

U.S. – MEXICO SECURITY COOPERATION: THE TIME TO ACT IS NOW

BY

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ABSTRACT

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The Drug Trafficking Organizations (DTOs) power and control have paralyzed the populace and local governments within the northern Mexican and southern U.S. states, disrupting everyday life. The emboldened increase and severity of DTO violence has created the impetus for the U.S. and Mexican governments to set aside traditional views and mistrust to work in partnership — making both countries safer and improving the quality of life for their citizens. While inroads have been made over the past three years, this cooperation is at a crossroads. In March 2010, the Mérida Initiative goals were revised to emphasize the critical issue of not only reducing the supply of illegal drugs, but the demand as well. This reorientation goes beyond providing U.S. equipment and expertise; it aims to strengthen individuals, groups, and institutions in a holistic approach that is consistent with the current National Security Strategy. Both countries will enter their respective presidential election cycles in 2011. This crucial juncture is the optimal moment to create irreversible momentum and enact, emplace, and execute a whole-of-government approach to suppress both the demand and supply of illegal drugs in the U.S. and Mexico in order to defeat the DTOs.

U.S. — MEXICO SECURITY COOPERATION: THE TIME TO ACT IS NOW

Sensational headlines greet newspaper and internet readers daily on both sides of the U.S. — Mexican border announcing the latest crimes committed by the self-styled drug cartels: murder, kidnapping, arson and other forms of intimidation calculated to create and maintain their freedom of activity and shipping of illegal drugs to the United States. The Drug Trafficking Organizations (DTOs) power and control have paralyzed the populace and local governments within the northern Mexican states and to a lesser degree, the country as a whole, disrupting everyday life. If left unchecked, the DTOs threaten the stability of the Mexican federal government.

The emboldened increase and severity of DTO violence within Mexico has created the impetus for the U.S. and Mexican governments to set aside traditional views and mistrust to work in partnership — making both countries safer and improving the quality of life of their citizens. In 2006, Mexican President Felipe Calderón made weakening the DTOs one of his top priorities and, beginning with U.S. President George W. Bush, created a positive and reciprocal atmosphere towards improving U.S.—Mexican relations.¹ President Barack Obama has seamlessly embraced these efforts and has also made it a priority of his administration.

While inroads have been made over the past three years, this cooperation is at a crossroads. Both countries will enter their respective presidential election cycles in 2011. While President Calderón is unable to run for reelection, he will devote significant time and effort to ensure his political party, the National Action Party (PAN), will continue in power. In all likelihood, President Obama will run for reelection. This crucial juncture is the optimal moment to create irreversible momentum and enact, emplace,

and execute a whole-of-government approach to suppress both the demand and supply of illegal drugs in the U.S. and Mexico in order to defeat the DTOs. This paper will examine why the DTOs threaten U.S. security; why U.S. – Mexico relations have historically been strained; the initial Mérida Initiative; and how the revised Mérida Initiative goals provide a roadmap to successfully solve this complex situation.

Importance of U.S. – Mexico Security

The power and influence of DTOs operating within Mexico has reached a crescendo — threatening not only the people and government of Mexico— but also the security and safety of the American public primarily in Arizona, New Mexico, and Texas. The terror, anguish, and violence created is not contained within rival DTOs. In only one recent incident in the northern Mexican border town of Nuevo Laredo it was reported in the U.S. press:

—Mexican soldiers clashed here with drug cartel gangsters in running gun battles that lasted five hours. The outlaws hijacked vehicles, including a bus, for use as barricades and battering rams. Terrified residents scrambled for safety. At least a dozen people were killed, including bystanders. Children were wounded in the crossfire.”²

Shannon O’Neil, a Latin American scholar at the U.S. Council on Foreign Relations, attributes this crisis to three conditions. First, the scale of illegal drug activity has increased. While Mexico has long been an operating base of illegal activity into the U.S., the sheer volume of illegal drugs entering the U.S. in terms of quantity and dollar value is increasing. The U.S. National Drug Threat Assessment 2010 report estimates that heroin production in Mexico jumped from 17 metric tons in 2007 to 38 metric tons in 2008.³ In order to guarantee freedom of action and movement, intra-DTO violence and crime in and around the border towns of Tijuana, Ciudad Juarez, and Nuevo Laredo is spreading over into the U.S. and, in increasing frequency, affecting U.S. citizens.

Second, the success of Plan Colombia⁴ and other U.S. efforts in the Caribbean has shifted the illegal drug trade center of gravity to Mexico. Plan Colombia was launched in 1999 as a joint effort between Colombia and the U.S. to fight drug trafficking, promote economic growth, encourage social development, and strengthen democratic institutions.⁵ Proponents tout the success of disarming the leftist Revolutionary Armed Forces of Colombia (FARC) rebels, restoring government control over the entire country, and dismantling the illegal drug manufacturing and transport.⁶ However, the unintended consequence of these efforts is the Mexican DTOs filled the vacuum created by the reduced influence of the Colombian cartels. They exerted their influence over control of the entire illegal drug market; no longer only serving as a transit zone but now managing the entire supply chain from manufacturing to sales.

Finally, the rise of the PAN party with the election of Vicente Fox in 2000 and affirmed with Felipe Calderón's election in 2006 caused the demise of the Institutional Revolutionary Party (PRI) 70 years of one-party rule. Interrupting this political control unraveled long established corruption between DTOs and government officials at the local, state and national levels. It also opened opportunities for other non-state actors to enter or expand their illegal activities within Mexico.⁷

The frequency, proximity, and intensity of DTO-fueled violence along the U.S. southern border raises this issue to the forefront — one that U.S. elected officials can no longer ignore or simply paint as a Mexican internal issue. It is a vital U.S. national security interest that must be directly confronted and solved in concert with the Mexican federal government.

Why U.S. – Mexican Relations are so Difficult

At best, the U.S. has struggled to maintain effective foreign relations with Mexico. Mexicans carry a long memory of U.S. interventions, beginning with the conquest of nearly 40% of their territory in 1847 and reinforced by what they perceive as U.S. meddling in internal affairs with the influence of the presidential election in 1914 and the ‘invasion’ of Mexican territory in 1916 to pursue a national hero, Francisco —Pacho” Villa. Jeffrey Davidow, the U.S. Ambassador to Mexico from 1998-2002, opines the worst label for a Mexican politician is to be branded —ProAmerican.”⁸ Mexicans do not want to be marked by their peer Latin and Southern American states as merely a minion of the U.S. They value their independence, often taking an anti-U.S. position on world issues to reinforce this autonomy, as seen by their non-support of the invasion of Iraq in 2003.⁹ Due to the longstanding mistrust of U.S. intentions, there has been very limited military interaction between U.S. and Mexican armed forces; merely token efforts to exchange defense attachés and have officers attending professional military schools.

However, Mexican cultural sensitivities toward direct U.S. military involvement in Mexico also appear to be thawing. The director of the Mexican Armed Forces University (La Universidad del Ejército y Fuerza Aérea Mexicanos), Brigadier General Benito Medina, recently remarked it was time for Mexico to accept international assistance to increase the fight against the DTOs.¹⁰ Mexico has reinforced this notion with action — by assigning military officers to both U.S. Northern Command in Colorado and the Western Hemisphere Institute for Security Cooperation at Fort Benning, Georgia.¹¹

Mexican cooperation with the U.S., especially in regard to crime and corruption within Mexico, its peoples and institutions will require a delicate and sensitive approach to ensure U.S. efforts are not seen as overbearing and domineering.

A New Beginning: The Mérida Initiative

In 2007, Presidents Bush and Calderón, along with other Latin American leaders met in Mérida, Mexico to discuss rekindling security cooperation to address the threats of DTOs and other organized crime in Mexico and Central America. The stated goals were to:

(B)reak the power and impunity of criminal organizations; assist the Mexican and Central American government(s) in strengthening border, air, and maritime controls; improve the capacity of justice systems in the region; and curtail gang activity in Mexico and Central America while diminishing the demand for drugs in the region.¹²

This initial effort centered primarily on a material solution to reduce the supply of illegal drugs by providing Mexico with specialized equipment for its police and military, along with automated information systems to assist intelligence gathering and law enforcement.

Providing specialized equipment and technical assistance to the Mexican Government enhanced their capabilities to reduce the supply of illegal drugs and restrict operations of Mexican-based DTOs. Between 2007-2010, over \$1.4 billion has been pledged by the U.S. government: highlighted by the purchase and delivery of rotary and fixed-wing aircraft, non-intrusive inspection equipment, ion scanners, and canine units for Mexican customs, armed forces and federal police. Additionally, secure communications and data systems, as well as technical advice and training, are being purchased and provided to Mexican judicial institutions at the federal and state levels.¹³

The strengths of this effort are its ease of development, funding, and execution. First, U.S. military and law enforcement officials can easily develop an exhaustive list of capabilities to be purchased for the Mexican government that it either does not have or have in sufficient quantity. Second, the purchasing of goods and services with U.S. funding will be applied to U.S. businesses, maintaining or creating jobs in congressional districts across the nation — always an inviting proposition to elected officials. Congressional backing will ease the passage of funding requests in both the Department of Defense (DoD) and Department of State (DoS) appropriations, without drawing undue scrutiny from those parties overseeing federal spending. Finally, measurable progress can be demonstrated by equipment deliveries and systems fielding — providing citizens of both countries concrete proof that each government is fulfilling its pledge.

However, there are a number of drawbacks and limitations to this approach. First, it only solves a portion of the problem – reducing the supply of illegal drugs by combating DTOs – not the contributing causes of pervasive corruption within Mexican law and order institutions and illegal drug demand (addiction). In reviewing the DoD's FY 2009 budget request for the Mérida Initiative, the Senate Appropriations Committee —...remains concerned that the Mérida Initiative represents a one-dimensional approach to drug-trafficking and gang violence and that a more comprehensive strategy is needed that also addresses the underlying causes.”¹⁴ Second, by only providing material and U.S. expertise, critics charge the U.S. is not fully committed, only making a token effort to solve the problem, and at worst creating ill will between the governments. Previous U.S. efforts have been less than successful. In 1995, U.S. officials offered Mexico 72

UH-1 series helicopters to support drug interdiction efforts. These were surplus helicopters being phased out of U.S. service. When transferred, they were not fully operational, had limited repair parts, and were not to be used in offensive operations against the separatists in the southern state of Chiapas. After the U.S. agreed to cannibalize parts and create 20 operational helicopters, the Mexicans demurred and declined to accept any of them – working with the U.S. government was in Ambassador Davidow's words, “just too much trouble for too little reward.”¹⁵ Next, procurement of equipment, especially aircraft and other specialized equipment is slow and not responsive to Mexican needs. Purchases made with U.S. appropriations must go through the Federal Acquisition Regulations procurement process, a plodding and unyielding system. Equipment is needed now, not months or sometimes years in the future as has often been the situation in previous cases.¹⁶ For example, the three new UH-60M Black Hawk helicopters authorized and funded in June 2008 were finally delivered in November 2010 to the Mexican Federal Police.¹⁷

Finally, this approach is one dimensional; it ignores the demand side of the equation, the consumption of illegal drugs in the U.S.; as well as a fast-rising addiction rate among Mexican citizens. The number of Mexicans who said they had tried illegal drugs rose by more than 25% since the last survey in 2002, while addicts number almost half a million — a 51% increase. Mexican Attorney General Eduardo Medina Mora remarked in 2008, “(I)t is clear to everyone that our nation has stopped being a transit country for drugs going to the United States and become an important market as well.”¹⁸ Laura Carlsen, a former Fulbright Scholar and currently Director of the Americas

Program of the Center for International Policy, based in Mexico City, is a vociferous opponent of the original Mérida Initiative. She believes this option,

—departs from the mistaken logic that interdiction, enforcement, and prosecution will eventually stem illegal cross border drug-trafficking...(P)roviding equipment and resources to Mexican security forces in the current context of corruption and impunity will deepen the problems, reduce civil society's role in reform, and inhibit construction of democratic institutions.”¹⁹

In summary, this approach, while a necessary and concrete first step, is easily continued by the Obama Administration and U.S. Congress but only provides superficial window dressing. The press releases and photo opportunities with U.S. officials presiding over equipment deliveries may be sufficient to convince the average voter; but will not adequately reduce the flow of illegal drugs into the U.S. If continued, it will continue to be pilloried by critics and viewed by Mexicans as merely the U.S.’s latest, insincere and impotent attempt to solve an important security problem affecting both peoples.

The Next Level: Beyond Mérida

In March 2010, U.S. Secretary of State Clinton and Mexican Foreign Minister Espinosa announced a second phase of the Mérida Initiative. The four goals referred to as —Beyond Mérida” or as the —~~4~~Pillars” are to:

Disrupt organized criminal groups; institutionalize reforms to sustain the rule of law and respect for human rights; create a 21st Century border; and build strong and resilient communities representing a conscious advance to tackle the root causes of this problem.²⁰

The goals were revised to emphasize the critical issue of not only reducing the supply of illegal drugs, but the demand as well — both in the U.S. and Mexico. This reorientation goes beyond providing U.S. equipment and expertise; it aims to strengthen individuals, groups, and institutions in a holistic, whole-of-government approach that is

consistent with the current National Security Strategy (NSS). The strengths of this second phase are its whole-of-government emphasis, which is consistent with the current NSS: “To succeed, we must update, balance, and integrate all the tools of American power and work with our allies and partners to do the same.”²¹

First Pillar: Disrupt Organized Criminal Groups

This first goal continues the fight against the DTOs, with both material and non-material solutions. As mentioned earlier, the DTOs have evolved from merely providing transit services for illegal drugs flowing through Mexico to the U.S. into viable, enduring, profitable (albeit illegal) enterprises. By murdering public officials and targeting violence against a region, the DTOs demonstrate to the citizenry their ability to undermine civil control and the rule of law to fortify their freedom of action. John Sullivan, an officer with the Los Angeles Sheriff’s Department and an expert on gang warfare, refers to this evolution as a third-generation gang, capable of protecting their lucrative economic activities by undermining the authority and legitimacy of the state.²² Under this revised goal, the U.S. must assist the Mexican government with a combination of technical capabilities, training, and partnership opportunities to combat the DTOs on both sides of the border. However, this integration must and can only be successful if it proceeds at the pace comfortable and agreeable to the Mexican government and its society. As previously described, the introduction of U.S. government officials and military forces into Mexican territory has a checkered past and must be implemented skillfully. All efforts in Mexico must be Mexican-led activities, with the U.S. in a supporting role.

Equally important is the acknowledgement that U.S. consumption of illegal drugs must be addressed in this comprehensive solution. It was noteworthy that during her first official visit to Mexico as U.S. Secretary of State, Mrs. Clinton confronted this reality

by stating, “The U.S. recognizes that drug trafficking is not only Mexico’s problem. It is also an American problem. And we, in the U.S., have a responsibility to help you address it.”²³ Laura Carlsen feels this is the primary deficiency of the original (2007 Mérida Initiative) goals, “Studies have shown that treatment and rehabilitation are 20 times more effective in decreasing the illegal drug trade.”²⁴ By increasing U.S. funding of rehabilitation and treatment programs, the demand side of this economic equation is actively pursued. Richard Nixon, who coined the term, “War on Drugs” in 1971, was the first U.S. President to recognize and aggressively fund drug treatment and rehabilitation programs.²⁵ The Reagan presidency saw the creation of some of the most visible prevention programs in the —“Just Say No” campaign spearheaded by the then-First Lady Nancy Reagan, the growth of the Drug Abuse Resistance Education (D.A.R.E.) school lecture program, and the Partnership for a Drug-Free America public service announcements featuring the catch phrase, “This is your brain on drugs.” Although memorable, these programs failed to significantly curtail the demand for illegal drugs.²⁶ President Obama has continued emphasizing the importance of reducing illegal drug use. In the 2010 National Drug Control Strategy, the number one goal to be attained by 2015 is: “Curtail illicit drug consumption in America. There is however, a disconnect between linking this number one goal with funding distribution: 64% of the FY 2010 funding request is directed towards supply reduction and only 36% for demand reduction programs.”²⁷ To correct this disconnect, funding from sources involved in supply reduction must be reallocated to demand reduction, specifically towards the drug rehabilitation programs being administered by the Substance Abuse and Mental Health Services Administration within the Department of Health and Human Services.

In parallel, the significant flow of illegal small-arms weapons from the U.S. into Mexico must be stopped. In 2007-2008, over 5,000 weapons seized by Mexican law enforcement officials were positively traced to U.S. origin. Critics deride that the individual weapons seized are semi-automatic hunting rifles and handguns; while the DTOs purchase of vast quantities of automatic machine guns, rocket-propelled grenade launchers and other high-tech weapons goes unchecked. The U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) began Project Gunrunner as a pilot program in 2005 and expanded it into a national initiative in 2006. This program installed eTrace technology in U.S. consulates in Mexico, as well as assigning additional ATF agents in New Mexico and Arizona to stem the flow of weapons into Mexico.²⁸ However, according to the U.S. Justice Department's Inspector General, this program has been insufficient for reducing the continual flow of illegal weapons from the U.S. to Mexico.²⁹ Notwithstanding the quantity and types of weapons in use, this source can be immediately stopped by ratifying the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms (CIFTA), which has been languishing in the U.S. Senate since 1998.³⁰

Success in achieving the aims within this first pillar rest on the U.S. providing material and expertise, when asked, to support Mexican law enforcement and military institutions, taking significant steps to decrease the demand for illegal drugs in the U.S., and strengthen laws to prohibit the illegal transfer of firearms.

Second Pillar: Institutionalize Reforms to Sustain the Rule of Law and Respect for Human Rights

This goal reflects one of the shortcomings in the 2007 initial effort. Through the establishment of programs in Mexico to educate and assist in maintaining sound

governance and observe human rights, the vicious life cycle of corruption can be broken. Shannon O'Neil underscores the significance of this dimension at his recent congressional testimony, ~~—W~~ithout capable and clean courts and cops, this battle cannot be won.”³¹ Laura Carlsen echoes this notion and further believes that merely providing U.S. tax dollars towards advanced information technology systems for Mexican law enforcement agencies is not a lasting solution. She views a three-pronged effort to effectively reform the Mexican judicial systems. The first and most important is recognition that improving the Mexican rule of law requires the will of its people to succeed. Corruption at all levels has been a fabric tightly woven into Mexican society. Comprehensive rule of law reform must involve a public outreach campaign, led by President Calderón, to instill a sense of commitment between the Mexican government and the people to ensure these reforms are palatable, achievable and lasting. Second, there must be acknowledgment that Mexican laws and legal system are not the same as in the U.S. As is the case with U.S. military assistance, training and partnership within the Mexican legal community must have a Mexican face in order to be accepted, implemented and have a chance at enduring. An alternative to counter perceptions of U.S. forcibly installing ~~—North~~American” reforms would be to invite a member nation within the Organization of American States, one with recent positive changes to its own legal institutions, such as the Republic of Colombia, to act as the mentor to the Mexicans. This would not only demonstrate that the reforms were not solely U.S. demands; but more importantly that a peer nation faced a similar situation and found a working and lasting solution. Finally, in her third prong, Carlsen recommends that the U.S. government should address its own legal system. She favors reducing the demand

for illegal drugs by prosecuting dealers and DTOs leaders as opposed to current laws that are drug user-centric. She asserts that the focus on arresting and prosecuting drug users drains critical law enforcement resources away from the drug providers, the DTOs and their representatives within the U.S.³²

Another initiative to improve the Mexican rule of law is to create protected justice complexes, a —~~led~~ green zone” similar to what is being built in Iraq. Under this concept, a fortified base is constructed housing law enforcement offices, court facilities and a prison. In this environment, law enforcement personnel, judges and their families are able to safely live and work without fearing for their personal safety.³³ It also serves as a barrier to restrict corruption or other illegal influences upon the officials. This initiative could easily be replicated and placed into operation in Mexico as a tangible measure, demonstrating the Mexican government’s commitment to its people to install genuine and lasting reform. The Iraqi government could be asked to provide its lessons learned in implementing this concept, again to put not only a non-U.S. face on it, but allow the Iraqi government to proudly display their efforts to rebuild their country and institutions.

Sustaining an effective rule of law within Mexico and changing the emphasis of U.S. drug laws will take considerable time and effort to achieve. It is worth the resources invested as it will provide the most benefit to all citizens if reforms are enacted appropriately and allowed to mature at a reasonable pace.

Third Pillar: Create a 21st Century Border

This goal, representing the economic component of this issue, has the most potential but also the most baggage. The creation of a high-tech border between the U.S. and Mexico presents an opportunity to improve the two-way transit of legitimate commerce while allowing customs and border officials in both countries to devote more

resources toward disrupting the flow of illegal drugs and other criminal activity.³⁴ Under this concept, transportation hubs would be established in cities in both countries where freight would be inspected and certified for cross-border travel, alleviating bottlenecks at the current, limited number of border crossing checkpoints. Additional benefits of this construct would be to reduce the costs of goods, as transportation times and the manpower required to prepare, submit, and track paperwork would be reduced. This concept of streamlining the movement of legitimate travel of goods and people was revived in 2005 under the Security and Prosperity Partnership of North America (SPP) agreement between Canada, Mexico and the U.S.³⁵ One of over 300 areas in the SPP, this concept creates a transportation zone to move goods safely and efficiently across borders. Detractors almost immediately decried this proposal as a “NAFTA superhighway” and it became the lightning rod for groups and individuals convinced the three governments were conspiring to create a “North American Union,” with an ultimate goal of breaking down sovereignty.³⁶ While the SPP was effectively abandoned in 2009, the U.S. Customs and Border Protection agency is aggressively implementing several programs such as the Container Security Initiative, Secure Freight Initiative, Customs-Trade Partnership Against Terrorism and the Automated Commercial Environment to modernize trade policies while accommodating the increasing volume and complexities of international trade and ensuring illicit goods do not enter the U.S.³⁷

To achieve an operational and effective 21st Century Border, the U.S. and Mexican governments, in conjunction with the respective transportation industries, should establish a public-private sector working group to examine how these programs

and other technology-based initiatives can be modified, thoroughly tested, and implemented to improve the flow of legitimate goods between the two countries.

Fourth Pillar: Build Strong and Resilient Communities

This goal, as introduced by Secretaries Clinton and Espinosa, seeks to:

—address the root causes of crime and violence, promote the culture of legality, reduce illicit drug use, promote a broader perception of the links between drug use and crime and violence, and stem the flow of potential recruits for the cartels by promoting constructive, legal alternatives for young people.”³⁸

Carlos Reyna, a sociologist and journalist, reinforces the criticality of this when he observed in his home country of Peru, “Any antidrug policy that forsakes or underestimates the decisive importance of democratic institutions or economic and social issues will always be counterproductive and play into the hands of drug traffickers.”³⁹ The U.S. Agency for International Development (USAID) should leverage its on-going best practices, for rapid implementation in Mexico, to assist in achieving the aims of this goal. As examples, two on-going programs in Colombia whose efforts are in concert with the needs of the Mexican people could be easily replicated. The first program is operated by “Actar por Bolívar” (Acting for Bolivar), a USAID-supported non-governmental organization (NGO) that provides psychological counseling, business skills training, and access to small loans for individuals displaced and adversely impacted by illegal drug-fueled violence in Colombia.⁴⁰ The second program, “Familias en Accion” (Families in Action) is a USAID-sponsored crop eradication program under Plan Colombia.⁴¹ It is noteworthy that USAID partners with the NGO and U.S. Corporation, Land O’ Lakes, to achieve success. If adopted in Mexico, these programs could adapt to provide alternative opportunities for people forced to work in illegal drug processing activities.

In both examples, the programs combine the best attributes of government's will to assist their people and the money, time, and effort invested by public corporations to improve the lives of innocent civilians adversely impacted by the violence wrought by the manufacture and flow of illegal drugs, as well as the accompanying crime and degradation of a functioning society.

Implementation Challenges

There are several drawbacks to fully implement the goals within the 4 Pillars. First, to execute the full range of programs and operations, funding must be authorized and appropriated from the U.S. Congress. While the original Mérida Initiative goals had programs concentrated in two Executive Branch agencies (Defense and State), this option would encompass programs in as many as 11 agencies.⁴² Program expansion requires additional funding to each participating agency. If all 11 agencies are involved, it would require oversight and legislation from upwards of 18 congressional committees and be promulgated in 8 of the 12 appropriations bills.⁴³ A further complication is the President's three year budget freeze for non-defense agencies, starting with the Fiscal Year 2011 President's Budget.⁴⁴ Unfreezing portions of discretionary spending would require detailed justification from the President to Congress and the American people. It would create a precedent and opportunity for members of Congress to exploit this exemption and attempt to fund their unrelated earmarks, thus circumventing the basic intent. Finally, in order to create irreversible momentum, in terms of affecting funding legislation, it may already be too late. The first quarter of FY 2011 is complete; seed or bridge funds to begin specific actions within each of the 4 Pillars will have to be funded from within an Agency's remaining, current budget requiring a bill payer from one or more existing programs. Program managers are loath to give up funding from programs

within their purview. It will take extraordinary leadership at the agency level to make this happen. Additionally, the Office of Management and Budget is reviewing and packaging the President's Budget Request for FY 2012 and will submit it to Congress on February 7th, 2011. As it is with the current budget year, once a budget request is submitted, it is difficult to make program funding changes. Any changes will raise the scrutiny within the respective congressional oversight committees. It is possible for President Obama to direct year-of-execution funding changes in FYs 2011 and 2012, but it will take his personal political capital and follow through to ensure they are adjusted by each agency and approved by Congress. More realistically, significant initiatives will have to be included in the FY 2013 President's Budget Request in February 2012; however, this is too late for the Administration to show its full commitment to implementing the 4 Pillars. Both the U.S. and Mexican presidential election cycles will be in full motion and detractors will have an opportunity to publicly criticize and charge the incumbents with not acting in a timely manner.

Next, the proliferation of participating agencies creates a span of control issue for the President. Within the Executive Office of the President, there is no statutory or appointed position to synchronize and execute a multi-agency program such as this. Currently the Secretary of State is designated the U.S. Government lead for the Mérida Initiative. With the current good relations and nature of foreign military sales between Defense and State, this is a manageable and working solution. However, with multiple agency involvement, it is imperative that a single leader be appointed to execute this vital mission. To succeed, this leader must have the ability to control budget decisions and authority to represent the Administration before Congress to obtain the appropriate

legislation and funding. One recent proposal calls for the creation of a “Chief Operating Officer” position as outlined by former Senator Bob Kerrey. This concept recognizes that the President requires a senior official empowered to synchronize and follow-through on important national priorities — with the statutory powers beyond the currently appointed ~~cars~~.⁴⁵ However, in lieu of creating larger government, this role could be duplicated from the Administration’s existing framework and execution of the American Recovery and Investment Act (ARRA), using the Vice President as the lead official. As the President’s chair for implementation of the ARRA, Vice President Joseph Biden, with support from the Office of Management and Budget, established the Recovery Implementation Office to monitor the implementation. Each Agency is required to submit weekly progress updates, participate in biweekly meetings and attend periodic cabinet meetings chaired by the Vice President.”⁴⁶ The personal involvement of the Vice President directly contributes to the successful execution of the ARRA and this construct can be replicated to fulfill the goals and programs under the 4 Pillars.

There is however, a high profile challenge facing both governments that could distract attention from the 4 Pillars efforts. Two former Mexican presidents, former leaders of Colombia and Brazil along with U.S. based groups such as the National Organization for the Reform of Marijuana Laws have called for legalization of illegal drugs as a solution.⁴⁷ However, legalization is simply not a viable option to reducing the demand for illegal drugs. The U.S. has greatly decreased the rate of cigarette and alcohol use while driving over the past 30 years due to a focused effort of time, money and effort. The legalization of illegal drugs flies in the face of Mothers Against Drunk Driving (MADD) and the anti-tobacco smoking grassroots efforts. MADD estimates its

efforts have saved 300,000 lives and The Foundation for a Smoke-Free America estimates the tobacco smoking effects on the U.S. society, “The costs... include over 400,000 lives lost every year in the U.S.-- over 1,200 each day -- and \$50 billion annually in lost productivity and increased health care costs.”⁴⁸ Legalization proponents tout decriminalization will provide numerous benefits to society: billions of dollars in increased tax revenue, relief for overworked law enforcement, courts and prisons, and increased safety through product quality regulation and oversight. These alleged benefits are tantalizing at face value; however, it distracts from the central issue – illegal drugs are addicting, harmful to users, and create long-term health care liabilities.⁴⁹ Employers are already strained with current drug-testing requirements that ensure their employees are able to conduct their duties in a sober and safe manner. Lance Winslow, a small business owner and a retired founder of a Nationwide Franchise Chain trade association comments on the legalization of illegal drugs,

—..f.imore workers do come to work high, well, this might cause more incidents and accidents in the workplace, and thus, could potentially send workers comp skyrocketing. It also leaves the business owner, and the corporations with severe liability risks, which could also drive up other types of insurance.”⁵⁰

Finally, this comprehensive approach will draw resistance from all quarters of U.S. society. Private organizations, such as the National Rifle Association could mount an effort within Congress to delay or disrupt critical legislation such as CIFTA. Additionally, despite the best of U.S. intentions, resistance could emanate from any number or combination of Mexican institutions, government or private organizations.

A significant risk lies in the resulting myriad of programs spread across the federal government. Each may not receive the highest priority from its congressional

oversight committees and be funded at the requested levels. Unfunded programs will create gaps in the 4 Pillars, sub-optimize the capabilities and dilute the results. If only a portion of the programs get funded and executed, the American (and Mexican) public will view partial, piecemeal results as yet another demonstration of the inability of their government(s) to solve vital, national security problems.

Conclusion

It is time for bold action. For the next 18 months, there is sufficient continuity within both governments to create irreversible momentum to implement the programs contained in the 4 Pillars and demonstrate to citizens of both nations that it is possible to reduce both the demand and supply of illegal drugs on both sides of the U.S.—Mexico border. It will also break the destructive cycle of violence associated with the manufacture, transport, and distribution of illegal drugs. On the U.S. side, the comprehensive program of reducing not only supply but demand for illegal drugs and the appointment of the Vice President to coordinate U.S. Government efforts will ensure empowered synchronization. Strengthening Mexican governmental institutions by reducing corruption and instilling an emphasis on human rights will make enduring, positive changes to Mexican society. Secondary and tertiary effects such as a revitalized Mexican domestic economy and reduced illegal immigration to the U.S. may be realized. Tangible results will encourage citizens of both countries to demand a continuation of these programs under subsequent presidential administrations on both sides of the border in 2012 and beyond.

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