

Senator wants to send military to Mexico, declare war on cartels after Americans' deaths

PREMIUM

By Joseph Clark and Stephen Dinan

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A leading senator on Wednesday called for the U.S. to declare a war on Mexican cartels, saying the killings of two Americans by gangs should earn a response by the full might of the U.S. military.

Sen. Lindsey Graham, South Carolina Republican, announced legislation to declare nine cartels as foreign terrorist organizations and to authorize the use of military force — the same mechanism that deployed troops to Afghanistan and Iraq — against the gangs.

“We are going to unleash the fury and might of the United States against these cartels,” said Mr. Graham, the ranking member of the Senate Judiciary Committee. “We’re going to destroy their business model and their lifestyle because our national security and the security of the United States as a whole depends on us taking decisive action.”

Lawmakers on both sides of the aisle have sounded alarms over the amount of fentanyl flowing across the southern border. That trade, controlled by cartels, is fueling a record overdose death rate in the U.S.

The kidnapping last weekend of four Americans — two of whom were slain and the others rescued — has added urgency to the demands for action.

Mexican authorities haven’t confirmed a motive for the kidnapping but have suggested that the group of friends who drove a minivan across the border into Matamoros may have been mistaken as members of a rival gang.

Fear of the cartels was already running high, given their role in trafficking fentanyl and exploiting lax border controls to smuggle millions of migrants into the U.S.

Border specialists say it has resulted in a colossal windfall for the cartels.

The Washington Times has estimated the migrant smuggling economy across the southern border to be worth more than \$20 billion.

Mr. Graham said he doesn't see the U.S. military invading Mexico but does want troops to be able to play an active role in battling the firepower that the cartels have amassed.

Legal experts say that designating the cartels as foreign terrorist organizations could give prosecutors more tools to pursue gang leaders.

White House press secretary Karine Jean-Pierre pushed back on that idea Wednesday.

"Designating these cartels as FTOs would not grant us any additional authorities that we don't really have at this time," she said.

She said the Treasury Department has imposed designations that allow cartel funds to be blocked — when they can be detected.

"The United States has powerful sanctions authorities specifically designated to combat narcotics trafficking organizations and the individuals and entities that enable them, so we have not been afraid to use them," she said.

The Pentagon has raised concerns that any proposal to deploy the military south of the border would threaten Mexico's cooperation in efforts to hold the cartels at bay.

"I do worry, based on signals, very strong signals we've gotten from the Mexicans in the past — concerns about their sovereignty, concerns about potential reciprocal steps — that they might take to cut off our access if we were to take some of the steps that are in consideration," Melissa G. Dalton, assistant secretary of defense for homeland defense and hemispheric affairs, told the House Armed Services Committee on Wednesday.

President Trump vowed to issue the terrorist designation after gunmen

opened fire on a caravan of Americans traveling in Mexico in 2019.

After pushback from Mexico, he put those plans on hold.

Mr. Graham last week asked Attorney General Merrick Garland about the idea. Mr. Garland said he “wouldn’t oppose it” but raised “diplomatic concerns” with Mexico.

Mr. Garland also pointed out that the cartels are on other designation lists that allow the Treasury Department to block funds.

Challenged specifically on Mexico’s handling of the fentanyl traffic, Mr. Garland said: “They are helping us, but they could do much more. There’s no question about that.”

Over the past four months, Customs and Border Protection has seized nearly 9,000 pounds of fentanyl. About 3,300 pounds were seized in the same four months of 2021 and 2022.

Border experts say that’s bad news. Only a small amount of the traffic is detected, so an increase in seizures indicates that more product is getting into the U.S.

Violence has ripped through Mexico as cartel leaders tighten their grip over the country.

In 2021, 75 Americans were killed in Mexico, according to the most recent data from the State Department. Although that remains a small percentage of the 28.8 million who traveled to the country that year, more Americans died by homicide in Mexico than in every other foreign country combined.

Warning of rampant crime and kidnapping, the State Department has issued its highest travel advisory for six Mexican states.

The State Department’s countrywide travel advisory also warns of widespread violent crime, including homicide, kidnapping, carjacking and robbery throughout Mexico.

Those risks became all too real for the four U.S. citizens who were kidnapped

at a Mexican border town by a local drug cartel last week.

The four Americans entered Mexico on Friday so one of them could have cosmetic surgery.

Their minivan was caught in the crossfire from an apparent battle between rival gangs on the streets of Matamoros, just across the border from Brownsville, Texas. A 33-year-old Mexican woman was also killed in the clash, U.S. Ambassador to Mexico Ken Salazar said in a statement Monday.

“These drug cartels are dangerous,” Mr. Graham said. “They’re lawless. American law needs to change to make sure we deal with them appropriately.”

Mr. Trump is also aiming at the cartels in his 2024 presidential campaign.

In January, he outlined a plan to dismantle cartel leadership and suggested “deploying all necessary military assets,” including special forces and cyberwarfare capabilities. He said he would impose a “full naval embargo on the cartels to ensure they cannot use our region’s waters to traffic illicit drugs to the U.S.”

He said he would revive the plan to designate the cartels as foreign terrorist organizations and pledged to “get full cooperation” from neighboring countries in dismantling the cartels “or else fully expose the bribes and corruption that protect these criminal networks.”

His plan also calls on Congress to impose the death penalty for those convicted of drug trafficking.

Mexican President Andres Manuel Lopez Obrador has assailed those pushing for U.S. military intervention in his country.

He has blamed the U.S. for the flow of guns that arm the cartels.

Mr. Graham was unfazed.

“To the president of Mexico: You have let your country slide into the hands of narco-terrorists,” he said Wednesday. “Your capability or your will doesn’t exist to stop what is, I think, the poisoning of America. You’re leaving us

with no other choices.”

Correction: An earlier version of this story mischaracterized Sen. John N. Kennedy’s position on a proposal to authorize military force against the Mexican cartels. Mr. Kennedy has not signed onto the proposal to use military force but supported designating the cartels as terror groups.

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Cartels thrive under Biden's new policy; smugglers demand higher pay with lower numbers at border

By Stephen Dinan
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Miguel Angel Salazar-Estrada, who rafted over the Rio Grande, told Border Patrol agents that his family paid \$17,000 for his smuggling from Guatemala.

Juan Manuel Lara Alvarez, a Mexican arrested as he was smuggled into Arizona, said he was paying 200,000 pesos, or a little shy of \$12,000, for his journey.

Yanshua Su, whom a smuggler stuffed into a compartment built under the seats of an SUV, said she was paying 300,000 yuan, or about \$42,000, to be delivered from China to Los Angeles.

The Biden administration has celebrated a drop in the number of illegal immigrants attempting to sneak across the border over the past couple of months. Secretary Alejandro Mayorkas has characterized the decline as a blow to the smuggling cartels that control the market.

Yet those who make the attempt are paying more, according to The Washington Times' database of smuggling cases, which tracks payments in near-real time and which suggests that the cartels aren't taking as big of a hit as Mr. Mayorkas would like.

A Mexican crossing into the Laredo area of Texas is paying an average of \$9,500, up from about \$7,400 earlier this year, before the end of the Title 42 border pandemic expulsion policy in May.

A Mexican sneaking into Arizona is paying an average of nearly \$10,000, up from about \$9,300.

Central Americans pay even more. Mr. Salazar-Estrada's \$17,000 payment is on the high side but by no means extraordinary. The Times has tracked several recent cases of Guatemalans paying 150,000 quetzals, or more than \$19,100, to be smuggled into the U.S.

Those from farther afield can pay more, as the Chinese migrant's case suggests.

It all goes to enrich the cartels, said Ronald Vitiello, a former chief of the Border Patrol who said the smuggling organizations get a cut from just about every migrant who crosses.

"This administration has been a windfall for them. It's completely changed their revenue stream," he said.

Indeed, experts said the cartels now make more from human smuggling than drug trafficking.

The power of the cartels was front and center on Capitol Hill this month, with a series of hearings highlighting their growth and the Biden administration's attempts to reel them in.

Mr. Mayorkas touted his new carrot-and-stick approach to the border — trying to entice illegal immigrants to schedule their arrivals and come through official ports of entry rather than sneak across the boundary — as a way to keep them out of the hands of cartels.

He said the recent drop in Border Patrol arrests is evidence of success.

"We are unrelenting in our attack against the cartels," the secretary told the House Judiciary Committee.

He would not, however, guess whether the cartels are making more money now than they did during the Trump administration.

"I do not have that data," he said.

The end of the Title 42 border policy in May marked a major change.

Border Patrol arrests along the U.S.-Mexico boundary dropped from more than 200,000 a month at the start of this year to slightly fewer than 100,000 in June. Meanwhile, the number of unauthorized migrants showing up at border crossings, as Mr. Mayorkas wants, rose from roughly 20,000 a month late last year to more than 45,000 in June.

Mr. Mayorkas suggests that migrants coming through the ports of entry don't need to pay smugglers, which saps them of money.

Mr. Vitiello says Mr. Mayorkas is probably wrong.

To schedule appointments, the migrants generally have to be in northern Mexico. That means they must travel there from homes in Central America or farther away, which can require payments to smugglers.

Reports say the migrants waiting for appointments are vulnerable to extortion by Mexican officials and cartel operators. It was so bad that the U.S. stopped scheduling appointments at a crossing into Laredo.

Rep. Matt Gaetz, Florida Republican, confronted Mr. Mayorkas about the matter at the hearing. The secretary denied it.

"That is false," Mr. Mayorkas said.

Mr. Gaetz then introduced into the committee record three news accounts detailing the shutdowns.

Rep. Dan Bishop, North Carolina Republican, questioned Mr. Mayorkas about the cartels' income.

"Have they become strong or weaker on your watch?" the congressman prodded.

Mr. Mayorkas responded by calling the cartels a "challenge."

The congressman then asked whether Mr. Mayorkas could say whether cartels are making more money now than they did three years ago. The secretary said he didn't have that data.

The Times' database indicates that the cartels are making substantially more.

In fiscal year 2019, a typical payment for a Mexican illegal immigrant caught sneaking into Arizona was \$7,500, and agents caught 32,489 of them.

Compare that with the first nine months of fiscal year 2023, when agents in Arizona's two sectors reported nabbing 146,121 Mexicans, who paid more than \$9,000 on average to smugglers.

Last year, the Times calculated that the total smuggling market borderwide was at least \$20 billion over the previous 12 months.

It's more difficult to get a handle on the total size of the economy now, given the shift in how people are arriving.

The Times' data is based on court cases prosecuting smugglers at the southern border. In many cases, the smuggled migrants serve as witnesses and agents record the amount the migrants say they were paying. The Times has been compiling that data for five years.

The payments go to drivers, stash house operators, foot guides and the coordinators who put it all together for the cartels.

It's difficult to say what cut the cartels take, though most migrants who sneak across the border pay what agents call a "mafia fee," or tax for using their routes to cross. That fee, ranging from a few hundred to several thousand dollars, is clear profit for the cartels and totaled more than \$2 billion annually in The Times' calculations.

That includes the 40,000 pesos mafia fee, about \$2,400, that Primitivo Antonio Ayala paid. Caught by agents in Arizona after he sneaked up the bed of the San Pedro River, he said he was paying \$10,500 more for the actual smuggling.

The migrants' stories belie the suggestion that the migrants are asylum seekers fleeing persecution back home.

Lidia Escobar-Guillen said she left El Salvador because there was "no future, no jobs." She said she came to the U.S. illegally because she already had family here — one brother in California, one in Maryland and eight brothers

in Las Vegas. She was headed to live with her Maryland brother.

She borrowed \$15,000 from her in-laws to pay the smuggling fee: \$7,000 back home in El Salvador and \$8,000 once she reached Houston.

Her journey involved buses, cars, an airplane flight and lots of walking.

She stayed in homes of people she didn't know and holed up on the Mexican side of the border before she was rafted across the Rio Grande, held at another stash house and then shunted into a semitractor-trailer sleeping compartment. Agents discovered her when the truck tried to go through a Border Patrol checkpoint earlier this month.

Not everyone is paying more. Some migrants report fees of just a few thousand dollars, but the top-end payments are higher than before and the average trend is toward higher payments.

Given the cash involved, there is no shortage of people willing to smuggle.

One woman told agents she was recruited over Snapchat. She said she was promised \$14,000 if she drove her Jeep Renegade from Oklahoma to Arizona, picked up a family at the border and smuggled the illegal immigrants deeper into the U.S.

When Juliana Rubio-Corral reached the border, four men jumped into the Jeep and she sped off with them only to be snared by the Border Patrol 10 minutes later, she told agents.

Antonio Javier Inquanzo, who was arrested in Laredo, told agents he was being paid \$600 for two smuggling attempts. Asked why he took the job, he told agents he wanted the cash to throw himself a birthday party.

Aimee Laine Barnett, also arrested near Laredo, told agents she started working for one smuggler who paid \$1,500 per migrant, making about a half-dozen trips to smuggle 20 people. She and her husband then switched to another smuggler, who was paying \$2,000 for each migrant delivered from Laredo to San Antonio.

She figured she had made another half-dozen trips for the second smuggler, with two or three migrants each time.

On the trip where she was arrested, agents said, she was carrying one illegal immigrant from El Salvador. Maria Angela Bonilla said her family was paying \$15,500 for her to be smuggled into the U.S. and delivered to Salinas, California.

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States look to hire illegal immigrants to fatten struggling police departments

PREMIUM

By Stephen Dinan
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A version of this story appeared in the On Background newsletter from The Washington Times. [Click here](#) to receive On Background delivered directly to your inbox each Friday.

Struggling to fill the ranks of their police officers, some blue-state politicians are turning to an unusual option: illegal immigrants.

A California law that took effect earlier this year allows noncitizens — including some unauthorized migrants — to sign up if they are protected from deportation, including by the Obama-era DACA program. Colorado and Illinois have followed suit with laws allowing some noncitizens to join the force.

It's all deeply uncharted territory.

Lawmakers aren't sure who could qualify, and analysts said it's unclear who would be authorized to carry firearms.

“It's a massive problem,” said Matt O'Brien, a former immigration judge who is now with the Immigration Reform Law Institute. “You've got this muddle of issues where there is no settled law, and it's now crashing into the fact that these idiots in the defund-the-police movement have caused a crisis in law enforcement.”

Those pushing the idea do cite the need for more police and the desire to attract a wider demographic to the job.

They also see a breakdown of barriers for immigrants, particularly those under DACA, or Deferred Action for Childhood Arrivals, which extends a temporary deportation amnesty to illegal immigrants who came to the U.S. as children.

Supporters say the immigrants must meet all the regular qualifications and complete training before patrolling the streets.

Still, the thought of someone in the country illegally, even with tentative protections, having the power to enforce laws on others rubs many people the wrong way.

“It raises questions of fairness, of conflicts of interest and security,” said Elizabeth Jacobs, director of regulatory affairs at the Center for Immigration Studies. “If we are having folks that our government knows are in violation of the law or have broken the law and we are deputizing them to enforce other laws, that doesn’t bring confidence to our legal system.”

Less controversy has been raised over allowing noncitizens who hold green cards, signifying legal permanent residency, to join the police force. That has been allowed in some states for a while.

States also deem those with asylum or refugee status less problematic.

Beyond that, things become complicated.

California law allows those with valid work permits issued by the Homeland Security Department to sign up. That covers DACA recipients and those who arrived illegally but have been granted tentative status because of rough conditions in their home countries. It could even encompass some illegal immigrants caught and released into the U.S. under Homeland Security Secretary Alejandro Mayorkas' "parole" power.

That's particularly troubling because those migrants are not always screened against criminal databases in their home countries before they are released into the U.S. Many have paid significant money to reach the U.S. and often are indebted to smuggling cartels.

"The whole thing is lunacy," said Rosemary Jenks, vice president at NumbersUSA, which lobbies for stricter immigration controls.

"We know nothing — literally nothing — about these people other than what they told us. We don't even know if they're giving us their real names, and if they have a criminal record back home, they're definitely not giving us their real names. So how are you going to vet people?" she asked.

Guns add another dimension for politicians and legal analysts.

According to Colorado Public Radio, the police force in Greeley, north of Denver, tried to hire a DACA recipient in 2021. He made it into the testing stage, and the department was conducting background checks when it ran into a roadblock. Police attorneys said the man wasn't authorized to carry a firearm.

The law Colorado adopted this year does give DACA recipients and people who have "applied to obtain asylum status" a chance to sign up. Police agencies can arm immigrant officers but must comply with federal laws and regulations.

Asked what that means, a spokesman for the state attorney general's office pointed to the legislation and to a webpage suggesting that local agencies can issue guns to illegal immigrants, but it calls the issue "complicated."

California's attorney general didn't respond to an inquiry on how it sees state

laws for firearms and unauthorized migrants.

In Illinois, the law says DACA recipients can sign up — but the very next sentence says they must be eligible under federal law to possess a firearm.

The Bureau of Alcohol, Tobacco, Firearms and Explosives, which has jurisdiction over guns and the prohibited persons law, didn't answer an inquiry about how it reads the law to apply in these situations.

ATF told the Chicago Tribune this year that the gun-ban exception for official use applies only to time on the job.

Noncitizens could carry while on duty but would have to relinquish their weapons after every shift. Most law enforcement agencies encourage, and some require, that their officers carry their weapons even off-duty.

State Rep. Barbara Hernandez told The Associated Press that she doesn't think DACA recipients can possess weapons, so she considers that part of her law “symbolic” — for now.

The police chief in Blue Island, south of Chicago, was working on hiring DACA recipients this spring in anticipation of the changes.

Chief Geoffrey Farr told the Tribune he was still eager to have the officers even if they could possess weapons only while on the job and couldn't take them home. He said DACA recipients could help his department connect with the community's heavily Hispanic population and that allowing them to join up was the right thing to do.

“There's a segment of the population who cannot vote and cannot carry a gun. Those are usually referred to as convicted felons,” Chief Farr said. “So, in essence, the DACA recipients have the same restrictions upon them that convicted felons do. So that ain't right.”

Chief Farr, who didn't respond to an inquiry from The Times, told the Tribune he had several inquiries from DACA recipients.

That suggests at least some interest from the noncitizen target population, though how much remains unclear.

Utah enacted a law two years ago to allow some noncitizens to sign up. That change was backed by the Salt Lake City Police Department. The department said it has not hired anyone under the new law.

Ms. Jacobs said there are reasons other than hiring that may be behind the surge of new laws.

“It’s undermining the meaning of citizenship and the essence of our immigration laws as a whole,” she said.

Particularly worrying is the scenario of a smuggling cartel sending operatives across the border, or recruiting from among the mass of migrants who still owe cartels for the journey, and having them sign up for a police force.

The Border Patrol faced a similar problem when it went on a hiring spree in the Bush years. It got to the point where Congress rushed an anti-corruption law into effect to combat cartel-controlled agents.

Tom Burrell, writing at Police1.com, said such a scenario is “possible” with police under the new state laws but a good background check could weed them out. Besides, he said, U.S. citizen officers can be just as bad.

He said police forces need the help.

“In the end, American law enforcement is facing a crisis,” he wrote. “While allowing non-citizens is unlikely to completely fill the gap, it is a step in the right direction.”

Backers also point to the U.S. military, which allows legal immigrants to join up and has tried to recruit DACA recipients for some duties. Current policy bars them from signing up.

The push to expand police forces to noncitizens is often driven by former officers now serving in state legislatures.

The effort is also strikingly bipartisan. Illinois’ measure cleared the state House on a 100-7 vote.

Among those Republican supporters was state Rep. Chris Miller, who backed the bill. His wife, U.S. Rep. Mary Miller, took to Twitter to call the bill “madness.”

Lawmakers in Nevada and Wisconsin have also debated bills to expand their police forces to include DACA recipients.

A backlash is developing in Georgia, where a lawmaker has vowed to propose an amendment to the state’s constitution to require that cops be citizens, which would elevate a law already on the books.

D.A. King, founder of the Dustin Inman Society, a Georgia group that backs stricter immigration controls, said the amendment has a chance of being put to voters next year.

“When this idea becomes widely known by voters of both parties, legislators are going to have to publicly pick a side on the possibility of foreign cops — perhaps even illegal aliens with DACA status — someday arresting Americans in Georgia,” he told The Washington Times.

“It will be difficult for Republican legislators who all ran as ‘conservatives’ to vote against this one if the opportunity arises. Ditto for many rural Democrats — enough, I judge, for passage,” he said.

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