reveal precisely who will smuggle fentanyl across the border but acknowledge that TCOs will persist without additional American resources to disrupt the activity.

Last, the Congressional Research Service states, “Domestically, U.S.-based TCO affiliates distribute illicit fentanyl at the retail level.”<sup>258</sup> This information aligns with tactical intelligence and affects decision-making at the ground level for officers and agents. The goal of an intelligence collection entity at a POE should be to identify the TCO affiliates through increased intelligence collection and analysis. Information gleaned from a law enforcement seizure at the border can illuminate a portion of the TCO network, and increased access to the IC’s classified data sets can better enable tactical operators to pinpoint who the TCO affiliates are.

Most subjects crossing a POE are legitimate travelers who add value to the American economy. Thus, it is in the best interest of CBP and the United States to expedite travel through a POE and not waste the time of both officers and travelers with unnecessary inspections. In a vast sea of vehicles crossing legitimately through a designated POE, it is difficult to determine which persons might be smugglers, primarily because intelligence collection *ends* at the U.S.–Mexico border. It is challenging—and increasingly discouraged by Mexican authorities—to collect intelligence in Mexico, so trying to follow a car from the loading spot in Mexico to the unloading spot in the United States, for example, is nearly

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<sup>257</sup> Rosen and Seelke.

<sup>258</sup> Rosen and Seelke.

impossible. Increased intelligence collection available to the tactical level could reveal who or which vehicle is engaged in smuggling and offer an increased ability to make decisions at the tactical level. As Marilyn Peterson details in a report published by the Bureau of Justice Assistance,

The distinction between tactical and strategic intelligence is often misconstrued. Tactical intelligence contributes directly to the success of specific investigations. Strategic intelligence deals with “big-picture” issues, such as planning and manpower allocation. Tactical intelligence directs immediate action, whereas strategic intelligence evolves over time and explores long-term, large-scope solutions.<sup>259</sup>

Officers and agents stationed along the U.S.–Mexico border can do little to stem the flow of precursor chemicals from Asia to Mexico, nor can they do much to affect the production of fentanyl by TCOs in Mexico. What they can do, however, is stop illicit smuggling attempts as they traverse their operational jurisdiction. Increasing the intelligence collection at the ground level can help tactical-level operators in their decision-making.

The current model of intelligence collection and analysis by the IC is insufficient to address tactical-level decision-making at the U.S.–Mexico border. The sources and methods of collection by the IC are classified, with good reason, but that classified information should be available to ground-level, tactical operators on a wider scale. CBP officers collect vast amounts of data on travelers who cross the U.S.–Mexico border by nature of their duties, and their decision to release or refer travelers is often based on information that is incomplete, inaccurate, or misdirected. A more complete picture of specific threats crossing the U.S.–Mexico border may be formed with greater access to IC resources directed at tactical resources at POEs.

Mexico’s internal challenges with corruption, the rule of law, and various human rights violations are just some of the issues allowing TCOs to operate with near impunity. The insatiable appetite for drugs in the United States creates an avenue for many impoverished citizens in Mexico who participate in the drug trade to survive. Increased friction between the United States and Mexico dissuades U.S.-led intervention into the

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<sup>259</sup> Marilyn Peterson, *Intelligence-Led Policing: The New Intelligence Architecture*, NCJ 210681 (Washington, DC: Bureau of Justice Assistance, 2005), <https://www.ojp.gov/pdffiles1/bja/210681.pdf>.

process, allowing TCOs to expand in power and influence. Having increased access to intelligence tools from the IC would create a more sustainable enforcement posture along the U.S. SWB. If diplomatic relations between the United States and Mexico warm, the processes described would only improve. If diplomatic relationships remain contentious, these processes offer an enhanced and sustainable method to disrupt transnational crime. U.S. national security and the American people will be more secure if POE operations along the SWB leverage IC resources directly.

## LIST OF REFERENCES

- Alexander, Justin. "An Arizona Border Wall Case Study." Master's thesis, Naval Postgraduate School, 2017. <http://hdl.handle.net/10945/56871>.
- Armament Research Services. "Weapons Used by Sinaloa Cartel Sicarios in Culiacán, Mexico." October 18, 2019. <https://armamentresearch.com/weapons-used-by-cartel-sicarios-in-culiacan-mexico/>.
- Asmann, Parker. "Failed Kingpin Strategy at Heart of New US–Mexico Security Plans." InSight Crime, December 17, 2021. <https://insightcrime.org/news/failed-kingpin-strategy-heart-us-mexico-security/>.
- Beith, Malcolm. "A Broken Mexico: Allegations of Collusion between the Sinaloa Cartel and Mexican Political Parties." *Small Wars & Insurgencies* 22, no. 5 (December 2011): 787–806. <https://doi.org/10.1080/09592318.2011.620813>.
- Brewer, Stephanie. "The Bicentennial Framework: Opportunities and Challenges as U.S.–Mexico Security Cooperation Begins a New Chapter." Washington Office on Latin America, December 3, 2021. <https://www.wola.org/analysis/the-bicentennial-framework-opportunities-and-challenges-as-u-s-mexico-security-cooperation-begins-a-new-chapter/>.
- . "Explainer: Key Points for Understanding Mexico's Cienfuegos Case." Washington Office on Latin America, January 19, 2021. <https://www.wola.org/analysis/understanding-mexico-cienfuegos-case/>.
- Bureau of Western Hemisphere Affairs. "U.S. Relations with Mexico: Bilateral Relations Fact Sheet." Department of State, September 16, 2022. <https://www.state.gov/u-s-relations-with-mexico/>.
- Burnett, John, Marisa Peñaloza, and Robert Benincasa. "Mexico Seems to Favor Sinaloa Cartel in Drug War." National Public Radio, May 19, 2010. <https://www.npr.org/2010/05/19/126906809/mexico-seems-to-favor-sinaloa-cartel-in-drug-war>.
- Castañeda, Jorge G. "The Bigger Story behind the Humiliating Release of El Chapo's Son." *New York Times*, October 23, 2019. <https://www.nytimes.com/2019/10/23/opinion/el-chapo-son-mexico.html>.
- Centers for Disease Control and Prevention. "Drug Overdose Deaths in the U.S. Top 100,000 Annually." November 17, 2021. [https://www.cdc.gov/nchs/pressroom/nchs\\_press\\_releases/2021/20211117.htm](https://www.cdc.gov/nchs/pressroom/nchs_press_releases/2021/20211117.htm).

- Cotton, Tom, and David J. Trone. *Final Report of the Commission on Combating Synthetic Opioid Trafficking*. Santa Monica, CA: RAND Corporation, 2022. [https://www.rand.org/pubs/external\\_publications/EP68838.html](https://www.rand.org/pubs/external_publications/EP68838.html).
- Customs and Border Protection. “Traveler and Conveyance Statistics.” Accessed August 14, 2022. <https://www.cbp.gov/newsroom/stats/travel>.
- Darling, Juanita. “Mexico Arrests Reputed Top Drug Kingpin: Central America: Joaquin Guzman Is Believed to Have Been the Target of Attack That Killed Cardinal. He Is Captured in Guatemala.” *Los Angeles Times*, June 11, 1993. [https://web.archive.org/web/20140226013039/http://articles.latimes.com/1993-06-11/news/mn-2027\\_1\\_top-drug-trafficker](https://web.archive.org/web/20140226013039/http://articles.latimes.com/1993-06-11/news/mn-2027_1_top-drug-trafficker).
- Davies, Peter. “AMLO’s Morena Party Gets Top Marks in New Poll.” *Mexico News Daily*, May 20, 2022. <https://mexiconewsdaily.com/news/amlo-morena-party-popular-new-poll/>.
- Department of Homeland Security. “Multi-layered Defense.” June 27, 2022. <https://www.dhs.gov/multi-layered-defense>.
- Department of Justice. “Joint Statement by Attorney General of the United States William P. Barr and Fiscalía General of Mexico Alejandro Gertz Manero.” November 17, 2020. <https://www.justice.gov/opa/pr/joint-statement-attorney-general-united-states-william-p-barr-and-fiscal-general-mexico>.
- Department of State. “Foreign Terrorist Organizations.” Accessed January 26, 2022. <https://www.state.gov/foreign-terrorist-organizations/>.
- Dudley, Steven, Deborah Bonello, and Jaime Lopez-Aranda. “Mexico’s Role in the Deadly Rise of Fentanyl.” Wilson Center, February 2019. [https://www.wilsoncenter.org/sites/default/files/media/documents/publication/fentanyl\\_insight\\_crime\\_final\\_19-02-11.pdf](https://www.wilsoncenter.org/sites/default/files/media/documents/publication/fentanyl_insight_crime_final_19-02-11.pdf).
- Economist*. “The AMLO Doctrine.” October 26, 2019. ProQuest.
- . “Kingpin Bowling.” October 20, 2012. <https://www.economist.com/the-americas/2012/10/20/kingpin-bowling>.
- Eichensehr, Kristen E. “U.S. Arrest of Former Mexican Defense Minister on Drug Charges Poses Challenges for Future Counter-narcotics Cooperation.” *American Journal of International Law* 115, no. 2 (April 2021): 334–40. <https://doi.org/10.1017/ajil.2021.14>.
- Fraioli, Paul. “Mexico’s Cartels and the Rule of Law.” *Strategic Comments* 26, no. 1 (2020): vii–ix. <https://doi.org/10.1080/13567888.2020.1735096>.

- Gachúz Maya, Juan Carlos. "U.S.–Mexico Drug Trafficking: Globalization, Cooperation and Challenges." *Revista de Estudios en Seguridad Internacional* 5, no. 1 (2019): 21–35. <http://dx.doi.org/10.18847/1.9.3>.
- Gallagher, Carolyn. "Mexico, the Failed State Debate, and the Mérida Fix." *Geographical Journal* 182, no. 4 (December 2016): 331–41. <https://doi.org/10.1111/geoj.12166>.
- Gordon, Adam. "Fentanyl Seizures at Border Continue to Spike, Making San Diego a National Epicenter for Fentanyl Trafficking; U.S. Attorney's Office Prioritizes Prosecutions and Prevention Programs." U.S. Attorney's Office, Southern District of California, August 11, 2022. <https://www.justice.gov/usao-sdca/pr/fentanyl-seizures-border-continue-spike-making-san-diego-national-epicenter-fentanyl>.
- Graham, Dave, and Drazen Jorgic. "U.S., Mexico Prepare New Security Deal to Replace Merida Initiative." Reuters, October 7, 2021. <https://www.reuters.com/world/americas/mexico-sees-us-security-deal-replace-merida-initiative-sources-2021-10-07/>.
- Grant, Wil. "Mexico Ambush: How a U.S. Mormon Family Ended up Dead." BBC News, November 8, 2019. <https://www.bbc.com/news/world-latin-america-50339377>.
- Grayson, George W. *The Cartels: The Story of Mexico's Most Dangerous Criminal Organizations and Their Impact on U.S. Security*. Santa Barbara, CA: Praeger, 2014.
- Grillo, Ioan. *El Narco: Inside Mexico's Criminal Insurgency*. New York: Bloomsbury Press, 2011.
- Hanen, Kelly. "Doubling Down: Why Mexican Drug Trafficking Organizations Should Be Designated as Foreign Terrorist Organizations and as Significant Narcotics Traffickers." *American Journal of Criminal Law* 43, no. 2 (Spring 2016): 173–203.
- Janowitz, Nathaniel. "The Shadowy Drug Cartel That Brought Down Mexico's Former Top General." *Vice*, October 20, 2020. <https://www.vice.com/en/article/akdwq8/the-shadowy-drug-cartel-that-brought-down-mexicos-former-top-general>.
- Jones, Nathan P. *Mexico's Illicit Drug Networks and the State Reaction*. Washington, DC: Georgetown University Press, 2016.
- Kahn, Carrie, Alex Leff, and Mark Katkov. "U.S. Arrests Mexico's Ex-Defense Chief, Accused of Helping Drug Cartel." National Public Radio, October 16, 2020. <https://www.npr.org/2020/10/16/924375024/former-defense-secretary-of-mexico-arrested-in-los-angeles-on-drug-charges>.

- Lee, G. D. "Drug Informants: Motives, Methods, and Management." *FBI Law Enforcement Bulletin* 62, no. 9 (September 1993).
- Linthicum, Kate. "Mexico's Former Security Chief Held; U.S. Accuses Genaro Garcia Luna of Taking Millions in Bribes from Sinaloa Drug Cartel." *Los Angeles Times*, December 11, 2019.
- Lowenthal, Mark M. *Intelligence: From Secrets to Policy*. 8th ed. Thousand Oaks, CA: CQ Press, 2020.
- Luhnnow, David, and Jose de Cordoba. "The Drug Lord Who Got Away." *Wall Street Journal*, June 14, 2009. <https://www.wsj.com/articles/SB124484177023110993>.
- Martínez-Fernández, Andrés. "Cienfuegos Catch and Release Reveals Dysfunction in the US–Mexico Security Cooperation." American Enterprise Institute, November 24, 2020. ProQuest.
- . *Money Laundering and Corruption in Mexico: Confronting Threats to Prosperity, Security, and the US-Mexico Relationship*. Washington, DC: American Enterprise Institute, 2021. <https://www.aei.org/wp-content/uploads/2021/02/Money-Laundering-and-Corruption-in-Mexico.pdf?x91208>.
- Martínez Flores, Fernanda. "The Effects of Enhanced Enforcement at Mexico's Southern Border: Evidence from Central American Deportees." *Demography* 57, no. 5 (2020): 1597–1623. <https://doi.org/10.1007/s13524-020-00914-3>.
- National Commission on Terrorist Attacks upon the United States. *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States*. Edited by Thomas H. Kean and Lee Hamilton. Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004.
- National Institute on Drug Abuse. "Overdose Death Rates." January 20, 2022. <https://nida.nih.gov/research-topics/trends-statistics/overdose-death-rates>.
- National Security Agency. "Signals Intelligence Overview." Accessed June 10, 2022. <https://www.nsa.gov/Signals-Intelligence/Overview/>.
- Office of National Drug Control Policy. *National Drug Control Strategy: Southwest Border Counternarcotics Strategy*. Washington, DC: Executive Office of the President, 2022.
- Ortiz, Roman. "Mexico, China & the US: A Changing Dynamic." *Americas Quarterly*, January 25, 2021. <https://www.americasquarterly.org/article/mexico-china-the-us-a-changing-dynamic/>.

- Osborn, Catherine. "The U.S.–Mexico Drug War Gets a Rebrand." *Foreign Policy*, October 15, 2021. <https://foreignpolicy.com/2021/10/15/mexico-united-states-drug-war-security-cooperation-merida-initiative-bicentennial-framework-biden-amlo/>.
- Pandit, Puja. "Homicides in Mexico—Statistics." Vision of Humanity, June 6, 2022. <https://www.visionofhumanity.org/homicides-in-mexico-statistics/>.
- Peterson, Marilyn. *Intelligence-Led Policing: The New Intelligence Architecture*. NCJ 210681. Washington, DC: Bureau of Justice Assistance, 2005. <https://www.ojp.gov/pdffiles1/bja/210681.pdf>.
- Reinhart, R. J. "Fewer Americans Say Mexico Is a U.S. Friend or Ally." Gallup, July 19, 2018. <https://news.gallup.com/poll/237443/fewer-americans-say-mexico-friend-ally.aspx>.
- Restrepo, Dan, Joel Martinez, and Michael Werz. *Preserving and Strengthening the U.S.–Mexico Relationship*. Washington, DC: Center for American Progress, 2017. <https://www.americanprogress.org/article/preserving-and-strengthening-the-u-s-mexico-relationship/>.
- Rodriguez-Sanchez, Jose I. "Measuring Corruption in Mexico." Houston: Rice University, Baker Institute for Public Policy, 2018. <https://scholarship.rice.edu/bitstream/handle/1911/106077/bi-pub-rodriquez-sanchezcorruption-121118.pdf?sequence=1&isAllowed=y>.
- Romero, Teresa. "Number of Homicides in Mexico 2021." Statista, April 27, 2022. <https://www.statista.com/statistics/959787/mexico-number-homicides/>.
- Rosen, Liana W., and Clare Ribando Seelke. *Trends in Mexican Opioid Trafficking and Implications for U.S.-Mexico Security Cooperation*. IF10400. Washington, DC: Congressional Research Service, 2022. <https://crsreports.congress.gov/product/pdf/IF/IF10400>.
- Rudis, Bob. "2022 Planning: Prioritizing Defense and Mitigation through Left of Boom." *Rapid 7* (blog), November 17, 2021. <https://www.rapid7.com/blog/post/2021/11/17/2022-planning-prioritizing-defense-and-mitigation-through-left-of-boom/>.
- Seelke, Clare Ribando. *Mexico: Evolution of the Mérida Initiative, FY2008–FY2021*. CRS Report No. IF10578. Version 20. Washington, DC: Congressional Research Service, 2021. <https://sgp.fas.org/crs/row/IF10578.pdf>.
- Seelke, Clare Ribando, and Joshua Klein. *Mexico: Background and U.S. Relations*. CRS Report No. R42917. Washington, DC: Congressional Research Service, 2022.

- Seelke, Clare Ribando, and Liana W. Rosen. *New U.S.–Mexico Security Strategy: Issues for Congressional Consideration*. CRS Report No. IN11859. Washington, DC: Congressional Research Service, 2022. [https://www.everycrsreport.com/files/2022-02-17\\_IN11859\\_763d22b44236164586e3afbfac4b44d9d026822a.pdf](https://www.everycrsreport.com/files/2022-02-17_IN11859_763d22b44236164586e3afbfac4b44d9d026822a.pdf).
- Shane, Scott. “No Morsel Too Minuscule for All-Consuming N.S.A.” *New York Times*, November 2, 2013. <https://www.nytimes.com/2013/11/03/world/no-morsel-too-minuscule-for-all-consuming-nsa.html>.
- Sheridan, Mary Beth. “Mexico Fast-Tracks Law That Could Limit Anti-drug Cooperation with U.S.” *Washington Post*, December 11, 2020. [https://www.washingtonpost.com/world/the\\_americas/mexico-fast-tracks-law-that-could-limit-antidrug-cooperation-with-us/2020/12/11/aa2f90d4-3b43-11eb-98c4-25dc9f4987e8\\_story.html](https://www.washingtonpost.com/world/the_americas/mexico-fast-tracks-law-that-could-limit-antidrug-cooperation-with-us/2020/12/11/aa2f90d4-3b43-11eb-98c4-25dc9f4987e8_story.html).
- Shirk, David. “The NSA in Mexico: If You Can’t Betray Your Friends, Whom Can You Betray?” Wilson Center, November 14, 2013. <https://www.wilsoncenter.org/article/the-nsa-mexico-if-you-cant-betray-your-friends-whom-can-you-betray>.
- Sieff, Kevin. “The Failed Arrest of El Chapo’s Son Turned a Mexican City into an Urban War Zone.” *Washington Post*, October 18, 2019. [https://www.washingtonpost.com/world/major-gun-battle-in-mexico-pits-security-forces-against-el-chapos-son/2019/10/17/c28d174a-f149-11e9-89eb-ec56cd414732\\_story.html](https://www.washingtonpost.com/world/major-gun-battle-in-mexico-pits-security-forces-against-el-chapos-son/2019/10/17/c28d174a-f149-11e9-89eb-ec56cd414732_story.html).
- Solis, Gustavo. “Drug Smuggling, and the Endless Battle to Stop It.” *USA Today*. Accessed August 14, 2022. <https://www.usatoday.com/border-wall/story/drug-trafficking-smuggling-cartels-tunnels/559814001/>.
- Telemundo 20 and Ana Gómez. “Wave of Violence in Baja California: Mexican Army, National Guard Arrive in Tijuana.” NBC 7 San Diego, August 13, 2022. <https://www.nbcsandiego.com/news/local/wave-of-violence-in-baja-california-booths-roads-operating-normally-17-arrested/3022756/>.
- teleSUR. “AMLO to Address Issues of Security and Sovereignty with Biden.” July 11, 2022. <https://www.telesurenglish.net/news/AMLO-to-Address-Issues-of-Security-and-Sovereignty-With-Biden-20220711-0013.html>.
- Tikkanen, Amy. “Sinaloa Cartel.” *Britannica*. Accessed March 25, 2022. <https://www.britannica.com/topic/Sinaloa-cartel>.
- Warrick, Thomas, and Caitlin Durkovich. *Future of DHS Project: Key Findings and Recommendations*. Washington, DC: Atlantic Council, Scowcroft Center for Strategy and Security, 2020. <https://www.atlanticcouncil.org/wp-content/uploads/2020/08/Future-of-DHS-Key-Findings-and-Recommendations.pdf>.

Wood, Duncan, and Alexandra Helfgott. “Seeking Process and Predictability: An Evaluation of U.S.–Mexico Relations under President Biden.” Wilson Center, January 24, 2022. <https://www.wilsoncenter.org/article/seeking-process-and-predictability-evaluation-us-mexico-relations-under-president-biden>.

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