

**BIDEN AND MAYORKAS' OPEN BORDER:
ADVANCING CARTEL CRIME IN AMERICA**

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY

HOUSE OF REPRESENTATIVES

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BIDEN AND MAYORKAS' OPEN BORDER: ADVANCING CARTEL CRIME IN AMERICA

Wednesday, July 19, 2023

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
WASHINGTON, DC.

The committee met, pursuant to notice, at 2:06 p.m., in room 310, Cannon House Office Building, Hon. Mark Green [Chairman of the committee] presiding.

Present: Representatives Green, McCaul, Higgins, Bishop, Gimenez, Garbarino, Greene, Gonzales, LaLota, Ezell, D'Esposito, Lee, Strong, Brecheen, Crane, Thompson, Jackson Lee, Correa, Carter, Thanedar, Magaziner, Ivey, Goldman, Garcia, Ramirez, Menendez, and Titus.

Chairman GREEN. The Committee on Homeland Security will come to order.

Without objection, the Chair may declare the committee in recess at any point.

The purpose of this hearing is to receive testimony on President Biden and Secretary Mayorkas' open border policies and how they have advanced cartel crime in America.

I now recognize myself for an opening statement.

The Southwest Border is wide open and the evidence is clear. More than 5.5 million encounters, more than 1.5 million known gotaways since fiscal year 2021. Nearly 380,000 encounters of unaccompanied minors, a record number of fentanyl poisonings in the United States, largely driven by drugs flooding across our Southwest Border. The crisis is a direct result of DHS Secretary Alejandro Mayorkas' dereliction of duty. This committee's interim Phase One report is being published later today and makes all of this clear. Today's hearing and subsequent hearings will examine the costs and the consequences of these policies.

Now, before I get to the subject of today's hearing, I want to briefly talk about some of those numbers, because I am sure we are in for a few days of some unjustified celebration about what they mean. Keep a few things in mind. Every number that you hear the other side of the aisle talking about is still a number far above crisis levels. Even by the measure of President Obama's former DHS Secretary. We are still averaging more than 3,000 Border Patrol apprehensions a day. Jeh Johnson once said that 1,000 overwhelms the system and is a crisis. We are also seeing the number of inadmissible aliens arriving at the ports of entry continuing to skyrocket, jumping to more than 45,000 in June. Encounters at the ports this fiscal year already exceed last year's by more than

100,000. Last June, they were around 15,000 and 10,000 the year before that. Why the change? Well, because tens of thousands of inadmissible aliens are taking advantage of Mayorkas' new parole programs and his illegitimate CBP One policy, accepting his offer of no-questions-asked release into the United States. More than 170,000 people have used the CBP One app to schedule an appointment since January alone—170,000. The OFO numbers aren't even being released by the administration. Everyone in this room knows these individuals have no lawful basis to enter the country. Everyone also knows that Mayorkas is playing a massive shell game by shifting encounters between the ports of entry to the ports of entry, again, not disclosing the OFO numbers. The outcome, tens of thousands of inadmissible aliens entering Customs and Border Patrol and being released into the country. It is the same. Let's just be honest about that simple fact.

Further, Secretary Mayorkas' insistence that this is legal is a lie. Mass parole is against the laws passed by previous Congresses. As we are going to talk about today, the humanitarian costs of the Secretary's policies are still horrific. The people flooding to our border, whether between the ports or at them, are still having to put themselves in the hands of cartels, paying hundreds of thousands of dollars to get to the border, no matter where they cross. The cartels are still raking in the profits and migrants are still being smuggled, trafficked, and abused.

Our focus today is on the Mexican drug cartels and how they are running wild under Secretary Mayorkas' policies. One thing is clear, the cartels have seized control of our border. These organizations are the most vicious, evil organizations in the Western Hemisphere. What you will hear today from our witnesses will lay that out in eye-opening detail. As you listen, these groups are whom Mayorkas has turned our border over to.

What is unprecedented is the level of control these evil organizations now exert at both our Southwest Border and in the interior of our country. The boldness with which they operate in open defiance of law enforcement and the profits they are raking in, both Americans as well as migrants are suffering from their wrath. It is virtually impossible to cross the Southwest Border without first paying the cartels. People are killed simply for trying to do so.

While Secretary Mayorkas' policies have pulled thousands of Border Patrol agents off the line to process and release these aliens into the interior as quickly as possible, this is not the work they signed up to do. The former chief of the Border Patrol recently told us has made many agents feel like smugglers themselves. Their words, not ours. Cartels purposely overwhelm Border Patrol agents with illegal crossers in one area as a distraction so they can smuggle other aliens or drugs across in the areas just vacated by those agents. Amazingly, Secretary Mayorkas admitted to the Senate under oath in March that he was not aware of this strategy. Meanwhile, his attorney general did know the tactic used by the cartels. Unbelievable. Business is so good that the cartels have devised a complex system for the massive number of people trying to illegally cross the Southwest Border. For instance, cartels use colored wristbands, as I am showing here, to inventory those who are attempt-

ing to cross. Secretary Mayorkas told the Senate in the same hearing he was unfamiliar with these wristbands too.

The violence and atrocities are not just being felt along the border. Our American communities throughout the country are suffering as well. A lot of the violence can often be traced back to the cartels because they often subcontract their mayhem to gangs that effectively function as the cartels national distribution network. Per a recent *New York Post* headline, “Honduran Migrants Working For the Mexican Cartels brazenly took over San Francisco’s drug market thanks to lax policies.” Another outlet reported in February that the cartels have started operating, “on a very large scale” in Montana, hundreds of miles from the border. Drugs and the violence associated with them are engulfing communities across our country, and it can all be tracked back to the cartels.

The tidal wave of human smuggling and trafficking has led to an increased number of car crashes on our streets, putting law enforcement, innocent Americans, and the migrants themselves at risk. One sheriff told of us his department arrested 169 human smugglers in 2021 and is on pace to arrest more than 900 this year. Another sheriff said his county deals with 3 to 4 chases per day involving groups of 20 people or more. The cartels are recruiting American teenagers to drive for them, implicating our youth in these horrendous crimes. Meanwhile, innocent Americans, like Maria and Emilia Tambunga, have been killed in crashes by those smuggling illegal aliens on our streets and highways. Transnational gangs like MS-13, whose motto is kill, rape, control, are also taking advantage. A senior Border Patrol agent has said that gang members attempt to evade arrest by exploiting the influx of migrants attempting to enter our country. These gangs work closely with the cartels to support operations on both sides of the border. According to ICE, 40 percent of MS-13 members they arrest arrived in the United States as unaccompanied alien children. MS-13 also forces women and girls into sex trafficking to make money for the gang.

Cartels have made a record amount of money over the last 2 years. In 2021 alone, the cartels made an estimated \$13 billion just from human trafficking and smuggling. Then there is the fentanyl. It costs as little as \$.10 to produce a fake prescription pill laced with fentanyl, which can be sold for \$10 to \$30. Ten kilos of fentanyl is worth about \$20 million, but only costs about \$50,000 to produce. Every dollar the cartels rake in comes at the cost of an American life or livelihood. There were more than 109,000 drug deaths in 2022, 107,000 in 2021 alone, many of them from fentanyl. The cartels are continuing to push fentanyl into our country in record amounts, destroying our communities one family at a time.

I am sure we will hear today the same tired talking points that “Most fentanyl is seized at our ports of entry”. But a couple of things are worth noting. The majority of fentanyl that is seized has come through the ports of entry, but by definition, that is what is apprehended. Cartels know there is a higher risk of getting caught at the ports of entry because our border isn’t secure. We don’t know how much cartels are using unguarded entry points to smuggle drugs. My friends on the other side of the aisle won’t tell you that while CBP reports the majority of drugs like fentanyl are seized at

the ports, they have also said they believe they only catch 5 to 10 percent of what is coming through either at or between the ports. So that puts it into perspective. Finally, the amount of fentanyl being seized between the ports is increasing. In March, seizures were up 100 percent from the previous year, according to former Chief Raul Ortiz. That is just what is being caught.

As I said earlier, migrants are also victims of cartel atrocities. Once individuals are smuggled into the United States, the cartels often continue to extort and use them. According to Mayorkas' own department, there has been an increase in "alternative forms of payment in exchange for passage, including migrants being required to participate in smuggling controlled substances or other illicit items across the border or to work off those debts through criminal activity after they arrive in the United States." As many as 60 percent of unaccompanied minors are kidnapped and exploited by the cartels. Other migrants are sexually abused and assaulted. One victim told the *New York Times*, "you have to pay with your body." Some are even forced to allow their children to be abused. I can't imagine anything worse.

Secretary Mayorkas and President Biden's policies have encouraged record numbers of people to make the journey to the Southwest Border. This has represented a historic business opportunity for the cartels, who make thousands of dollars on every person they smuggle into our country. Their business model continues to work because instead of enforcing the laws written by this body or removing or detaining those who have no valid claim to enter, Mayorkas' DHS is flashing the neon sign open by releasing millions of inadmissible aliens into the United States. Millions of people are willing to bet they will win the lottery if they make it to the border under this administration's policies and it is a winning bet. The cartels are more than happy to insist. It is no wonder that a majority of Americans think the cartels now have more control of our border than the Biden administration—61 percent of America, according to a poll last fall. With Border Patrol agents so overwhelmed by the historic flow of illegal immigration on Mayorkas' watch, the cartels have filled the vacuum.

While Mayorkas has implemented his open borders agenda, his boss in the White House has utterly failed to put meaningful pressure on the Mexican government to fight back against the cartels and deal with the violence and corruption impacting not just Mexico, but our country as well. The United States is the most powerful Nation in the world, and yet we do not control our own sovereign Southwest Border, according to Chief Ortiz. If that is not evidence of Mayorkas' failures, I don't know what is.

I now recognize the Ranking Member, the gentleman from Mississippi, Mr. Thompson, for his opening statement.

Mr. THOMPSON. Thank you very much.

Mr. Chairman, in nearly 2 decades that I have served on this panel, a panel created in the wake of September 11, 2001 terrorist attack, I have seen this committee come together to address some of the most important Homeland Security issues facing our Nation. From supporting the establishment of the Department of Homeland Security in its early days to implementing the recommendations of the 9/11 Commission, and more recently, enacting significant cyber-

security legislation, this panel has built a record of bipartisanship in service to homeland security. But over the past 7 months, the character of the Homeland Security Committee has fundamentally changed from a bipartisan solutions-focused committee to a platform for the most extreme MAGA schemes. To be honest, I am embarrassed for the Republican Majority wasting the committee's time on so-called investigations. This entire endeavor is nothing more than a political stunt hatched in back rooms so extreme MAGA Republicans can exert power over the Speaker.

Today's hearing is yet another stunt to appease that crowd who are demanding the impeachment of someone, anyone at all. That same goes for the sham, "report" we are hearing from the press that Republicans plan to release today. We have been given no time to review this document, much less offer any input, but if it is anything like the report Republicans released immediately before their last hearing, this one will be rife with errors and full of extreme MAGA rhetoric masquerading as fact.

Meanwhile, the Republican Majority is squandering the Homeland Security Committee's time and opportunity to deal with real work of our committee. In the 7 months since we took our oath from the 118th Congress, the Republican Majority has proven itself to be uninterested in legislating and incapable of serious oversight. Instead of holding oversight hearings that would strengthen our Nation's security and improve our Department of Homeland Security authorities to carry out its complex mission, the Majority is stuck in a Southwest Border Groundhog Day. The Majority has held a variation of this hearing 9 times.

But repeating the same hearing over and over again until extreme MAGA Members get their way is not oversight. Dragging Border Patrol chiefs away from their job for politicizing interviews is not oversight. Don't get me wrong, addressing problems at America's border is a serious task. But oversight is about following the facts, not going on a fishing expedition when the facts don't fit an extreme MAGA narrative. The fact is that the administration plans to address the challenges at our Southwest Border and are working under Secretary Mayorkas' leadership.

Unlawful entries between ports of entry along the Southwest Border have plummeted since Title 42 was terminated on May 11. The number of border encounters overall has plunged in that time, and between May 12 and June 2, DHS repatriated more than 38,400 non-citizens to more than 80 countries. The Biden administration has also taken unprecedented steps to combat the fentanyl crisis through a whole-of-Government strategy focusing on disrupting the illicit fentanyl trade and traffickers' financial activities and addressing substance use here at home. Operational Sentinel, which Secretary Mayorkas stood up in April, has disrupted criminal networks and TCO's financial assets. Operation Blue Lotus, established at ICE in June, has surged resources to ports of entry and interior facilities to combat fentanyl smuggling and break the fentanyl supply chain. Operation Artemis is leveraging intelligence to target precursor chemicals, peel presses, and the movement of illicit fentanyl. Operation Rolling Wave has surged inbound inspections at the Southwest Border, covering every sector.

As recently-named Border Patrol Chief Jason Owens said in a transcribed interview on May 5, we have a very robust, targeted enforcement effort where we work hand-in-hand with our investigative partners to actively disrupt, degrade, and dismantle those networks and those pipelines that are the smugglers. He went on to say because we have got more detection capability, because we have more on the way, we have got the additional processing coordinators, we are in a better situation than we were in years past.

President Biden's and Secretary Mayorkas' leadership and hard work has paid off. Our borders are not open and those arriving outside lawful pathways are being sent home. The facts do not support the Republicans' case. You don't impeach the President or a Cabinet Secretary because you do not like their policies. You surely do not impeach any officer of the United States just to placate the most extreme wing of a political party. It is time to move from this sham impeachment effort and do your duty as overseers and legislators.

President Biden is fulfilling his duties, Secretary Mayorkas is doing his job. If the Republican Majority doesn't like what they are doing or how they are doing it, they should get off their soapbox and work with Democrats to pass bipartisan border security and immigration legislation.

Mr. Chairman, I yield back.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

JULY 19, 2023

In the nearly two decades I have served on this panel—a panel created in the wake of the September 11, 2001, terrorist attacks—I have seen this committee come together to address some of the most important homeland security issues facing our Nation. From supporting the establishment of the Department of Homeland Security in its early days, to implementing the recommendations of the 9/11 Commission, and more recently enacting significant cybersecurity legislation, this panel has built a record of bipartisanship in service to homeland security.

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The Majority has held a variation on this hearing 9 times. But repeating the same hearing over and over again until extreme MAGA Members get their way is not oversight. Dragging Border Patrol Chiefs away from their jobs for politicized interviews is not oversight. Don't get me wrong—addressing problems at America's borders is a serious task, but oversight is about following the facts, not going on a fishing expedition when the facts don't fit an extreme MAGA narrative.

The fact is that the administration's plans to address the challenges at our Southwest Border are working. Under Secretary Mayorkas' leadership, unlawful entries between ports of entry along the Southwest Border have plummeted since Title 42 was terminated on May 11. The number of border encounters overall has also plunged in that time. Between May 12 and June 2, DHS repatriated more than 38,400 noncitizens to more than 80 countries.

The Biden administration has also taken unprecedented steps to combat the fentanyl crisis through a whole-of-Government strategy focusing on disrupting the illicit fentanyl trade and traffickers' financial activities and addressing substance use here at home.

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And Operation Rolling Wave has surged inbound inspections at the Southwest Border, covering every sector.

As recently named Border Patrol Chief Jason Owens said in a transcribed interview on May 5, ". . . we have a very robust targeted enforcement effort where we work hand-in-hand with our investigative partners to actually disrupt, degrade, and dismantle those networks and those pipelines that are the smugglers."

He went on to say, "Because we have gotten more detection capability, because we have . . . more on the way, we've got the additional processing coordinators, we are in a better situation than we were in years past."

President Biden's and Secretary Mayorkas's leadership and hard work has paid off. Our borders are not open, and those arriving outside lawful pathways are being sent home.

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If the Republican Majority doesn't like what they are doing or how they are doing it, they should get off their soapboxes and work with Democrats to pass bipartisan border security and immigration legislation.

Chairman GREEN. The gentleman yields.

Other Members of the committee are reminded that opening statements may be submitted for the record.

I am pleased to have a distinguished panel of witnesses before us today.

[Witnesses sworn.]

Chairman GREEN. Let the record reflect—please have a seat—let the record reflect that the witnesses have answered in the affirmative. Thank you.

Now, to formally introduce our witnesses.

Mr. Jones is an internationally-respected border intelligence expert with decades of experience on the Southwest Border. He is a retired captain for the Texas Department of Public Safety's Intelligence and Counterterrorism Division, and has supervised human intelligence operations in multiple nations, including leading the longest 24/7 border operation in Texas history, Operation Secure Texas. He was responsible for leading multiple investigations targeting Mexican cartel leadership, and collaborating closely with the U.S. intelligence community to save numerous lives in both Mexico and the United States.

Ms. Vaughan is director of policy studies for the Center for Immigration Studies, a D.C.-based research institute that examines the impact of immigration on American society and educates policy

makers and opinion leaders on immigration issues. She has been with the Center since 1992 and her area of expertise is immigration policy and operations covering topics such as visa programs, immigration benefits, and immigration enforcement. Ms. Vaughan is an expert on immigration enforcement and public safety, having directed a Department of Justice-funded project on the use of immigration law enforcement and transnational gang suppression. Prior to joining the Center, Ms. Vaughan was a foreign service officer with the State Department, where she served in Belgium, Trinidad, and Tobago.

Mr. Maltz is a retired special agent for the Drug Enforcement Administration who dedicated 28 years of his life to service. He is currently working as a national security and public safety executive who appears on national news networks as a subject-matter expert. Mr. Maltz was the special agent in charge of the United States Department of Justice Special Operations Division for almost 10 years before he left the Federal Government. Mr. Maltz also previously held the position as the chief of the New York Drug Enforcement Task Force, which is the oldest and largest drug task force.

Ms. Felbab-Brown—did I pronounce that correctly—is a senior fellow in the Strobe Talbot Center for Security Strategy and Technology in the Foreign Policy Program at Brookings. She is the director of the Initiative on Non-State Armed Actors. She is also the co-director of the Africa Security Initiative and the Brookings series on opioids, the Opioid Crisis in America: Domestic and International Dimensions. Previously, she was the co-director of the Brookings Project Improved Global Drug Policy: Comparative Perspectives Beyond UNGASS 2016, as well as another Brookings Project Reconstituting Local Orders. She is an expert on international and internal conflicts and nontraditional security threats, including insurgency, organized crime, urban violence, and illicit economies.

I thank the witnesses for being here.

I now recognize Mr. Jones for 5 minutes for an opening statement.

**STATEMENT OF JAESON JONES, PRIVATE CITIZEN, FORMER
CAPTAIN OF INTELLIGENCE AND COUNTER-TERRORISM,
TEXAS DEPARTMENT OF PUBLIC SAFETY**

Mr. JONES. Chairman Green, Ranking Member Thompson, and distinguished Members of the committee, I am truly honored to be here in our Nation's Capitol to talk to all of you today about without question what is the most significant national security threat and public safety threat to the American people in this country. That is our common enemy, the Mexican cartels.

After retiring from the Texas Department of Public Safety, I was so frustrated that what was not getting out about their evolution I decided to do it publicly myself. So today I am on your border every other week riding with law enforcement, trying to illuminate their activities and the impacts to the American people. What you have not been told is that these are no longer drug cartels. They have evolved from organized crime in 2006 into an insurgency in Mexico. I was there on the ground with people and we were

stunned at what we were seeing, 6- to 10-hour gun battles with 50 caliber belt-fed machine guns, 40 millimeter grenade launchers, RPGs and LAWS rockets as they truly were fighting back against the most elite special forces in the Mexican government. This was the insurgency.

What brought that about were the Los Zetas. They brought two forms of discipline. The Los Zetas were former Gafe Special Forces who came to work for Cartel del Golfo. What they brought was discipline and tradecraft. From that every other cartel was then forced to create an enforcement wing and rise to the occasion or fall. That is why you see such wide variety of violence, hyper-violence across Mexico today.

In 2010, another major tripwire, and that is when the Zetas began executing mass migrants and Mexican citizens. You may remember the 72 migrants killed in San Fernando. I worked that. The 300 men, women, and children they chopped into pieces, and then “Guisoed”, because the Zetas had a saying that you can’t count a body that doesn’t exist.

Then the final evolution as we see them today, into a true parallel government in Mexico. What was the indicator when that happened? Two thousand fifteen, Operation Jalisco, when their most elite soldiers went in to get El Mencho, the head of Carta Jalisco New Generation, and they were shot down. When we went after Ovidio Guzman in 2019 and the Mexican president of the country was forced to release him. What you weren’t told is because the Sinaloa cartel, Ivan, the head of the Chapitos, had so many people’s heads at knifepoint, ready to cut them off if the president did not release him.

This is where Mexico is. So how does that impact you here? How does it impact Americans today? I am telling you with everything I am, if we do not designate these cartels as foreign terrorist organizations or at least get the tools of national power, the hundred thousand Americans that we are losing year after year to date is just the beginning. The cartels will not stop because they can’t stop. This is what you are not told. The U.S. Intelligence Agency should be briefing you. They do not fear you. They fear their rivals. The reason they continue to escalate in hyper-violence and in capability is because if they don’t, then their rivals could completely take them over.

Today, they have evolved again. In February 2021, I broke this story. This is the adjustment, ladies and gentlemen, from the smuggling of people by Cartel del Golfo into the trafficking of men, women, and children. These are wristbands, the Cartel del Golfo, and each one represents a different alien smuggling organization who began moving them into country under debt bondage. We have never seen this before. What I am holding in my hand before you today, I want to be very clear. This is America’s new slave trade. Now we have moved these people throughout the country for the best means, but we have sent a virus of debt bondage across the Nation. I am happy to talk to you about that as I broke that story in February 2021.

Finally, I want to say to you this, is they will continue to increase because they have to. Validation to all of you. Look at fentanyl as a great example. The fentanyl that we’re seizing mostly

in the streets now is not regular fentanyl. They've gone from regular fentanyl to para-fentanyl to cera-fentanyl, and now introduction of xylazines. You've got four more xylazines coming on board. Get ready. China, they've already evolved around them.

The last part of this, I'll say, because I know I'm running out of time, is that you have to take aggressive action. Texas has spent \$9 billion to fight the cartels, and it's still not enough. What we need are authorities beyond the law enforcement capability and the mothers and fathers across this Nation. The indicator to you that this Government is on the right track to end this problem in this country is when we designate these cartels, or at least get the tools of national power and go after them.

Thank you all for having me today.

[The prepared statement of Mr. Jones follows:]

PREPARED STATEMENT OF JAESON JONES

JULY 19, 2023

INTRODUCTION

Chairman Green, Ranking Member Thompson, and distinguished Members of the committee, thank you for this opportunity to speak today about a common enemy we all face and must unite against. This threat represents the most significant national security and public safety threat to the American people. It is the threat we face from the Mexican cartels and Transnational Criminal Organizations (TCOs).

I am grateful for the opportunity today to share my experience as someone who had a long and rewarding 24-year career in Texas law enforcement, retiring as a captain with the Texas Department of Public Safety's Intelligence & Counter-Terrorism division, commanding the Texas Rangers Border Security Operation Center (BSOC), which operates as a cross-border operations center, working closely with U.S. intelligence agencies, Federal, State, and local law enforcement along the border region.

During my career, I was assigned to 9 different duty stations across Texas and on the U.S.-Mexico border in multiple cities, including El Paso, Brownsville, and Laredo, Texas. I have worked and led some of the most complex investigations and intelligence collection against several cartels, including the most hyper-violent at the time, the Los Zetas. It would be their tradecraft and discipline brought into the narco-underworld that would cause the rise of the Mexican cartel evolution from organized crime, into an insurgency, to terrorism, and ultimately into a parallel government as we see them today.

While today's focus is on the impact of Transnational Criminal Organizations (TCOs), it is crucial to address the distinction that exists between TCOs and the Mexican cartels. By comprehending this distinction, elected leaders can better develop comprehensive strategies to combat the Mexican cartels and set priorities that will leverage new authorities for the Homeland Security Enterprise's (HSE) success to defeat these dark networks.

It is imperative to understand the vast disparity between TCOs and the Mexican cartels. In South Texas, for example, it is common for law enforcement to apprehend juveniles almost daily who smuggle people, drugs, and act as lookouts or halcons (falcons), as they are also known across the Southwest Border. I have personally witnessed young juveniles as young as 12 years of age smuggling hundreds of pounds of narcotics in a stolen vehicle; ultimately, crashing into a residence after fleeing from law enforcement. There are many instances of juveniles crossing into the United States overseeing stash houses who direct the care, custody, and control of dozens of economic migrants who illegally entered the United States. These activities constitute the distinction of a TCO.

The Mexican cartels on the other hand control territory, which stretches far beyond Mexico's borders. The Sinaloa Cartel and Cartel Jalisco New Generation (CJNG) are Mexico's two largest cartels. Their activities are no longer isolated to Mexico. These complex dark networks span the world building relationships with other underworld networks now impacting nations in every region of the globe.

The Mexican cartel's evolution would also spark mass hyper-violence upon innocent Mexican citizens and economic migrants seeking a better life just trying to pass through Mexico. Since 2007, there have been over 340,000 murders in Mexico with

disappearances now exceeding 100,000 people. The cartels have a saying, “You can’t count a body that doesn’t exist.” Therefore, they have begun mass incineration of human bodies known as “Guiso,” where human remains are cut into pieces and their remains are cooked to ash.

The cartels leverage what is known as “Sicario’s,” trained assassins who operate as enforcers. Today, they employ tens of thousands of these individuals, including possessing entire enforcement wings within the organization. What is not well-known publicly is that many of these sicarios go through basic, intermediate, and advanced training. Most of the training is conducted by former law enforcement and special forces operators like Guatemalan Kaibiles, Mexico’s elite Gafe (similar to American Green Berets), and many other countries. Training is also conducted by known terrorist organizations such as the Revolutionary Armed Forces of Columbia (FARC) which are designated as a foreign terrorist organization (FTO) by the U.S. State Department.

The cartels employ a vast array of military-grade weaponry, comprising of surface-to-air missiles, vehicle-borne improvised explosive devices (VBIED), shoulder-fired anti-tank weapons like the AT4, LAW rockets, RPGs, heavy weapon mounted systems including 50 cal. belt-fed machine guns, grenade launchers, 40mm grenades, hand grenades, and fully automatic-machine guns manufactured from around the world. The majority of these military-grade weapons are purchased through corruption in armories throughout Central American countries. The cartels also operate first-, second-, third-, and fourth-generation armored vehicles as they battle for control of territory. The cartels over time have learned mobility is life, and with each generation of armored vehicles, they employ lighter more agile armored vehicles.

The cartels contract globally with long-haul smugglers and their alien smuggling organizations. They have adjusted from a human smuggling model over the last 2½ years, into a human trafficking model, placing hundreds of thousands of economic migrants into debt bondage. As an example of this transition, Cartel del Golfo also known as CDG, which operates along the Texas/Mexico border from Brownsville to Roma, Texas was so emboldened in February 2021, by the mass migration of economic migrant’s numbers that they began placing wristbands on men, women, and children to ensure the tax/piso (payment process) was established. This process created an ongoing payment model, which first collects the migrant’s personal identifying information (PII) into the cartel’s database. This provides the ability to keep them into debt bondage as their family’s personal information in the country of origin is firmly documented including establishing the migrants’ destination in the United States. This ensures future payments can be secured in the long term. For the first time in American history, people both legally and illegally in the United States are in debt bondage to terrorist/criminal organizations, operating in a foreign country for years, if not decades to come. This transition firmly establishes America’s new slave trade.

As someone who has documented the cartel’s evolution into a parallel government, led some of the most complex investigations, and sent critical real-time intelligence supporting precision-led operations with Mexico’s most elite special forces, to both rescue migrants from mass murder and apprehend leaders with the cartels, I want to be very clear, the Mexican cartels will not stop, they are going to have to be stopped. The entire approach for success against the cartels hinges on new authorities, prioritizing tools of national power, allowing the use of network theory, and a desperately-needed departure from the failed law enforcement investigative model.

The Mexican cartels have no choice but to increase their capabilities. Their fears are driven by territorial disputes and new advancements by rival cartels that could result in their destruction. This is the reason for their ever-increasing development of new tradecraft, technology, and the weaponization of controlled substances. Examples are the evolution of fentanyl analogs by cartel chemists from regular fentanyl, into para-fentanyl, then to cera-fentanyl, and the recent introduction of xylazine (or tranq, as it is referred) and their increasing appetite for horrific acts of hyper-violence against the innocent.

The Mexican cartels are responsible for the deaths of hundreds of thousands of Americans over the last several years and yet they are still not designated as a foreign terrorist organization (FTO). There is not one designated terrorist organization in the world responsible for killing this many Americans, and yet we still see no action from the U.S. Government to hold the Mexican government, and the Mexican cartels, accountable for the deaths of so many Americans.

CONCLUSION

In closing, there is a vast disparity of capabilities between TCOs and the Mexican cartels. The threats from the Mexican cartels to our citizens today are unparalleled.

It is imperative that we marshal our collective will and direct the full force of our national power to confront these organizations. The time for half-measures and fragmented efforts has passed. Now is the moment for decisive and unwavering action to restore safety and security to our communities. This body must be committed to the protection of our citizens (your constituents) as the utmost priority. The future of our great nation depends on our focus against this common enemy.

To all mothers, fathers, and loved ones who have lost someone to these cartels, you are not forgotten. It is with steadfast commitment that I stand before you today, knowing that there can be no appeasement or reasoning with this evil. This is a good versus evil fight. May history remember this day as an important moment when our Nation committed in a resounding decree to end the Mexican cartels, to protect American citizens, and in doing so, we secure a brighter future for generations to come.

Thank you for the opportunity to appear before you today and I look forward to taking your questions.

Chairman GREEN. Thank you.

Ms. Vaughan, you are recognized.

STATEMENT OF JESSICA M. VAUGHAN, DIRECTOR OF POLICY STUDIES, CENTER FOR IMMIGRATION STUDIES

Ms. VAUGHAN. Good afternoon and thank you.

President Biden and Secretary of Mayorkas inherited the most secure border we've probably ever known. But they discarded that security in favor of what they want and what they call a more humane, more equitable system. What they seem to really want is to normalize illegal immigration.

Their system is far from humane. Plenty of people benefit from it, to be sure. Employers seeking exploitable workers, NGO's seeking Government contracts. But the biggest winners are the criminal cartels who've been raking in huge profits made possible only because these policies give them an endless supply of vulnerable customers that they can exploit and abuse, and hundreds of thousands of them are children. The human cost of these policies is unconscionable and for some, irreparable, and indeed most worthy of a hearing.

So the three main elements of the Biden-Mayorkas policies are the catch-and-release policies for illegal border crossers that have brought in more than 2 million people since January 2021, the CBP One program which gives out about 1,500 appointments to inadmissible aliens to enter through the ports of entry, and importantly, the dismantlement of immigration enforcement in the interior so that there's next to no threat of removal for the migrants, including those who abscond from their proceedings, which is the majority. Importantly, so that the employers and traffickers of these illegal workers can avoid scrutiny of their hiring practices.

Biden officials have claimed that CBP One policy is a great success because the illegal migrants no longer have to do business with the cartels, we should be skeptical of this claim. First of all, CBP One can only be used from locations in northern Mexico and the migrants still have to get there. For most, that still means paying a cartel-approved smuggler. The CBP One appointment itself turns out to be yet another opportunity for them to extort the migrants. Of course, the gotaways and the runners who are the bad guys are still coming in, as are the unaccompanied minors.

The situation now is nothing to brag about. We've merely gone from truly catastrophic to very bad. To the extent that there is a

decline in illegal entries is also helped by the efforts of Texas, of course, to block the most popular crossing points.

Biden and Mayorkas have been shockingly indifferent to the consequences of their policies for the migrants whom they are enticing into the cartel's web. The dangers begin on the journey with the high risk of robbery, assault, extortion, injury, illness. As we've discussed, for many, the abuse continues after they get here. Some people pay a discounted fee and give up their children for the smugglers to use to give to other single adults, others agree or are forced to be drug mules. A large number just make a down payment on the smuggling fee that's paid off in fear-driven forced labor debt bondage arrangements that are difficult for them to escape from.

So we now have a thriving market for cartel-involved human trafficking. According to one source, about one-fourth of the victims are children. Part of this is because of the policies of how these kids are handled once they are brought into the country as unaccompanied minors. The Border Patrol has to turn them over to the HHS assembly line where the goal is to flip them over to a sponsor as soon as possible with few questions asked. Not surprisingly, they end up in domestic servitude, working illegally at factories, poultry processing plants, on farms, or in the worst cases, trafficked for sex. These kids are vulnerable targets for criminal gangs like MS-13 and 18th Street, many of whom came here through the very same policies and are looking for new recruits or commodities to make money for the gang.

Some of the worst cases of this I've ever seen are happening very close to here, in PG County, Montgomery, Frederick, Baltimore, Ann Arundel, Fairfax, Loudoun, and Prince William County, have all had horrific cases. The cartels are into the forced labor too, what some have called narco slavery slavery, not just drug mules, but farm workers on the illegal marijuana grows in Oregon and California.

These public safety threats come on top of other significant costs to taxpayers. We have effective tools to fight back against the cartels directly. But the most obvious step is to secure the border and control illegal migration, to deny the cartels the opportunity to make money off the migration dreams of vulnerable people.

[The prepared statement of Ms. Vaughan follows:]

PREPARED STATEMENT OF JESSICA M. VAUGHAN

JULY 19, 2023

Thank you, Mr. Green and Mr. Thompson, for the opportunity to testify today. The mass migration crisis instigated by the Biden administration's misguided immigration policies has caused incalculable harm to American communities, to the integrity of our immigration system, and, tragically, to many of the migrants themselves. While there are a number of beneficiaries of these policies, including employers seeking cheap, exploitable workers; NGO's who are awarded huge contracts to provide services to migrants; and politicians who welcome the addition of non-citizen constituents to their districts, to name a few, the biggest winners under the Biden-Mayorkas policies are the criminal cartels and other transnational criminal organizations who are reaping profits on a nearly unimaginable scale. Drug trafficking is big business, and we've witnessed an alarming spike in the most dangerous drugs like fentanyl, but reportedly in recent years the cartels actually have been making more money from human smuggling and trafficking than from drugs. The fiscal and human cost is serious and enormous. Congress should take certain steps to combat

the cartels specifically, but the most effective action would be to address the main cause of the problem—the array of policies, unauthorized entry programs, and legal loopholes that generate the most profitable customers for the cartels—illegal migrants.

Biden-Mayorkas Policies Set Off Flood of Illegal Migrants; Millions Released into the United States.—When he took office, President Biden inherited what many experts considered to be the most secure land borders in U.S. history, with expanded and improved barriers, updated technology, and more personnel, all of which was backed up by policies that deterred migrants from crossing illegally. Yet on his very first day, President Biden began dismantling these policies and activities that had largely succeeded in controlling recent waves of illegal migrants. Within a short time, on the watch of DHS Secretary Alejandro Mayorkas, that largely secure Southern Border was transformed into a chaotic, lawless, and dangerous frontier, with cartels and criminal smuggling organizations orchestrating illegal crossings of migrants with impunity. The incentive: the understanding that the vast majority of illegal migrants would promptly be released from Government custody and transported to their destination (often with Government funds), despite low expectations that the migrants will comply with immigration proceedings or ever qualify to remain legally.

The Biden-Mayorkas policies, are built on the concept of increasing immigration by “managing” a much higher level of illegal migration and laundering the unauthorized entries using parole and work permit-issuing authority, together with the near-suspension of interior enforcement. The result is a system that is outrageously lucrative for the cartels and the smugglers, traffickers, gangs, and other criminal enterprises involved. Specifically, the Biden administration has arranged it so that the majority of those who do business with the smuggling organizations, which necessarily work under arrangements with the cartels who control the border area, will succeed in gaining entry to the United States with the opportunity to live and work here for an indefinite period, without a meaningful threat of removal. Under these policies, there is a near-endless supply of paying customers willing to risk working with criminal organizations to seek passage to the border.

These policies include:

1. Terminating construction of physical barriers at the border, and suspending operation of other tactics that were effective in deterring illegal entry, such as checkpoints and certain technology-based detection systems.
2. Directing the Border Patrol to coordinate with Mexican authorities to permit groups of migrants to cross the border illegally.¹
3. Directing the Border Patrol to undermine the border security enhancements installed by Texas authorities.²
4. Allowing inadmissible migrants to make appointments to be escorted through the ports of entry for processing and release into the United States. Those arriving without appointments may withdraw their applications and subsequently enter with an appointment.
5. Virtually guaranteed release of families, minors traveling without parents, and those claiming to be a family or minor. These categories of illegal migrants, now represent 30 percent of the current border apprehensions. Little to no vetting is done to verify claimed family relationships (DNA testing was recently suspended). Typically, after processing the migrants are turned over to contractors who provide shelter and arrange transportation to their destination, where they are told to check in with Immigration and Customs Enforcement to receive an immigration court date. Intake agencies are prohibited from sharing information on the minors with ICE, and ICE is prohibited from moving to deport anyone who sponsors a minor.
6. Unaccompanied minors are handed off to the Department of Health and Human Services, which will house them until a sponsor is located. Most are released to individuals claiming to be parents or other relatives, while others are released to lightly-vetted sponsors. Home studies, background checks, and financial assessments are rare, and little meaningful follow-up monitoring is done. The expectation is that any problems will be handled by State and local authorities.
7. Migrants are encouraged to comply with immigration proceedings in order to receive a work permit. This benefit may also lead to qualifying for additional

¹ Todd Bensman, *Biden DHS Coordinating Illegal Immigration In-Flows with Mexico* (cis.org), Center for Immigration Studies, May 10, 2023.

² Todd Bensman, *Dispatch from a Militarized Texas Farm—Where Biden’s Federal Agents Are Sabotaging the State’s Desperate Border Enforcement* (cis.org), Center for Immigration Studies, July 13, 2023.

services, including a driver's license. Their conduct is only lightly monitored to remain in compliance with the terms of their release.

8. Migrants who do not comply with the conditions of their release are not considered targets for immigration enforcement. Only those migrants who commit very serious crimes and serve out their sentences are considered for removal, and only if the crimes occurred recently and no other mitigating circumstances are presented. Tens of thousands of migrants who absconded from proceedings in the past, or whose cases are now considered low priority have been closed, eliminating any threat of removal.

9. Besides giving a pass to illegal migrants who don't comply with release conditions, Mayorkas has directed ICE to refrain generally from investigating employers who hire unauthorized workers and from attempting to detect illegal workers who are using stolen or false identities.

As Border Crossings Rise, So Do Cartel Profits.—Not surprisingly, the number of illegal border crossers and inadmissible migrants has exploded, in response to what the migrants call Biden's "invitación." This has been a boon for the cartel profits; in the last 2 years, reportedly, the cartels have reaped more revenue from the human smuggling and trafficking business than they have from drug trafficking, and have accumulated more wealth than some entire states in Mexico, reaching sums of as much as \$14 billion a year, according to some experts.

Border Patrol encounters of illegal migrants at the border have consistently breached 2 million each year since 2021, and as of May of this year, are already over 2.1 million.

While the number of encounters measures attempted illegal crossings, the more important metric in the context of this discussion is the number of inadmissible aliens who are being released into the country. These are the cartel success stories, and consist of three categories of unauthorized migrants:

1. Illegal border crossers released after apprehension—Under Biden-Mayorkas policies, since January 2021 more than 2.2 million inadmissible aliens have been released into the country after turning themselves over to the Border Patrol or after apprehension.³ This massive catch-and-release program is operating in defiance of the Immigration and Nationality Act, which requires the Government to return, remove, or detain all illegal border crossers, including those express an intent to make an asylum claim.⁴

2. "Gotaways"—Prior to the implementation of Biden-Mayorkas policies, typically the number of aliens evading apprehension by the Border Patrol remained just over 100,000 per year. Beginning in 2021, that figure rose to nearly 400,000 "gotaways," and then nearly 600,000 in 2022. So far in 2023, reportedly 530,000 illegal aliens have evaded capture, for a total of at least 1.5 million "gotaways" entering under the Biden administration.⁵

3. Unauthorized parole programs—In an attempt to lessen scenes of chaos at the southern land border, Mayorkas recently launched a controversial program to funnel inadmissible migrants to land and air ports of entry and away from illegal land crossings. Migrants make an appointment in advance using a phone app known as CBP One, and are allowed to enter through the land ports on the day of their appointment. In addition, those who show up at legal crossings without a visa and without a CBP One appointment are allowed to withdraw and enter later using the app to make an appointment, usually bypassing the waiting lists, which can be as long as 5 weeks for other users. Initially set at 1,000 per day on May 12 (following the rescission of Title 42), now there are 1,450 appointments available every day at the land ports. In addition, according to our sources, every day more than 1,000 additional migrants who are citizens of Cuba, Haiti, Venezuela, and Nicaragua reportedly are being permitted to fly directly to certain U.S. airports, where immigration officials allow entry without a visa. The estimated total number of unauthorized parolees is 250,000 since January.

New Policies Fail to Make Illegal Migration Safer.—Biden officials have claimed that the policies and programs implemented after the termination of pandemic expulsions have created new "legal" pathways for migrants so that they do not need

³Andrew R. Arthur, *Decoding CBP's Southwest Border Statistics for May* (cis.org), Center for Immigration Studies, June 26, 2023.

⁴See Hillel R. Smith, "The Law of Immigration Detention," Congressional Research Service, updated September 1, 2022, *IF11343* (Congress.gov) and Andrew R. Arthur, *DHS Can't Just Release Illegal Migrants at the Border* (cis.org), Center for Immigration Studies, October 22, 2021.

⁵Andrew R. Arthur, 'Got-Away' Tsunami Is the Best Measure of the Decline in Border Security Under Biden (cis.org), Center for Immigration Studies, June 29, 2023.

to do business with the cartels. In remarks at a meeting with Mexico's President López Obrador and Canada's Prime Minister Justin Trudeau, Biden said:

"People have to make it through jungles and a long journey to the border. And many are victimized, not only in terms of what they have to pay but victimized physically in other ways. And so, we're trying to make it easier for people to get here, opening up the capacity to get here, but not have them go through that godawful process."⁶

Biden officials now claim (without releasing the official statistics to confirm) that illegal crossings have declined by 50 percent or more in the last month. However, there are reasons to be skeptical that the new programs actually have solved the border problems, especially the human smuggling and trafficking problems and the involvement of the cartels. First, since the CBP One app can only be used from locations in central and northern Mexico, migrants still need to get to that area from other parts of Mexico, from Central America, and all the other departure points around the globe. Typically that requires hiring a smuggler who specializes in a particular market, and work and shares profits with the cartels that control the border and passage through other countries.

Notably, U.S. authorities had to shut down the CBP One processing in the city of Laredo for 2 weeks because migrants with appointments were being extorted for amounts in the range of \$500 to \$13,000. Eventually they reinstated the program, even as the risk of extortion continues. Upon re-opening appointments U.S. officials said that to avoid being extorted in Laredo, migrants should consider applying from other Mexican cities.⁷

Even with the new policies, the numbers of illegal crossers is still unusually high, averaging over 3,500 daily encounters with Border Patrol, and essentially has progressed only from "catastrophic" to "very bad."

In particular, the number of family units and minors does not seem to be abating. According to reports, despite the threats of consequences for illegal entry, many migrants are abandoning the CBP One process in favor of illegal crossings because there is a 5-week waiting period to enter once an appointment is made, and they are still likely to be released into the United States anyway—so there is little advantage to using CBP One. Minors, the category most vulnerable to abuse, are still crossing in very high numbers, with nearly 10,000 apprehended in May 2023.

Moreover, the cartels, along with other bad actors, still need to move their products and operatives across the border for their illicit business purposes, and they do not want to risk detection by using the pathways established by *Mayorkas*. They continue to exploit the weak links in physical border security to move drugs, gang members, single males, and anyone else who is likely to be flagged and removed if caught.

The Border Patrol and Texas authorities continue to announce significant apprehensions and encounters of illegal crossers, this month, even in the brutal heat of summer. This week, Mexican authorities intercepted least two tractor trailers loaded with hundreds of migrants.

To the extent that there is any improvement at all, it is most likely due to efforts by the State of Texas to physically block the entry points, such as by patrolling on the Rio Grande river, installing razor wire and buoys, and arresting some of those who make it across in areas away from where the Border Patrol is processing illegal migrants.

Lax Border Policies Expose Migrants to Abuse by Cartels.—President Biden, Secretary Mayorkas, and their allies maintain that the arrival of 4 million illegal border crossers in less than 3 years (on top of several million legal immigrants and new temporary workers in the same time frame) is a necessary humanitarian response and good for the country as well. This claim is perhaps naive, but strikes me more as shockingly indifferent to the plight of the large number of migrants who are abused, exploited, and even trafficked after surrendering themselves, their family members, and sometimes their life savings to the criminal organizations who are actually in charge of this system.

The dangers begin on the journey to the United States. Depending on the country of departure, the migrants travel by plane, boat, bus, train, and on foot, usually traversing multiple countries in which they have to be stashed and staged in houses or fleabag hotels, or camp in the wilderness and on the streets of various towns they pass through. Bribes have to be paid to authorities, gangs or cartels on the way, and even if Mexico is the only foreign country they cross, they usually are subjected

⁶Joseph R. Biden, *Remarks by President Biden, Prime Minister Trudeau, and President López Obrador in Joint Press Conference/The White House*, January 10, 2023.

⁷Daina Beth Solomon and Laura Gottesdiener, *Exclusive: U.S. restarts asylum appointments at Mexico border town despite extortion threat/Reuters*, June 28, 2023.

to threats, robbery, assault, kidnapping, extortion, illness, injury, and more. An unknown number don't survive the journey to the U.S. border.

Depending on the place of origin, the smuggling fees run in the thousands of dollars. Some migrants will accept discounts on the fees by giving up their children to cross with other adults traveling alone. Others will agree or are forced to be drug mules, perhaps in exchange for a lower fee.

Many migrants agree to a contract stipulating that after making a down payment on the smuggling fee, after they arrive at their pre-arranged destination in the United States, they will work in a job and live in housing arranged by the smugglers. Their smuggling debt and numerous other "expenses" will be deducted from their (low) wages, in the classic debt bondage arrangement, now possible on a much larger scale because of the Biden-Mayorkas policies.

The trafficking and debt bondage incidents involving children are especially horrifying. In 2021, about 27 percent of the cases reported to human trafficking hot lines Nation-wide involved minors. From January 2021 to May 2023 approximately 380,000 unaccompanied minors have been taken into custody by the Border Patrol. Under the current rules, after a cursory screening, the Border Patrol must turn over the minors to the Department of Health and Human services, which, under Biden policies, rushes to place the child with a sponsor. These placements occur without any of the precautions established by State child welfare agencies, and too often put the minors in abusive situations.

This irresponsible process was the subject of a Judiciary hearing several months ago, in which expert witnesses described how countless children have ended up in sex trafficking, forced labor, domestic servitude, or are released to the custody of gang members, predators, or illegal employment in violation of child labor laws.⁸ The trafficking and other abuses also have been chronicled in numerous media investigative reports. One of the most informative accounts was the report of a grand jury empaneled in Florida in 2021 to investigate the problem. It observed:

"Some 'children' are not children at all, but full-grown predatory adults; some are already gang members or criminal actors; others are coerced into prostitution or sexual slavery; some are recycled to be used as human visas by criminal organizations; some are consigned to relatives who funnel them into sweatshops to pay off the debt accumulated by their trek to this country; some flee their sponsors and return to their country of origin; some are abandoned by their so-called families and become wards of the dependency system, the criminal justice system, or disappear altogether. Meanwhile ORR's efforts and resources are less directed at preventing or remedying any of these maladies, and instead appear fully focused on maximizing the number of children they can process, heedless of the downstream consequences to either the children or the communities into which they are jettisoned."⁹

Biden officials have been clear that they are more interested in moving UACs through the system as quickly as possible than they are concerned about the safety and well-being of the minors in their custody. In a shocking video that was widely circulated earlier this year at just about the time of one of the news media reports on the burgeoning problem of UAC labor trafficking, HHS Secretary Xavier Becerra urged HHS staff to further accelerate the processing of the kids, saying, "This is not the way you do an assembly line."¹⁰

Typically, the traffickers promise the young migrants and their families that they can go to school or work in the United States, and instead lure them into indentured servitude, peonage, sex trafficking, extortion, or demand that they work for the smugglers to pay off their debts to the traffickers. In other cases, desperate, unsuspecting, or opportunistic parents will arrange for their child to cross with a trafficker to work in the United States at a farm or factory, or worse. In one notorious case implicating an egg farm in Ohio:

". . . The defendants and their associates recruited workers from Guatemala, some as young as 14 or 15 years old, falsely promising them good jobs and a chance to attend school in the United States. The defendants then smuggled and transported the workers to a trailer park in Marion, Ohio, where they ordered them to live in dilapidated trailers and to work at physically demanding jobs at Trillium Farms for up to 12 hours a day for minimal amounts of money. The work included

⁸U.S. House Judiciary Committee hearing, *The Biden Border Crisis: Exploitation of Unaccompanied Alien Children*/House Judiciary Committee Republicans, April 26, 2023.

⁹Florida Grand Jury report, p. 4.

¹⁰*White House promises crackdown on migrant child labor (usatoday.com).*

cleaning chicken coops, loading and unloading crates of chickens, de-beaking chickens and vaccinating chickens.”¹¹

In 2021, the Federal Government reportedly stopped releasing unaccompanied minors in at least two locations—Enterprise, Ala. and Woodburn, Ore.—due to concerns about organized labor trafficking. The Department of Justice and two other Federal agencies launched investigations based on suspicious clusters of arriving minors: “Some of these situations appear to involve dozens of unaccompanied minors all being released to the same sponsor and then exploited for labor in poultry processing or similar industries without access to education,” according to an email from a Justice official. So far, one couple in northern Alabama has been convicted of money laundering and conspiracy to transport illegal aliens unlawfully, and the other investigations apparently are still in progress.¹²

The establishment and resurgence of the transnational gang MS-13 in the Washington DC-Maryland-Virginia area, whose members are largely illegal aliens, many of whom originally arrived as unaccompanied minors, has brought an increase in cases of brutal sex trafficking in the area. The gang preys on young teenage girls who run away from shelters, foster care, or broken homes:

“In the United States, victims of MS-13 tend to be Latino immigrant girls or girls from the Northern Triangle countries who came into the country as unaccompanied minors . . . HHS places minors either in foster care, with family or a sponsor . . . MS-13 preys on the vulnerability of the unaccompanied minors; some have previously suffered sexual abuse either in their home country or during the trip north; others lack a community and do not speak English. Members of MS-13 seek out the vulnerable young girls using violence and other coercive tactics to intimidate the girl into having sex for money to help financially support the gang. Runaways are also appealing to the MS-13. Family problems, transitions from foster care and economic problems are some of the reasons that unaccompanied minors run away from their homes. Many of the unaccompanied minors may have experienced sexual abuse, exploitation, or physical abuse in their home countries or during their migration to the United States and even more suffer from poverty and lack of a stable social network. These are all factors that make young girls more susceptible to human trafficking.”¹³

Recent typical cases occurring in the area resulted in the prosecution of 11 MS-13 gang members for sex trafficking, assault, and other charges related to the prostitution of a 13-year-old and 16-year-old runaways. ICE officials have stated that an estimated 40 percent of MS-13 members they arrest originally arrived as UACs.

It is not only minors who end up being trafficked; the cartel-run system sets up adults for abuse as well. In 2021, Texas and New York had the largest number of cases reported on trafficking hot lines, but the places with the highest number of cases per capita were New Mexico, Mississippi, Georgia, Nevada and Washington, DC. Trafficking for commercialized sex is a serious problem, although the type of human trafficking that is most likely to involve illegal border crossers is forced labor trafficking. The most common sectors for this form of trafficking are agriculture/farm work and domestic work.

There are no comprehensive national statistics to quantify the true scale of trafficking or even recent trends, but the prevalence of new cases indicates that the criminal exploitation of workers is thriving under the Biden-Mayorkas border policies. For example, in April 2023, three Brazilian men were criminally charged for targeting and smuggling Brazilians over the Southern Border, for a fee of \$18,000–22,000. The illegal migrants were put to work in restaurants owned by the traffickers in Woburn, Mass., and had to share apartments owned or controlled by the defendants, who withheld wages from the victims in order to pay off their smuggling debts and forced them to work long hours, often performing difficult manual labor, while subjecting them to threats of serious harm—including financial harm, violence, and deportation to prevent them from quitting and demanding better pay and working conditions. The defendants carefully monitored changes in immigration policies at the border, coached the migrants on how to answer questions from au-

¹¹ U.S. Department of Justice, “Two Defendants Plead Guilty to Forced Labor Scheme that Exploited Guatemalan Migrants at Ohio Egg Farms,” August 25, 2015.

¹² U.S. Probes Trafficking of Teen Migrants for Poultry-Plant Work (*bloomberglaw.com*).

¹³ *The Connection between the Mara Salvatrucha (MS-13) and Human Trafficking* (*humantraffickingsearch.org*).

thorities, and offered to give fake documents to the victims to support bogus asylum claims.¹⁴

While some of the labor trafficking involves relatively small-time cruel and unscrupulous employers, the cartels are directly involved in employing an unknown, large number of trafficked illegal migrants on illegal marijuana farms in Oregon and California, and probably other States, in a form of forced labor known as “narco-slavery.” One illegal operation using trafficked workers was discovered after the body of a dead worker was discovered at a gas station, and investigators traced the matter back to the farm, uncovering other problems:

“Once Maria began working on the [illegal pot] farm, armed guards prevented her from leaving until the harvest was over. She said there were no bathrooms or beds for the more than 200 workers there. She slept on the floor or on an air mattress. “In the summer heat, she and others were forced to work from 7 a.m. to 10 p.m., Maria said. The guards would determine when they would wake up, eat and sleep.”¹⁵

Authorities sometimes refer to these operations, which usually are run by either the Sinaloa or Jalisco (CJNG) cartels, as “blood cannabis” producers. They typically are found in remote areas of the country and produce marijuana to sell all over the United States. The illegal cartel-run farms are places of squalor and violence, where female employees in particular frequently are sadistically abused and other workers are exploited:

“A man from Spain said he was victimized on a grow in Josephine County [Ore.], to the west of Jackson County and bordering California. The man [said] he was promised \$120,000 but was paid \$300.

“When the worker demanded his earnings, the growers shot at him. He ran, hopped into his car and sped off as a truck followed him. He hid out in the woods for a couple of days before escaping . . .

“He said other workers are made to work 16 or more hours without a break and sometimes without a meal. And women are sometimes sexually assaulted.

“They come from Mexico, Argentina, Chile, Spain, Honduras, El Salvador, Venezuela, and Colombia and have often spent all of their money to get to the cannabis farms. Workers on illegal cannabis grows like this one in Jackson County, Oregon, are sometimes lured to the region with promises of hotel rooms and six-figure salaries. They often live in squalor without a bed or clean water.”¹⁶

Lax administration of the legal visa programs also has allowed trafficking to flourish, particularly in the H-2A temporary farmworker, H-2B seasonal temporary worker, and J-1 exchange worker categories, but this trafficking is most frequently run by labor contractors and other staffing companies.

All of these problems are facilitated by the moratorium on worksite enforcement imposed by Mayorkas. Immigration enforcement at the worksite is the obvious place to detect instances of exploitative employment of migrants, but the Biden administration has shifted most work on these cases to the Department of Labor, which should also be involved, but lacks some of the authorities of DHS agencies, especially concerning non-citizens, who are responsible for at least half of the forced labor trafficking violations that have been prosecuted in Federal court each year, according to the Human Trafficking Institute.¹⁷

Biden-Mayorkas Policies Expose U.S. Communities to Threats.—The flood of people to the border brought on by the Biden-Mayorkas policies has created conditions that make it difficult, and at times impossible, for border officers to determine the identity, age, citizenship, and background of those they apprehend. The emphasis is on swift release of those caught crossing illegally and those seeking entry at the ports of entry, including those allowed to enter using CBP One. A cursory biometric and biographic screening is done, but if migrants have not previously been in the United States, there is little basis for assessing whether any individual migrant might pose a threat. The few documents that migrants might bring with them (those not ditched prior to crossing) are of little use to U.S. authorities.

¹⁴Department of Justice, *District of Massachusetts/Three Indicted for Forced Labor and One Charged with Labor Trafficking at Woburn Restaurants/United States Department of Justice*, April 4, 2023.

¹⁵Allie Weintraub et al, ‘Narco slaves’: Migrant workers face abuse on Oregon’s cartel-run, illegal pot farms—ABC News, December 15, 2022.

¹⁶Beth Warren, *Cartel-backed pot grows linked to California, Oregon human trafficking* (*usatoday.com*), June 18, 2023.

¹⁷*Federal Human Trafficking Report* / Human Trafficking Institute.

These careless policies have created scores of new victims in American communities—all of which were preventable crimes. For example:

- Last month in El Paso, Eddy Jose Ortega Alvarado, a Venezuelan man who reportedly was allowed to enter using CBP One on May 20, 2023, has been accused of murdering a Honduran woman he was staying with in a dwelling that has been identified as an illegal alien stash house. Border Patrol agents told the news media that they had run a criminal history check on Ortega, but with the recent high volume of people to be processed and very limited access to criminal histories in other countries, there are “bad apples” who make it through.¹⁸
- In a case highlighted by the Florida Grand Jury, a 24-year-old man made it through Border Patrol screening posing as an unaccompanied child, and qualified to be placed with a sponsor in Jacksonville, whom he later murdered.¹⁹
- Several Venezuelan men who recently arrived in Chicago have been charged with a variety of crimes, including stabbings and shoplifting. Some have been arrested multiple times during the few months since their arrival. The State judge in one case lamented the lack of information on the men:

“These are individuals who’ve not been in the country very long. You’re now telling me that they were arrested at Macy’s, committing a felony retail theft. So the court wants some idea of who is in front of me. Additionally, as the public defender just indicated, one person has already indicated he’s using another name. So, who are these people? Who are these individuals?”²⁰

- School resource officers around the country are asking the same questions about some of the students they are observing in the public schools. Officers I have met have described disturbing cases of gang infestation and violence in the schools attributed to newly arrived unaccompanied minors, the entrapment of recently-arrived girls into sex trafficking, and kids arriving at school after working the overnight shift at a poultry processing plant, and more.
- Federal agents recently prosecuted members of the MS–13 gang in Virginia for sex trafficking case, among other crimes. They recruited a group of girls who had entered as unaccompanied minors, were placed in a group home in Fairfax, Va, and then ran away, into the clutches of the gang. The teen victims were brutally beaten to initiate them into the gang, and then repeatedly forced to engage in prostitution both to members of the gang and outsiders. From once court document:

“MINOR 2 was sex trafficked by numerous MS–13 gang members and associates shortly after she and MINOR 3 ran away from Shelter Care on August 27, 2018. According to MINOR 2, MINOR 3 informed her that she would engage in sex in exchange for money, food, and other things that MINOR 2 needed. During interviews with law enforcement, MINOR 2 and MINOR 3 both discussed staying at the residence of MOISES and JOSE ELIAZAR, two brothers who lived together . . . in Woodbridge, Virginia . . . MINOR 2 informed law enforcement that multiple men engaged in sex with MINOR 2 in the wooded area behind MOISES’ apartment . . . Geolocation data obtained during the investigation shows that MINOR 2 was harbored at multiple locations in Northern Virginia and Maryland . . . Numerous social media conversations involving MOISES, GUTIERREZ, and others, show their active involvement in finding different residences to harbor MINOR 2 for purposes of commercial sex.”²¹

- There are reports of several instances of individuals who had been watchlisted as known or suspected terrorists who still managed to enter the United States, either as asylum seekers²² or because overwhelmed border officials could not

¹⁸ Dave Burge and Fernie Ortiz, *Migrant arrested, charged with capital murder in death of another migrant/KTSM 9 News*, June 5, 2023.

¹⁹ *Illegal immigrant who posed as minor while crossing border charged with murder (nypost.com)*.

²⁰ *Venezuelan migrant arrested 3 times since arriving in Chicago 3 weeks ago: prosecutors—CWB Chicago*, May 9, 2023 and John Binder, *Sanctuary City Chicago: Migrants Accused of Stabbing, Shoplifting While Living in Taxpayer-Funded Shelters (breitbart.com)*, May 18, 2023.

²¹ *Affidavit in Support of Criminal Complaint and Arrest Warrant in United States v. MOISES et al*, July 31, 2020.

²² Todd Belsman, *The Biden Admin Released a Suspected Terrorist into the United States After He Illegally Crossed the Border (cis.org)*, Center for Immigration Studies, March 4, 2022.

react to the derogatory information. The latter case was the subject of a scathing report from the DHS Office of the Inspector General.²³

Besides the array of past and future individual criminals who have been allowed to enter after crossing illegally, either by the design of the Biden-Mayorkas policies or as “gotaways”, there is an even more concerning threat to the public from the cartels and other transnational criminal organizations that routinely exploit the border policies for their illicit business purposes. Most are sophisticated organizations, and the most successful are nimble in adapting to emerging opportunities, whether in human and drug trafficking across the U.S. border, or even more complex ways. Not only have they evolved “horizontally” to branch out into new ventures, for example getting involved in human trafficking as well as drug trafficking, in fentanyl trafficking as well as heroin and marijuana trafficking, and stealing oil as well as automobiles—they also have shown that they will evolve “vertically,” to control every level of production, distribution, and retail sales of their illicit products.

This vertical evolution presents a very serious threat to American communities. The Mexican cartels (and numerous other transnational criminal organizations) have not been content to remain in Mexico; they already have established operations in the United States. Federal agencies made more than 300 arrests for Mexican cartel-related crimes in 2022, according to one analysis.²⁴ To manage these operations, the cartels need to move their people into U.S. communities. This requires thwarting U.S. immigration controls, which is not difficult at the moment. Once here, they will try to gain control of the environments in which they operate, whether through violence or through the corruption of public officials. Some communities have already experienced such violence, such as in the case of the illegal marijuana grows in California and Oregon, or in the case of Goshen, Calif., where in January 2023, 6 people were executed in an “early morning massacre” that authorities described as a likely cartel hit.²⁵

These public safety threats come on top of the other significant costs to taxpayers, including the cost of expanded services to the migrants and lost job opportunities and depressed wages for legal U.S. workers. For example, Texas has told Federal courts that State taxpayers have incurred expenditures of hundreds of millions of dollars a year for medical care, schools, shelter and criminal justice costs attributed to the illegal migration brought on by the Biden-Mayorkas policies.

Recommendations.—The Biden administration has implemented policies that incentivize illegal migration on a massive scale, to the profit of criminal smugglers and traffickers, even with full knowledge of the risks that such policies will endanger the safety and well-being of the migrants. Some supporters of these policies have defended them on the belief that they are aiding the reunification of families, providing a safe haven from difficult living environments in their home countries, and even benefiting U.S. employers. On the contrary, I submit that there is no possible rationalization for policies that facilitate the abuse and exploitation of migrants and the endangerment of American communities on such a scale. There is no possible humanitarian or economic motive that could justify or make up for the damage that has been done by the cartels and the smugglers and traffickers who work with them.

Some suggest that a strong law enforcement agency response to target the cartels would solve the problems. Certainly that would help, and these reforms should occur, but such a surgical approach limited to targeting individual cartels and transnational criminal organizations will not be enough, even if a few cartels could be eradicated.

As long as the careless and poorly-managed immigration policies of the Biden administration remain in place, which allow for the near-unlimited illegal entry of migrants who do not have to establish admissibility, eligibility, or qualifications in any form, we can expect that the cartels and other criminal groups will exploit these policies to their own profit and convenience. If the policies are reversed, to end the mass catch-and-release of illegal crossers, to end unauthorized parole entry programs, to return Border Patrol agents to patrolling the border, to resume enforcement of immigration laws in the interior—especially at the work place, then it becomes much harder for the cartels to make a profit off of the migration dreams of vulnerable people in other countries, and they will find other business opportunities.

²³ Department of Homeland Security Office of the Inspector General, *OIG-23-31—CBP Released a Migrant on a Terrorist Watchlist, and ICE Faced Information Sharing Challenges Planning and Conducting the Arrest (REDACTED)* (cis.org), June 28, 2023.

²⁴ Andrew Dorn and Steve Joachim, *Map: Tracking drug cartel arrests across the United States* (newsnationnow.com), February 16, 2023.

²⁵ Stella Chan, *Goshen, California shooting: 6 people, including a baby, were killed in a ‘cartel-style execution,’ sheriff’s office says* /CNN, January 17, 2023.

To solve the problem, Congress must change the immigration laws and rein in the executive policies that are incentivizing the mass illegal migration of both adults and minors. When we reach the point where migrants understand that there is no point in entering an agreement with a criminal smuggling organization or a labor trafficker, or even attempting to illegally join a family member in the United States, because such illegal entry and employment will not be tolerated and result in the consequence of being sent home promptly, then the smugglers and traffickers will have few clients, and the Government agencies will have a much greater ability to deal with a far fewer number of exploitation cases.

Many of these reforms would be accomplished by H.R. 2640, the Border Security and Enforcement Act of 2023, introduced by Mr. McClintock and Mr. Biggs, which passed the House and is now before the Senate. Congress should also make use of its appropriations authority to de-fund the most egregiously damaging programs established by the Biden administration, including CBP One, other parole programs, the Mayorkas immigration enforcement prioritization scheme, and migrant resettlement initiatives that in reality are the final leg of illegal human smuggling operations. In addition, Congress should appropriate funds to be awarded to State and local governments to initiate programs to combat human trafficking, smuggling, and other activities that involve the cartels and transnational criminal organizations.

Chairman GREEN. Thank you, Ms. Vaughan.
I now recognize Mr. Maltz for 5 minutes.

**STATEMENT OF DEREK S. MALTZ, PRIVATE CITIZEN, FORMER
SPECIAL AGENT IN CHARGE, SPECIAL OPERATIONS DIVI-
SION, DRUG ENFORCEMENT ADMINISTRATION**

Mr. MALTZ. Thank you for the opportunity to speak today on this very important topic.

After a 28-year career with DEA, I've been supporting law enforcement agencies all over the country and I also support the grieving families that are burying their loved ones on a daily basis. I believe the safety and security of America must be a top priority. The current border policies are placing every American at risk. The Mexican cartels are taking over and taking advantage of the vulnerabilities at the border, but they're working with the Chinese transnational criminals at levels we've never seen in the country. They're operating with no fear.

The brave men and women in CBP are doing tremendous work, but they're distracted every day because they're dealing with a tsunami of migrants coming in from over 150 countries. How can any reasonable person in America think the current situation at the border, which is now impacting all of America, is safe and secure? Makes no sense. Look at the historic number of deaths, right—I deal with this every day—9,161 dead Americans. Headline news today, 9 in Cleveland, Ohio. Most ever in a 24-hours period dead. Last month another public service alert because there were 5 dead in 12-hour period. This is what's happening. What about Ray Lewis, the legendary NFL player? What about this famous actor Robert De Niro's grandson, dead? What about baby Elijah in Florida with the fentanyl that a mother mixed in the blender?

Look at the escalating crime in the country. Look at the known gotaways, 1.5 million that are all over the country. We don't even know who they are, where they are, what they're doing here. Look at the 143 migrants have been apprehended this year at the border. Think about that. There was only 3 in 2020 during the last administration and in the last year. Think of how many terrorists and criminals are part of the gotaways. This is common sense. You don't have to be an expert to understand that. Look at the record

number of migrant deaths from them making treacherous journeys to get here. Baking in the desert and in the back of tractor trailers and this man is pulling them off the desert with the sheriffs and stuff on the ground. Look at the sexual assaults and the rapes and the migrants on the journey. Remember, depression, anxiety, and mental illness are on the rise and all of our Americans are turning to drugs for help. But unfortunately to the illicit drug supply. Allowing Mexican cartel operatives and unidentified people from around the world to enter the country illegally at record levels is enhancing the ability of criminals to kill Americans.

This is not what the Government should be doing to keep us safe. You don't have to be a border expert, an immigration expert to understand that the administration's policies related to the border are a recipe for disaster. I'm not a MAGA lunatic, OK. Look at the recent Statement on China made by FBI Director Wray. Now let's think about it. He said how China is the most—biggest national security threat to our long-term of this country. Based on that warning, let's look at the facts. Already this year, 14,655 Chinese nationals, many of them military-aged men, are being apprehended on the border. Let's look deeper. That's 1,540 percent increase from last year and over a 10,700 percent increase from 2021. So my question to everyone here, what are they coming here for? Military-aged men from China? How many are in those gotaways? Remember the bombing campaign from China continues from the Chinese labs with the xylazine. This is a tranquilizer for horses. It's rotting people from the inside out, causing necrosis. Mike McCaul, thank you sir, because you made this statement and I'll never forget it. Selling fentanyl to America is a great foreign policy for China. He's right on point and the man's been around homeland security issues a long time.

Synthetic drugs made in labs in China and Mexico are record levels game-changer for the United States. The Chinese criminals are providing critical money-laundering services which I can answer questions about. This is a disaster for America and I'm concerned. It's not a red or a blue issue. It's a red, white, and blue issue, and every American should care.

So in my view, it's chemical weapons destroying our country rapidly. One of the biggest obstacles for us law enforcement is the corrupt, high-level government corruption. We can't rely on soft-on-crime and corrupt leaders in Mexico to save our kids. So as far as I know, there's never been a terrorist organization in the history of America that has killed this many Americans. The cartels must be dealt with accordingly and severely for what they're doing to our families and communities.

Law enforcement's done tremendous work, and my hat goes off to all of them, saving lives every day. DEA last year 58 million fake pills, 13,000 pounds of fentanyl, 400 million deadly dosage units taken off the street. Homeland Security Investigations, CBP during operation Blue Lotus, 8,200 pounds of fentanyl, 2 months at two POEs. The sad part everyone has to think about, how much is being produced and how much is already here. So DEA warns Sinaloa and Jalisco are the biggest threats, drug threats we've ever seen. So, folks, where's the Operation Warp Speed COVID-like thing for fentanyl?

Last thing, without border security, we have no country. Thank you very much.

For the Ranking Member, sorry, we're wasting your time.
[The prepared statement of Mr. Maltz follows:]

PREPARED STATEMENT OF DEREK S. MALTZ

JULY 19, 2023

Chairman Mark E. Green, Ranking Member Bennie Thompson, and distinguished Members of the committee, I would like to thank you for this opportunity to speak today about the catastrophic situation in America caused by the Mexican Cartels, the open borders and the escalating fentanyl poisoning crisis. I am grateful for the opportunity to share my experience and thoughts as America faces complex challenges with this unprecedented national security and public health disaster. I had a long rewarding 28-year career as a special agent in the Drug Enforcement Administration (DEA). I retired from the DEA in July 2014 but remain actively involved in the private sector supporting law enforcement agencies around the world as they aggressively target Transnational Criminal Organizations (TCOs). I'm also very engaged in supporting families around the country who have lost loved ones to the devastating substance fentanyl entering America at historic levels.

During the last 10 years of my career, I was the agent in charge of the DEA's Special Operations Division (SOD) in Northern Virginia. In that capacity, I ran the SOD operational coordination center with 30 participating agencies, to include representatives from Canada, Australia, and the United Kingdom. SOD's primary mission is to support and synchronize the investigative efforts of Federal, State, local, and international law enforcement agencies. SOD focused substantial resources on the Mexican cartels since they have been one of the greatest threats to the United States for several years. SOD was instrumental in supporting the Mexican government and several U.S. agencies to capture the former leader of the Sinaloa Cartel, El Chapo Guzman, on two occasions, and coordinating the world-wide investigations against the cartel. SOD also has a long history of coordinating the efforts of agencies around the world disrupting and dismantling major criminal networks.

Unfortunately, the threat of the Mexican cartels has grown tremendously over the years from drug cartels to TCO's to narco-terrorists. In my view they remain the greatest daily threat to the citizens of this country. They have killed more Americans than any other terrorist organization and the rate of death and destruction continues to escalate. The cartels control the importation and distribution of heroin, cocaine, methamphetamine, and deadly fentanyl. They work closely with Chinese Criminal Networks (CCN) and together they are destroying communities and families throughout the United States and are killing record numbers of our future generation.

I remain committed to work with Congress, my colleagues in the Government agencies and fellow citizens who have lost their loved ones to the drug crisis to help develop recommendations and solutions to build more effective approaches to eliminate the current threats. Too many Americans are dying from fentanyl poisoning and citizens all over the United States are impacted by the Mexican cartels and the CCN.

It is time to work together and put politics aside. "The current unprecedented fentanyl poisoning crisis that's killing our kids at record levels is not a Red or Blue Issue. It's a Red, White, and Blue issue. We need all Americans to work together now to save lives."

We must utilize the best and brightest patriots serving the country and combine the arsenal of capabilities and authorities to decimate the cartel's deadly production operations in Mexico. We must simultaneously dismantle their importation and distribution networks to eliminate the growing threat to the United States and our citizens. The U.S. agencies must continue to work together with innovative strategies to shut down the flow of precursor chemicals shipped to Mexico from China, India, and other countries around the globe that are used in the production of dangerous synthetic drugs. The evolving sophisticated money-laundering schemes offered by the CCN to the cartels must also be shut down.

The U.S.G. must also use all Treasury and economic sanctions to disrupt the movement of criminal proceeds to the foreign leaders who run these networks. As the country faces these growing threats, especially with the involvement of the CCN's and their partnership with the cartels, law enforcement needs the full support of Congress. This historic ongoing national security threat requires a true "whole-of-America approach." While we must continue to treat those with mental ill-

ness and drug addiction, the Mexican cartels and the CCN must be held accountable for their devastation and damages. They can no longer operate with impunity, and we need Congress and Government leadership to step up their efforts with a greater sense of urgency.

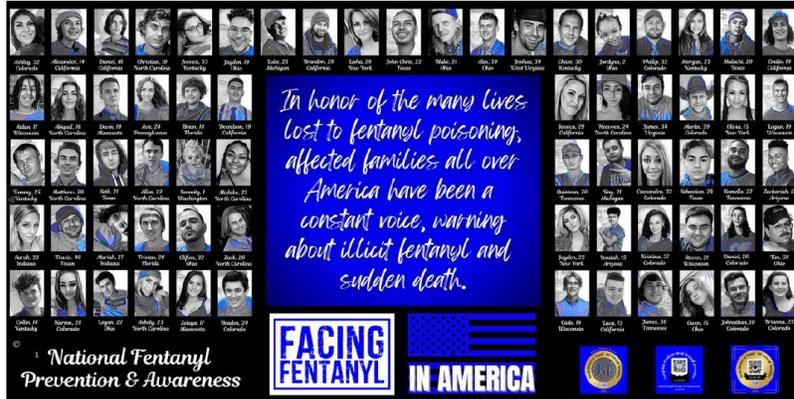
President Biden said appropriately on December 15, 2021, while speaking about his Executive Order on Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,

“trafficking into the United States of illicit drugs, including fentanyl and other synthetic opioids, is causing the deaths of tens of thousands of Americans annually, as well as countless more non-fatal overdoses with their own tragic human toll. Drug cartels, transnational criminal organizations, and their facilitators are the primary sources of illicit drugs and precursor chemicals that fuel the current opioid epidemic, as well as drug-related violence that harms our communities. I find that international drug trafficking—including the illicit production, global sale, and widespread distribution of illegal drugs; the rise of extremely potent drugs such as fentanyl and other synthetic opioids; as well as the growing role of internet-based drug sales—constitutes an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.”

(Executive Order on Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade, 2021)

Based on the President’s statement above, and knowing the Mexican cartels are responsible for shipping record amounts of deadly substances and sending their operatives into the country from Mexico, any reasonable person can understand that the current border policies are enhancing the cartel’s ability to operate successfully, contradict the President’s statement, and that the border must be secured to ensure increased public safety and security in America.





OVERVIEW

On July 12, 2023, White House Office of National Drug Control Policy (ONDCP) Director Dr. Rahul Gupta released an update on drug overdose deaths in America. The latest CDC report shows 109,940 predicted overdose deaths in the 12-month period ending in February 2023. Most of these deaths are caused by illicit synthetic drugs like clandestinely-manufactured fentanyl and methamphetamine, often in combination with other drugs, including cocaine and heroin. (Dr. Rahul Gupta Releases Statement on CDC’s New Overdose Death Data, 2023) This alarming statistic reflects that America is losing around 9,161 people per month to drugs.

When you look closer into the statistics in some areas of the country like New Orleans, 95 percent of overdose deaths in 2022 were from fentanyl according to Coroner Dr. Dwight McKenna. (Robin, 2023)

When you look at the death statistics in San Diego, California, there was a 2,375 percent increase in fentanyl-related deaths in the 5-year period 2016–2021. (Fentanyl Seizures at Border Continue to Spike, Making San Diego a National Epicenter for Fentanyl Trafficking, 2022)

According to the Families against Fentanyl who have analyzed CDC statistics and have done a tremendous job educating the public on the troubling trends involving fentanyl, they revealed the following in the recent report “The Changing Faces of Fentanyl Deaths.”

(The Changing Faces of Fentanyl Deaths, 2023)

- Synthetic opioid (fentanyl) poisoning was still the leading cause of death among Americans 18 to 45 in 2021.

- Synthetic opioid (fentanyl) fatalities among children are rising faster than any other age group.
- In just 2 years, synthetic opioid (fentanyl) deaths among children ages 1 to 4 more than tripled, and increased 4-fold among infants less than one, and children ages 5 to 14.
- Since 2015, deaths among infants increased nearly 10-fold; among children ages 1 to 14 deaths increased 15-fold: an increase of more than 1,400 percent.

These are staggering statistics impacting communities all around the country, and all Americans should be alarmed and demanding accountability from the leaders.

Look at the recent press stories involving celebrity families, a 9-month-old baby and Black and Hispanic Americans impacted by deadly fentanyl. This again highlights how citizens are suffering, from all walks of life, because of the ruthless cartels and the wide-open borders.

- Ray Lewis III, the son of two-time Super Bowl champion Ray Lewis, has died, police said in an incident report detailing a suspected overdose. (Press, 2023)
- Robert De Niro's grandson Leandro died from fentanyl-laced pills (Ushe, 2023)
- Teen mom charged with aggravated manslaughter for giving 9-month-old baby fentanyl (El-Bawab, 2023)
- As Fentanyl Overdose Rates Rise Among Latinos, So Do Calls for Government Action (Gunderson, 2023)
- Mass. set a record for opioid overdose deaths. Black residents were hardest hit (Bebinger, 2023)

Sarah Richardson, Program Manager at the Chicago Department of Public Health Office of Substance Use, said city data shows a deepening crisis. "What we're seeing in Chicago right now is that 80 to 90 percent of our overdose deaths involve fentanyl, and a growing number of those deaths involve fentanyl as the only opioid in that death," Richardson said. "The number of Latinos in the community that have experienced a fatal overdose has significantly increased in recent years. We've seen those increases across every demographic group, but the greatest increase has in fact been in our Latino communities in Chicago."

There are so many stories around the country that highlight the unprecedented nature of the fentanyl poisoning crisis. Please see the mass poisonings all over the country at the end of this document.*

Over the last few years while actively supporting law enforcement in the private sector, I participated in the production of documentaries, national media segments, Congressional, think tank and educational sessions, and rallies with grieving families and non-profits from around America to help educate the public and bring needed awareness to the dangerous and evolving synthetic drug crisis.

I will continue to engage with families who lost children from these poisonous substances hitting our communities like a tsunami. It's hard to imagine the lack of engagement and action from our national leaders in Washington especially on the education for young Americans and the mixed messages from the leadership. I have worked tirelessly with families to recruit celebrities, professional athletes, role models and social media influencers to help create a movement to get specific messages to the kids. Sadly, these efforts to date haven't been very successful due to the stigma related to drugs and lack of knowledge on the current crisis. All Americans must realize this ongoing poisoning crisis is like nothing we have ever seen and the I believe if the right celebrity pushed out short social media videos, the kids would get the important messages. We must all accept that most children are not watching Congressional hearings, mainstream media, cable news, or listening to podcasts so it's critical to have role models step up in a big way to fill the educational void.

The Mexican cartels are also working in close partnership with CCN, operating with impunity and killing our citizens at historic levels. The threats posed by the cartels are growing rapidly as they make billions of dollars, especially benefiting from human smuggling with the porous Southern Border. The current border policies are irresponsible and placing all Americans at risk. As we see all the troubling news on the fentanyl poisoning crisis, there are also dangerous connections between the criminal activity of the Mexican cartels and terrorist groups like Hezbollah. The topic of narco-terrorism has been a priority of mine for many years, and we documented a very disturbing partnership during DEA's priority operation Project Cassandra to show the growing role of Hezbollah, working with the cartels in drug trafficking and global money laundering.

As we look at the latest statistics from the U.S. Customs and Border Protection (CBP), all Americans should be concerned with the fact that in fiscal year 2023 through May there were 127 U.S. Border Patrol Terrorist Screening Data Set (TSDS) encounters between ports of entry of non-U.S. Citizens. This reflects a stag-

*The information has been retained in committee files.

gering increase compared to the 3 apprehended for the entire fiscal year when the last administration enforced strong border security policies.

The country is currently being invaded by an overwhelming number of illegal immigrants from over 150 countries and deadly drugs killing Americans at historic levels. The brave men and women of CBP are being inundated with administrative duties and migrant processing instead of focusing on protecting our national country. The outrageous dereliction of duty by the current administration with the weak border policies distracting our CBP from securing the country is placing every American at risk.

The *New York Times* headline published on July 13, 2023, says “This Agency Was Created With a Terrorism Focus. Now It Also Has to Care for Migrants.

- Customs and Border Protection was set up after 9/11 amid the fight against terrorism. Its responsibilities have ballooned with the influx of asylum-seeking migrants crossing the Southern Border.”

You don’t have to be a border or immigration expert to understand that the current administration’s policies related to the border are a recipe for a disaster. Look at the recent statement made by FBI Director Christopher Wray,

- “I’ve said before, there is no doubt that the greatest long-term threat to our nation’s ideas, our economic security, and our national security is that posed by the Chinese Communist government.” (Inside the FBI: The China Threat, 2023)

In June there were several news reports on the disturbing number of Chinese nationals crossing the U.S. Border.

Fox Business reported on June 26, 2023,

- “There are certain Chinese coming in that are really disturbing,” Gatestone Institute senior fellow Gordon Chang said. Packs of Chinese males of military age, unattached to family groups pretending not to speak English. These are probably saboteurs who are coming in on the first day of war with Asia.”
- Rep. Mark Green, R-Tenn., also claimed that “10,000-plus” Chinese nationals have been apprehended in fiscal year 2023, “a massive 300 percent increase” from the year prior. (Altus, 2023)
- A recent Fox News report also reflected that over 12,000 Chinese nationals were apprehended at the border this fiscal year thus far.

This concerning statement by the FBI Director combined with CBP’s statistics related to the massive increase of military age Chinese national men apprehended at the border and that over 1,500,000 known got-aways have been documented during this administration, I would say as an experienced public safety and law enforcement executive, the entire country is at serious risk.

Below provides the very alarming statistics of the fiscal year through May of Southwest Land Border Encounters: (*CBP.gov, 2023*)

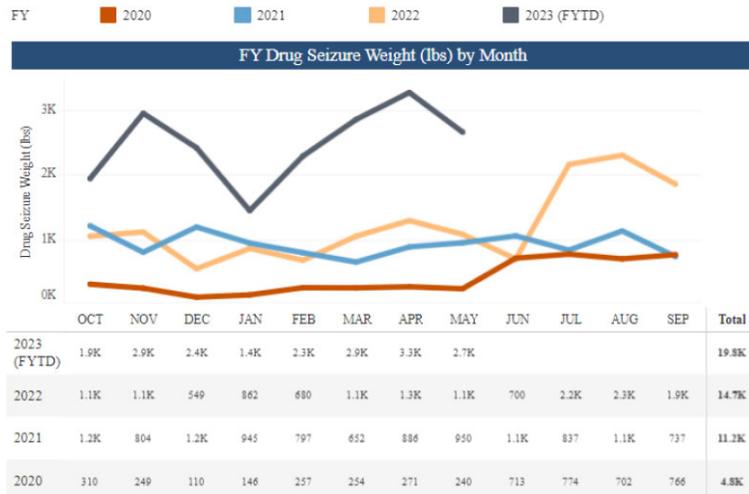


On July 12, DEA Principal Deputy Administrator George Papadopoulos testified before the House Homeland Security Subcommittee on Border Security and Enforcement at a hearing entitled, “Protecting the U.S. Homeland: Fighting the Flow from the Southwest Border” Mr. Papadopoulos stated the following:

- The Sinaloa and Jalisco Cartels pose the greatest criminal drug threat the United States has ever faced.
- The availability of fentanyl throughout the United States has reached unprecedented heights. In 2022, DEA seized more than 58 million fake pills containing fentanyl, and 13,000 pounds of fentanyl powder, equating to nearly 400 million deadly doses of fentanyl. This is enough fentanyl to supply a potentially lethal dose to every member of the U.S. population. These seizures occurred in every State in the country.
- These ruthless, violent, criminal organizations have associates, facilitators, and brokers in all 50 States in the United States, as well as in more than 100 countries around the world.
- The Sinaloa Cartel and the Jalisco Cartel and their affiliates control the vast majority of the fentanyl global supply chain, from manufacture to distribution.
- The cartels are buying precursor chemicals in the Peoples Republic of China; transporting the precursor chemicals from the PRC to Mexico; using the precursor chemicals to mass produce fentanyl; using pill presses to process the fentanyl into fake prescription pills; and using cars, trucks, and other routes to transport the drugs from Mexico into the United States for distribution. It costs the cartels as little as 10 cents to produce a fentanyl-laced fake prescription pill that is sold in the United States for as much as \$10 to \$30 per pill. As a result, the cartels make billions of dollars from trafficking fentanyl into the United States.
- The business model used by the Sinaloa and Jalisco Cartels is to grow at all costs, no matter how many people die in the process. The cartels are engaging in deliberate, calculated treachery to deceive Americans and drive addiction to achieve higher profits.

Steven Cagen, assistant director, Homeland Security Investigations, testified at the same Congressional hearing as Mr. Papadopoulos and made the following statements:

- TCOs flood the United States with deadly drugs, including illicit fentanyl and other opioids.
 - Criminal organizations in the 21st Century do not limit themselves to a single criminal enterprise. These criminal organizations have expanded beyond narcotics smuggling and have morphed into poly criminal TCOs involved in the associated crimes of weapons trafficking, human trafficking, human smuggling, money laundering, and other crimes.
 - TCOs have also evolved beyond insular entities and have sought out partnerships with competing TCOs in furtherance of their criminal activities. For example, the illicit collaboration between Chinese TCOs and Mexican cartels has created a complex criminal ecosystem that is fueling money-laundering and narcotics-trafficking operations, specifically illicit fentanyl, into and within the United States.
 - Chinese money-laundering organizations have developed sophisticated networks in the United States, Mexico, China, and throughout Asia to facilitate money-laundering schemes.
 - Mexican cartels have taken over fentanyl production and operate on an industrial scale, they are obtaining precursor chemicals from China and synthesizing these chemicals in Mexico to produce fentanyl. Mexican cartels then smuggle the fentanyl into the United States in either powder or pill form for distribution.
 - Chinese TCOs also facilitate the trafficking and distribution of illicit fentanyl pills by providing the Mexican cartels with the pill press equipment to make the fake oxycodone pills.
 - The Mexican cartels are purchasing these pill presses directly from Chinese manufacturers that are producing the equipment specifically for illicit activity.
- CBP has also reported staggering drug seizure statistics for the first 8 months of fiscal year 2023. CBP reports they seized 19,800 pounds of fentanyl. Although, I appreciate the incredible work of CBP and all the law enforcement agencies and I'm totally impressed with the dedication of the men and women on the front lines, these large seizures of deadly drugs should be a "wake up call" for all Americans. It's obvious and alarming to anyone who works in drug enforcement or border security that if this is what agencies are seizing, then everyone should be concerned on how much is being manufactured in Mexico, imported, and now on the streets in America.



To be clear, the current crisis can't be solved with law enforcement alone. This complex and emerging problem requires that all Americans unite. The United States needs more focus and resources on drug education, treatment, and rehabilitation in addition to law enforcement. This is an unprecedented public health, national security, and community safety matter that also has huge mental health ramifications for the addicted as well as their families. Sadly, Americans are turning to what they

think are legitimate prescription pills for help and are getting “fake” pills containing deadly fentanyl. Our citizens are being deceived to death in an exorbitant number of cases. There are many great American patriots working in the medical, education, addiction, science, technology, financial, and other private-sector industries that can help develop comprehensive strategies and plans to deal with this matter.

The status quo is an unacceptable option as too many lives are on the line. There must be accountability for all resources provided to these initiatives since it’s not good enough to just provide funding. We need to see the death rates decline across the country.

America has outdated technology and laws, limited resources directed at these national security threats, deceptive political leadership and huge morale issues across the agencies who are responsible for keeping the country safe. There is a concerning movement involving experienced law enforcement personnel retiring rapidly. This is happening as the cartels are building up their capabilities, enhancing their weapons systems, expanding their product line and unfortunately after forming a lethal partnership with CCN. Sadly, this has resulted in increased violence and escalating deaths in the United States.

As a DEA supervisor for many years, the agent in charge of SOD for almost 10 years and as an huge supporter of law enforcement and grieving families since retirement, I learned so much about the evolution of the opioid addiction crisis, the “bombing of America” from synthetic drugs coming from China and Mexico, the growing role of CCN in drug trafficking and money laundering and the increased threats posed to our country from the Mexican “terror” cartels.

Over the last year, there has been increased press reporting and Government warnings about new and more powerful synthetic opioid drugs or New Psychoactive Substances (NPS) like Nitazene, Etonitazene, Isonitazene, and Protonitazene. Nitazines are being sourced from China and being mixed into other drugs. DEA, Washington Field Division put out a warning on June 1, 2022, alerting the public about this emerging threat. (New, Dangerous Synthetic Opioid in D.C., Emerging in Tri-State Area, 2022)

In addition to the Nitazene class of drugs, American communities have been saturated with Xylazine mixed with fentanyl, known as Tranq. Xylazine is a non-opiate sedative, analgesic, and muscle relaxant only authorized in the United States for veterinary use and not approved for human consumption. However massive amounts of illicit Xylazine are being produced in Chinese labs as well and now this deadly flesh-eating drug is destroying Americans all over the country.

On March 20, 2023, DEA put out an emergency public warning on the widespread threat of Xylazine mixed with Fentanyl and on July 11, 2023, the White House announced warnings and a plan to deal with this emerging drug threat. As stated in the press release, ONDCP Director Dr. Gupta said,

“Xylazine has been detected in nearly every State in the country.” And “I have seen the devastating consequences of xylazine combined with fentanyl firsthand.”

(FACT SHEET: In Continued Fight Against Overdose Epidemic, the White House Releases National Response Plan to Address the Emerging Threat of Fentanyl Combined with Xylazine, 2023) (DEA Reports Widespread Threat of Fentanyl Mixed with Xylazine, 2023)

(The Growing Threat of Xylazine, 2022)

Deadly chemical substances are being manufactured in Chinese labs and being distributed all over America. Although I appreciate of the Government warnings and plans to deal with these emerging drug threats, **SYNTHETIC DRUGS COMING FROM CHINA AND MEXICO HAVE BEEN A GAME CHANGER FOR THE UNITED STATES** and we are under attack in my view. The U.S.G. must be way more aggressive in dealing with this growing public health and national security threat. Aggressive action plans, operational implementation and accountability on the leaders should be a top priority. Allowing the Mexican cartel operatives and people from around the world to enter the country illegally at record levels is enhancing the ability for criminals to kill Americans.

SYSTEMATIC CORRUPTION IN MEXICO AND GROWTH OF THE CARTELS

Another disturbing aspect involving the Mexican cartels is their role as narco-terrorists and their advancement with the use of technology and weapon systems to enhance their deadly business enterprise. They are not typical crime groups as they conduct acts of terrorism not solely in furtherance of drug trafficking but for the purpose of instilling fear in the public and influencing.

The cartels are responsible for utilizing terror tactics to silence, torture, and kill civilians, government officials, Catholic priests, and news reporters, who publicly

speak out against the violence inflicted by the cartels. The Mexican cartels have become Mexico's insurgency's and have utilized terror tactics. They have corrupted the system and undermine the Mexican government and the rule of law. The Mexican cartels have recruited hundreds of trained law enforcement and military personnel who now carry out executions and assassinations on behalf of the cartels. The cartels routinely conduct beheadings, in which corpses and heads are hung on public display. The cartels are also indiscriminately killing to scare the general population into submission and subservience.

The conviction of Genaro Garcia-Luna, former director of Mexico's Public Security, in Federal court in New York and the DEA arrest of Salvador Cienfuegos, former defense secretary of Mexico, reflects the level of corruption at the highest level of the Mexican government. (Mexico's former public security chief convicted in U.S. drug case, 2023)

(Golden, 2022) Having the top government officials on the Mexican cartel's payroll, help the cartels operate with impunity moving tons of drugs around the world and make billions. One of the biggest obstacles for U.S. law enforcement is overcoming the presence of high-level corruption in Mexico.

In my view, the U.S. Government mistakenly views the Mexican cartels as only transnational crime organization, and its current strategy to attack the cartel threat at the border and in America are insufficient to end the Mexican cartels chaos and massive deaths to Americans. Look at the amounts of young Americans dying daily from their poisonous substances. The production is on the rise and the supply of these poisonous drugs are vast. The United States must accept and come to the realization that the cartels are operating like the most dangerous terrorist organizations in the world.

As far as I know, there has never been a terrorist organization like al-Qaeda, Hezbollah, or ISIS, that has killed this many Americans. The U.S. Government assessment of the cartels must be updated. From my perspective, it doesn't matter what the U.S.G. decides to name the cartels, but rather what does matter is that the cartels are held fully accountable with the right force. The consequences for their actions must be appropriate based on their level of devastation they have caused American families. On September 11, 2001, approximately 3,000 Americans were killed, and the United States responded appropriately. With hundreds of thousands being killed from poisonous fentanyl, it's about time the cartels feel the full force of America.

The United States and Mexico efforts and strategies against the Mexican cartels have been proven to be ineffective in its ability to curtail and significantly reduce the level of drug trafficking and violence inflicted by the cartels. America must confront the level of violence and terror carried out by the cartels. The U.S.G. should not limit the strategy to combat the cartels with law enforcement alone. Additional capabilities must be put on the table to combat the Mexican "terror" cartels. The U.S.G. must use whatever authorities are needed to create a seamless plan to bridge the gap between the law enforcement, military, and the intelligence community to decimate these ruthless networks.

The cartels utilize military grade weapons and C4 explosives and have been found to be in possession of weapons such as assault rifles, pistols, grenades, RPG rocket launchers, claymore anti-personnel mines and man portable air defense systems. The Mexican cartels have taken control of Mexico through active means of terrorism. During my last trip to the Rio Grande Valley, Texas, I was extremely concerned to learn about the 9,000 drones used by the cartels for surveillance inside America especially knowing how the cartels are now dropping C4 explosives on their adversaries in Mexico. It's a threat growing daily on our Southern Border and the use of drones and explosives is a huge risk to our brave men and women of CBP who are fighting daily to keep us safe.

On July 12, 2023, as reported in ABC News, A drug cartel set off a coordinated series of 7 roadway bombs in western Mexico that killed 4 police officers and 2 civilians. The governor of Jalisco state said the explosions were "a trap" set by the cartel to kill law enforcement personnel. This is another recent example of the advanced terrorist-style attacks carried out by the Mexican Cartels. (STEVENSON, 2023)

RECOMMENDATIONS

- The President should hold a White House Summit immediately to declare a national health and security emergency based on the historic number of deaths from fentanyl and the escalating growing lethal relationship between the Mexican cartels and the CCN. All Americans must understand this is not the same old drug problem and synthetic drugs have changed the game.

- Create an Operation Warp Speed type of response for Fentanyl like we had for COVID and apply the best practices and lessons learned to address the current fentanyl poisoning crisis.
- The President should direct the Department of Education to implement a mandatory and robust curriculum at all schools to ensure young Americans are learning about the emerging deadly synthetic drug threats.
- The President must mandate the CDC to update the processes on reporting timely and producing accurate statistics on fentanyl and other synthetic drug poisonings and deaths.
- The White House should collaborate with professional athletes, role models, celebrities, and social media influencers to start an immediate outreach campaign to push impactful video reels on social media sites targeting the younger generation. The White House is currently using social media influencers to push campaign messages out so why not message about fentanyl to save American lives in the current state of emergency.
- Declare fentanyl a weapon of mass destruction.
- Work with Mexico and provide full U.S. support to decimate the cartel's operations.
 - Hold high-level security meetings with the Mexican counterparts to accurately assess their commitment to shut down the cartels and implement bilateral strategies.
 - Offer the use of U.S. military assets for training, capabilities, and resources to ensure the appropriate resources are directed at the threats.
 - Apply pressure on Mexico for increased information sharing and bilateral investigations.
 - Increase operations to arrest and extradite the highest members of the cartels to face justice in the United States.
 - Increase operations in Mexico to identify and destroy fentanyl and methamphetamine manufacturing labs.
 - Consider precision strikes on the cartel's production labs in Mexico.
- Declare the Sinaloa and CJNG cartel's terrorist organizations based on their growing direct threats to the United States and Mexico and apply the appropriate U.S. authorities, resources, and capabilities.
 - Since this recommendation is stuck in U.S. bureaucracy and doesn't seem to have the full support of U.S. leadership, the United States must at least respond appropriately based on the gravity of the threats posed by the cartels. The current response is unacceptable and irresponsible by anyone who took the oath to support the U.S. Constitution and protect America.
- Increase U.S. Treasury designations and sanctions to target people and businesses facilitating the deadly criminal enterprises and flooding America with poisonous drugs. Seize as many assets derived from criminal activity as possible.
- Expand multi-agency task forces with additional resources to target the supply of precursor chemicals from China and other countries to the Mexican cartels.
- Build up relationships with China, India, and other countries involved in shipping pre-cursor chemicals to the cartels.
- Strengthen border security with the policies that work and always place the interest of American citizens first.
 - Need additional scanning resources at the border.
 - Implement border walls with appropriate technology where necessary based on Homeland Security expertise not based on political motives.
 - Continue the border wall construction.
 - Implement remain in Mexico sound and common-sense policies to address the tsunami of illegal migrants entering the United States.
 - Eliminate the loopholes for the fraudulent asylum claims.
- Office of National Drug Control Policy of United States should develop Public Service Announcements immediately and establish close partnerships with grieving families and nonprofits who are fighting daily to spread awareness and save lives.
- Hold social media companies accountable for facilitating the movement of deadly drugs and other serious criminal activity like "sextortion" on their platforms.
- Increase resources for mental health, treatment, and rehabilitation for drug addiction and apply strict accountability for the resources. Need to articulate the results and progress.
- Provide resources for lab analysis and medical examiners to expedite the process.

- Set up fentanyl death task forces like Task Force 10 in San Diego and multi-agency task forces like in Los Angeles to aggressively prosecute fentanyl dealers who are killing citizens.
 - Increase resources and prosecutions of synthetic drug violators and ensure maximum penalties.
 - Establish a more formal DC-based multi-agency “Synthetic Drug Task Force” to use existing resources at the National Targeting Center at DOD, National Targeting Center at CBP, DOJ OCDETF Fusion Center, SOD, DEA’s Special Intelligence, HIDTAs, HHS, FDA, USPS, Treasury, and other key agencies.
 - Build new strategies to stop the complex money-laundering schemes used by the CCN to assist the cartels by moving funds efficiently back to the leaders.
 - Must address the outdated laws and polices especially related to criminal communications.
 - Work with technology companies and law enforcement to collaborate on the growing concern of encrypted communications and the impacts to national security.
 - Address the DOJ policy regarding the December 16, 2022, memorandum to all Federal prosecutors on charging, pleas, and sentencing on drug crimes.
 - The perception from law enforcement around America is their own DOJ is way to “soft on criminals”. The dedicated law enforcement is working hard to keep citizens safe are feel strongly they are being undermined. There are huge moral issues developing.
 - Must engage with mail services companies like UPS, FEDEX, DHL, and others to address the movement of deadly substances into America.
 - Need updated technology at mail facilities to screen and identify contraband moving around the country.
- ** The above is not an all-inclusive list of recommendations to address this very complex and escalating crisis.

CONCLUSION

The Mexican cartels, Sinaloa, and CJNG, currently operate throughout the United States and around the globe. They are working with CCN and are flooding America with deadly synthetic drugs. They are operating with impunity while taking full advantages of the vulnerabilities in the U.S. system and failing border policies and immigration laws. The cartels are growing in strength and power and using advanced technology and weapons systems to grow their operations. Migrants are dying in record numbers on their journey to America and being exploited and trafficked by the cartels at the most inhumane levels we have ever seen.

The current enforcement focus, treating the cartels as only criminal organizations, is not enough to stop the death and destruction. The United States must shut down the cartel’s ability to operate with or without Mexico placing the safety and security of Americans first. We must use all authorities and capabilities of not only law enforcement but the intelligence community, the Department of Defense and Treasury Department as one force to decimate the cartels.

CBP must focus their resources on border security and not have to be inundated with migrant processing, baby sitting, and administrative duties. The country is saturated with crime, drugs, and violence fueled by the Mexican cartels and, the cartels are taking full advantage of the massive addiction and the demand for opioids and methamphetamines all over the United States.

During his Senate testimony on February 15, 2023, Dr. Rahul Gupta, Director, Office of National Drug Control Policy of United States, stated the following related to the current drug situation:

- “Worst drug crisis we have ever seen.”
- “Unacceptable to me”
- “Unacceptable to the President”
- “Direct threat to public health and national security”
- “New era of drug trafficking”.

Based on these statements, the American public and specifically the families who have lost loved ones to poisonous fentanyl, deserve full transparency and way more action. Solving this unprecedented national security and public health crisis won’t go away from just words. We need new strategies and way more action. We must recognize that this is something America has never faced before, and we are losing the future generation rapidly.

Terrorists will continue to tap into the incredible amounts of money generated from drug trafficking and many other criminal activities such as human trafficking, counterfeiting, weapon sales, and sex trafficking so it’s imperative that our hard-

working law enforcement and other U.S. Government personnel get the resources and support to enforce the laws and keep Americans safe.

We need the leadership of the Attorney General, the Secretary of the Department of Homeland Security, executives from the Department of Defense and the intelligence community to unite and battle these growing adversaries. We also need to work closely with our State and local counterparts who are under-resourced trying to deal with this crisis on the front lines. We need to unite our agencies as the complexity of the threats continues to grow. The threats to this great country are moving at lightning speed and we need a sense of urgency at this point. It's evident that the Mexican cartels are moving extremely fast while our investigators and assets are getting "stuck in the mud" of politics, bureaucracy, and antiquated laws.

In my view, fentanyl is a chemical weapon and the narco-terrorists' Mexican cartels are destroying our country as they work closely with the CCN.

We need to step up the game with a sense of urgency. Law enforcement will continue to do their best in enforcing the laws, but America needs Congress and White House leadership to further engage on these growing issues. The death rates are spiking and impacting Republicans, Democrats, and Independents. We must come together and develop updated strategies to combat these threats.

As DHS Secretary Mayorkas stated during a Senate hearing in March 2023, "The record number of Americans dying of fentanyl overdoses is now the "single greatest challenge we face as a country." Based on this statement, America needs policies and actions consistent to this assessment.

Thank you for the opportunity to speak on these important topics impacting our national security and public safety.



(Chart made by Derek Maltz depicting the complexity of crime in America. The gap between "good and evil" is growing rapidly resulting in a more dangerous America)

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Chairman GREEN. I now recognize——

Mr. THOMPSON. Hold on a minute. Why do you reference me?

Mr. MALTZ. Because in your opening statement, you said that this was a charade, it was a waste of time, whatever words you used, and the kids are dying at record levels, and I don't appreciate that.

Mr. THOMPSON. Look, I had said——

Chairman GREEN. Hold on. The Ranking Member is not recognized.

We are going to continue on with our witnesses.

Ms. Felbab-Brown, you are recognized for 5 minutes.

STATEMENT OF VANDA FELBAB-BROWN, PHD, DIRECTOR, INITIATIVE ON NONSTATE ARMED ACTORS, THE BROOKINGS INSTITUTION

Ms. FELBAB-BROWN. Thank you for this opportunity to testify.

As was said, I'm a senior fellow at the Brookings Institution. The Brookings Institution is U.S. nonprofit organization devoted to independent research and policy solution. My testimony represents solely my personal views and not those of anyone else.

U.S. domestic prevention, treatment, harm reduction, and law enforcement measures are fundamental and indispensable to countering the devastating fentanyl crisis. Mexican criminal groups, particularly the Sinaloa Cartel and Cartel Jalisco Nueva Generación, source fentanyl and fentanyl precursors in China, synthesize them into fentanyl in Mexico, and then smuggle them into the United States. Some 90 percent of fentanyl seizures occur in legal ports of entry, and this is very likely where most fentanyl is smuggled through. Mexican cartels predominantly hire U.S. citizens to smuggle drugs across the border. U.S. citizens represent more than 85 percent of those convicted of fentanyl charges.

Drugs are hidden frequently in personal vehicles or within legal cargo. New ports of entry scanning technology authorized by the Biden administration are expected to significantly increase the percentage of inspected vehicles and cargo. A most welcome development. A highly pernicious recent development is the establishment in Mexico of pharmacies that sell fentanyl-laced drugs and other dangerous substances, as well as drugs such as antibiotics and steroids without prescription. These are located in major tourist areas and very likely are linked to Mexican cartels. Yet, although they operate in plain sight of Mexican authorities, the Mexican authorities appear to take little action against them.

Increasing payments for precursors originating in China are now occurring in wildlife, a significant problem endangering public health and safety, as well as food and security and global biodiversity with repercussions for the United States.

In Mexico, the collapse of rule of law is profound and goes far beyond the high rates of homicides and disappearances. While the administration of President Andres Manuel López Obrador persists in its do-little policy vis-à-vis Mexican cartels, the groups are in-

creasingly resorting to more brazen violence, enjoying high levels of impunity as well as governing large scope of economies, institutions, and a significant number of people while seeking to influence elections.

In contrast, in the United States, because of the high effectiveness of U.S. law enforcement and policies, Mexican criminal groups are far less violent and do not behave in the same way. Indeed, the overwhelming majority of violent, serious crime in the United States are committed by U.S. citizens.

U.S. counter-narcotics and law enforcement bargaining with Mexico is constrained by the U.S. reliance on Mexico to stop migrant flows to the United States. If the United States were able to pass the comprehensive immigration reform that would allow legal pathways for those seeking protection and opportunities in the United States, it would be far better able to induce the Mexican government to meaningfully cooperate on counternarcotics and other law enforcement issues.

In its engagement with the Mexican government the United States should prioritize shutting down Mexican pharmacies that sell fentanyl and methamphetamine-laced drugs, the actual dismantling of drug-trafficking networks, not merely seizures and labs and more effective Mexican prosecutorial action.

Rather than designating Mexican criminal groups as foreign terrorist organizations, the United States should further significantly intensify border inspections. That requires adequately resourcing U.S. Customs and Border protection, both with resources and personnel for legal ports of entry, as well as developing packages of leverage, such as indictment portfolios and visa denials against Mexican officials who sabotage rule of law in Mexico and facilitate cartel activities.

The United States should also adopt a true whole-of-Government approach to countering fentanyl smuggling, authorizing a wide range of U.S. agencies, including the departments, to support U.S. law enforcement. Because the cartels are no longer specializing simply in drug trafficking, but a whole variety of legal and illegal economies, the approach needs to be multifaceted. That means increasing intelligence collections against a wide variety of activities the cartels engage in, such as crimes against nature and consequently the number of U.S. Fish and Wildlife special agents and investigators, as well as other specialists for other economies. It also means bringing a wide set of law enforcement actors to organized crime drug force task forces.

Thank you.

[The prepared statement of Ms. Felbab-Brown follows:]

PREPARED STATEMENT OF VANDA FELBAB-BROWN

JULY 17, 2023

Dear Chairman Green, Ranking Member Thompson, and distinguished Members of the Committee on Homeland Security: I am honored to have this opportunity to testify at this hearing entitled, "Biden and Mayorkas' Open Border: Advancing Cartel Crime in America."

I am a senior fellow at the Brookings Institution where I direct The Initiative on Non-State Armed Actors and co-direct the Africa Security Initiative. Illicit economies, such as the drug trade and wildlife trafficking, organized crime, and corruption, and their impacts on U.S. and local security issues around the world are the

domain of my work and the subject of several of the books I have written. I have conducted fieldwork on these issues in Latin America, Asia, and Africa. I have been studying crime and security policies in Mexico and their impact on public safety in the United States for over two decades and have recently returned from a month-long research trip in Mexico in June 2023.

This testimony draws extensively on my many publications on crime issues in Mexico, available on my page on Brookings's website,¹ as well as my latest research trip in Mexico.

The Brookings Institution is a U.S. nonprofit organization devoted to independent research and policy solutions. Its mission is to conduct high-quality, independent research and, based on that research, to provide innovative, practical recommendations for policy makers and the public. The testimony that I am submitting represents solely my personal views and does not reflect the views of Brookings, its other scholars, employees, officers, and/or trustees.

EXECUTIVE SUMMARY

U.S. domestic prevention, treatment, harm reduction, and law enforcement measures are fundamental and indispensable to countering the devastating fentanyl crisis.

However, the structural characteristics of synthetic drugs such as fentanyl, including the ease of developing similar, but not scheduled, synthetic drugs and their new precursors—increasingly a wide array of dual-use chemicals—pose immense structural obstacles to controlling their supply.

Nonetheless, given the extent and lethality of the synthetic opioid epidemic in North America and its emergent spread to other parts of the world, even supply control measures with partial and limited effectiveness can save lives and thus need to be designed as smartly and robustly as possible.

THE TRAFFICKING PATTERNS

Mexican criminal groups—principally the Sinaloa Cartel and Cartel Jalisco Nueva Generación (CJNG)—source fentanyl, fentanyl precursors, and pre-precursors from China. In Mexico, they synthesize the precursors into fentanyl. Sometimes they traffic finished fentanyl to the United States in an unadulterated form; other times, they mix it into other drugs, press it into pills, and traffic such fentanyl contraband to the United States.

Some 90% of fentanyl seizures occur in legal ports of entry.

Mexican cartels predominantly hire U.S. citizens to smuggle drugs across the border; U.S. citizens represent more than 85% of those convicted of fentanyl charges. Drugs, such as fentanyl, are frequently hidden in concealed vehicle compartments driven by U.S. citizens with U.S. license plates. Traffickers also extensively hide fentanyl and other drugs within legal cargo entering the United States through legal ports of entry.

Yet despite efforts to increase port-of-entry inspections, the U.S. Customs and Border Protection (CBP) agency is able to inspect only some of the entering vehicles. New ports-of-entry scanning technologies authorized by the Biden administration are expected to significantly increase the percentage of inspected vehicles, a most welcome development.

Yet drug trafficking groups also utilize other smuggling methods, such as tunnels, maritime boats, and drones.

A highly pernicious recent development is the establishment of pharmacies in Mexico, particularly in major international tourist areas, that sell fentanyl-laced drugs, other dangerous substances, and regulated medications, such as antibiotics, without prescription. Most likely linked to major Mexican cartels, these pharmacies significantly increase the dangers of fentanyl trafficking as well as increased threats to global public health, security, and the economy. Yet although these pharmacies operate in violation of Mexican laws and in plain sight, there appears to be little meaningful action by Mexican law enforcement and regulatory authorities to shut them down.

Money laundering

Chinese actors have come to play an increasing role in laundering money for Mexican cartels, circumventing the U.S. and Mexican formal banking systems. Other money laundering and value transfers between Mexican and Chinese criminal networks include trade-based laundering; value transfer utilizing wildlife products,

¹Vanda Felbab-Brown, The Brookings Institution, <https://www.brookings.edu/people/vanda-felbab-brown/>.

such as protected and unprotected marine products and timber; real estate; cryptocurrencies; casinos; and bulk cash. Indeed, despite intensified efforts by the United States to counter the flow of bulk cash to Mexico across the U.S.-Mexico border across several administrations, extensive amounts of illicit money and weapons continue to flow from the United States to Mexico.

The increasing payments for drug precursors originating in China in wildlife products are particularly noteworthy. This method of payment engenders multiple threats to public health and safety, economic sustainability, food security, and global biodiversity. If this wildlife trafficking spreads dangerous zoonotic diseases, it could even pose a threat to national security.

The Behavior of Mexican Cartels in Mexico and in the United States

In Mexico, the collapse of the rule of law is profound and goes far beyond the high rates of homicides and disappearances of people perpetrated by criminal groups. While the administration of President Andrés Manuel López Obrador persists in its do-little policy, Mexican criminal groups are resorting more and more to brazen violence while enjoying high levels of impunity in Mexico.

In Mexico, Mexican criminal groups increasingly govern a large scope of territories, economies, and institutions and a significant number of people. They have also profoundly intensified their efforts to influence elections at all levels of the government.

Investigative and prosecutorial capacities in Mexico remain limited. They are overwhelmed by the level of crime in Mexico and suffering from criminal infiltration, corruption, and political interference despite decades-long efforts at reform.

In the United States, because of the high effectiveness of U.S. law enforcement, Mexican criminal groups behave strikingly differently: they are far less violent and do not have the capacity to govern people, institutions, or territories. The overwhelming majority of violent and serious crimes in the United States are committed by U.S. citizens.

Indeed, even in Mexico, Mexican criminal groups intensely fear U.S. law enforcement actions. Yet the Mexican government has gravely undermined the capacity of U.S. law enforcement to operate in Mexico.

Mexican drug cartels are expanding their role into crimes against nature, and they are also increasingly infiltrating and seeking to dominate a variety of legal economies in Mexico, including fisheries, logging, and agriculture, and extorting an even wider array of legal economies.

Because of the diversification of the economic portfolio of Mexican cartels and Chinese criminal networks, focusing primarily on drug seizures close to their source is no longer an adequate approach for effectively countering drug smuggling networks that send pernicious drugs to the United States or their financial systems.

Countering poaching and wildlife trafficking in Mexico and thwarting illegal fishing in Mexican and Latin American waters are increasingly important aspects of countering Mexican drug-trafficking cartels and their damaging effects in the United States and Mexico. Indeed, this convergence of illicit economies also provides the United States with new opportunities for intelligence gathering and law enforcement actions, even as China-Mexico law enforcement cooperation against the trafficking of fentanyl and precursor agents for meth and synthetic opioids remains minimal.

Mexico's Inadequate Law Enforcement Cooperation with the United States

Just like with China, Mexico's cooperation with U.S. counternarcotics efforts is profoundly hollowed out. The Mexican government of López Obrador has eviscerated counternarcotics and law enforcement cooperation with the United States since 2019 and particularly since 2020 when U.S. law enforcement activities in Mexico became shackled and undermined by Mexican government actions.

The U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities² of the fall of 2021 reiterates multiple dimensions of counternarcotics cooperation, including law enforcement, and emphasizes the public health and anti-money-laundering elements of the agreement, as the Mexican government sought.

In practice, however, the Mexican government's actions and cooperation on its side of the U.S.-Mexico border remain profoundly inadequate, including and particularly in law enforcement actions to counter the Mexican criminal groups and their production and trafficking of fentanyl. Crucially, even when drug laboratories are

²“Summary of the Action Plan for U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities: A Fact Sheet,” U.S. Department of State, January 31, 2022, <https://www.state.gov/summary-of-the-action-plan-for-u-s-mexico-bicentennial-framework-for-security-public-health-and-safe-communities/>.

actually busted by Mexican authorities, little network dismantling and few meaningful drug prosecutions follow. Traffickers can thus easily survive and recover from limited financial losses by erecting new drug labs.

U.S. counternarcotics and law enforcement bargaining with Mexico is constrained by the U.S. reliance on Mexico to stop migrant flows to the United States. Both the Trump and the Biden administrations strongly prioritized securing Mexico's cooperation in stopping the flows of undocumented migrants to the United States. This prioritization—and the dependence on Mexico's cooperation on that issue—has left the Mexican government feeling emboldened to disregard other U.S. interests and Mexico's commitments, such as on counternarcotics and law enforcement cooperation. If the United States were able to conduct a comprehensive immigration reform that would provide legal work opportunities to those currently seeking protection and opportunities in the United States through unauthorized migration, it would have far better leverage to induce meaningful and robust counternarcotics and law enforcement cooperation with Mexico and would be better able to save U.S. lives.

Policy Priorities and Tools

Although supply control measures have partial and limited effectiveness, improving them to supplement U.S. domestic treatment and harm reduction measures is important.

Strengthening border controls at legal ports of entry through which the vast majority of fentanyl enters the United States is one such important measure, as is demanding better cooperation from the Mexican government.

Since Mexican drug cartels have diversified their activities into a wide array of illicit and licit commodities, primarily focusing on drug seizures close to the source is no longer sufficient for effectively disrupting fentanyl smuggling and criminal networks implicated in it.

Rather, it is imperative to counter all of the Mexican criminal groups' economic activities. This includes countering poaching and wildlife trafficking from Mexico and illegal logging and mining in places where the Mexican cartels have reach, acting against illegal fishing off Mexico and around Latin America and elsewhere, and shutting down wildlife trafficking networks into China. These are all increasingly important elements of countering Mexican and Chinese drug-trafficking groups and reducing the flow of fentanyl to the United States.

In its law enforcement engagement with the Mexican government, the United States should prioritize:

- shutting down Mexican pharmacies that sell fentanyl- and methamphetamine-adulterated drugs;
- not merely seizures and busts of laboratories but the actual dismantling of drug trafficking networks, particularly of their middle-operational layers that are hard to recreate and the removal of which significantly hampers the ability of criminal groups to operate and smuggle contraband;
- and far more effective Mexican prosecutorial actions against suppliers.

The United States has various tools to induce better cooperation from Mexico: Designating Mexican cartels as Foreign Terrorist Organizations (FTOs) would enable intelligence gathering and strike options for the United States military, such as against some fentanyl labs in Mexico. But the number of available strike targets in Mexico would be limited, and the strikes would not robustly disrupt the criminal groups. Neither would the FTO designation add authorities to the economic sanctions and anti-money laundering and financial intelligence tools that the already-in-place designation of Transnational Criminal Organization carries.

Moreover, such unilateral U.S. military actions in Mexico would severely jeopardize relations with our vital trading partner and neighbor and the FTO designation could significantly limit and outright hamper other U.S. foreign policy options, measures, and interests.

Instead, the United States should:

- consider further significantly intensifying border inspections;
- adequately resource U.S. law enforcement agencies such as the U.S. Customs and Border Protection (CBP) to adopt the most advanced scanners and increase the number of CBP inspectors at U.S. legal ports;
- develop packages of leverage, including indictment portfolios and visa denials, against Mexican national security and law enforcement officials and politicians who sabotage rule of law cooperation in Mexico, facilitate cartel activities, and undermine law enforcement cooperation with the United States.

Importantly, to effectively counter the fentanyl-smuggling actors, the United States should expand and smarten up its own measures against criminal actors, including by:

- truly adopting a whole-of-Government approach to countering fentanyl-smuggling entities;
- authorizing a wide range of U.S. Government agencies, including the Departments of State and Defense, to support U.S. law enforcement against Mexican and Chinese criminal actors and fentanyl trafficking and crimes against nature;
- collecting relevant intelligence on crimes against nature to understand criminal linkages to foreign governments and criminal groups and elevate such intelligence collection in the U.S. National Intelligence Priorities Framework;
- expanding the number and frequency of participation of U.S. wildlife investigators and special agents in Organized Crime Drug Enforcement Task Forces (OCDETF);
- increasing the number of U.S. Fish and Wildlife Service special agents and investigators, which have flatlined since the 1970's even as the value of wildlife trafficking has significantly increased since then; and
- designating wildlife trafficking as a predicate offense for wiretap authorization.

THE TRAFFICKING PATTERNS

Synthetic opioids are the source of the deadliest and unabating U.S. drug epidemic ever. Since 1999, drug overdoses have killed over 1 million Americans,³ a lethality rate that has increased significantly since 2012 when synthetic opioids from China began supplying the U.S. demand for illicit opioids. In 2021, the number of fatalities was 106,699⁴; in 2022, it is estimated at 107,477.⁵ Most of the deaths are due to fentanyl, consumed on its own or mixed into fake prescription pills, heroin, and increasingly methamphetamine and cocaine.

After years of intense U.S. diplomacy, China placed the entire class of synthetic opioids on a regulatory schedule.⁶ Yet it remains the principal (if indirect) source of U.S. fentanyl.⁷

The fentanyl scheduling and China's adoption of stricter mail monitoring have created some deterrence effects. Instead of finished fentanyl being shipped directly to the United States, most smuggling now takes place via Mexico.

Mexican criminal groups—principally the Sinaloa Cartel and CJNG—source fentanyl, fentanyl precursors, and pre-precursors from China. In Mexico, they synthesize the precursors into fentanyl. Sometimes they traffic finished fentanyl to the United States in an unadulterated form, other times, they mix it into other drugs, press it into pills, and traffic such fentanyl contraband to the United States. The Mexican cartels are also increasingly exploring the possibility of moving fentanyl production and pill-pressing sites to other parts of the world, such as Colombia and Guatemala.⁸

³Julie O'Donnell, Lauren J. Tanz, R. Matt Gladden, Nicole L. Davis, and Jessica Bitting, "Trends in and Characteristics of Drug Overdose Deaths Involving Illicitly Manufactured Fentanyl—United States, 2019–2020," *Morbidity and Mortality Weekly Report*, 70, No. 50, December 17, 2021.

⁴Merianne Rose Spencer, Arialdi M. Miniño, and Margaret Warner, "Drug Overdose Deaths in the United States, 2001–2021," NCHS Data Brief No. 457, Centers for Disease Control and Prevention National Center for Health Statistics, U.S. Department of Health and Human Services, December 2022, <https://www.cdc.gov/nchs/data/databriefs/db457.pdf>.

⁵"Dr. Rahul Gupta Releases Statement on CDC's New Overdose Death Data," The White House, Office of National Drug Control Policy, January 11, 2023, <https://www.whitehouse.gov/ondcp/briefing-room/2023/01/11/dr-rahul-gupta-releases-statement-on-cdcs-new-overdose-death-data-2/#:~:text=Rahul%2520Gupta%2520C%2520Director%2520of%2520the,period%2520ending%2520in%2520August%25202022>.

⁶Mark Landler, "U.S. and China Call Truce in Trade War," *The New York Times*, December 1, 2018, <https://www.nytimes.com/2018/12/01/world/trump-xi-g20-merkel.html>.

⁷Vanda Felbab-Brown, "China's Role in the Smuggling of Synthetic Drugs and Precursors," The Brookings Institution, March 2022, <https://www.brookings.edu/events/chinas-role-in-the-smuggling-of-synthetic-drugs-and-precursors/>.

⁸Luis Chaparro, "Sinaloa Cartel Exports Fentanyl 'Kitchens' from Mexico to Colombia amid International Crackdown," Fox News, June 13, 2023, <https://www.foxnews.com/world/sinaloa-cartel-export-fentanyl-kitchens-mexico-colombia-international-crackdown>; Vanda Felbab-Brown, "How the Taliban Suppressed Opium in Afghanistan—and Why There's Little to Celebrate," *Time Magazine*, July 17, 2023, <https://time.com/6294753/taliban-opium-suppression-afghanistan/>; Vanda Felbab-Brown, "The Foreign Policies of the Sinaloa Cartel and CJNG—Part V: Europe's Supercoke and On-the-Horizon Issues and the Middle East," *Mexico Today*, <https://www.brookings.edu/opinions/the-foreign-policies-of-the-sinaloa-cartel-and-cjng-part-v-europes-supercoke-and-on-the-horizon-issues-and-the-middle-east/>; Vanda Felbab-Brown, "The Foreign Policies of the Sinaloa Cartel and CJNG—Part IV: Europe's Cocaine and Meth Markets," *Mexico Today*, September 2, 2022, <https://www.brookings.edu/opinions/the-foreign-policies-of-the-sinaloa-cartel-and-cjng-part-iv-europes-cocaine-and-meth-markets/>; and Vanda Felbab-Brown, "The Foreign Policies of the Sinaloa Cartel and CJNG—Part I: In the Americas," *Mexico Today*,

It appears that the vast majority of fentanyl enters the United States through legal ports of entry. Certainly, in 2022, 90% of fentanyl seizures occurred at a legal port of entry or interior vehicle checkpoints.⁹ In 2022, Border Patrol agents who were not at vehicle checkpoints accounted for just 9% of fentanyl seizures.¹⁰ Since October 2022, i.e., the start of the 2023 fiscal year, 92% of fentanyl seizures occurred at legal ports of entry.¹¹

Mexican cartels intensively hire U.S. citizens to smuggle drugs across the border because U.S. citizens generate less suspicion and are often subject to less inspection scrutiny than foreign nationals. Drugs, such as fentanyl, are frequently hidden in concealed vehicle compartments driven by U.S. citizens with U.S. license plates. In 2022, 88% of fentanyl trafficking convictions were of U.S. citizens.¹² In 2021, U.S. citizens accounted for 86.3% of fentanyl convictions.¹³ Only 0.02% of people arrested by Border Patrol crossing illegally into the United States possessed any fentanyl.¹⁴

Traffickers also extensively hide fentanyl and other drugs within legal cargo entering the United States through legal ports of entry.¹⁵

Yet for years, CBP has been able to inspect only a small percentage of the vehicles that cross the U.S. land borders. In 2019, CBP acknowledged that it was able to inspect only 2% of all private vehicles and only 16% of commercial vehicles at land legal ports of entry.¹⁶

The Biden administration has appropriately sought to redress this challenge by installing powerful scanners at legal ports of entry. Their augmented efficiency allows for better visibility into individual vehicles and their cargo as well as the scanning of more vehicles.¹⁷ Once the new scanners are deployed, the number of inspected vehicles is expected to rise dramatically to 40% of passenger vehicles and 70% of cargo vehicles.¹⁸

But even with the installation of advanced technology to better scan more vehicles entering through U.S. legal ports of entry, a significant percentage of vehicles and cargo will still go unchecked.

Yet drug trafficking groups also utilize other smuggling methods, such as tunnels under the U.S.-Mexico border and postal or courier services. Increasingly, the smuggling methods feature drug trafficking by boats on the seas and by drones across the land border with Mexico. The very high potency-per-weight ratio of synthetic opioids and improving payloads of commercial off-the-shelf drones make the smuggling of fentanyl through this method increasingly feasible and profitable.

A highly pernicious recent development is the establishment of pharmacies in Mexico, particularly in major international tourist areas, that sell fentanyl-laced drugs and other dangerous substances. Proliferating in places such as the Mayan Riviera and Los Cabos over the past 3 years, these pharmacies are physical buildings that appear like other Mexican pharmacies. Yet they openly advertise drugs such as antibiotics, anabolic steroids, and prescription opiates and sell them illegally without a prescription. Investigative work by *The Los Angeles Times* and separately by *Vice* discovered that drugs sold as Percocet, for example, also contained fentanyl

July 22, 2022, <https://mexicotoday.com/2022/07/22/opinion-the-foreign-policies-of-the-sinaloa-cartel-cjng-part-i-in-the-americas/>.

⁹U.S. Customs and Border Protection (CBP), “Drug Seizure Statistics fiscal year 2023” and “Drug Seizure Statistics fiscal year 2022,” <https://www.cbp.gov/newsroom/stats/drug-seizure-statistics>.

¹⁰David J. Bier, “Fentanyl Is Smuggled for U.S. Citizens by U.S. Citizens, Not Asylum Seekers,” CATO Institute, September 14, 2022, <https://www.cato.org/blog/fentanyl-smuggled-us-citizens-us-citizens-not-asylum-seekers>.

¹¹Adam Isacson, “Weekly U.S.-Mexico Border Update: Fentanyl, CBO One, ‘Friendship Park,’” Washington Office on Latin America, March 24, 2023, <https://www.wola.org/2023/03/weekly-u-s-mexico-border-update-fentanyl-cbp-one-friendship-park/>.

¹²U.S. Sentencing Commission, “Quick Facts: Fentanyl Trafficking Offenses,” 2022, https://www.ussc.gov/sites/default/files/pdf/research-and-publications/quick-facts/Fentanyl_FY21.pdf.

¹³[Footnote not provided.]

¹⁴David J. Bier, “Fentanyl Is Smuggled for U.S. Citizens by U.S. Citizens, Not Asylum Seekers.”

¹⁵Drug Enforcement Administration (DEA), “2020 National Drug Threat Assessment,” March 2021, [dea.gov/sites/default/files/2021-02/DIR-008-21_2020_National_Drug_Threat_Assessment_WEB.pdf](https://www.dea.gov/sites/default/files/2021-02/DIR-008-21_2020_National_Drug_Threat_Assessment_WEB.pdf).

¹⁶Leandra Bernstein, “Vehicle Scanning Technology at the Border Is about to Ruin the Drug Trade,” NBC Montana, August 29, 2019, <https://nbcmontana.com/news/nation-world/vehicle-scanning-technology-at-the-border-is-about-to-ruin-the-drug-trade>.

¹⁷Nick Miroff, “U.S. Deploys Powerful Scanners at Border to Fight Fentanyl Smuggling,” *The Washington Post*, March 9, 2023, <https://www.washingtonpost.com/nation/2023/03/09/united-states-arizona-border-fentanyl/>.

¹⁸Ibid.

and methamphetamine.¹⁹ During my June 2023 fieldwork in Mexico, shop assistants in these pharmacies claimed they could mail any of these drugs to the United States without a prescription.

Amidst an already terrible drug epidemic, these pharmacies greatly magnify the threats to public health. U.S. citizens have long been used to buying medications that are too expensive in the United States from Mexico. Unwittingly, intending to buy other medication, they may end up buying drugs causing lethal overdose or addiction. The legitimate veneer of these pharmacies also exposes a much wider set of potential customers to fentanyl and other dangerous drugs, ranging from teenagers to the elderly. Because the pharmacies aggressively target international tourists in major vacation resort areas, they also export the fentanyl epidemic to other regions of the world, such as Western Europe. Many of these pharmacies are likely linked to the Sinaloa Cartel and CJNG. Further funding the Mexican cartels and other drug trafficking networks, a geographic spread of fentanyl use would augment the global public health disaster.

The adulteration of fake medications with fentanyl and methamphetamine is not the sole problem. The unauthorized sale of antibiotics without prescription at these pharmacies also poses other massive global public health, economic, and security harms, such as the intensified emergence of drug-resistant bacteria.

Shutting down these unscrupulous pharmacies to minimize the criminals' market access and to reduce exposure to customers is imperative. Simply seizing illicit pills while letting the pharmacies operate is inadequate. Shutdown and strong prosecutorial actions are necessary against suppliers. Yet while these pharmacies operate in violation of Mexican laws, in plain sight, and visibly saturate major tourist areas, there appears to be little law enforcement action by Mexican officials and regulatory authorities, such as from Mexico's Federal Commission for Protection Against Sanitary Risks (COFEPRIS).²⁰

MONEY LAUNDERING

The National Drug Intelligence Center of the U.S. Department of Justice estimated in 2008 that Mexican and Colombian drug trafficking groups earned between \$18 billion and \$39 billion a year from wholesale drug sales.²¹ In 2010, the U.S. Department of Homeland Security (DHS) estimated bulk cash smuggling to Mexico at between \$19 billion and \$29 billion annually.²² Other estimates from the United Nations Office on Drugs and Crime, research organizations, and news media have assessed Mexico's drug export revenues to have been in the range of \$6 billion to \$21 billion a year between 2010 and 2018.²³

Mexican cartels utilize many money-laundering methods, among which are illicit money-laundering systems such as the black-peso market, trade-based money laundering, real estate, cryptocurrencies, casinos, and bulk cash.²⁴ Indeed, despite intensified efforts by the United States to counter the flows of bulk cash to Mexico across the U.S.-Mexico border across several administrations, extensive amounts of illicit money and weapons continue to flow from the United States to Mexico.

The cartels are also increasingly using a novel approach: Chinese informal money exchange systems based out of the United States and Mexico.

Although it is not clear what percentage of the cartels' illicit profits is laundered through Chinese money transfer networks, U.S. officials fear that the effectiveness

¹⁹ Connor Sheets and Keri Blakinger, "Fentanyl-tainted Pills Now Found in Mexican Pharmacies from Coast to Coast," *The Los Angeles Times*, June 14, 2023, <https://www.latimes.com/world-nation/story/2023-06-14/fentanyl-tainted-pills-now-found-in-mexican-pharmacies-from-coast-to-coast>; and Deborah Bonello, "Cartels Are Using Pharmacies To Sell Fake Pills Laced With Fentanyl and Meth to Unwitting Tourists," *Vice*, June 14, 2023, <https://www.vice.com/en/article/m7bbxv/mexico-pharmacies-fake-pills-cjng-sinaloa-cartel>.

²⁰ In June 2023, COFEPRIS finally raided three such pharmacies in Los Cabos, arresting 4 and seizing some 25,000 pills. See Brittany Mejia, "Mexico Raids Pharmacies in Probe of Fentanyl-Laced Pills," *Los Angeles Times*, <https://www.latimes.com/world-nation/story/2023-07-07/mexican-authorities-raid-pharmacies-in-inquiry-into-fentanyl-tainted-pills>.

²¹ "Illicit Finance," in National Drug Threat Assessment 2009 (Washington, DC: National Drug Intelligence Center, U.S. Department of Justice, December 2008).

²² [Footnote not provided.]

²³ See "Estimating Illicit Financial Flows Resulting from Drug Trafficking and Other Transnational Organized Crimes: Research Report," (Vienna: United Nations Office on Drugs and Crime, October 2011); Beau Kilmer, Jonathan P. Caulkins, Brittany M. Bond, and Peter Reuter, "Reducing Drug Trafficking Revenues and Violence in Mexico: Would Legalizing Marijuana in California Help?" (Santa Monica, Calif.: RAND Corporation, 2010); Gabriel Stargardter, "Mexico's Drug Cartels, Now Hooked on Fuel, Cripple the Country's Refineries," *Reuters*, January 24, 2018, <https://www.reuters.com/investigates/special-report/mexico-violence-oil/>.

²⁴ Vanda Felbab-Brown's interviews with current and former U.S. and Mexican officials and law enforcement officers, Mexico City, and by virtual platforms, October and November 2021.

of the Chinese networks' money laundering is such that it is even displacing established Mexican and Colombian money launderers and putting the flows of cartel money even more out of reach of U.S. law enforcement.²⁵ In some cases, a particular Chinese money-laundering network managed to get itself hired by both the Sinaloa Cartel and the CJNG; in other cases, they worked exclusively with just one of them.²⁶

The increasing payments for drug precursors in wildlife products coveted in China—for Traditional Chinese Medicine, aphrodisiacs, other forms of consumption, or as a tool of speculation, such as in the case of the highly-prized swim bladder of the endemic and protected Mexican totoaba fish poached for Chinese markets—are particularly worrisome.²⁷ Other wildlife commodities used for money laundering, tax evasion, and as barter payments between Mexican cartels and Chinese precursor networks include abalone, jellyfish, and lobster.²⁸ Instead of paying in cash, Chinese traffickers are paid in commodities. The amount of value generated by wildlife commodity payments, likely in the tens of millions of dollars, may not cover all of the precursor payment totals, but could cover a substantial percentage since the total payments for precursors likely amount to tens of millions of dollars also.²⁹ Wildlife barter may not displace other methods of money laundering and value transfer. But the increasing role of this method can devastate natural ecosystems and biodiversity in Mexico as the cartels steadily seek to legally and illegally harvest more and more of a wider range of animal and plant species to pay for drug precursors. In Mexico, poaching and wildlife trafficking for Chinese markets are increasingly intermeshed with drug trafficking, money laundering, and value transfer in illicit economies.

THE BEHAVIOR OF MEXICAN CARTELS IN MEXICO AND IN THE UNITED STATES

The connections between the illegal drug trade and the timber and wildlife trade and trafficking from Mexico to China are all the more significant as poaching and wildlife trafficking in Mexico is increasing and Mexican drug cartels are expanding their role in crimes against nature.

They are also increasingly taking over legal economies in Mexico, including logging, fisheries, and various agricultural products such as avocados, citrus, grain corn, mining, and water distribution in parts of Mexico. Such takeover of legal economies by the cartels does not merely entail extortion—enormously wide-spread as many businesses in Mexico do not have the capacity to shield themselves from extortion by Mexican criminal groups. These organized crime groups across Mexico, especially the Sinaloa Cartel, often seek to monopolize the entire vertical supply chain. Fisheries provide a prime example. Beyond merely demanding a part of the profits from fishers as extortion, the criminal groups dictate to legal and illegal fishers how much the fishers can fish, insisting that the fishers sell the harvest only to the criminal groups, and that restaurants, including those catering to international tourists, buy fish only from the criminal groups. Mexican organized crime groups set the prices at which fishers can be compensated and restaurants paid for the cartels' marine products. The criminal groups also force processing plants to process the fish they bring in and issue it with fake certificates of legal provenance for export into the United States and China. They charge extortion fees to seafood exporters. They also force fishers to smuggle drugs.

²⁵ Drazen Jorgic, "Special Report: Burner Phones and Mobile Banking Apps: Meet the Chinese Brokers Laundering Mexican drug money," Reuters, December 3, 2020, <https://www.reuters.com/article/us-mexico-china-cartels-specialreport/special-report-burner-phones-and-banking-apps-meet-the-chinese-brokers-laundering-mexican-drug-money-idUSKBN28D1M4>.

²⁶ Vanda Felbab-Brown's interviews with U.S. Government and law enforcement officials, Mexico City, and by virtual platforms, October and November 2021.

²⁷ Vanda Felbab-Brown, "China's Role in Poaching and Wildlife Trafficking in Mexico" (The Brookings Institution, March 2022, <https://www.brookings.edu/events/chinas-role-in-poaching-and-wildlife-trafficking-in-mexico/>). For background, see also Vanda Felbab-Brown and Alejandro Castillo, "Restore US-Mexico seafood trade & save the vaquita," *Mexico Today*, May 7, 2021, <https://mexicotoday.com/2021/05/07/opinion-restore-us-mexico-seafood-trade-save-the-vaquita/>; Enrique Sanjurjo-Rivera, et. al., "An Economic Perspective on Policies to Save the Vaquita: Conservation Actions, Wildlife Trafficking, and the Structure of Incentives," *Frontiers in Marine Science* (August 27, 2021), <https://doi.org/10.3389/fmars.2021.644022>.

²⁸ Vanda Felbab-Brown's interviews with current and former U.S. and Mexican officials and law enforcement officers and Mexican fishery experts and high-level fishery operators, Mexico City, and by virtual platforms, October and November 2021.

²⁹ Vanda Felbab-Brown's interviews with U.S. law enforcement officials, Mexico City, and by virtual platforms, October 2021.

Mexican criminal groups are also expanding into illegal fishing outside of Mexico.³⁰ There have long been suspicions about the extent to which Latin American fishing fleets are also engaged in the smuggling of drugs such as cocaine to the United States.³¹ The penetration of legal fisheries by Mexican cartels further facilitates their drug smuggling enterprise.

Similarly, massive Chinese fishing fleets have long engaged in illegal fishing, sometimes devastating marine resources in other countries' exclusive economic zones. However, there also appears to be a growing involvement of Chinese fishing ships in drug trafficking, compounding the extensive problem of Chinese cargo vessels carrying contraband such as drugs and their precursors as well as wildlife.³² And there is the possibility that Chinese fishing flotillas or individual vessels operating around the Americas and elsewhere in the world may carry spy equipment collection intelligence for China.

Within Mexico, Mexican criminal groups often control extensive territories where the government has only limited control and sporadic access and some of which have become outright no-go-zones for government officials.

They have also profoundly intensified their efforts to influence elections at all levels of the government.

Indeed, the collapse of the rule of law in Mexico is profound and goes far beyond the very high homicide rates; since 2017 more than 30,000 Mexicans have been killed per year³³ while more than 112,000 remain disappeared.³⁴

In Mexico, Mexican criminal groups increasingly govern a large scope of territories, economies, and institutions and a significant number of people.

Because of the high effectiveness of U.S. law enforcement, in the United States, Mexican criminal groups behave far less violently and do not have the capacity to govern people, institutions, or territories.

The overwhelming majority of violent and serious crimes in the United States are committed by U.S. citizens. For example, according to the Centers for Disease Control and Prevention, 26,031 crimes were committed in the United States in 2021 and 24,576 in 2020.³⁵ Yet in the fiscal years 2022, 2021, and 2020, which span the calendar years, non-citizens in the United States committed only 62 homicides, 60 homicides, and 3 homicides respectively, according to CBP.³⁶

Indeed, even in Mexico, Mexican criminal groups intensely fear U.S. law enforcement actions.

Yet the Mexican government has gravely undermined the capacity of U.S. law enforcement to operate in Mexico. At the beginning of his administration, López Obrador announced a strategy of “hugs, not bullets” toward criminal groups that sought to emphasize socio-economic programs to deal with crime and address the causes that propel young people to join criminal groups. But that strategy never articulated any security or law enforcement policy toward criminal groups. Worse, as the López Obrador administration persists in its do-little policy, Mexican criminal groups are resorting more and more to brazen violence and impunity in Mexico.

Like other Mexican presidents since the 1980's, López Obrador reshuffled Mexican security institutions. Most significantly, he abolished the Federal Police—because of its infiltration by Mexican criminal groups, a systematic and pervasive problem for all of Mexico's law enforcement forces for decades. (Since the 1980's, the many iterations of law enforcement reforms have failed to expunge such infiltration and corruption across Mexican agencies.)

³⁰Vanda Felbab-Brown's interview with a top executive of a large Mexican seafood exporter, Mexico, November 2021.

³¹Vanda Felbab-Brown's interviews with Latin American law enforcement officials, December 2017, November 2021, and February 2022.

³²Vanda Felbab-Brown's interviews with U.S. Government and law enforcement officials, October 2021.

³³Instituto Nacional de Estadística y Geografía (INEGI), Defunciones por Homicidios, Gobierno de México, <https://www.inegi.org.mx/sistemas/olap/proyectos/bd/continuas/-mortalidad/defuncioneshom.asp?s=est#>; and Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública (SESNSP), Datos Abiertos de Incidencia Delictiva, Gobierno de México, <https://www.gob.mx/sesnspp/acciones-y-programas/datos-abiertos-de-incidencia-delictiva?-state=published>.

³⁴Comisión Nacional de Búsqueda, Estadísticas del El Registro Nacional de Personas Desaparecidas y No Localizadas (RNPNDNO), Gobierno de México, <https://versionpublicarupndno.segob.gob.mx/Dashboard/ContextoGeneral>.

³⁵Centers for Disease Control and Prevention, National Center for Health Statistics, “National Vital Statistics System, Mortality 2018–2021.” <https://wonder.cdc.gov/controller/datarequest/D158;jsessionid=A6B25FA1C3F284E8DEF7DC5C5846#Citation>.

³⁶“Criminal Noncitizen Statistics Fiscal Year 2023,” U.S. Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/criminal-noncitizen-statistics>.

In its place, López Obrador created a National Guard staffed mostly by Mexican soldiers and police officers from the former Federal Police. However, the National Guard is not and could never be an adequate replacement for the Federal Police. The Federal Police, with all its faults, had the greatest investigative capacities and mandates, while the National Guard has no investigative mandates and very little capacity; it can only act as a deterrent force by patrolling the streets, something that it has not been effective at, or acting against crime in flagrancia. As a Mexican lawyer told me in 2021: “The National Guard are the most expensive mannequins in Mexico.”

Investigative authorities in Mexico are predominantly under the Office of the Attorney General (Fiscalía General de la República, FGR), the Federal Ministerial Police, and state prosecutorial offices. But as with other law enforcement institutions in Mexico, the FGR’s capacities are limited, overwhelmed by the level of crime in Mexico, and suffer from criminal infiltration, corruption, and political interference despite decades-long efforts at reform.

The effective prosecution rate for homicides in Mexico continues to hover at an abysmally low 2% and remains in single digits for other serious crimes.³⁷

Essentially, the Mexican president has hoped that if he does not interfere with Mexico’s criminal groups, they will eventually redivide Mexico’s economies and territories among themselves, and violence will subside. That policy has been disastrous for many reasons: Most important, because it further undermines the already-weak rule of law in Mexico, increases impunity, and subjects Mexican people, institutions, and legal economies to the tyranny of Mexican criminal groups. But also because Mexico’s out-of-control criminal market, plagued by a bipolar and increasingly internationalized war between the Sinaloa Cartel and CJNG, has little chance to effectuate such stabilization.

MEXICO’S INADEQUATE COOPERATION WITH U.S. COUNTERNARCOTICS EFFORTS

Just like with China, Mexico’s cooperation with U.S. counternarcotics efforts is radically hollowing out of Mexico’s cooperation with U.S. counternarcotics efforts is part and parcel of the overall lack of a security policy of the López Obrador administration. But it also goes beyond that.

In the spring of 2023, López Obrador began falsely denying that fentanyl is produced in Mexico, deceptive statements echoed at his behest by other high-level Mexican officials and agencies.³⁸ Blaming fentanyl use in the United States on U.S. moral and social decay, including American families not hugging their children enough (the statement an apparent nod to his strategy of confronting Mexican criminals with “hugs and not bullets”), the Mexican president also proceeded to deny that fentanyl is increasingly consumed in Mexico.³⁹ With his statements, López Obrador is not just unwittingly (or knowingly) echoing China’s rhetoric, but also publicly dismissing two decades of a policy of shared responsibility for drug production, trafficking, and consumption between United States and Mexico.

But that spring crisis was merely the visible tip of the iceberg of how Mexico has eviscerated counternarcotics and law enforcement cooperation with the United States during the López Obrador administration. When López Obrador assumed office in December 2018, he started systematically weakening that collaboration. From the beginning of his administration, he has sought to withdraw from the Mérida Initiative, the U.S.-Mexico security collaboration framework signed during the Felipe Calderón administration. And he sought to redefine the collaboration extremely nar-

³⁷ Catalina Kühne Peimbert, et al, “Impunidad en homicidio doloso y feminicidio 2022,” *Impunidad Cero*, December 2022, <https://www.impunidadcero.org/uploads/app/articulo/-175/contenido/1669895146115.pdf>; and Vanda Felbab-Brown’s interviews with Mexican security and legal experts, Mexico City, June 2023.

³⁸ Ken Dilanian, “Drug war cooperation between the United States and Mexico is at its lowest point in decades. What went wrong?” NBC News, March 17, 2023, <https://www.nbcnews.com/politics/national-security/no-cooperation-us-mexico-drug-war-rcna75093>; Vanda Felbab-Brown, “The U.S.-Mexico Fentanyl Meltdown—Part I: The State of Noncooperation,” *Mexico Today*, March 19, 2023, <https://mexicotoday.com/2023/03/19/opinion-the-u-s-mexico-fentanyl-meltdown-part-i-the-state-of-noncooperation/>.

³⁹ Mark Stevenson, “Mexican president to US: Fentanyl is your problem,” Associated Press, March 9, 2023, <https://apnews.com/article/mexico-fentanyl-epidemic-overdoses-26f735a54ee0-ba075c394ce85aef03d0>; “Mexican president blames US fentanyl crisis on ‘lack of hugs’ among families,” Associated Press, March 17, 2023, <https://www.theguardian.com/world/2023/mar/17/mexico-president-fentanyl-hugs-children-amlo#:~:text=%25E2%2580%259CThere%2520is%2520a%2520lot%2520of,said%2520of%2520the%2520US%2520crisis>; Vanda Felbab-Brown, “AMLO’s Security Policy: Creative Ideas, Tough Reality,” The Brookings Institution, March 2019, https://www.brookings.edu/wpcontent/uploads/2019/03/FP_20190325_mexico_anti-crime.pdf.

rowly: U.S. assistance to Mexico was intended to reduce demand for drugs in Mexico, while the United States focused on stopping the flow of drug proceeds and weapons to Mexico and reducing demand at home. Previous Mexican governments also certainly sought a significant increase in U.S. law enforcement focus on those two types of illicit flows but were willing to collaborate also inside Mexico.

After the United States arrested former Mexican Secretary of Defense Gen. Salvador Cienfuegos in October 2020 for cooperation with a vicious Mexican drug cartel, López Obrador threatened to end all cooperation and expel all U.S. law enforcement personnel from Mexico.⁴⁰ To avoid that outcome, the Trump administration handed Gen. Cienfuegos over to Mexico where he was rapidly acquitted.

But despite this significant U.S. concession, Mexico's counternarcotics cooperation remained limited. Meanwhile, U.S. law enforcement activities in Mexico became shackled and undermined by a December 2021 Mexican national security law on foreign agents.⁴¹ As Matthew Donahue, a former high-level Drug Enforcement Administration (DEA) official, stated, since then and because of the continually immense level of corruption and cartel infiltration in Mexican security agencies, Mexican law enforcement spends more time surveilling DEA agents than it does cartel members.⁴²

With the threat of Mexico's unilateral withdrawal from the Mérida Initiative, the United States Government worked hard to negotiate a new security framework with Mexico—The U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities⁴³—in the fall of 2021. The United States emphasized the public health and anti-money laundering elements of the agreement, as the Mexican government sought. The Framework reiterates multiple dimensions of counternarcotics cooperation, including law enforcement.

In practice, however, the Mexican government's actions and cooperations on its side of the U.S.-Mexico border remain profoundly inadequate, including and particularly in law enforcement actions to counter the Mexican criminal groups and their production and trafficking of fentanyl.

The U.S.-Mexico law enforcement cooperation has thus been only limping. The Mexican government has conducted some interdiction operations based on U.S. intelligence, and some collaboration has persisted at the sub-Federal level in Mexico. While the DEA's operations in Mexico remain hampered and limited, other U.S. law enforcement actors in Mexico have been able to induce some cooperation, with some Mexican government agencies even sharing some intelligence with the United States.

Crucially, as DEA Administrator Anne Milgram stated in her February Senate testimony, the Mexican government continues to be unwilling to share samples and information from its claimed lab busts and fentanyl and fentanyl precursor seizures.⁴⁴ It is still not allowing the participation of DEA agents, even in only an observer role, in the interdiction operations it claims it has conducted. All of which raises questions about the drug busts. Extraditions of indicted drug traffickers to the United States from Mexico also remain limited.

There have been some recent improvements. Finally, at least some senior Mexican law enforcement officials began acknowledging again that fentanyl is produced in Mexico, an admission necessary for improving U.S.-Mexico collaboration.⁴⁵ In fact, the Mexican military now claims that it seized 7 tons of fentanyl over the past 5 years and busted 1,740 drug laboratories.⁴⁶ However, as Reuters' investigative work

⁴⁰ Vanda Felbab-Brown, "A Dangerous Backtrack on the U.S.-Mexico Security Relationship," *Mexico Today*, December 21, 2020, <https://www.brookings.edu/blog/order-from-chaos/2020/12/21/a-dangerous-backtrack-on-the-us-mexico-security-relationship/>.

⁴¹ "Mexico softens rules for controversial new foreign agents law," Reuters, January 14, 2021, <https://www.reuters.com/article/us-mexico-usa-security/mexico-softens-rules-for-controversial-new-foreign-agents-law-idUSKBN29J24M>.

⁴² Dilanian.

⁴³ "Summary of the Action Plan for U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities: A Fact Sheet," U.S. Department of State, January 31, 2022, <https://www.state.gov/summary-of-the-action-plan-for-u-s-mexico-bicentennial-framework-for-security-public-health-and-safe-communities/>.

⁴⁴ Questions and answers period, U.S. Senate Foreign Relations Committee hearing "Countering Illicit Fentanyl Trafficking," February 15, 2023, <https://www.foreign.senate.gov/hearings/countering-illicit-fentanyl-trafficking>.

⁴⁵ Luis Chaparro, "Mexico's President Says His Country Doesn't Produce Fentanyl. His Military Seized 7 Tons in 5 Years," *Vice*, June 28, 2023, <https://www.vice.com/en/article/93k3kp/mexico-president-fentanyl>.

⁴⁶ *Ibid.*

showed, even in recent months, the Mexican military was fabricating and manipulating drug seizure and bust data.⁴⁷

Crucially, even when labs are busted, little network dismantling and few meaningful drug prosecutions follow in Mexico. Traffickers can thus easily survive and recover from limited financial losses by erecting new drug labs.

Overall, Mexico's law enforcement cooperation with the United States has dramatically weakened and is still troublingly inadequate.

CONCLUSIONS, POLICY IMPLICATIONS, AND RECOMMENDATIONS

As vast numbers of Americans are dying from fentanyl overdose and Chinese and Mexican criminal groups expand their operations around the world and into a vast array of illegal and legal economies, the United States finds itself in hollowed out and weak cooperation with both countries. Below I offer some policy implications and recommendations on how the United States can attempt to induce Mexico to better cooperate with U.S. counternarcotics and law enforcement objectives. I also provide suggestions for what law enforcement and policy measures the United States can undertake independently, even if Mexico continues to reject robust cooperation.

The structural characteristics of synthetic drugs, including the ease of developing similar, but not scheduled synthetic drugs and their new precursors—increasingly a wide array of dual-use chemicals—pose immense structural obstacles to controlling supply, irrespective of political will to prohibit and regulate their use, enforce the regulations, and take actions against trafficking.

U.S. domestic prevention, treatment, harm reduction, and law enforcement measures remain indispensable and fundamental for countering the devastating fentanyl crisis. It is likely that the most powerful measures to address the opioid crisis are internal policies such as expanded treatment and supervised use.

However, given the extent and lethality of the synthetic opioid epidemic in North America and its emerging spread to other parts of the world, even supply control measures with partial and limited effectiveness can save lives. That is a worthwhile objective. The Commission on Combatting Illicit Opioid Trafficking stressed that targeted supply reduction and the enforcement of current laws and regulations are essential to disrupting the availability of chemicals needed to manufacture synthetic opioids.⁴⁸ The commission also highlighted how improved oversight of large chemical and pharmaceutical sectors and enhanced investigations of vendors or importers in key foreign countries can help disrupt the flow.⁴⁹ The commission offered supply-side control recommendations include reducing on-line advertising, encouraging enhanced anti-money laundering efforts in China and Mexico, enhanced interdiction efforts, and increased international scheduling of at least synthetic drug precursors that are only used for illicit purposes and enhanced control of precursor flows through collaboration with China and international counternarcotics organizations.⁵⁰

In its law enforcement engagement with the Mexican government, the United States should prioritize:

- shutting down Mexican pharmacies that sell fentanyl- and methamphetamine-adulterated drugs;
- not merely seizures and busts of laboratories, but the actual dismantling of drug-trafficking networks, particularly of their middle-operational layers that are hard to recreate and the removal of which significantly hampers the ability of criminal groups to operate and smuggle contraband;
- and far more effective Mexican prosecutorial actions against suppliers.

My recommendations below analyze and recommend tools to induce Mexico to cooperate more robustly with U.S. law enforcement measures.

U.S. counternarcotics and law enforcement bargaining with Mexico is constrained by the U.S. reliance on Mexico to stop migrant flows to the United States. If the United States were able to conduct a comprehensive immigration reform that would provide legal work opportunities to those currently seeking protection and opportunities in the United States through unauthorized migration, it would have far better leverage to induce meaningful and robust counternarcotics and law enforcement co-

⁴⁷ Drazen Jorgic, Jackie Botts, and Stephen Eisenhammer, "Exclusive: Amid U.S. pressure on Fentanyl, Mexico Raises Drug Lab Raids Data," *Reuters*, March 17, 2023, <https://www.reuters.com/world/americas/amid-us-pressure-fentanyl-mexico-raises-drug-lab-raids-data-2023-03-17/>.

⁴⁸ Commission on Combatting Synthetic Opioid Trafficking, *The Final Report*, February 2022, <https://www.rand.org/hsrd/hsoac/commission-combatting-synthetic-opioid-trafficking/xiv>.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*: 36–44; and 54–57; 61–64.

operation with Mexico and would be better able to save U.S. lives. Nonetheless, even absent such reform, the United States can take impactful measures that I discuss below.

INDUCING COOPERATION FROM MEXICO

Various U.S. lawmakers have proposed designating Mexican criminal groups as Foreign Terrorist Organizations (FTO).

An FTO designation would enable intelligence gathering and strike options for the United States military, such as against some fentanyl laboratories in Mexico or visible formations of large Mexican cartels—principally CJNG.

However, such unilateral U.S. military actions in Mexico would severely jeopardize relations with our vital trading partner and neighbor whose society is deeply intertwined with ours through familial and other connections. Calls for U.S. military strikes against fentanyl-linked targets in Mexico have already been condemned by Mexican government officials, politicians, and commentators.

Meanwhile, the number of available targets in Mexico would be limited. Most Mexican criminal groups do not gather in military-like visible formations. Many fentanyl laboratories already operate in buildings in populated neighborhoods of towns and cities where strikes would not be possible due to risks to Mexican civilians. Moreover, fentanyl laboratories would easily be recreated, as they already are.

Nor would the FTO designation add authorities to the economic sanctions and anti-money laundering and financial intelligence tools that the already-in-place designation of Transnational Criminal Organization (TCO) carries. The latter designation also carries extensive prohibitions against material support.

But an FTO designation could significantly limit and outright hamper U.S. foreign policy options and measures. Clauses against material support for designated terrorist organizations have made it difficult for the United States to implement non-military and non-law-enforcement policy measures in a wide range of countries, such as providing assistance for legal job creation or reintegration support for even populations that had to endure the rule of brutal terrorist groups. To be in compliance with the material support laws, the United States and other entities must guarantee that none of their financial or material assistance is leaking out, including through coerced extortion, to those designated as FTOs.

Yet such controls would be a significant challenge in Mexico where many people and businesses in legal economies, such as agriculture, fisheries, logging, mining, and retail, have to pay extortion fees to Mexican criminal groups. The attempted controls could undermine the ability to trade with Mexico as many U.S. businesses would not be able to determine whether their Mexican trading or production partner was paying extortion fees to Mexican cartels, and thus guarantee that they were not indirectly in violation of material support clauses.

The FTO designation could also hamper the delivery of U.S. training, such as to local police forces or Mexican Federal law enforcement agencies, if guarantees could not be established that such counterparts had no infiltration by criminal actors.

Instead, if the López Obrador administration continues to deny meaningful law enforcement cooperation, the United States may have to resort to significantly intensified border inspections, even if they significantly slow down the legal trade and cause substantial damage to Mexican goods, such as agricultural products. Even with the significant improvement in vehicle and cargo inspection expected to be reaped from the scanning technologies the Biden administration authorized for deployment at the U.S. ports of entry, a significant percentage of vehicles and much cargo will still go unchecked.

Under optimal circumstances, U.S.-Mexico law enforcement cooperation would be robust enough to make legal border crossings fast and efficient. Joint fentanyl and precursor busts and seizures could take place near the production laboratories and at warehouses. The inspections of legal cargo heading to the United States could take place close to the production and loading site in Mexico. Under the Mérida Initiative, the Obama administration, in fact, sought to develop with Mexico such systems of legal cargo inspection inside Mexico and away from the border. But if Mexico refuses to act as a reliable law enforcement partner to counter the greatest drug epidemic in North America, which is also decimating lives in Mexico, the United States may have to focus much-intensified inspections at the border, despite the economic pains.

But if the López Obrador administration refuses to cooperate, manual inspections, even though costly to Mexican—and U.S.—businesses, should be mounted.

Effective border interdiction, however, requires meaningfully resourcing U.S. law enforcement agencies at U.S. legal ports of entry through which the vast majority of fentanyl enters the United States. That means allocating sufficient resources for

CBP port-of-entry inspectors as well as high-tech scanners. Any reduction in CBP budget allocation to inspections at legal ports of entry would severely and perniciously intensify the flows of dangerous drugs to the United States.

Furthermore, packages of leverage, including indictment portfolios and visa denials, should also be developed against Mexican national security and law enforcement officials and politicians who sabotage the rule of law in Mexico, assist Mexican criminal groups, and perniciously hamper law enforcement cooperation with the United States. Calls to undertake such sanctions by Republican senators led by Senator Bill Hagerty of Tennessee should be carefully and diligently explored.⁵¹

EXPANDING AND SMARTENING UP U.S. MEASURES AGAINST CRIMINAL ACTORS

Importantly, the United States has significant opportunities to rapidly strengthen and smarten up its own measures against Mexican criminal actors participating in fentanyl and other contraband trafficking.

Already, the Biden administration has sought to intensify and harmonize U.S. law enforcement actions against fentanyl trafficking. In March 2023, for example, it launched Operation Blue Lotus to coordinate cooperation across CBP, Immigration and Customs (ICE), Homeland Security Investigations (HSI), and other Federal, State, Tribal, and local law enforcement agencies.⁵²

Scaling up such efforts is necessary.

Some new anti-fentanyl law enforcement measures would also simultaneously enhance U.S. measures to counter wildlife trafficking and protect public health and global biodiversity.

But since Mexican drug cartels have diversified their activities into a wide array of illicit and licit commodities, primarily focusing on drug seizures close to the source is no longer sufficient for effectively disrupting fentanyl smuggling and criminal networks implicated in it.

Rather, countering other economic activities of the Mexican criminal groups is imperative. This includes countering poaching and wildlife trafficking from Mexico and illegal logging and mining in places where the Mexican cartels have reach, acting against illegal fishing off Mexico and around Latin America and elsewhere, and shutting down wildlife trafficking networks that extend into China are increasingly important elements of countering Mexican and Chinese drug-trafficking groups and reducing the flow of fentanyl to the United States.

To effectively counter fentanyl-smuggling actors requires a whole-of-Government approach—not simply on paper, but truly in implementation. A wide range of U.S. Government agencies should be authorized to support U.S. law enforcement against Mexican and Chinese criminal actors, fentanyl trafficking, and crimes against nature. These include U.S. intelligence agencies, the Department of State, the Department of Defense, and U.S. Fish and Wildlife Service (USFWS).

Moreover, the focused collection, analysis, and reporting of intelligence by a variety of U.S. Government actors against wildlife trafficking, illegal fishing, and illegal mining could beget new opportunities to understand the criminal linkages to foreign governments, including China's, to confirm or dismiss concerns as to whether Chinese fishing vessels carry spy equipment, and to identify the crucial vulnerabilities of Mexican and other dangerous cartels.

To such end, crimes against nature should be elevated as a collection and reporting priority of the U.S. intelligence community, and within the U.S. National Priorities Framework.

Stove-piping in information and intelligence gathering across a wide set of illicit economies should be ended. Gathered information and intelligence should be shared with interagency analysis groups intent on interdicting the illicit international flow of scheduled drugs and endangered species. Such efforts could be enabled by significantly increasing the number of USFWS special agents and by augmenting their respective participation in interagency Organized Crime Drug Enforcement Task Forces investigations.

The relevant intelligence on crimes against nature to understand and dismantle criminal networks could include names, phone numbers, license plates, courier ac-

⁵¹ Adam Shaw, "Senators Urge Biden Admin to Slap Sanctions, Visa Bans on Mexican Officials to Force Action against Cartels," Fox News, June 21, 2023, <https://www.foxnews.com/politics/senators-call-biden-admin-impose-sanctions-mexican-officials-force-action-against-drug-cartels>.

⁵² "DHS's New Operation Blue Lotus Has Already Stopped More Than 900 Pounds of Fentanyl from Entering the United States," U.S. Department of Homeland Security March 21, 2023, <https://www.dhs.gov/news/2023/03/21/dhss-new-operation-blue-lotus-has-already-stopped-more-900-pounds-fentanyl-entering#:text=Since%20its%20launch%20on%20March,states%20through%20Sunday%2C%20March%2019.>

counts, bank accounts, and wiretapped conversations. Conversely, countering groups perpetrating crimes against nature could be productive in terms of freezing accounts and visas to interdict the smuggling of drugs, guns, and humans that they're conducting.

Enhancing intelligence collection and law enforcement action opportunities stemming from such an expanded lens to cover all of the activities, including crimes against nature, of dangerous and nefarious actors, such as Mexican cartels and Chinese criminal groups, requires enlarging the pool of USFWS special agents and uniformed wildlife inspectors at the U.S.-Mexico border and transportation hubs within the United States. The DEA appropriately enjoys strong capacities, currently maintaining a force of 4,000 agents.⁵³ In contrast, the number of USFWS special agents has for years hovered at a mere and insufficient 220.⁵⁴ For years, this inadequate number has not increased even though poaching, illegal logging, mining, and trafficking in natural resource commodities have grown enormously over the past three decades, are continually expanding, and increasingly involve Mexican drug cartels as well as Chinese criminal networks.

As a corollary and imperative effort, U.S. law enforcement agencies' legal authorities to counter wildlife trafficking should be expanded. Importantly, wildlife trafficking should be designated as a predicate offense for wiretap authorizations.⁵⁵ Such expanded authority would bring about multiple benefits: including the enabling, understanding, and demonstration of the connections between wildlife and transnational organized crime networks and foreign bad actors, enhancing the ability to disrupt fentanyl trafficking, and allowing for more expeditious and pointed prosecution of wildlife trafficking crimes. Currently, Federal legislation at the foundation of wildlife crime prosecution, at the core of which is the Lacey Act, often entails proof of knowledge on the part of the defendant, a requirement that wiretap authorization would greatly facilitate, in the interest of prosecuting transnational wildlife trafficking and convicting criminal syndicates.

Many fentanyl-trafficking networks are not narrowly specialized in fentanyl or drugs only. Many Mexican cartels and criminal groups no longer solely focus on drug smuggling. Fentanyl smuggling networks have powerful protectors among corrupt government officials worldwide. Incentivizing better cooperation from the Chinese and Mexican criminal governments is important. But particularly given the challenges in inducing such cooperation in the current geopolitical environment and given the policy orientation of the current Mexican government, it is equally crucial to enhance the United States' own policy tools to counter fentanyl-trafficking networks. Expanding the intelligence-gathering aperture and mandating and resourcing a whole-of-Government approach in support of U.S. law enforcement will save U.S. lives currently decimated by fentanyl overdoses.

Chairman GREEN. Thank you, Ms. Felbab-Brown.

I just want to make a statement here. Look, witnesses as well as Members of the Committee, we have some rules. Those rules are that you direct your comments to the Chair. So if you direct them to another Member on the dais or even within the committee, we don't do that unless we ask for time to yield and then you can ask a question. There are procedures on how to do that. Your comments, especially for the witnesses, should be directed to the Chair.

I want to make sure that is real clear.

Mr. IVEY. Mr. Chairman.

Chairman GREEN. Yes, the gentleman is recognized.

Mr. IVEY. I appreciate that comment, but I really want to raise a point of order here.

Chairman GREEN. OK.

Mr. IVEY. I don't think I have ever seen a witness personally attack a Member like that at a hearing.

⁵³ DEA Administrator Anne Milgram, DEA Leadership profile, <https://www.dea.gov/about/dea-leadership#:~:text=As%20Administrator%2C%20she%20leads%20an,foreign%20offices%20across%20the%20globe>.

⁵⁴ U.S. Fish and Wildlife Service, Office of Law Enforcement, "Law Enforcement at a Glance," Fiscal Year 2022, October 28, 2022.

⁵⁵ See 18 USC 2516, Authorization for interception of wire, oral, or electronic communications.

Chairman GREEN. OK. Let me just—here, I will clarify it. You are no longer recognized.

Mr. Maltz, the better way to have said what you wanted to say would have been to someone on the committee or to say, it has been said that this is a waste of time, and you could say that is offensive to me, there are Americans dying. You could make the comment like that. But to direct it at the Ranking Member is inappropriate, and I think everyone would agree with that.

With that, I recognize—Mr. Carter, you are recognized.

Mr. CARTER. Thank you.

Parliamentary inquiry. Shouldn't our role be to discourage disrespectful behavior and not coach on how to do it more appropriately?

Chairman GREEN. Look, no—hold on, hold on. Let me be clear here. In previous hearings, we have had individuals attack individuals on my side of the aisle, and I gaveled them down.

Mr. CARTER. No, I—

Chairman GREEN. Hold on. You cannot address your comments to an individual about an individual, but you can say Secretary Mayorkas lied. But you can't say Secretary Mayorkas is a liar. I know it is a subtle difference, but the rules are very clear. The rules of the House are very clear on that. So the point is, you cannot direct anything other than to the Chair. That is the rule, and that is the rule we will live by.

Mr. CARTER. And to preserve decorum and respect. Rather we agree or disagree, no Member, Republican, Democrat or other, no Member of the Committee should disrespect a Member of—that is a witness. But what we witnessed a second ago was a direct attack.

Chairman GREEN. Yes. Well, what—yes.

Mr. CARTER. I appreciate you telling him he shouldn't have done that, but I would like to go a step further. May I? If I would, very respectfully.

Chairman GREEN. Yes, sure.

Mr. CARTER. That we may—

Mr. BISHOP. Look, if we are going to entertain a debate on this, it needs to be two-sided.

Chairman GREEN. Hold on just a second, Mr. Bishop.

Mr. BISHOP. If we are going to entertain a debate, I insist that it be two-sided.

Chairman GREEN. Mr. Bishop, you hold on just a second and I will recognize you in a moment.

Mr. BISHOP. Very well.

Chairman GREEN. Don't do that again, please.

Mr. BISHOP. I will be heard if we are going to hear both sides.

Chairman GREEN. Mr. Carter, finish your comment.

Mr. CARTER. Mr. Chairman, thank you.

My only comment is that we should always preserve decorum and respect. We can disagree without being disrespectful. You think that is a debate, Mr. Bishop, I am sorry.

Chairman GREEN. You are disagreeing with me. I appreciate that. What I am saying is there is a way to say things without directing your comment against an individual. You can say that Secretary Mayorkas lied, you can't say, Secretary Mayorkas is a liar. You can say, I don't think this is a waste of time and I am offended

when someone suggests that it is a waste of time. I think making that point clear is important for the whole committee.

Mr. Bishop, you are recognized.

Mr. BISHOP. Thank you, Mr. Chairman.

At the outset, the Ranking Member said he was embarrassed that we would undertake this hearing, that it was so worthless, it was embarrassing to him. That witness responded to that because it was an attack on that witness, every witness on this panel and every Member on this side of the dais. I would like to know why a Member of Congress, because he sits up here at this dais, can feel free to disrespect people who come at our invitation to testify by declaring what they have to say about youth being killed by fentanyl poisoning across this country, that that is not worth this committee's time. But a response to that is objected to.

I will say another thing. Forensically, in every hearing that I have attended where witnesses testify, they address their remarks to the Chairman and to the Ranking Member. I have never heard it done otherwise, I have never heard anybody remonstrated for addressing the Ranking Member, and I don't know why this would be the first time that would be brought up. I object to it.

Chairman GREEN. We are not going to debate this.

Mr. IVEY. May I respond to that?

Chairman GREEN. No. I will advise Members that under Clause 1 of Rule 17 of the Rules of House, they must observe the House standards of decorum in debate and conduct. They must speak and act respectfully and may not use disorderly words, unparliamentary language, such as words impugning the motives of their colleagues, or words that are personally offensive.

I would encourage the Members to adhere to the House standards of decorum and proceed in order. We need to get on with this.

Members will be recognized by the order of their seniority for their 5 minutes of questioning. An additional round of questioning may be called after all Members have been recognized.

I now recognize myself for 5 minutes of questioning.

My first question is to Mr. Jones. The cartels have essentially taken over a lot of the drug networks inside many of the United States cities. Some headlines just in the past few weeks about San Francisco alone, they basically have seized control and are coordinating with the gangs to seize control of drug trade in San Francisco. They have essentially taken over all the criminal networks, much like a mafia. The Attorney General, Merrick Garland, has admitted to the Senate that the cartel strategy was to flood the Border Patrol and by tying up Border Patrol, because Border Patrol now is doing basically a catch-and-release system, then the drug cartels will slip people around the other side.

Can you tell us how this policy of the open border and this strategy of the cartels have combined to allow them to basically take over crime in the cities?

Mr. JONES. Chairman, the way it works on your Southwest Border, you hear the term all the time, operational control. The problem is, no one ever tells you how the cartels have it. That's what I'm going to share with you here today and to answer your question.

That is that they utilize a network known as the Halcon Network. Halcons are scouts, they're lookouts. They check on and off just like law enforcement, anywhere from 8-hour shifts, 10-hour shifts, 12-hour shifts. I've seen them in South Texas as far as 30 miles into the United States, I have seen them in Arizona as far as 70 miles. They leverage two-way handheld encrypted radio, sometimes encrypted apps, and they communicate back to what is known as synthral. So what happens is you have these lookouts everywhere. When what they call the gate is open, the gate, meaning a bend in the river or a bend at your border, when there is no law enforcement, they surge with whatever commodity it is that they want to push. So when you're talking about based on the policies of all of these migrants that have come from all over the world, what is happening is the cartel by design will push hundreds of people, as you have seen on every news station over the last few years, and the media focuses on that, that causes the surge of local, State, and Federal law enforcement to that location. They do that by design because it opens up the other gates. Now, if they're going to move a commodity directly linked to a cartel boss, they'll shut down more gates to ensure that commodity makes it in.

What they do, Chairman, is they contract directly with U.S.-based street gangs and what we call tier one gangs, those are gangs which impact multiple regions in our country, they work directly with the cartels. Today, it is very important to understand your U.S.-based street gangs are working side-by-side, contracting with the cartels. I could go on and on here, but in 2009, eMe—Mexican Mafia—I was a lieutenant Laredo, Texas over two major drug squads as the war broke out between CDG and the Zetas, and we were stunned at what we found. We had Mexican Mafia working in Mexico, working operations, going through basic, intermediate, and advanced training from former Special Forces and law enforcement, conducting hits in the United States, and getting reduced costs of cocaine for that. That is the way it really works.

So when you wonder today why you are being overrun with drugs, it is because the tier one gangs and U.S.-based street gangs are contracting and working directly with these cartels. I will go back to this, and that is that they will not stop. They can't. They're going to have to be stopped. We're going to have to really take extreme aggressive action to fix this.

Chairman GREEN. How has the open policies, the basic catch-and-release, and this stimulation of a mass wave of migration by having an open border facilitated this process?

Mr. JONES. This is it. I want to be very clear here. Historically, your cartels, the Mexican cartels, we call them drug cartels because that's what they work today, they are in over 54 countries around the world. This is not a U.S.-Mexico problem, ladies and gentlemen. Cartel Jalisco New Generation we know is in 48. This will not stop. Now they've transitioned into the final version of human trafficking known as debt bondage. I am holding it in my hands. This is it. This is how emboldened they've become.

So I can't stress to you that you have to take extreme, extreme action to go after these cartels and to truly create relationships with Mexico and the rest of the world in what we call a unified command and treat them as the dark networks that they are.

I'm happy to discuss that with you as to how to go after them. Chairman GREEN. Thank you. I now recognize the Ranking Member for 5 minutes questioning.

Mr. THOMPSON. Thank you very much, Mr. Chairman.

Mr. Jones, you talked about that Congress should take extreme action. Let me tell you what was in the last omnibus package that we passed in 2023. We provided \$17 billion for Customs and Border Protection, including an increase in spending by 17 percent over the previous year. It allowed for hiring operations along the Southwest Border. We also provided funding for 19,855 Border Patrol agents, an increase of over 300 agents, the most since 2011. We also appropriated \$60 million more to hire 125 Customs and Border Protection officers and mission support staff at our ports of entry.

But I would also tell you, not a single Republican on this committee voted for it. It was passed only by Democrats. We are the ones who are trying to put by the resources to the good men and women along the border who are addressing this. Every time an opportunity presents itself to put resources on the border Democrats are the one who vote for it. You can talk tough, but when it comes time, as a Member of Congress, you really need to vote your conviction. So if you don't give the men and women the money they need to help protect us, then that is our fault. But thank goodness the Democrats in Congress gave the money that was asked for by the Department. We need more.

I look forward to when the next time that people ask for money, like I hear you talking about resources, that they will vote for it, because that is the only way we can address this problem.

The other situation, as I said, I have been on the committee a long time. Responsible men and women can disagree, but there is a way you can be disagreeable. I understand the witness is on the Republican side. This is a great democracy, and it is only great because of the men and women who live in it. It is not a personal attack, it is just the facts.

I hope, Mr. Maltz, you understand that. But be that as it may, there are some policy differences. I think 9 hearings on this subject is a bit much. I am embarrassed at that because we are wasting time trying to impeach a Secretary when we ought to be providing our men and women along the border resources. I have never voted against the Homeland Security budget since the Department was created. I don't plan to ever vote against it because it is not the right thing to do.

Now, I will disagree with this Chairman, I will disagree with that Chairman, and we will probably continue, but we are adults. I just think as long as we act as adults, we will get things done.

People around the world look at us. They want to be like us. But what I see happening and trying to disagree and trying to somehow take it to another level, is just not who we are.

So, Dr. Felbab-Brown, can you tell me what kind of programs you have seen that have been helpful along the border in addressing this problem?

Ms. FELBAB-BROWN. Certainly. Improving input technologies so that inspections of vehicles, cargo, and people crossing the border can be intensified is a very useful measure. The CBP several years ago stated that it is only capable of inspecting about 2 percent of

personal vehicles crossing and about 17 percent of cargo vehicles. Raising that number to a much higher level, especially because the vast majority of fentanyl is seized and very likely smuggled through legal ports of entry, is a good way of reducing the amount of fentanyl coming into the United States.

It's not a sufficient policy. A whole-of-Government approach needs to be adopted. Increasing collection intelligence on a variety of activities that the criminal cartels, Mexican cartels engaging, deploying various tools, various agencies of the United States to be able to facilitate U.S. law enforcement work.

Mr. THOMPSON. I yield back.

Chairman GREEN. The gentleman yields.

I recognize the gentleman from Texas, Mr. McCaul.

Mr. MCCAUL. Mr. Chairman, I want to thank Mr. Jones and Mr. Maltz for your service, your law enforcement service in the line of duty in very dangerous conditions. Mr. Maltz, I want to thank you also for your comment about foreign policy because I can't think from a Communist China standpoint a better foreign policy than introducing poison through Mexico into the United States, killing Americans and making money off it. It is almost like a reverse Opium war. They see it that way. It has killed 70,000 young people, 20,000 pounds of fentanyl seized, enough to kill 4.6 billion people. My children have been to 5 funerals of their friends who thought they were taking Xanax or ADD medication and they never woke up.

Mr. Jones, I know I commend you for being, No. 1, my great State of Texas, what you have done. We know this better, I think, than anybody. I remember going down after Mayorkas rescinded Remain in Mexico. I talked to the Border Patrol chief, and it was chaos. I said, what do you attribute this to? Is there any cause and effect, a direct cause and effect between what you are seeing now and what the policy change of this administration? He said, Congressman, there is no question there is a direct cause and effect between the rescission of Remain in Mexico and what we are seeing today.

What else are we seeing? A human trafficking event of my lifetime. I have never seen anything like this. I was a U.S. Attorney at Western District of Texas at the Texas border, I was a Chairman of this committee. We were, Ms. Vaughan, getting this under control. We were controlling political asylum because the cartels manipulate political asylum claims. When the Remain in Mexico went into place, they couldn't manipulate anymore. You know why? Because they couldn't get into the United States. Their claims were adjudicated with them in Mexico. Therefore, catch and release was ended finally. The very first bill I introduced in Congress 20 years ago. Imagine.

Here we are today. It is alive and well, and this Secretary is responsible, in my judgment. The rising crime, and the women go into sex trafficking, the unvetted homes that these kids go to, and the men go to MS-13. There is a criminal enterprise now not just in Mexico and in Latin America, but right here in the United States, and it was created by this administration's policies.

So my question to the three of you Mr. Jones, Ms. Vaughan, Mr. Maltz, do you believe that the actions of this Secretary by rescind-

ing Remain in Mexico, a policy that was effectively working, that has created this criminal enterprise, do you believe that this Secretary is responsible for and complicit with the criminal enterprise that has resulted as a result of these policies being rescinded?

Mr. Jones.

Mr. JONES. Yes, I do. That is validated by not only the data from the United States Customs and Border Protection that validates the numbers that crossed into our country as a result of the exemptions created under Title 42, which Secretary Mayorkas is the architect behind that. In addition, the overdose deaths in this country due to the sheer impact to mothers and fathers and families across this country. The data validates it.

Mr. MCCAUL. One thing to add, the district court said you must re-implement Remain in Mexico. The Secretary did not comply with that order. He failed to comply with that order.

Ms. Vaughan.

Ms. VAUGHAN. I do believe that the Biden-Mayorkas policies are responsible. A disaster. They're what's responsible for the situation that we have today. No amount of money that is funneled to these agencies is going to help the situation until the officers and agents are allowed to do their job. The policies at this point are more important than the money.

Mr. MCCAUL. In fact, they said, sir, we are turning our backs on you because you turn your back on us, as I recall.

Mr. Maltz.

Mr. MALTZ. Well, I say it starts at the top with the President and it comes down. I just want to say that I make these collages of these dead kids on my own time to help spread the awareness. So the results are just dead children and families going to funerals. That's what it comes down to. I'm not an expert on immigration law or border policies, but I know what's going on in America. That's why I'm here today.

So thank you.

Mr. MCCAUL. That is why we marked up a bill in my committee to designate fentanyl as a chemical weapon under the Chemical Weapons Convention, Mr. Jones. I will give us more authorities to go after him.

I yield.

Mr. BISHOP [presiding]. The former Chairman yields back.

I now recognize the gentleman from California, Mr. Correa, for his 5 minutes of questions.

Mr. CORREA. Thank you, Mr. Chairman.

Before I start with my comments, I wanted to submit for the record, without objection, CBP release, June 2023. Just came out yesterday, showing the lowest Southwest Border encounters since February 2021. If I may read, total Southwest Border encounters in June, including individuals who presented at ports of entry with or without CBP One appointments were down 30 percent to 144,000. If I could submit that to the record, sir.

Mr. BISHOP. Without objection.

[The information follows:]

CBP RELEASES JUNE 2023 MONTHLY UPDATE

STATISTICS SHOW LOWEST SOUTHWEST BORDER ENCOUNTERS SINCE FEBRUARY 2021

WASHINGTON.—U.S. Customs and Border Protection (CBP) today released operational statistics for June 2023, which show a significant and continuing decline in migrant encounters along the Southwest border as well as successful drug interdiction efforts resulting from new enforcement initiatives. CBP's total encounters along the Southwest border in June were the lowest in over 2 years, dropping nearly a third from May.

"Our sustained efforts to enforce consequences under our longstanding Title 8 authorities, combined with expanding access to lawful pathways and processes, have driven the number of migrant encounters along the Southwest Border to their lowest levels in more than 2 years. We will remain vigilant," said Troy A. Miller, CBP Senior Official Performing the Duties of the Commissioner.

"As our June statistics show, CBP's mission is vast, and thanks to the dedication of our personnel and Federal partners, we are delivering results that keep the American people safe: ensuring border security, seizing drugs, stopping the flow of illicit weapons, rescuing people in distress, facilitating lawful travel and trade, and stopping the entry of harmful agricultural pests."

Below are key operational statistics for CBP's primary mission areas in June 2023.

Ensuring Border Security and Effectively Managing Migration

CBP is processing all migrants under Title 8 immigration authorities, and generally placing individuals who cross the border unlawfully into Expedited Removal or Section 240 Removal Proceedings. Noncitizens who cross between the ports of entry or who present at a port of entry without making a CBP One appointment, are subject to the lawful pathways rule, which places a condition on asylum eligibility for those who fail to use lawful processes, with certain exceptions.

In June—the first full month since the lifting of the Title 42 Public Health Order—the U.S. Border Patrol recorded 99,545 encounters between ports of entry along the Southwest Border: a 42 percent decrease from May 2023. Total Southwest Border encounters in June, including individuals who presented at ports of entry with or without a CBP One appointment, were 144,607, a 30 percent decrease from May 2023. These are the lowest monthly Southwest Border encounter numbers since February 2021.

People who made the dangerous journey to cross the Southwest Border unlawfully have died of dehydration, starvation, and heat stroke. Smuggling organizations abandon migrants in remote and dangerous areas. To prevent the loss of life, CBP initiated a Missing Migrant Program in 2017 that locates migrants reported missing, rescues individuals in distress, and reunifies decedents with their families in the border region. In June 2023, the U.S. Border Patrol conducted nearly 1,700 rescues, bringing the total number of rescues in fiscal year 2023 from 24,056 at the end of May to 25,735 at the end of June.

Safeguarding Communities by Interdicting Dangerous Drugs

CBP continues to interdict the flow of illicit narcotics across the border. CBP has significantly increased non-intrusive inspection scanning capabilities and forward-operating labs to swiftly identify suspected drugs and recognize trends. CBP has found packages of narcotics in roofs, floorboards, door panels, bumpers, tires, gas tanks, car batteries, seats, speaker boxes, false floors, drones, and more.

Nation-wide in June, seizures of cocaine, methamphetamine, heroin, fentanyl, and marijuana (combined, by weight) increased 7 percent from May. To date in fiscal year 2023, CBP has seized more than 22,000 pounds of fentanyl—compared with 8,300 pounds over the same period in fiscal year 2022.

To disrupt supply chains used in the development and movement of fentanyl, CBP launched two new interagency operations in June: Operations Artemis and Rolling Wave. A parallel intelligence and analysis operation, Operation Argus, is providing trade-focused analysis. These efforts build on the success of Operations Blue Lotus and Four Horsemen, which seized nearly 10,000 pounds of fentanyl.

Operation Artemis began on June 5 and has made over 130 seizures, which include:

- 21 pill presses and 54 pill molds
- More than 5,000 pounds of precursor chemicals
- More than 300 pounds of methamphetamine
- And over 5,000 pounds of other drugs.

The U.S. Border Patrol is concurrently running Operation Rolling Wave, surging inbound inspections at Southwest Border checkpoints. This operation has seized:

- More than 1,500 pounds of fentanyl
- More than 1,000 pounds of cocaine
- More than 8,000 pounds of marijuana
- More than 6,500 pounds of meth.

Under Operation Blue Lotus 2.0, which launched on June 12, CBP and HSI have also continued to surge resources to Ports of Entry, where 90 percent of fentanyl is trafficked primarily in cars and trucks. This operation has seized over 1,500 pounds of fentanyl and over 23,000 pounds of other narcotics like cocaine, methamphetamines, and heroin.

Facilitating Lawful Trade and Travel and Promoting Economic Security

To improve the traveler experience while maintaining the highest levels of security, CBP has increased the deployment of technology that provides a more seamless and faster entry into the United States by air, land, and sea. In June, CBP announced the deployment a new Electronic System for Travel Authorization mobile application. CBP continues to improve the travel experience and reduce wait times while enforcing over 400 laws for 40 other agencies and stopping thousands of violators of U.S. law.

Travel volumes continue to rebound globally from pandemic lows. Travelers arriving by air into the United States increased 20 percent from June 2022 to June 2023, and pedestrians arriving by land at ports of entry increased 12 percent over the same period. Passenger vehicles processed at ports of entry increased 11 percent and commercial trucks increased 2 percent from June 2022 to June 2023.

CBP works diligently with the trade community and port operators to ensure that merchandise is cleared as efficiently as possible, and to strengthen international supply chains and improve border security. In June 2023, CBP processed more than 3.1 million entry summaries valued at more than \$278 billion. CBP identified an estimated \$7 billion of duties to be collected by the U.S. Government. In June, trade via the ocean environment accounted for 39.5 percent of the total import value, followed by air, truck, and rail.

CBP One App

The CBP One mobile application remains a key component of DHS efforts to incentivize migrants to use lawful and orderly processes and disincentivize attempts at crossing between ports of entry. In June, more than 38,000 individuals who scheduled appointments through the CBP One app were processed at a POE.

Since the appointment scheduling function in CBP One was introduced in January through the end of June, more than 170,000 individuals have successfully scheduled appointments to present at a POE using CBP One. The top nationalities who have scheduled appointments are Haitian, Mexican, and Venezuelan. Beginning on July 1, CBP announced the expansion of available appointments for noncitizens through the CBP One app to from 1,250 to 1,450 per day.

Protecting Consumers and Eradicating Forced Labor from Supply Chains

CBP continues to lead U.S. Government efforts to eliminate goods from the supply chain made with forced labor from the Xinjiang Uyghur Autonomous Region of China.

In the year after the agency began implementing the Uyghur Forced Labor Prevention Act on June 21, 2022, CBP has reviewed a total of nearly 4,300 shipments valued at nearly \$1.4 billion. In June 2023, CBP stopped 405 shipments valued at more than \$239 million for further examination based on the suspected use of forced labor.

Intellectual property rights violations continue to put America's innovation economy at risk. Trade in counterfeit and pirated goods threaten the competitiveness of U.S. businesses, the livelihoods of American workers, and the health and safety of consumers. In June, CBP seized 1,709 shipments that contained counterfeit goods valued at more than \$120 million.

Defending our Nation's Agricultural System

Through targeting, detection, and interception, CBP agriculture specialists work to prevent threats from entering the United States.

In June 2023, CBP issued 5,400 emergency action notifications for restricted and prohibited plant and animal products entering the United States. CBP conducted 97,101 positive passenger inspections and issued 678 civil penalties and/or violations to the traveling public for failing to declare prohibited agriculture items.

CBP

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the comprehensive management, con-

trol, and protection of our Nation's borders, combining customs, immigration, border security, and agricultural protection at and between official ports of entry.

Mr. CORREA. I just wanted to, first of all, thank our witnesses for being here today. I want to quote General John Kelly when his Secretary of Homeland Security would say, border security does not end or begin at the border.

Mr. Jones, I want to say I heard your testimony I listened to it very carefully. I got to tell you, I really don't like what you said. But as an individual that has worked a lot on both sides of the border, I have to tell you, you have some valid points. We do need some extreme solutions. We need to coordinate with Mexico. We need to get it right.

Speaking to Mexican officials recently, and they reminded me that just recently they had seized 46,000 bank accounts, were blocked. The equivalent of almost \$700 million of money from organized crime, have entered into an anti-money-laundering binational group with the United States, 1,600 members of the Mexican military today are deployed at 55 security points along the border, seizures recently, 7.5 tons of fentanyl, 1,700 labs shut down, almost 74,000 criminals arrested in Mexico. Then, of course, in January of this year, the arrest of Chapo's son Ovidio Guzman, that erupted into one of those gunfights that you are describing where 12 Mexican Marines were killed. So I think the effort is there, but I just don't think it is enough because this is an effort that is going to require all of us working together.

Last week, Chairman Higgins and I introduced the bill, legislation to really enhance, support homeland security's investigation of transnational criminal units—I should say investigations of transnational criminal units, Mexico, Central America, and South America. Is this the kind of efforts do you think that would help us really drill down and work with other countries south of the border to identify some of these folks?

Mr. JONES. Thank you for the question, Congressman.

I will tell you that those statistics you gave are fantastic and I applaud the efforts of all of those in Mexico who are in harm's way. They have some incredible people working to try to fight for their country. But none of this matters. If you notice, not one cartel has fallen. As a matter of fact, more Mexican citizens and more migrants have fallen to these cartels and been brutalized like we've never seen before in Mexico. You also see violence now spreading across the country at levels where historically, sir, it was along our frontera, with our border. Today it is across the nation of Mexico. Where I'm going with that is I want you to know that the effort is not near enough. Not even close.

Mr. CORREA. You know, if I may interrupt you, because I only have a minute left, but there is a new dynamic emerging, leverage partnership dependence. Mexico is now our largest trading partner in the world. We are going to depend on each other for economic success, livelihood, and we need to work together to address these common issues.

I have 44 seconds very quickly. Any thoughts how to move forward on that?

Mr. JONES. I think that's a great point about how we can leverage and work together because of that exact reason. They are deal-

ing with guns going south and military-grade weapons coming north. We have a lot of areas that we can work with the Mexicans and we should, as somebody that has done it. It is all with relationships. But I want to tell you and be very honest, there is a lack of effort in Mexico right now. They put a lot of pretty paint on the wall. It means nothing and it is doing nothing. You see it in the deaths of Americans, you see it in the deaths of Mexican citizens and it's just pretty paint on the wall that doesn't amount to anything.

Mr. CORREA. I do hope we can engage in a transparent manner to address these issues that do affect my citizens on Main Street on a daily basis in terms of fentanyl deaths.

Thank you Mr. Chairman. I yield. My time is up.

Chairman GREEN. The gentleman yields.

I now recognize Mr. Higgins from Louisiana.

Mr. HIGGINS. Thank you, Mr. Chairman. I thank you ladies and gentlemen for being before us today.

Let's see if we can clarify for the American people.

Mr. Jones and Mr. Maltz, I am going to go to you in my limited time.

Mr. Jones, confirm please your former title in law enforcement. We have here you were former captain of intelligence and counterterrorism with Texas Department of Public Safety, is that correct?

Mr. JONES. Yes sir, it is.

Mr. HIGGINS. So you have a great deal of expertise in law enforcement, do you not?

Mr. JONES. Yes, sir.

Mr. HIGGINS. You are a resident of Texas?

Mr. JONES. Yes, sir.

Mr. HIGGINS. You know what is going on down there, don't you brother?

Mr. JONES. Yes, sir.

Mr. HIGGINS. Roger that.

Mr. Maltz, according to my information, you are a former special agent in charge of Special Operations Division with the Drug Enforcement Administration, the DEA. Is that correct, sir?

Mr. MALTZ. That's correct.

Mr. HIGGINS. You have a long history in law enforcement, do you not?

Mr. MALTZ. Yes, sir.

Mr. HIGGINS. Where do you live, sir?

Mr. MALTZ. I live in Virginia now.

Mr. HIGGINS. Well, congratulations, living off of the border. You spent a lot of time down there in DEA operations, did you not?

Mr. MALTZ. Absolutely, yes.

Mr. HIGGINS. You know what is going on down there?

Mr. MALTZ. Yes, sir.

Mr. HIGGINS. Let's get to it, shall we?

Since President Biden was inaugurated and made perhaps the poorest decision in the history of poor decisions by hiring Secretary Mayorkas to enact his policy, because although Secretary Mayorkas has a great deal of expertise, as you gentlemen do as well, he has the added responsibility as the Secretary to advise the President if the President's policies are injurious to America. Once those poli-

cies have been demonstrated to be clearly injurious to our country, the Secretary, further reflective of his oath, has a responsibility to step away from that administration if the President does not abide by his advice when the President's policies that the Secretary is enacting are clearly hurting our country. They absolutely are.

Gentlemen, I am going to ask you a little bit about cartels' access to our country. You both have conducted United States operations in and with Mexico, have you not?

Mr. JONES. Yes, sir.

Mr. HIGGINS. Mr. Jones, yes? Mr. —

Mr. MALTZ. Yes, sir.

Mr. HIGGINS. Yes and yes. The United States operations in Mexico, must they follow United States law and be organized with the Mexican government and Mexican law enforcement?

Mr. MALTZ. Yes, sir.

Mr. HIGGINS. Mr. Jones.

Mr. JONES. Yes, sir.

Mr. HIGGINS. Yes and yes, of course. So we have operations in Mexico, law enforcement operations in Mexico, but we have to follow the law, do we not?

Mr. MALTZ. Right. If I may add, the best example of that is the unified operation to capture Chapo Guzman on two occasions working with the Mexican Marines. They did the operation, not the United States. They went out and they grabbed them. They had the courage to do it.

Mr. HIGGINS. Understood. I like your spirit.

So let's compare that to the cartels. Gentlemen, do you consider it a true statement that the cartels have gained unprecedented access and networking within the United States of America? Mr. Jones.

Mr. JONES. Yes. Yes, sir. I do.

Mr. MALTZ. Yes, sir.

Mr. HIGGINS. Have you seen this increase incredibly over the last 2 years? Mr. Jones.

Mr. JONES. Yes, sir.

Mr. HIGGINS. Mr. Maltz.

Mr. MALTZ. Yes.

Mr. HIGGINS. Roger that. Do they have to follow our laws?

Mr. MALTZ. No way.

Mr. HIGGINS. Absolutely not.

Mr. MALTZ. There's no fear. They're not going to go to jail.

Mr. HIGGINS. They have unfettered access to the communities of America, and they traffic in two things, drugs and human beings. This administration has accommodated their efforts. Oh, how can you say that, Congressman Higgins? Well, let me give you an example. We have spoken a great deal about technology on the border. My colleagues across the aisle stated, we don't want a wall, wall is old tech, we don't need a barrier system, we have technology. OK. First of all, that is in denial of the fact that a physical barrier is part of a security system that includes physical barriers to deter and delay an attempted criminal crossing or trafficking of human beings and drugs into our country. Second, let's talk about the technology. Much has been said about drones being used. We have technology on the border, was requested by law enforcement

on the border during the Trump administration, approved by Congress, funds appropriated, contracts arranged for to detect and take down cartel drones. That is called the detection and mitigation capabilities of our anti-drone tech deployed on the border, called the defensive and offensive operations of that anti-drone tech. Somewhere since Secretary Mayorkas has been in charge—and I promise you we will find the smoking gun—since Secretary Mayorkas has been in charge, the offensive capabilities or the mitigating capabilities of that anti-drone tech has been suppressed.

Mr. Chairman, my time has expired, but my passion has not. I yield.

Chairman GREEN. Sometimes Clay Higgins just says it the best way.

I now recognize Mr. Carter—I think, is who is up next, from Louisiana.

Mr. CARTER. Thank you, Mr. Chairman.

Mr. Chairman, I ask unanimous consent to enter into the record an article titled “Cadre of Nativist Groups: Figures Have Long Pushed Replacement by Immigration Ideas into Mainstream”, which explains how the replacement conspiracy theory has inspired domestic terrorism and documents that the Buffalo mass shooter cited by Ms. Vaughan’s research is justifying his domestic terror attack.

Mr. Chairman, this hearing is, unfortunately a sham. It is a dangerous national platform that risks legitimizing the extremist idea terrorists latch on when carrying out attacks on the homeland. In this committee, all of us should frown on that. So I would like to enter this to the record so everyone will have an opportunity to read it, sir.

Chairman GREEN. Without objection, so ordered.*

Mr. CARTER. Most migrants coming to our border have no other legal pathway to the United States for citizenship and are seeking asylum here because they have no other legal pathway, which is their legal right. However, our system was not set up for this kind of volume that we are experiencing, and it is absolutely unsustainable, I think we all agree.

Dr. Brown, as director of initiatives for non-state armed actors at the Brookings Institute, what are recommended practices that can be used at our ports of entry to put human rights at the forefront?

Ms. FELBAB-BROWN. Congressman, thank you for your question.

Certainly, a comprehensive immigration reform that would allow legal paths of entry into the United States would immeasurably improve U.S. law enforcement domestically, as well as it would improve capacities to induce partnership and meaningful cooperation from vital partners and countries such as Mexico.

In the mean time, increasing inspection is what is an important measure, as well as recognizing that the cartels are no longer singularly focused on smuggling drugs, but are engaged in a whole variety of activities that require all of U.S. Government response.

Mr. CARTER. Thank you.

*The information was not available at the time of publication.

We are witnessing a shift around the world of people seeking asylum, safety, and economic prosperity. Individuals are fleeing economic uncertainty, government corruption, and violence. This is not only a struggle here in the United States, but world-wide.

Ms. Vaughan, with your work for immigration studies, would you agree that there is an unprecedented movement of vulnerable people in the Americas and world-wide?

Ms. VAUGHAN. There certainly is unprecedented movement of inadmissible migrants into the United States. That is for sure, yes.

Mr. CARTER. How is that impacting our points of entry?

Ms. VAUGHAN. It is overwhelming the men and women of the Border Patrol and CBP to the extent that they cannot adequately talk to migrants to detect trafficking, for example. They are forced to process and release them as quickly as possible. It is distracting them from preventing gotaways who are often the bad actors, and the drug loads from coming into the United States. It is creating chaos in border communities and impacting the safety of those communities, it is compromising the safety of the people who live along the border, who have to deal with the cartels bringing loads of people and drugs through their private property and threatening their lives and well-being.

I mean the problems created by this open border are just incalculable. And—

Mr. CARTER. So how would we—we are all ears now and we are presumably here to listen, to learn, and to do better. So now we are all ears. How should Government interact with our regional partners to make a difference?

Ms. VAUGHAN. Well, I think that United States needs to make it clear to our international partners that this level of migration, illegal migration into the United States cannot be sustained. It's causing problems with our country, and that we need to work together to address it and stop it. Because to the extent that the criminal cartels are enriched and emboldened, it affects civil society in their countries as well. It's destabilizing to Mexico and to some of the other—Panama is terribly destabilized because of the trafficking that occurs through the Darién Gap.

Mr. CARTER. Thank you.

Ms. VAUGHAN. They have an interest in working with us, too.

Mr. CARTER. Thank you very much.

My time has expired. I yield back. Thank you, ma'am.

Chairman GREEN. The gentleman yields.

I now recognize Mr. Bishop of North Carolina.

Mr. BISHOP. Thank you, Mr. Chairman.

Mr. Jones, you are the witness I have been waiting to hear for months and months in this committee. You talked about the—and I forgot how you described it—ultra violence? What did you say about—what did you call the violence?

Mr. JONES. Hyper-violence.

Mr. BISHOP. Hyper-violence among Mexican cartels. I have questioned witnesses here before about, in January in Culiacan, I believe there was open warfare, 50 cal machine guns being used, narco tanks driven by cartel soldiers against Mexican army. This is the second taking or the second effort to take Ovidio Guzman, I believe. You have said—I think it certainly is—I have some con-

cern about militarizing this dispute and having the United States military take on the Mexican cartels. I am open to the debate on that. But there is another aspect of this that is of interest to me. I wonder if you can comment on it, because the wristbands that you hold up testify to it.

You talked about bond—what did you call that—bondage slavery?

Mr. JONES. Debt bondage, sir.

Mr. BISHOP. Debt bondage, yes, sir.

So you got hundreds of thousands, or at least 150,000, 200,000 migrants entering per month, Mexican cartel has tabs on all of them. We saw the headline the Chairman put up during his opening statement from the *New York Post* that Honduran migrants were operating the drug trade—or I believe is what they said in San Francisco. Very troubled place, as you know. As they bring these very vulnerable human beings that they have absolute control over and knowledge of into the United States, they are keeping tabs on them, these criminal organizations, could they not develop the same sort of hyper-violence in the United States that we are seeing in Mexico given sufficient time?

Mr. JONES. They will. I can assure every Member here, if you do not take action on this and change what we are doing and look at them not as you are hearing, as criminals, but truly as terrorist organizations and leverage the full weight of this Government, it is coming here. I worked in 2015, the beheading of an individual in Port Isabel, South Padre Island, that was committed by a U.S. Border Patrol, working from the navel up all the way up. His entrails were removed in his head, as far as we can tell, was taken back to Mexico. I worked the 2013 lawyer where El Gato spent a million dollars putting tracking devices all over his family's vehicles and then were able to locate him in South Lake, Texas, and then executed him. So that they are here, sir. They are here and they are among us.

Mr. BISHOP. The people who have erased our borders as a means of improving their voter population might—already have gotten more than they bargained for I would say in the fentanyl deaths I am going to ask Mr. Maltz about next. But they also may see yet more. We may see the same sort of open militarized conflict with our own law enforcement and military resources here in the United States. That is what you are saying?

Mr. JONES. I have video that I've submitted to this committee of 50 caliber rifles, fully-kitted individuals, on Interstate 10, Tucson to Arizona, passing two Arizona State troopers.

Mr. BISHOP. The only thing—

Mr. JONES. I can go on. They are here, sir.

Mr. BISHOP. My fellow lawmakers only decry the fact that we are not spending more money letting that happen.

Mr. Maltz, I want to ask you, you ever been to Charlotte, North Carolina?

Mr. MALTZ. Yes, sir.

Mr. BISHOP. You know the community just north, very affluent community just north of there called Cornelius?

Mr. BISHOP. Not aware of that, no.

Mr. BISHOP. Hough High School. A member of a sports team up there, young man died a week or so ago. They say that fentanyl has pierced Hough High School in Cornelius, North Carolina. It is happening everywhere, not just at the border, everywhere across this country.

But there is something even—I don't know if you can say more disturbing than that. I just watched the movie "Sound of Freedom", and I would urge everybody to go see it. But the problem of child sex trafficking is, I understand, at epidemic levels as well. Been fed from places south of the United States, but now in the United States we have children that—600,000 children, minors come into the United States under the policies Democrats have advocated, Secretary Mayorkas is overseeing, 85,000 we have lost track of. These people are showing up in factories and the like. But that is not even the worst of it, it is the people being sold into another form of bondage, Mr. Jones, sex trafficking. You keep up with that at all, Mr. Maltz? The sex exploitation of children?

Mr. MALTZ. Yes, sir. Because the cartels control it all at the border. They have total control of the border. So they're making money on all those young kids, those innocent kids. That's why I commented before, because of all these rapes and these assaults on these young children as they make the journies up into the United States.

But one thing I would want to add is that Secretary of Mayorkas did say that the fentanyl overdoses are the single greatest challenges that we have in America. But my question to everybody is then why would you reverse the policies that were working before to keep those people out? It's the operatives that are all over our country now running the business of collecting money, of pushing the poison on the streets, and they're getting right over the border. They have total control.

Mr. BISHOP. If you think the problem is so insignificant that it embarrasses you to consider it, Mr. Maltz, that would be your answer.

I yield back.

Chairman GREEN. The gentleman yields.

I now recognize Mr. Thanedar.

Mr. THANEDAR. Thank you, Mr. Chair. Thank you to the witnesses who are here today.

Two months ago, the DEA confirmed the interception of a massive shipment of over 20 kilograms of fentanyl during a routine traffic stop in my beloved city of Detroit. Now, just think about this for a moment. Fatal dose of fentanyl is only 2 milligrams. Now, if you look at this 20 kilogram seizure of fentanyl, and if I do a quick math here, that 20 kilograms is enough to kill 10 million people. That is almost the entire population of my State of Michigan.

But let me clarify. This deadly drug finds its way to my district because there is a name, an unattended addict, a path of destruction waiting for it. That is the root cause of this fentanyl crisis, demand for the opioid.

My message to my Republican colleagues is that the opioid epidemic does not begin or end at our borders. This crisis is not a border crisis, it is a public health crisis. We need to focus on health care. By doing so, we not only save lives, but also disrupt the prof-

itability of these cartels. It is a win-win situation. We can cripple their operation while healing those trapped in this grip of addiction.

Dr. Brown, can you discuss how treating demand for these drugs would hurt cartel operations while saving lives?

Ms. FELBAB-BROWN. Thank you.

I stated at the beginning of my testimony that focusing on treatment, demand reduction, and harm reduction approaches is absolutely critical and indispensable. This is indeed what will save us lives.

Law enforcement actions, both on the U.S. side of the border and internationally, are also very important because we do want to minimize the amount of flows to the United States and also because the objective should be dismantling the drug trafficking groups. However, expanding access to insurance so that more people in the United States could receive treatment, adopting the smartest most proven evidence based approaches so that people are not dependent on sourcing illicit drugs on the illegal market, so they are not dependent on sourcing illicit drugs, period, is crucial. With that and a very important element of that is also a significant over prescription of legal opioids.

I want to go back to emphasizing another point from my testimony. The real big danger currently of pharmacies in Mexico that are brick-and-mortar buildings, look like any pharmacies, and are selling all kinds of drugs, including fentanyl- and meth-laced adulterated drugs to international tourists such as U.S. citizens. They need to be shut down.

Mr. THANEDAR. Thank you, Dr. Brown.

My understanding is that the administration is working to expand its public health initiative to combat the fentanyl epidemic. Do you view this as a necessary step?

Ms. FELBAB-BROWN. Yes. The Biden administration deserves enormous credit for framing a lot of our drug policy in terms of public health. Significant genuine progress has been made, and some of them precedes initiative already from during the Trump administration with States, State legislature, and Members of Congress, the U.S. Congress recognizing the need to adopt much smarter, much wider strategies, such as the availability of medications that reverse overdose.

Mr. THANEDAR. Thank you, Dr. Brown.

Mr. Chairman, I yield back.

Chairman GREEN. The gentleman yields.

I now recognize Mr. Gimenez from Florida.

Mr. GIMENEZ. Thank you. Thank you very much.

In September, September 11, 2001, terrorists killed around 3,000 Americans and we went 7,000 miles, and we waged war for 20 years because 3,000 Americans were killed. Seventy thousand Americans are being killed every single year by fentanyl and we are doing nothing about it.

I had the director of the FBI sitting in that chair and I asked him, do you think that we should be labeling the Mexican cartels, the multinational cartels, as terrorists? He says well, this is a technicality. Well, they are terrorists. They are killing us. As a matter of fact, we only lost 60,000, close to 60,000, people in Vietnam in

10 years of war. They are killing 70,000 Americans every single year and they are right across the border.

So my question to you, Mr. Jones, is this: Do you believe that the Biden administration policies have strengthened the Mexican cartels?

Mr. JONES. Yes, sir, I know they have.

Mr. GIMENEZ. Do you believe that by strengthening the Mexican cartels, we are actually not only destabilizing the United States of America, but we are also helping to destabilize Mexico?

Mr. JONES. Yes.

Mr. GIMENEZ. There is the crux of the matter. So we can fund \$10 billion and put CBP agents locked and armed 2,000 miles on the border, and unless we change the policy, nothing changes. Is that correct?

Mr. JONES. That is absolutely correct. This is an authority. This is not a money issue any longer. We, as lawmen, do not have the authorities we have needed to go after these cartels. That is the problem. I don't believe in going to war with the cartels. They are dark networks, Congressman. The way we win against them is giving us the authority for full spectrum operations, leveraging our full U.S. intelligence agencies, law enforcement and military, but mostly clandestine operations. How you go after the Sinaloa cartel as a network will be much different as to how we go after the Gulf Cartel del Noreste and many others, because these networks are different and we have to fight in the future differently than we have in the past.

Mr. GIMENEZ. I agree. But also we need to change our policy so that the migrants who are coming through, who think they can get into the United States, that are paying them their passage, deprives them of that revenue and makes them weaker. Is that correct?

Mr. JONES. It does. But you also need to understand these cartels are global. You hear all the time that right now they're making billions of dollars off of the human trafficking of people. That's absolutely true. They're making more than they are off of drugs. But when you look at them in the totality today, look at why Cartel Jalisco New Generation has risen so quickly, so fast. Because they began moving their narcotics overseas to Europe, Russia, and Australia, making hundreds of thousands of dollars. Literally, one kilo at one time in Australia was \$180,000. This is why their rise is so massive. But what are you always told by these so-called experts? That these cartels—listen, if you just legalize, it'll all go away. Look at what has happened to us.

Mr. GIMENEZ. You are right. This is not a simple answer to the problems that we face in the United States, but we need to view them as adversaries. We need to view them as people that are killing Americans, 70,000 a year.

Look, I was in the streets of Miami. I am a paramedic. That is my craft, all right. So in the 1970's and the 1980's they responded to overdoses left and right, all the time, and overdoses with opioids. But they weren't laced with this poison. This poison hooks them, makes it much more addictive, and then it kills us. We have to do something about it. What the Biden administration is doing is not doing very much to protect American lives. That is the duty of Gov-

ernment. The duty of Government is to protect the lives of American citizens. In this respect, the Biden administration and this Secretary is failing miserably.

Much has been said about the decrease in the number of migrants that are coming through the border. Now, from the height and yes, maybe it was, but the number that I got, the last in February 2020, only 36,000 migrants were encountered at the border. Now we are looking at as 100,000 as being a good number, 150,000 being a good number. It is an utter disaster what is happening at the border—it is an utter disaster what is happening at the border.

One final thought. My colleagues across the aisle think that everything can be solved by throwing money at it, and it cannot. In this case, the best thing we can do is change the policies. By changing the policies, you will then disincentivize the migrants from coming into the United States, deprive the cartels of the money that they get from them, and then we can start focusing in on destroying the cartels, which are the source of the fentanyl, which is killing 70,000 Americans every single year.

I yield back. Thank you.

Chairman GREEN. The gentleman yields.

Without objection, the title of Ms. Vaughan's testimony submitted for the record has to be stricken. The wording of that title makes an accusation against the President and the Secretary that they are accomplices to crime, and we have to strike that.

So, without objection, the title of that testimony is stricken.

We will move to the next question.

I now recognize Mr. Magaziner for 5 minutes.

Mr. MAGAZINER. Well, thank you, Chairman.

The American people want us to work together in a bipartisan way to solve the Nation's problems and to strengthen our security. But instead, we are here for yet another episode of impeachment theater, the latest installment in House Republicans' plans to impeach someone, anyone, from the Biden administration. It is disappointing and the facts don't support it.

The premise of the argument—and we all know that this is where this is headed—the premise of the argument is something like this, that Secretary Mayorkas, President Biden are breaking the law because they are not attempting to stop transnational criminal activity at the border. Unfortunately for my colleagues, the facts are not on their side.

Here is just a sample of the actions that the Biden administration has taken to combat transnational criminal organizations at the border. In 2021, Secretary Mayorkas launched Operation Sentinel, a collaborative, inter-agency effort to disrupt logistical networks of criminal organizations. Also in 2021, the administration launched Joint Task Force Alpha to enhance U.S. enforcement efforts against smuggling and trafficking groups operating in Mexico and in the Northern Triangle countries. December 2021, President Biden issued Executive Order 14060, establishing the United States Council on Transnational Organized Crime. The Executive Order outlined a policy for the United States to combat TCOs and established a council to monitor the production and implementation of coordinated strategic plans to do just that. President Biden signed legislation to increase funding for border security, for better

technology at points of entry, for more Border Patrol agents. In almost every case, our Republican colleagues who were there last year voted against this legislation. This year, the Biden administration launched operation Blue Lotus and operation Four Horsemen, inter-agency surges of operations to seize narcotics, investigate crimes, and investigate dangerous individuals associated with TCOs. In just 2 months, those operations seized nearly 10,000 pounds of fentanyl and more than 10,000 pounds of other narcotics, like cocaine and methamphetamines. In the last week alone, Operation Blue Lotus arrested 284 people on fentanyl charges.

I can keep going. Secretary Mayorkas launched Operation Artemis to target precursor chemicals, pill presses and parts, and finished substances involved in fentanyl. Secretary of State Blinken, who some of our colleagues are also trying to impeach, organized a ministerial meeting with more than 80 countries to launch a global coalition to address synthetic drug threats, a worldwide effort led by the United States to disrupt fentanyl supply chains. In April, the Biden administration's Justice Department announced charges against 28 Sinaloa cartel leaders. Of course, most importantly, since the expiration of Donald Trump's Title 42 policy, illegal border crossings are down more than 50 percent. That is on President Biden's watch.

So, listen, we can all have our own opinions about whether the administration is doing a good job or not. Everybody is entitled to those opinions. But if your core argument is that the Biden administration is breaking the law by not trying to disrupt TCOs, the facts don't support it. We are going to keep having this debate, apparently for months to come, but that is the central point.

Here is what it all boils down to. Even though the administration have taken numerous actions to address the challenges at the border, detaining criminals, seizing drugs, some of our colleagues are just hell-bent on impeaching a Cabinet Secretary for the first time in 150 years. For some, this has been the plan all along. House Republicans first introduced articles of impeachment against Secretary Mayorkas 2 years ago, when the guy had only been in office for a couple months. They have been gushing to their donors about impeachment behind closed doors before they even took control of the House and before any of these investigations even began, even though there is no legal basis.

So, look, the American people want us to work together to secure the border on a bipartisan basis. There are things that we could be doing. We should invest in technology and personnel, we should strengthen our relationships with allies in the region who are key partners in this fight, we can reform the immigration system to make it more orderly, we can finally do something about the guns across the border from the United States of Mexico, which is a part of this problem that our colleagues don't ever want to talk about. But in order for us to move forward in a productive way, impeachment theater has to stop so that we can get to work for the American people.

I yield back.

Chairman GREEN. The gentleman yields.

I now recognize Ms. Lee from Florida for 5 minutes.

Ms. LEE. Thank you, Mr. Chairman.

Ms. Vaughan, I would like to return to your testimony. You touched on a subject that I think is a very important aspect of what we are here to discuss today, and that is human trafficking and how these policies are affecting women and girls and children who are being trafficked. Specifically, you used the phrase in your opening that these kids go into the HHS assembly line with few questions being asked. I would like to focus a bit there. It is correct, is it not, that when that happens, we have seen numerous incidents of children who are actually put into placements in homes that prove to be unsafe?

Ms. VAUGHAN. Absolutely, yes. There are a number of instances where, for example, girls have been placed with older men in what is clearly an exploitative situation. There are kids who have been turned over to labor traffickers, there are kids who get turned over to gang members, there are kids who get placed into domestic servitude and other forms of abuse. It's really quite horrific.

Ms. LEE. Well, and I know we have also seen cases where—and this happened even in my own State—if the children themselves aren't screened, that can pose a danger or an inappropriate circumstance for a host family. Is that also correct?

Ms. VAUGHAN. Yes. There are problems at some of the shelters, sometimes incidents of predatory behavior on the other kids who are housed there until their release. There was the case in Jacksonville where the alleged minor, who turned out to be 24 years old, because the Border Patrol is not able to really screen people, murdered his sponsor.

Ms. LEE. In your opinion, after children are placed in these sponsor homes, is there an adequate level of follow-up and supervision that is occurring by HHS?

Ms. VAUGHAN. Absolutely not. There's almost no supervision or follow-up that goes on. These standards that they have for not only placements but also post-placement services, are way, way inferior to the procedures that every State in the Union uses for foster care placements, for example. It's been said that it is harder to adopt a cat than it is to sponsor an unaccompanied minor. There are rarely background checks done, almost never home studies, no financial assessments. The Biden administration has stopped doing background checks on other people in the households to make sure that the placements are safe. This is something that simply would not be tolerated in our foster care system.

Ms. LEE. You also mentioned that roughly a one-fourth of the trafficking victims were children. Would you tell us a little bit more about that and the patterns that you see that are affecting young people and children that are coming to this country?

Ms. VAUGHAN. Well, what happens is the smugglers often either convince the parents of these kids that they're going to have a better life in the United States, so pay us a down payment on the smuggling fee now and the child will make enough money or be able to go to school or some other tale to get the parents to release the kid who, when they get to the United States, are released to a sponsor who turns out to be a trafficker or are put directly into trafficking situations. Sometimes it's forced labor trafficking, sometimes it's commercial sex, sometimes it's domestic servitude. But the child is isolated from their family members in the complete

control of the people who have custody of them. There's no monitoring of the situation by the Federal Government that put them in this situation. There is very little opportunity for seeing what's going on in some of these workplaces to rescue the kids. It's a lot of, frankly, hear no evil, see no evil, there must not be any. Really deliberately kind-of looking the other way at what is happening.

Ms. LEE. Thank you Ms. Vaughan.

Agent Maltz, I want to return to you. You used a phrase in your written—which is important and I want to be sure that we today hear the distinction that you make as someone who spent so many years with DEA. The distinction is between drug traffickers, which is something that we have seen obviously for many decades coming across our Southern Border, but you use the phrase narco-terrorist. Would you please explain to us the distinction between a drug trafficker and a narco-terrorist?

Mr. MALTZ. Well, a drug trafficker is in the business to make money only. The cartels, when I first started to work, we know them as drug traffickers, right? But they've evolved from drug traffickers to transnational criminals. But now they're narco-terrorists. Just look at the death and destruction of what they're doing in that country. I mean when I was the head of the Special Operations Division, I kept on my phone the greatest hits of the violence in Mexico with the head, the decapitations, the chopping off limbs, throwing people in acid. They used to have a guy called the stew maker. He would drop—they were never found. That's why in Mexico today there's so many disappearances. They don't want to put that out because it's going to deter any tourism in Mexico. But these cartels—I mean Jaeson can tell you, he reports on it every week, every 2 weeks. They got tanks, they got rockets, they got drones that drop explosives. That's another thing that makes me concerned as a citizen because as our brave men and women are on the border, what happens if one day they drop the explosives on our own people? Right?

So these guys have evolved to the point where—I mean they're a multi-billion-dollar enterprise, they have plenty of money, they have no rules, they have no bureaucracy. So I'm very concerned about their evolution and the lack of the way we deal with them.

Ms. VAUGHAN. Thank you, Agent Maltz.

I am out of time.

Mr. Chairman I yield back.

Chairman GREEN. The gentlewoman yields.

I now recognize Mr. Ivey.

Mr. IVEY. Thank you, Mr. Chairman. I appreciate it.

Got a lot of ground to cover. I do want to start off with agreeing with Mr. Magaziner with respect to the—we have got sort-of two tracks of things going on here. One is there is an impeachment track that is pretty obvious that—the dereliction of duty language dovetails exactly with Ms. Greene's HRS 598, which has articles to impeach President Biden. So we know that is part of what is going on. But the fact that you all are here as a panel, I do have some questions I want to ask you.

I appreciate we may have some differing views, but I do want to try and figure out some of the things that are going on here, be-

cause I do think we have a duty to try and address the problems that we have got.

Ms. Vaughan, you mentioned Prince George's County, and I was the State's attorney there, the local prosecutor. One of the groups that we prosecuted was MS-13 repeatedly. In fact, we did a joint prosecution with the U.S. attorney at the time, President Trump's deputy attorney general. A lot of the stuff that they were doing looks a lot like some of the things we are talking about now. The human trafficking piece, the prostitution up and down the coast, the enforcers, the money and all of that.

So, Mr. Jones, I want to come to you at some point too, but I do wonder about some of the differences that seem to be there.

Mr. Maltz, I think you kind-of touched on this, but in the old days, and I will put myself in that category, the sale of drugs, they weren't trying to kill their customers, basically. So they would sell addictive drugs, cocaine, heroin, whatever, but they weren't necessarily killing them off. Fentanyl seems fundamentally different to me in the sense that, yes, it is extremely addictive, more addictive than those, but it is also the fatality rates are incredibly high. The things I would like to try and figure out if we get a chance to move to a hearing on that front would be why that change in the business model has taken place.

Mr. Jones, I want to get a—I might have to ask you all to send in a written response or something just because I am almost half-way through my time. Mr. Jones, to you, you have made a couple references to, I think, essentially military action, I think was the way you phrased it. Need more authority and more tools beyond law enforcement was one. Then in your last answer that you gave a few minutes ago, you mentioned explicitly wanting to have the military get involved in the pushback against the cartels.

I will pause for this answer. What exactly do you have in mind on that front?

Mr. JONES. Yes, sir. What I'm talking about is the tools of national power. Here, what I mean by it. Our system by design, as you know, as a former prosecutor, moves very slow. It's exactly how we want it under our Fourth Amendment.

Mr. IVEY. Let me ask you to cut to the chase, because I am down to a minute-and-a-half. What exactly—because military involvement is a very big step.

Mr. JONES. If we operate beyond the investigative model what it allows us to do is go after their assets and their money, real-time versus work in 2-year cases. It allows us to limit their mobility globally around the world just to Mexico, because now you can't get on aircraft, you can't get on boats. Third, it allows us to remove them who are here on visas, because most of you would be stunned. They have the money for visas. So it puts speed in the system and gives us tools. Now we go after the network and that's how we win.

Mr. IVEY. Let me reclaim my time. I don't know that you need the military to do any of those three things. I think the Department of Justice does that currently. But we can maybe discuss that at another time.

I also had a question to Mr. Maltz. You mentioned working with China and I think Mexico. Here at a previous hearing—I can't remember if it is Mr. Higgins or Mr. Bishop, but we had someone at

the—I want to say it was the White House that also said the importance of getting involved with China, especially in blocking the amount of precursors that are coming out of China and going to Mexico. Because when the relationship between the United States and China broke off a few years ago, China stopped enforcing the exportation of precursors that led to the really explosion of the availability of that in Mexico. That witness’ thought was that—part of the answer was going to be that we needed to work with China to address that.

With respect to Mexico—I am running out of time—but, Mr. Jones, you mentioned another issue too, which was money. You are the first witness I have heard in one of these hearings to say more money isn’t the issue. We have had CBP and those guys come up and talk about we need more agents, we need everything really, because they are outgunned in a variety of ways. So I guess I will have to get that from you later on.

I would ask for unanimous consent to offer a couple of articles, “How to Stop the Mexican Cartels: Stop Supplying Them With Guns”**—Which I think was a point you made, Mr. Jones—“On Biden’s Border Policy Critics Both Left and Right Are Wrong”, “Southern Border Eerily Quiet After Policy Shift on Asylum Seekers”.

Chairman GREEN. Without objection, so ordered.
[The information follows:]

ARTICLE, *The Washington Post*

OPINION: ON BIDEN’S BORDER POLICY, CRITICS BOTH LEFT AND RIGHT ARE WRONG

By the Editorial Board

July 14, 2023 at 7:30 a.m. EDT

Uncontrolled migration across the U.S.-Mexico border is not in anyone’s interest except, perhaps, for the smugglers who profit by charging people to make the difficult and dangerous trek. After much hesitation, during which unauthorized attempted border crossings reached an all-time high of 2.76 million in fiscal 2022, the Biden Administration acted to stem the flow and redirect it into lawful, more manageable channels. Initial data from the Department of Homeland Security shows progress: Daily Border Patrol encounters with migrants fell from 10,000-plus just before May 11, when the policy went into effect, to 3,400 in early June. Set forth in regulations finalized May 10, the plan seems to be preventing the border chaos many had feared would follow expiration of emergency powers under Title 42, a public health law that had allowed Federal authorities to expel migrants summarily during the pandemic.

There’s a catch, though: President Biden’s policy has to be consistent with Federal law. And critics from both ends of the political spectrum have gone to Federal court arguing that it’s not. On July 19, a judge in Oakland, Calif., is set to hear a coalition of immigrants’ rights advocates, headed by the American Civil Liberties Union, who claim, in effect, that the Biden plan unlawfully truncates the right to asylum. Meanwhile, red States, headed by Texas, accuse the administration of the opposite: letting in hundreds of thousands of migrants without sufficient legal authority.

The courts should let the administration’s approach, which includes a 2-year time limit, run its course. Some of the legal arguments against it are serious. Yet, so is the Biden administration’s case: that the President is trying to address a major problem through a pragmatic exercise of his existing authority.

Essentially, the new policy offers migrants incentives and disincentives—carrots and sticks—the net effect of which is to discourage irregular border-crossing. The disincentive, framed as a “rebuttable presumption” against entry, is swift expulsion and a 5-year bar on reentry for those who cross between ports of entry without first seeking asylum in a third country en route. The incentive is that these tough condi-

**The information was not available at the time of publication.

tions do not apply to migrants who first make appointments using a cellphone app to apply for asylum at ports of entry and wait in Mexico for their turn. The rule contemplates advance processing for asylum in a third country as well. Separately, it offers 30,000 people per month from Venezuela, Nicaragua, Cuba, and Haiti—main sources of the 2022 border surge—direct access to the United States via 2-year humanitarian parole, provided they have a U.S. sponsor.

ARTICLE SUBMITTED BY RANKING MEMBER GLENN IVEY

SOUTHERN BORDER ‘EERILY QUIET’ AFTER POLICY SHIFT ON ASYLUM SEEKERS

By Nick Miroff and Toluse Olorunnippa

July 12, 2023 at 6 o’clock a.m. EDT

EL PASO—On the border bridge from Mexico, about 200 asylum seekers lined up on a recent morning with their phones open to a Customs and Border Protection mobile app, ready for appointments at a reception hall on the U.S. side.

Thirty miles north, the Biden administration provided a different reception for those attempting to enter the United States illegally, bringing them to a massive tent complex in the desert for migrants facing deportation. The new 360,000-square-foot facility’s shelves were stocked with diapers, snacks and baby formula, signs of the administration’s efforts to meet the changing demands of U.S. immigration enforcement.

The two locations illustrate the extent to which Biden administration officials have begun transforming the way asylum seekers and migrants are processed along the southern border since May 11, when the White House lifted the pandemic policy known as Title 42. The policy had allowed quick expulsions of migrants who entered the United States illegally but no penalty for those who tried to get in again and again.

Now the administration is allowing tens of thousands of migrants to enter the United States legally each month through the mobile app CBP One, while those who don’t follow the rules face ramped-up deportations and tougher penalties.

The preliminary result is a nearly 70 percent drop in illegal entries since early May, according to the latest U.S. Customs and Border Protection data. After 2 years of record crossings and crisis-level strains, the Biden administration appears to have better control over the southern border than at any point since early 2021.

The president’s critics continue to depict his border policies as too permissive—geared more toward accommodating mass migration than deterrence. But the decline in illegal crossings undermines a key line of attack for President Biden’s Republican critics and bolsters Democrats’ argument that the pandemic expulsion policy was partly to blame for record numbers of border arrests.

Administration officials acknowledge it is too soon to tell whether their new approach can achieve lasting effects. Republican State officials are suing in Federal court to block Biden’s policies expanding legal entries through CBP One. At the same time, immigrant advocacy groups have filed challenges in Federal court to Biden’s new border restrictions on asylum seekers who cross illegally.

The recent drop in illegal crossings does not mean fewer than half as many migrants are coming to the United States. President Biden is allowing roughly 43,000 migrants and asylum seekers per month to enter through CBP One appointments and accepting an additional 30,000 through a process called parole. The new legal channels appear to be absorbing many of the border crossers who for years have entered unlawfully to surrender in large groups, overwhelming U.S. border agents.

U.S. agents made about 100,000 arrests along the Mexico border in June, the first full month that Biden’s new measures were in effect, down from 204,561 in May, according to the latest CBP data. It was the largest 1-month decline since Biden took office.

Imelda Maynard, the legal director of Diocesan Migrant & Refugee Services in El Paso, which aids migrants, described the past several weeks in the city as “eerily quiet.” The number of migrants released by CBP onto the streets of El Paso dropped to zero in recent days, according to the city.

“We’ve been so used to putting out fire after fire, we’re like: Where are all the people?” Maynard said.

‘We’re so close’

On the outskirts of El Paso, where for much of the past 2 years migrants have attempted to enter illegally each day through the steep canyons of Mount Cristo Rey, a CBP helicopter and a team of agents gave chase one recent morning to a single border-crosser. He turned back south.

With CBP using more contractors at its facilities to help perform tasks such as data entry, medical screening and child care, Biden officials say more U.S. agents can return to patrol duties. That appears to be making it harder for border-crossers to sneak through.

The factors that have fueled migration to the United States remain largely unchanged, but for the first time since Biden took office, the President's team is testing a new border-management strategy, one it considers a more humane and effective alternative to the Trump administration's approach. At the heart of the strategy is a belief that reducing the chaos and illegality of migration is more feasible than trying to stop it.

Legislative proposals to overhaul the U.S. asylum process continue to face steep odds in a polarized U.S. Congress, which hasn't passed significant immigration legislation in nearly two decades.

Blas Nuñez-Neto, the top border policy official at the Department of Homeland Security, said the Administration's measures remain vulnerable to adverse court rulings because they rely on executive actions rather than congressional fixes, which remain stalled.

The fact that the new Biden system is working as intended is encouraging, Nuñez-Neto said in an interview. "But it's still too early to draw any definitive conclusions about what we're going to see in the coming weeks and months."

For migrants in Mexican border cities trying to secure a CBP One appointment, the wait can be harrowing.

Jose Ricardo Pimentel, a 33-year-old Venezuelan, stood on the bridge on a recent morning. Lowering his voice to a whisper, he acknowledged that he'd slipped into the line without an appointment that day because he was so desperate to leave Mexico.

"I was kidnapped along the highway to Ciudad Juárez and held for 22 days," he said. "I'm scared."

Pimentel reached the front of the line to plead his case, but U.S. officers saw his name wasn't on their list. They turned him back.

Pimentel fell in behind other families who lacked appointments but were clinging to faint hopes the CBP officers would allow them to enter anyway.

Leidimar Muñoz; her husband, Alexander Gonzalez; and their 7-year-old daughter, Yefreannys, waited there, too, but they gave up after 5 hours in the 100-degree heat.

"My daughter couldn't stand it any longer," said Muñoz, also from Venezuela. "She was hungry and asking to use the bathroom."

The family walked back down the bridge into Ciudad Juárez, then laid out a blanket under the bridge's shade, sharing a plate of chicken and fried rice from a foam container. Yefreannys took out Play-Doh and Barbie dolls from a dusty backpack with a cat face.

Muñoz had registered the family for a CBP One appointment 8 days earlier. The average wait for an appointment was 4 to 6 weeks, but she didn't want to move into a shelter farther away from the border bridge. They were spending nights under the bridge, sleeping outdoors on the patio of a Mexican migrant services center.

Downtown El Paso seemed within grasp, its skyline visible past the border wall and the spools of concertina wire.

"We're so close," Muñoz said.

Before May 11, the family could have joined the tens of thousands of other Venezuelans crossing illegally and surrendering to border agents with an expectation they'd be quickly released into the United States. Now doing so would risk deportation back to Mexico and ineligibility for asylum. Muñoz had to wait, glued to the mobile app.

Criticism from all sides

The drop in illegal crossings has given Biden a reprieve on one of his most vulnerable issues ahead of next year's Presidential election. White House officials expressed a sense of validation at seeing the border numbers fall after the expiration of the pandemic restrictions—noting how Republican politicians had been warning of impending chaos after May 11.

But even as Biden's aides expressed relief, the president himself has largely refrained from calling out his detractors over the issue. The challenges with border enforcement have vexed his administration since its earliest days, with fast-changing migration patterns, court orders that kept Title 42 in place and criticism from both liberals and conservatives.

The issue is bound to remain a sticking point during the 2024 campaign. Former president Donald Trump—who initiated the Title 42 policy and predicted that its

end would lead to record migration—has accused Biden of deliberately undermining border security by lifting the restrictions.

Recent polling indicates that immigration is one of Biden's biggest political liabilities, with 6 in 10 adults saying they disapprove of his handling of the border, according to a recent AP-NO RC poll. In the aftermath of Title 42's lifting, several Republican candidates have announced Presidential bids—and almost all of them have used their campaign launches to attack Biden on immigration.

In some cases, the disapproval is coming from Biden's side of the aisle—with Democrats criticizing him as being too harsh toward migrants.

Crystal Sandoval, director of strategic initiatives for Las Americas, an advocacy group working on both sides of the border, said Biden's restrictions have effectively "ended" access to asylum. Though the administration is allowing tens of thousands to enter with CBP One appointments to live in the United States while their protection claims are pending in U.S. courts, asylum seekers who might be fleeing immediate danger face new hurdles if they cross the border illegally.

"Is it really due process?" said Sandoval, whose organization has been helping migrants in Ciudad Juárez fix errors to their CBP One registrations.

"I expected more," she said. "We can and should do better."

A floating city

The deceased man lay facedown in a sandy berm about five miles north of the border wall and 100 yards from a highway.

A CBP helicopter first spotted him, sending agents on horseback. They estimated he'd been there about a week. Pieces of sponge were glued to his boot soles, a tactic used to mask footprints. The sun had left his limbs the color of charcoal.

He was one of two deceased migrants recovered in the Santa Teresa, N.M., area, just outside El Paso, on a recent morning.

Crossings have historically dipped during the peak summer months when temperatures along the border soar past 100 degrees. But as migrants trying to evade capture face tougher odds to sneak through, they often resort to more remote areas with greater risk. They may be U.S. deportees, or have criminal records, making them ineligible for CBP One.

Border agents in CBP's El Paso sector are still averaging 400 to 500 arrests per day, bringing detainees to the sprawling new detention facility comprising brightly lit, climate-controlled tents that resemble puffy clouds. The size of six football fields, it is the largest and perhaps least harsh CBP facility ever built, with capacity for more than 2,500.

The Border Patrol supervisor running the facility likened it to a cruise ship—a small self-contained city floating on the desert. With hot showers, onsite laundry and scores of private booths where migrants can videoconference with attorneys, asylum officers and immigration judges, the facility's operating costs exceed more than \$1 million per day.

Border Patrol officials said the facility allows them to manage detainees using far fewer agents. They can reserve the more austere, jail-like detention cells at Border Patrol stations for migrants considered security risks. Family groups, unaccompanied minors and others deemed lower risk can be held at the tent complex, where contractors perform administrative and custodial tasks that have long grated on agents.

Rep. Tony Gonzales (R-Tex.), a border-district lawmaker who criticized the new facility's price tag after a recent tour, said 100,000 illegal crossings a month still add up to more than a million annually, near historic highs. Asylum seekers who are released into the United States while their claims are pending rarely end up deported, even though the majority of their cases are rejected in U.S. immigration court, he said.

"If this is what the administration thinks is a win, they're on the complete wrong path," Gonzales said.

He said he is concerned that the arrival of tens of thousands of migrants through CBP One has effectively "streamlined and normalized illegal immigration."

"So they won't be deported, but they'll be living in the shadows all their lives," Gonzales said. "It's wrong to funnel them down a dead end."

Under CBP policy, 72 hours is the maximum amount of time migrants should remain in the agency's custody before they are released or transferred to another agency such as Immigration and Customs Enforcement for longer-term detention. The 3-day window is generally too short to resolve asylum seekers' claims of persecution in their home countries.

The Biden administration appears to be using the new tent complex to hold detainees longer, allowing more time for the government to apply the new asylum restrictions and deport those who disregard the CBP One route.

Border Patrol officials providing a tour of the facility did not allow interviews with detainees. But one man lining up for a shower said he'd been there 18 days.

Olorunnipa reported from Washington.

Mr. IVEY. Thank you, Mr. Chairman.

Chairman GREEN. The gentleman yields.

I now recognize. Mr. Garbarino from New York.

Mr. GARBARINO. Thank you, Mr. Chairman. Thanks to the witnesses for being here today.

Mr. Jones, in its own 2021 Border Security Metrics Report, DHS documented an increase in alternative forms of payment in exchange for passage, including migrants being required to participate in smuggling controlled substances or other illicit items across the border or to work off debts upon arrival in the United States, as well as reports of harsh negotiations concerning payment plans with family members. Can you talk about the rising prevalence of debt bondage and how the cartels are using those they smuggle and traffic into the country due to the work on their behalf?

Mr. JONES. Absolutely.

The Gulf Cartel specifically has a saying, and that is that people are the gift, they keep giving, because they can make them move the commodity just as you just acknowledged. But we have seen that on the border where they're now making migrants carry narcotics, we have seen where they then exploit them. We've seen where other migrants are now being used to transport migrants themselves. Because you can truly make this commodity do what you want it to do. What these really represent, and that's the most important here to understand, is this is a process. Because just as Border Patrol was being absolutely overwhelmed with these people, so were the cartels. The Gulf had to come up with a process that worked. You're seeing it on each of these. You've got some you can look here and you'll see. That number goes into a database, and if you—at the time that we broke this story, if you were a Mexican citizen, it was \$2,500 just across the river in South Texas, if you were Central American, it was \$3,000, if you were Chinese, \$5,000, and if you were Russian or Middle Eastern, \$9,000. I've never seen money like that, ever. It was always \$100, if that, and they didn't care where you went. Now, think of this. Now these people are moved throughout our Nation, but yet they are indebted to these people for years, if not decades to come in a foreign country. This is where we really are now.

Mr. GARBARINO. You talked about how you have seen this before, but lower numbers with these higher numbers and the amount of people, is this relatively a new phenomenon under Secretary Mayorkas?

Mr. JONES. It is. Now, the smuggling of people has always been there, but the adjustment from smuggling into the trafficking through debt bondage, because due to the sheer numbers, they thought, God, we can make so much money and we can do it for the long run. This is the game-changer. When you think of human trafficking, most people think of commercial sex. That's one piece of it. Don't forget, you have forced labor, and this is your final form, debt bondage. Now it's Nation-wide.

Mr. GARBARINO. Mr. Jones, I want to continue with the profits on fentanyl and human trafficking. In July 2021 you said I can

without any doubt tell you that the profits they are making today are like nothing we have seen prior. This is a major revenue stream. How have those profits increased since Secretary Mayorkas took office? How much do you think the cartels are making annually on human trafficking and smuggling alone?

Mr. JONES. We don't really know what the exact amounts are. I mean, look, this is going to go on for decades. Many of us will be dead and gone before we clean this up. But I can tell you this. There will not be a law enforcement agency in this country that is going to be doubling down on the threat that we are now facing from trafficking as a result of what Secretary Mayorkas is the architect behind these changes. When he took power and he created the three exemptions under Title 42, allowing UACs, unaccompanied alien children, into the country, when he allowed pregnant mothers to come into the country, and when he allowed family units, this was the game-changing moment. It's validated by the data. If you just look at CBP when these people began pouring across the country.

Mr. GARBARINO. I was trying to do some numbers before with what you said. You said went from \$100 to \$3,000 for some, \$2,500 for others, \$5,000 up to \$9,000.

Mr. JONES. That was just at the river, sir. Just at the river. Never mind what country of origin where you came from. Right now, if you're Chinese, to cross from China to Ecuador and then make your way up, they're charging \$35,000 a head. They're moving 35 at a time in Fronzon. Then the Cartel del Noreste, literally takes all of their ID before they let them into the United States and they drop it on the mic side so that when it comes across, it holds up Border Patrol longer so that they can then move weapons south, and as much commodities in as they need to.

Mr. GARBARINO. So for the last 2½ years, it seems that the profits for these drug cartels have increased immensely?

Mr. JONES. Agreed.

Mr. GARBARINO. How are these profits giving these cartels more power, making them more dangerous?

Mr. JONES. Well, look at the military-grade weaponry they're now using, look at the level and span of control in Mexico. The people of Mexico have taken the blunt of this. They've lost over 340,000 citizens since 2007. In the last national election, CNN did a fantastic work. There was 132 politicians and staffers killed. Anybody can Google it. Mexico has truly fallen to these cartels. When I tell you they're a parallel government, you are truly looking at a narco-state. The problem is when you're killing journalists in Mexico and they can't get the information out, this is why we are so far behind what these cartels are doing. That's why we and Americans are feeling the impact in every part of this Nation today.

Mr. GARBARINO. I am out of time, but if you could respond in writing more about what is happening to the American citizens because of the cartels, that would be great.

Thank you, Mr. Chairman, I yield back.

Chairman GREEN. The gentlemen yields.

I now recognize Ms. Jackson Lee of Texas.

Ms. JACKSON LEE. I am kind enough to yield to the next individual. I will come back after that.

Chairman GREEN. We can go out of order, absolutely.

Ms. JACKSON LEE. Thank you.

Chairman GREEN. Ms. Garcia, you are recognized.

Mrs. RAMIREZ. Ramirez. Ms. Ramirez.

Chairman GREEN. Ms. Ramirez. I am sorry.

Mrs. RAMIREZ. Thank you. Thank you, Chairman and Ranking Member Thompson.

We have been here for about an hour-and-a-half and I want to thank you for this hearing. Today's hearing should be shedding light on the pressing issues surrounding immigration policies, what is causing migration, and how do we make sure the children we talk about, the children that I actually know personally are cared for. Instead, I think we continue to politicize an issue that actually both sides need to address, which is immigration reform.

I actually want to get back to why we are all here today. The American people expect us to do our job and to solve the problems. They expect us to have unbiased people who are witnesses here and provide us an opportunity to shed light on how we move forward. As I think about the hearing now and hearing the witnesses, I think about just last year how a horrific domestic terror attack at a Buffalo, New York supermarket left our Nation reeling. My colleagues across the aisle offered up their thoughts and prayers, but they offered no actions to address racially- and ethnically-motivated violent extremism. It is not lost on me that before murdering 10 people at the supermarket last year, the shooter wrote, and I quote, "We are experiencing an invasion on a level never seen before in history." However, twisted justification, the shooter believed he was repelling an invasion of the United States by immigrants from Latin America. Does that sound familiar?

Mr. Maltz, in your testimony you said I know what is going on in America. So let me ask you, do you support the assertion that the United States is experiencing a historic invasion by immigrants? That is a yes or no question.

Mr. MALTZ. Illegal immigrants, immigrants from around the—yes.

Mrs. RAMIREZ. Yes or no?

Mr. MALTZ. Yes.

Mrs. RAMIREZ. So you believe that we are experiencing a historic invasion of immigrants?

Mr. MALTZ. Yes.

Mrs. RAMIREZ. So despite knowing that the Pittsburgh shooter justified his actions based on the idea of an immigrant invasion to replace white people, despite knowing that invasion ideology was used to justify the shootings in El Paso and Buffalo, you continue to espouse this great replacement theory and extremist ideology that people like me, when my mother crossed the border pregnant with me, don't deserve to be here because we are invading the country?

Mr. Chairman, this hearing is not a fact-finding mission, it is a raw political sham to stoke fear and it will continue to justify the violence against immigrant communities. I find that unacceptable. This body's job is to address the problems in our country, not to

spew more hate. That is what we should be focusing on, legislative solutions, not divisive distractions, and prioritizing the expansion of resources for immigrant communities and comprehensive immigration reform. That is how we address public safety.

So let me just end by saying let us direct our efforts toward meaningful action that upholds our values and ensures the security and well-being of all of us, regardless of immigration status. That is the America that I know, that is the America that I love.

With that, Chairman, I yield back.

Chairman GREEN. The gentlelady yields.

I now recognize Mr. Ezell for his 5 minutes.

Mr. EZELL. Thank you Mr. Chairman and thank you panel for being here today.

I know it is a lot going on and we appreciate your time here.

I spent 42 years in police service, 3-term sheriff and enjoyed every day of it. I will tell you, the safety and security of people has always been on my mind, not only of my home State of Mississippi, but across this Nation. I want to be clear that due to the Biden administration's open border catch-and-release policies, cartel crime is transitioning from a border issue to a national issue. Every State is a border State.

Border Patrol agents have arrested more than 30,000 illegal aliens with criminal backgrounds since Joe Biden took office. While this is a staggering number, it does not even consider the illegal aliens with criminal backgrounds that have evaded Border Patrol and entered the country illegally.

Mr. Jones, in your estimation, how many criminals, gang members, or suspected terrorists are now in the United States among the 1.5 million getaways that have evaded Border Patrol agents?

Mr. JONES. Congressman, thank you for your service.

We have no idea. The border is so wide open.

Mr. EZELL. That is exactly right.

What threats do these individuals pose to communities not just at the border, but throughout this country?

Mr. JONES. Everything from terrorism to the unprecedented amounts of deaths that we're seeing of American citizens from fentanyl and the many other drugs that are crossing that Southern Border.

Mr. EZELL. Mm-hmm.

Mr. Maltz, we know cartels are the leading criminal organizations that manufacture and distribute illegal fentanyl in our country. Over the past 3 years, Border Patrol has seized over 45,000 pounds of fentanyl, enough to kill over 10 billion people. Most of that fentanyl has been seized at the ports of entry on the border. However, the sheer amount of this drug on our streets shows that the ports of entry aren't the full story.

Can you walk the committee through how cartels are using Mayorkas' open border between the ports of entry where there is little infrastructure stopping them to smuggle these drugs into our country?

Mr. MALTZ. So I would say, first of all, they're making billions of dollars, so funding is not an issue. Then they're flooding the zones. They're sending massive amounts of migrants to certain areas where they know Border Patrol has limited resources, and

then they're using the open border area to just smuggle in unlimited amount of people, unlimited amount of drugs, and, of course, bringing the weapons south and the money south. So it's basically they're just taking full advantage of the vulnerabilities and the weaknesses. The poor Border Patrol is out there and they don't have the personnel. They don't have enough people in certain sectors.

I mean, obviously, this document—and I deliberately attached this into the record—it's all the news, the headline news of all the mass poisonings. So that's the ultimate impact when the cartels have such control at the border to send their people into America to set up operations and move this poison all over the place.

Mr. EZELL. Do you believe a border wall would deter the flow of fentanyl in this country?

Mr. MALTZ. Yes, because the border wall would then force everybody to go into the POEs, where we could put the best and brightest and resources and technology and scanning and canines and do much more thorough searching. We wouldn't have to worry about our manpower running around the open border trying to chase people down, sometimes one and two guys. It's very, very dangerous to be out there when you don't have the manpower.

So I would prefer to focus everybody into the POEs. That's not going to solve the problem, but it's going to help and that's what we're looking to do.

Mr. EZELL. Very good.

From what we have heard today, it is completely irresponsible that President Biden from his first day in office he signed an Executive Order pausing border wall construction. The 70,000 fentanyl deaths in America are directly attributed to this open border policy.

Mr. Chairman, I will not stop working with you to protect our Nation's families.

With that sir, I yield back.

Chairman GREEN. The gentleman yields.

I now recognize Ms. Jackson Lee from Texas for 5 minutes.

Ms. JACKSON LEE. I have been in this committee and I have watched Chairman Green and Chairman Thompson work very well together on a number of issues. In fact, they have shown themselves to be respectful of each other. For that I say thank you.

I have had the ability to monitor what has been going on in this room and I frankly believe that problems don't get solved by castigating and making incorrect statements.

I also have a 28-year history in this Congress and have been involved with immigration for at least that long a period of time. In the Judiciary Committee, as Ranking Member of the Immigration Subcommittee, and this committee as Chair of the Transportation Security Committee, Ranking Chair of the Border Security Committee, and as a Texan have been to the border many times. I do believe that we can do this and solve the problem of immigration reform together.

What I also know is at least the border in Texas there are many who are on the border that don't want a border wall because of its intrusiveness. In addition, because of topography and design, the border wall sometimes is not effectively put in the right place to be able to create any kind of criminal incident. After Title 42, we

have found statistically, as answered by those at CBP, Customs and Border Protection, and the Border Patrol that numbers are clear, that we have worked to do together on those who are coming across. It is clear that not one American, no matter what their party affiliation, abhors cartels violence and viciousness, and will come together to work on that issue.

But it does no good for any of us to suggest that the President of the United States and the Secretary of Homeland Security are the key and only reasons for migration. I take offense and it is wrong frankly because migration is a world-wide concern. Some would say problem, others would say crisis. People desperately come even if it is for their economic goodness and they argue something else.

We well know that immigrants contribute \$1.3 trillion in spending power to the economy. We also realize that not one single person sitting in this room was an indigenous person in the United States of America. Your ancestors came from somewhere. Mine came unwillingly in bondage.

But it is clear to me that we have to find a better way.

Let me quickly raise this question. Let me quickly do so. In 2018, the Nation was horrified when a domestic terrorist shot down 11 worshippers at the Tree of Life Synagogue in Pittsburgh. Before going on this rampage, the shooter shared a manifesto alleging that, "The Hebrew Immigrant Aid Society likes to bring invaders in that kill our people. I can't sit by and watch my people get slaughtered." Two weeks before that, he called immigrants hostile invaders on social media.

Ms. Vaughan, do you believe there is a flood of immigrant invaders at the Southern Border who are slaughtering victims in American communities? This is a yes or no answer.

Ms. VAUGHAN. No. They're taking advantage of the opportunities that are offered by the current policies.

Ms. JACKSON LEE. So you have answered no. So let me just say this. In your testimony, on page 8 of your written testimony, you say there is a flood of people in the border, to the border brought on by the Biden-Mayorkas policies, and that these careless policies have created scores of new victims in American communities, all of which were preventable crimes. Ms. Vaughan, the issue of your partisan extremism goes beyond your testimony today. On November 4, 2021, you alleged that the tragic murder of a man in Florida that year was another casualty due to Biden's open border. Two years before that, on January 8, 2019, you laid blame for the horrific murder of a police officer, Mrs. Singh, in San Joaquin Valley at the feet of Democrats' border weakening and sanctuary policies. I find this very dangerous, because we need to come together as Americans, frankly, to be able to work, not name-call, but to be able to say, none of us wanted those kinds of incidents. How dare you say that any of us will want to have an officer killed or family killed? Neither does the President and neither the Secretary.

Let me move quickly to something that is very important, Mr. Green, and I appreciate if you would allow me to do that.

I happen to be someone who knows that there are barriers that can be utilized in certain ways, being a Texan. I also know that we need to stop penalizing nonprofits for trying to help persons so that

cities wouldn't have to put persons somewhere because the non-profits have them. But let me raise this to a former DPS. I want to applaud a DPS officer who is on duty today in Texas who became a whistleblower to ask the question, why is State government and this Lone Star effort causing immigrants to die in the water, causing a pregnant woman to miscarry over the raised wire and the buoys that are there, forcing them to go into deeper water, why a mother lost her life, her child's life, and another child is missing, why a little 4-year-old was denied water. This is the words of DPS whistleblower right on staff today. The question would be to all of you, as I asked the question, this is not America. The Border Patrol agents saying that the razor wire and the buoys are creating a difficult situation for them because as sworn officers of the United States of America, they are sworn to protect these people even as they will send them back. They are going into deeper water to save lives.

Chairman GREEN. The gentlelady's time has expired.

Ms. JACKSON LEE. I am putting that on the record, Mr. Chairman, because I want an investigation. These are not governmental witnesses, they are witnesses who have come to share their stories. But I want an investigation.

Mr. JONES. Can I respond to that?

Ms. JACKSON LEE. I want an investigation.

Mr. JONES. Is there availability for me to respond to that accusation?

Chairman GREEN. Hold on, hold on. I am taking control back, the gentle lady's time has expired.

Ms. JACKSON LEE. The gentleman is not——

Mr. D'Esposito is recognized from New York. You may yield, if you would like to, to Mr. Jones.

Ms. JACKSON LEE. The gentleman is not on staff at this point.

Mr. D'ESPOSITO. Mr. Chairman, I would like to yield to Mr. Jones.

Mr. JONES. I am the only one sitting in this room that's been exactly where those accusations were made. On my phone I've got video of what the men and women of law enforcement at local, State, and especially the Texas Department of Public Safety and National Guard are going through as hundreds of people 3 miles from the closest port of entry are being crossed by the cartels. To say that the men and women of DPS are throwing babies into the river is absolute absurd——

Ms. JACKSON LEE. I didn't say——

Mr. JONES [continuing]. And that they would do that——

Ms. JACKSON LEE. I didn't say that.

Mr. JONES. That's the accusation in there.

Chairman GREEN. The gentleman is recognized. The gentleman may——

Ms. JACKSON LEE. Mr. Chairman, he cannot malign me in this room. I did not say——

Mr. JONES. Not only that——

Mr. D'ESPOSITO. Ms. Jackson Lee, I believe this is my time. Ms. Jackson Lee.

Chairman GREEN. Mr. D'Esposito, you have reclaimed your time.

Mr. D'ESPOSITO. Thank you.

So the name of this hearing, "Biden and Mayorkas' Open Border: Advancing Cartel Crime in America", I have heard this described as a sham, I have heard it described as theater, I heard it described as a complete waste of time. It is beyond explanation. People are dying and crimes are being committed. How is that a sham? How is that theater? How is any of that a waste of time?

I want to thank all of you for being here today. Mr. Jones, Mr. Maltz, I want to thank you for your service in law enforcement. I too spent a career in law enforcement and retired from the NYPD as a detective.

There is no doubt there is a crime crisis in America thanks in part to the dereliction of duty of Secretary Mayorkas' wide open Southwest Border.

I am going to ask all of you, it is a yes or no question, do you believe the Biden administration's soft-on-crime policies, such as their efforts to limit law enforcement access to surplus Federal equipment and their restrictions on Federal grant dollars to police departments worsen our Nation's crime prices?

Mr. Jones, yes or no?

Mr. JONES. Yes.

Mr. D'ESPOSITO. Ms. Vaughan, yes or no?

Ms. VAUGHAN. Yes.

Mr. D'ESPOSITO. Mr. Maltz, yes or no?

Mr. MALTZ. Yes.

Mr. D'ESPOSITO. Ms. Felbab-Brown, yes or no?

Ms. FELBAB-BROWN. No.

Mr. D'ESPOSITO. OK. So I have heard this also mentioned that we should be thankful that the numbers have fallen to such a low level. They are not low. There are still thousands upon thousands of people coming to this country illegally and thousands and thousands more that we don't even know about. Quite frankly, it is like celebrating a category 3 hurricane instead of a category 4 hurricane. It is absurd.

I want to focus on the law enforcement for a second. Mr. Jones, what are some of the main consequences for local law enforcement of increased cartel activity in their jurisdictions?

Mr. JONES. They are completely overrun on the Southwest Border. If you go to Arizona right now and you sit back with Sheriff Mark Lamb, let me tell you, I've embedded with his law enforcement agency. You realize out of 1 out of every 10 traffic stops that man is making and his personnel are in pursuits 70 miles into the country. These agencies are overrun. The Texas Department of Public Safety has spent \$9 billion from the State legislature to try to support operations between the ports of entry because we are overrun with crime.

Mr. D'ESPOSITO. Mr. Maltz, do you believe that law enforcement throughout this country faces more threats of violence because of our open borders?

Mr. MALTZ. Absolutely. I also know they're retiring at record levels at the executive leadership level because they can't take it anymore. The mixed messages are overwhelming.

Mr. D'ESPOSITO. So you don't believe the lines at the pension section just happened to happen?

Mr. MALTZ. I just know that I talk to people every day and they're leaving law enforcement because morale is at a rock level, at the lowest level, because of this. They signed up to keep America safe.

Mr. D'ESPOSITO. I agree. It is because of exactly failed leadership like this.

Mr. Jones and Mr. Maltz, I am going to ask you a question. Both of you have served in leadership capacities in law enforcement, have ever and would you ever make a decision that would put any of your officers in danger?

Mr. MALTZ. Never.

Mr. JONES. Never.

Mr. D'ESPOSITO. Right. That is why we are here today, because we are talking about cartels, we are talking about crime that is being committed, and we are talking about Secretary Mayorkas and his dereliction of duty. Why? Because he makes policies and carries out policies that have put people in danger, has put law enforcement in danger.

I only have 40 seconds left. A general question to Mr. Jones and Mr. Maltz, what are the broader impacts on first responders, law enforcement, fire service because of the cartel along the border? Please, if you could do 10 seconds a piece.

Mr. JONES. Completely overrun. When you look in South Texas right now, you've got Texas troopers who've been deployed for 2½ years, 12,000-plus Texas National Guardmen completely overrun and overwhelmed after—exhausted.

Mr. D'ESPOSITO. Thank you.

Mr. Maltz.

Mr. MALTZ. The criminals don't fear any repercussions of their actions because they're not being held accountable.

Mr. D'ESPOSITO. Exactly. So what we are seeing here today, we are answering the question to this hearing. So it is not a sham, it is not a waste of time, it is actually a mission. It is a mission to make this homeland, our homeland, the United States of America, safer for our children and our grandchildren.

Mr. Chairman, I yield back.

Chairman GREEN. The gentleman yields.

I now recognize Mr. Menendez of New Jersey.

Mr. MENENDEZ. Thank you, Mr. Chairman.

We can all agree that Mexican cartels pose a direct threat to U.S. interest. We can all agree that we need to fight the scourge of fentanyl in this country. We can also agree that this body and the U.S. Government should prioritize addressing these issues.

But today's hearing has not been a serious discussion of ways to protect American families from cartel activities or fentanyl trafficking. How can we engage in good-faith discussions of border policies when this committee's Majority is using this committee to arrive at a pre-determined destination, the impeachment of Secretary Mayorkas, a destination they have said both publicly and behind closed doors they are set on reaching. No matter what the facts are, no matter what the administration has done to address these critical issue, when witnesses confirm what the Majority already believes instead of engaging in actual fact-finding.

Ms. Vaughan, you work for the Center for Immigration Studies, is that correct?

Ms. VAUGHAN. Yes, I do.

Mr. MENENDEZ. Ms. Vaughan, yes or no, did you speak at an event organized by the Social Contract Press?

Ms. VAUGHAN. Look, I have said that you—

Mr. MENENDEZ. Yes or no? Yes or no? Yes or no? Yes or no? You were able to answer other questions in a yes-or-no fashion. Yes or no?

Ms. VAUGHAN. Look, what I said is that—

Mr. MENENDEZ. You did. Did you appear—

Ms. VAUGHAN [continuing]. You're trying to distract from a serious topic—

Mr. MENENDEZ. Did you appear—excuse me, Mr. Chairman—

Ms. VAUGHAN [continuing]. By smearing—

Mr. MENENDEZ [continuing]. This is my time.

Ms. VAUGHAN. Attempting to smear me.

Mr. MENENDEZ. No, I am just asking you questions.

Chairman GREEN. The gentleman reclaims his time.

Ms. VAUGHAN. Denigrating—

Mr. MENENDEZ. Did you appear alongside an editor of *Chronicles* magazine, yes or no?

Ms. VAUGHAN. Could you repeat it, please?

Mr. MENENDEZ. Did you appear alongside an editor of *Chronicles* magazine, yes or no?

Ms. VAUGHAN. Not that I know of.

Mr. MENENDEZ. Did you give an interview to the American Free Press?

Ms. VAUGHAN. I've never heard of it.

Mr. MENENDEZ. You have never heard of the American Free Press?

Ms. VAUGHAN. No, sir.

Mr. MENENDEZ. You have never done work with the American Free Press? OK, well, we will go back to the record.

Ms. VAUGHAN. Please explain to me—

Mr. MENENDEZ. It is important that—excuse me. I am reclaiming my time. I think it is important that we shed light on the organization you work for as well as the three organizations that I believe you have either worked for or appeared alongside.

The Center for Immigration Studies has been labeled an anti-immigrant hate group by the Southern Poverty Law Center.

Ms. VAUGHAN. That is a complete—

Mr. MENENDEZ. The Social Contract Press, a white nationalist publisher, has been labeled as a designated hate group by the Southern Poverty Law Center. According to the Southern Poverty Law Center, *Chronicles* magazine is a publication with strong neo-Confederate ties that caters to the white nationalist movement. According to the Anti-Defamation League, the American Free Press is an antisemitic newspaper founded by a Holocaust denier.

On the day that Congress welcomed the Israeli president to address us, we have someone who has contributed to an antisemitic newspaper founded by a Holocaust denier, a witness who makes 9 assertions in her written testimony about the administration's policies, assertions the Majority will likely rely on to further their

cause for the impeachment of Secretary Mayorkas. Yet only 2 citations were provided for those 9 assertions, both of which were provided by the Center for Immigration Studies, where you work, again, an organization that has been labeled an anti-immigrant hate group.

I also think it is important that we discuss some of these issues through the lens of our values. Members of the Majority, along with some of our witnesses, have mentioned their concern for the safety of migrants. Ms. Vaughan, you contend that the administration's policies expose migrants to abuse by the cartels. I am glad that you recognize that the long and difficult journey that migrants face is an issue of concern. Immigrants travel to the United States by any means they can, in search of a better life for their family, including on foot for hundreds, if not thousands of miles, enduring exposure to injury and illness along the way. That is why it is unconscionable to me that you also go out of your way to praise what Governor Abbot of Texas has done. You say in your testimony that, "To the extent there is any improvement at all it is most likely due to efforts by the State of Texas to physically block the entry points, such as by patrolling the Rio Grande River, installing razor wire and buoys." I am sure that many of us saw the reports this week about how Texas is telling their medics in the Department of Public Safety to treat migrants inhumanely. There has been a soaring heat wave in the Southwest, yet medics have reportedly been told not to give out water. Governor Abbott has made crossing the Rio Grande River a more dangerous and even deadly proposition by adding the buoys and razor wire mentioned that you alluded to in your testimony, including in areas of the river with high water and low visibility.

This report included a story of a 19-year-old woman trapped in the wire who is having a miscarriage. Five immigrants have drowned in a 1-week period in the area near where this wire was installed. Where is the humanity for these people? Where is your outrage when you hear these stories? What are you doing to change the outcome for the people trying to get to this country, our country to live their American dream for the betterment of their families? Where is your outrage when they have to encounter these conditions trying to get here to seek asylum?

I yield back.

Chairman GREEN. The gentleman yields.

I recognize, Mr. Brecheen of Oklahoma.

Mr. BREECHEN. Mr. Chairman, at the onset of my time, I would like to yield 30 seconds to Ms. Vaughan.

Chairman GREEN. Ms. Vaughan, you are recognized.

Ms. VAUGHAN. I am outraged because I cannot imagine a more inhumane policy than one that entices vulnerable migrants to turn over their life savings, their families, their kids to criminal smuggling organizations because they believe that they will be allowed to stay in this country, and end up in debt bondage and other horrific situations. Frankly, I'm saddened that Members feel the need to distract from this horrific treatment of people by impugning my motives, insulting me, smearing, repeating lies about me to distract from a horrible problem.

I sat and testified as a witness at a hearing about a year ago that Ms. Jackson Lee held in which she brought in three survivors of human trafficking. It was a very well-done hearing. We heard their stories. They were brave. This is a real issue, a real atrocity that is occurring at our border. To act like this is some kind of political stunt is a shame.

Mr. BREECHEN. Mr. Chairman, if I may, I want to give you some time, if I may reclaim my time.

Chairman GREEN. The gentleman reclaims.

Mr. BREECHEN. Look, let's just talk about the difference of where we have come in 2 years. Historic lows in 45 years of illegal immigration, historic lows by the person at the helm who enacts laws, historic lows of illegal immigration. Now we have the most illegal immigration in our country's history. Decisions matter. A lack of leadership on this front matters. People are losing their lives. Children are being sold into the sex traffic slave trade because of decisions that are being made.

In 2022, human trafficking arrests have increased 50 percent, 72 percent of trafficking victims are immigrants.

Mr. Jones, a minute ago, you talked about some things that we have to be concerned about. The new mob, the cartel coming into the United States. The new mob. I want you to recite the fact that you said a minute ago. How many politicians were killed in Mexico?

Mr. JONES. In the last national election—if you'll look up, CNN did some great reporting on this—132, including their staff.

Mr. BREECHEN. Mr. Jones, are they coming to a State near you? Are the cartels richer and more powerful because of this administration, President Biden's decision and Secretary Mayorkas' decision? Are they more powerful and richer today?

Mr. JONES. This is a whole new scheme that has resulted in them getting richer right here in debt bondage.

Mr. BREECHEN. Are they more powerful in America because of the decisions at the Executive helm?

Mr. JONES. Yes, sir.

Mr. BREECHEN. In America debt bondage, we keep hearing about debt bondage. Thirty-five thousand dollars if you are coming from China, the cartel is charging you to come into this country. Do we not think that they are going to employ not only the tactics of the employment, but what about prostitution to repay that debt?

Mr. JONES. In every form that you can think of, they're going to require these people—and then when they've paid it, they're going to say they did something wrong, and now they owe another \$5,000, \$10,000, \$15,000, because that's what they can do. You see, they know where their families are in their country of origin, and they know where they're going here in our country. It's all right here in the numbers in their database.

Mr. BREECHEN. Mr. Chairman, I am concerned about the Biden administration, as I know many of us on this committee are, their policies, these unaccompanied alien children, and it is run by the Department of Health and Human Services. So some of you have some great insight on that fraudulent use of that UAC program. Children that are being trafficked, they are being abused, they are being sold into sex trade.

I want to ask Ms. Vaughan, what do you know about children that have been involved in the sex trade because of the UAC program implementation?

Ms. VAUGHAN. Well, in many cases, their lives are ruined. In some cases, it happens because they get preyed on when, for example, they're in shelters in places like San Antonio or New York or Chicago that are overrun. They're there by themselves.

Mr. BREECHEN. Is this administration making sure that those children who may be forced to say they are related, is this administration making sure that they verify that they are those children? What change over the prior policy is not making sure that they are the children?

Ms. VAUGHAN. Well, previously the policy was that no child would be without a certain level of vetting of the sponsor.

Mr. BREECHEN. Does that include DNA tests to make sure if that child's being forced?

Ms. VAUGHAN. OK, well, DNA testing was done at the border because there was a problem—

Mr. BREECHEN. Has that been changed under this administration?

Ms. VAUGHAN. Yes, it has. They eliminated—

Mr. BREECHEN. So are we complicit? Is this administration potentially complicit in children who are being forced to claim they are related, being sold into a sex trade, and we could have caught them at the border if we had have done DNA analysis? This administration is undermining that process?

Ms. VAUGHAN. The cartels and smugglers are thrilled that the DNA testing policy has been abandoned because it makes it very easy for them now to rent, kidnap, and use children to assist other inadmissible illegal aliens in crossing into the United States.

Chairman GREEN. The gentleman's time has expired.

I now recognize Ms. Titus for her 5 minutes.

Ms. JACKSON LEE. Mr. Chairman, may I introduce into the record—please, just very briefly.

Chairman GREEN. Do you want to ask Ms. Titus to introduce that for you, Ms. Jackson Lee? Ms. Titus has been recognized.

Ms. TITUS. I ask unanimous consent to enter into the record—

Ms. JACKSON LEE. The Texas troopers accounts of bloodied and fainted migrants on the U.S. Mexico border. Also in the *Houston Chronicle*, the *Washington Post*. These were not my words, the words of a Texas trooper words.

Chairman GREEN. Without objection, so ordered.*

Ms. JACKSON LEE. I thank the lady. Thank you.

Ms. TITUS. I am just wondering how you know that the cartel members are thrilled. Have you done polling of these cartel members or something to figure out how thrilled they are about this?

Ms. JACKSON LEE. It is OK.

Ms. TITUS. That is a rhetorical question.

I just sit here one more time and listen to one more hearing trying to attack the Secretary, trying to attack the President, talking about the border with inflammatory titles like The Open Border, Advancing Cartel Crime. Meantime, we got domestic terrorism, we

*The information was not available at the time of publication.

got antisemitism, we got Asian hatred, we got cybersecurity. All of that is being ignored, and all of those things are serious problems.

It is so easy just to point a finger at one person and say, oh, it is his fault for being a bad manager. But if you look at the issue from a historical, sociological, and economic standpoint, you will find that it is much more complicated than that. You can look at the complex history of Central and South America. You can look at our currently-strained relationship with Mexico. You can look at the broken immigration system that we don't seem to be able to fix. You can look at the immense power of the cartels and their abuses at every level, using guns that they have mostly gotten from across the border and selling drugs to people in the United States because we have customers here who want that, as we have a decades-long opioid crisis, and there is no agreement on border policies. We hear from some members of the border what we need are more resources, we hear from whatever your sources are from disgruntled people at the border that it is all management's fault.

Let's look at this comprehensively. I would ask you, Doctor, you mentioned in Europe there is a difference between the way the cartels work in Mexico and when they come to the United States. Largely that can be credited to our law enforcement doing a good job. They are not as violent, they don't infiltrate governments, they don't raid villages here. But we don't have a very good relationship with Mexico on this front like we do on some other diplomatic fronts. Could you talk a little bit about how we could maybe improve that relationship so we can jointly go after some of these cartels?

Ms. FELBAB-BROWN. Several years ago, the U.S. Government and the Mexican government established a policy or basic understanding of shared responsibility. This notion of shared responsibility carried across both Republican administration and Democratic administration on the U.S. side and across several Mexican governments. Unfortunately, although this notion is still in rhetoric, the current Mexican government of President López Obrador has significantly walked away back from it. We have seen really during his administration a very profound hollowing out of cooperation. He is also adopting policies, or the lack of policies in Mexico, that are enabling in their lack of response the Mexican cartels. It is difficult to see how this could be changed during the last year of his administration, but there will be elections in Mexico.

It is clear that any kind of effective policy requires respect and recognition of interest on both sides. But unfortunately, this is not happening with the current Mexican government. The Biden administration has done its best to try to induce better cooperation from Mexico. But we have very far to go.

Ms. TITUS. Thank you. I hear from your other panel members the way to solve this problem is get rid of Mayorkas and maybe build a wall. Are there other things more realistic that we could do to make the situation better just on our side?

Ms. FELBAB-BROWN. Absolutely. Certainly there are many opportunities to strengthen both treatment, demand reduction, and address those important dimensions, as well as access to medications, such as overdose medication, other medication for those that have substance use disorders.

There are other opportunities to strengthen law enforcement actions. These include resourcing far better legal ports of entry so more inspections can take place. This includes expanding the policies, how we tackle the cartels, not simply thinking of them as smuggling entities or drug-smuggling entities only, but targeting their many dimensions, including their other access to money through joint task forces that have U.S. law enforcement agents as well as other members of relevant agencies.

So whole-of-Government approach that expands both Departments of State, Department of Defense, that expands authorities of agencies such as U.S. Fish and Wildlife.

Ms. TITUS. Well, we also hear that some of the Mexican pharmacies are selling drugs laced with fentanyl. That is to a lot of American tourists who are down there, that is not the cartels, but there may be a connection. Also these retail crimes here in this country often use what they sell on the internet or sell wherever to fund some of these things, like trafficking. That would be kind of part of the all-of-Government approach that we might address. Is that right?

Ms. FELBAB-BROWN. Absolutely.

Ms. TITUS. Well, thank you.

Mr. Chairman, I yield back.

Chairman GREEN. The gentlelady yields.

I now recognize Mr. Crane from Arizona.

Mr. CRANE. Thank you, Mr. Chairman. Thank you all for coming here today.

I continue to hear the same thing. I want to echo what my colleague Mr. D'Esposito was saying. I can't help but notice, this is a sham, this is more impeachment theater. This is the Homeland Security Committee. If we are not talking about this, I don't know what else we are going to be talking about. If we are not talking about trying to hold the individuals that are in charge of leadership on homeland security accountable, I don't know what else we are going to be talking about.

I wish you gentlemen were here yesterday. Some of my colleagues on the other side were trying to undermine how effective walls and barriers are. It is sad. I spent a lot of my life in the military, and I worked in Special Forces, so I understand security, I understand security systems. We talked about overlapping deterrents, we talked about using trained personnel, technology, barriers, intelligence, all of these things together. Overlapping deterrents and security systems to secure whatever you want to secure. It is sad to me that my colleagues on the other side of the aisle can't even acknowledge that barriers, whether it is around their house, their schools, these complexes, whatever it is, are effective.

Mr. Jones, I want to ask you about that, sir, because I know you understand security a lot better than the average individual. Do you find individuals that isolate barriers and walls and say they are archaic and ineffective, do you find those individuals serious when it comes to actual security?

Mr. JONES. I think they don't understand what's taking place. In South Texas, for example, you can be inside a stash house in a matter of seconds. So it's not about an electronic wall for detection, it's about how fast can you get a law enforcement personnel there.

Mr. CRANE. Yes.

Mr. JONES. When you go to Arizona, for example, you've got a lot of space there. You still have the challenge. That where we are in 2024, it's not about the detection issue, it's about how you get law enforcement able to respond before they're picked up or inside these stash houses. That's the core fundamental problem.

Mr. CRANE. These overlapping deterrents help give our law enforcement officials time to respond. Is that correct?

Mr. JONES. It's correct.

Mr. CRANE. Mr. Maltz, would you agree with that?

Mr. MALTZ. Absolutely, yes.

Mr. CRANE. OK, great.

Mr. Jones, you were talking about classifying cartels as terrorist organizations. I have heard that argument before. I understand why that argument is being made. But I want to ask you something, sir. Did you watch the videos of the United States pulling out of Afghanistan?

Mr. JONES. Yes, sir, I did.

Mr. CRANE. Did you watch the people hanging from planes?

Mr. JONES. Yes, sir, I did.

Mr. CRANE. Mr. Maltz, did you watch that?

Mr. MALTZ. Yes. I also witnessed my brother coming back in a body bag from the war in Afghanistan.

Mr. CRANE. Thank you, sir.

One of my biggest concerns when we start talking about that stuff, sir, is it would be the same leadership fight against the cartels. That concerns me. Quite honestly, I don't trust them to do that job. That is one of the biggest issues that I have.

I also want to hear your thoughts, sir, because I know you have done this for a long time, how that would affect some of the asylum claims.

Mr. JONES. Sure. First, we have to understand that the issue right now that we have with these cartels is it's about authorities. I don't look to go to war using our military in Mexico.

Mr. CRANE. Right.

Mr. JONES. We have proven in the past, working with the Marines, working with SEMAR, driving intelligence-led operations. But what we didn't do was network theory. We leveraged a law enforcement model and it was too slow. What does it do? It goes after the bosses.

Mr. CRANE. Just out of time—for time's sake, sir, so you are talking more about using intelligence.

Mr. JONES. Absolutely. But we will have—

Mr. CRANE. OK. You are not talking about—

Mr. JONES. We will have to use overt action at times. Look, the air is—you're not flying over there without getting shot down.

Mr. CRANE. Thank you, sir.

My last question. The Federation for America Immigration Reform, FAIR, recently calculated the cost of illegal immigration to be \$150.7 billion to Americans. Do you know how much a border wall would cost to build? Anybody on the panel have any idea, roughly? The same group says about \$22 billion. Mr. Jones, do you think that would be a good investment?

Mr. JONES. I think right now, beyond anything regarding money being spent by this committee or any others to the protection of this country, you have to look at the totality of these cartels in providing the authorities we need. That is our real issue right now.

Mr. CRANE. Thank you, sir.

Mr. Chairman, I ask for unanimous consent to enter this article into record.

Thank you. I yield back.

Chairman GREEN. Without objection, the article is entered.

[The information follows:]

THE FISCAL BURDEN OF ILLEGAL IMMIGRATION ON UNITED STATES TAXPAYERS—2023
COST STUDY

MARCH 8, 2023

Report by FAIR Research—March 2023

The following is a summary of our cost study findings. To access our full report, including State-specific information, [click here](#).

KEY HIGHLIGHTS

- At the start of 2023, the net cost of illegal immigration for the United States—at the Federal, State, and local levels—was at least \$150.7 billion.
- FAIR arrived at this number by subtracting the tax revenue paid by illegal aliens—just under \$32 billion—from the gross negative economic impact of illegal immigration, \$182 billion.
- In 2017, the estimated net cost of illegal migration was approximately \$116 billion. In just 5 years, the cost to Americans has increased by nearly \$35 billion.
- Illegal immigration costs each American taxpayer \$1,156 per year (\$957 after factoring in taxes paid by illegal aliens).
- Each illegal alien or U.S.-born child of illegal aliens costs the United States \$8,776 annually:
- Evidence shows that tax payments by illegal aliens cover only around a sixth of the costs they create at all levels in this country.
- A large percentage of illegal aliens who work in the underground economy frequently avoid paying any income tax at all.
- Many illegal aliens actually receive a net cash profit through refundable tax credit programs.

INTRODUCTION

This cost study report is currently the only comprehensive examination of the financial impact of illegal immigration in the United States. Every day, hundreds of millions of dollars in American taxpayer money are spent on costs directly associated with illegal immigration. Only a small fraction of these costs is ever recouped from taxes paid by illegal aliens, with the rest falling on the shoulders of American citizens and legal immigrants.

Our aim in this report is to show the American people the fiscal burden of illegal immigration at every level and across nearly all aspects of life. These costs range from emergency medical care to in-State tuition; from incarcerating illegal aliens in local jails to Federal budgets that pay out billions in welfare every year. Because there are so many different ways that money is spent on illegal aliens at both the State and local levels, the information in our report is otherwise hard to find (or even intentionally hidden). This report supersedes FAIR's 2017 cost study and highlights massive increases in spending related to illegal immigration that were implemented while American citizens deal with an uncertain economy.

THE NUMBER OF ILLEGAL IMMIGRANTS IN THE UNITED STATES

Estimating the fiscal burden of illegal immigration on the U.S. taxpayer depends on the size and characteristics of the illegal alien population. FAIR defines “illegal alien” as anyone who entered the United States without authorization or anyone who unlawfully remains once his/her authorization has expired. Unfortunately, the U.S. Government has no central database containing information on the citizenship status of everyone lawfully present in the United States.

The overall problem of estimating the illegal alien population is further complicated by the fact that the majority of available sources on immigration status rely on self-reported data. Given that illegal aliens have a motive to lie about their immigration status in order to avoid discovery, the accuracy of these statistics is dubious at best. All of the foregoing issues make it very difficult to assess the current illegal alien population of the United States.

However, FAIR now estimates that there were at least 15.5 million illegal alien residents as of the beginning of 2022. This estimate takes into account drastic, ongoing increases in illegal immigration under the Biden administration. This estimate also includes some categories of individuals without legal status, like DACA recipients and parolees, who are illegal aliens under law but misleadingly excluded from many estimates. For more information on how we reached this figure, refer to the FAIR study “How Many Illegal Aliens Live in the United States?”

THE COST OF ILLEGAL IMMIGRATION TO THE UNITED STATES

At the Federal, State, and local levels, taxpayers shell out approximately \$182 billion to cover the costs incurred from the presence of more than 15.5 million illegal aliens, and about 5.4 million citizen children of illegal aliens. That amounts to a cost burden of approximately \$8,776 per illegal alien/citizen child. The burden of illegal immigration on U.S. taxpayers is both staggering and crippling, with the gross cost per taxpayer at \$1,156 every year.

Illegal aliens only contribute roughly \$32 billion in taxes at the State, local, and Federal levels. This means that the net fiscal cost of illegal immigration to taxpayers totals approximately \$150.7 billion.

In 2017, FAIR estimated the net cost of illegal immigration at approximately \$116 billion. This means that in just 5 years, the cost of illegal immigration has increased by nearly \$35 billion. This rapid increase is a consequence of the ongoing border crisis and a lack of effective immigration enforcement. The sections below further break down and explain these numbers at the Federal, State, and local levels.

TOTAL GOVERNMENTAL EXPENDITURES ON ILLEGAL ALIENS



TOTAL TAX CONTRIBUTIONS BY ILLEGAL ALIENS

TOTAL ECONOMIC IMPACT OF ILLEGAL IMMIGRATION

FEDERAL

Federal Spending

The approximately \$66.4 billion in Federal expenditures attributable to illegal aliens is staggering, and constitutes an increase of 45 percent since 2017. This amounts to roughly \$3,187 per illegal alien, per year.

FAIR believes that every concerned American citizen should be asking our Government why, in a time of increasing costs and shrinking resources, it is spending such large amounts of money on individuals who are not authorized to be in the United States. This is an especially important question in view of the fact that the taxes paid by illegal aliens offset very little of the enormous costs stemming from their presence in the country.

- Federal Education—\$6.6 Billion
- Total Federal Medical Expenditures—\$23.1 Billion
- Total Federal Justice Enforcement Expenditures—\$25.1 Billion
- Total Federal Welfare Programs—\$11.6 Billion
- Total Overall Federal Expenditures—\$66.5 Billion

Federal Taxes

Taxes collected from illegal aliens help offset fiscal outlays and therefore must be included in any examination of the cost of illegal immigration. However, illegal alien advocates frequently cite the alleged large tax payments made by illegal aliens as a justification for their unlawful presence and as a reason itself to grant them amnesty. That argument is nothing more than a red herring. Such claims rarely look at the costs associated with illegal immigration, and instead only focus on the amounts contributed to the economy and paid in taxes.

Most studies grossly overestimate both the taxes actually collected from illegal aliens and, more importantly, the net amount of taxes actually paid by them (i.e., the amount of money collected from illegal aliens and ultimately kept by the Federal Government). A predominant reason for this is that in recent years, the United States has focused on apprehending and removing almost solely criminal aliens (and since President Biden took office, many criminal aliens are now protected from deportation as well). Because of this, the majority of illegal aliens seeking employment in the United States now live in an environment where they have little fear of deportation even if discovered.

- Federal Tax Receipts from Illegal Aliens—\$24.6 Billion
- Net Federal Impact of Illegal Aliens—\$50.2 Billion

STATE AND LOCAL

The total fiscal burden of illegal immigration on State taxpayers has now reached a staggering \$115.6 billion, which is 30 percent more than it was in 2017. The primary reasons for this, aside from a rapid increase in the illegal alien population, are that a number of States have opted to expand access to State welfare, education, and medical programs to illegal aliens. These expansions have led to taxpayers paying tens of billions in additional funding to cover these costs.

Concerningly, as will be seen in the following section, the taxes paid by illegal aliens to State and local governments fall far short of making up for the numerous additional State-funded benefits they are receiving. Moreover, with many States set to begin offering even more benefits to illegal aliens, as mentioned previously, these costs are only expected to increase even further.

State and Local Spending

- State Educational Expenditures—\$73.3 Billion
- State Medical Expenditures—\$18.6 Billion
- State Administration of Justice Expenditures—\$21.8 Billion
- State Welfare Expenditures—\$2 Billion
- State and Local Expenditures—\$115.6 Billion

State and Local Taxes Collected

As with Federal costs, State and local costs are offset—to some degree—by the taxes illegal aliens pay. As noted in the Federal taxes portion of this section, proponents of illegal immigration argue that the taxes paid by illegal aliens result in a net boon to State and local coffers. However, this is a spurious argument. Evidence shows that the tax payments made by illegal aliens fall far short of covering the costs of the services they consume.

It is also important to note that calling illegal alien tax payments a net receipt is a mischaracterization. The overall wage depression inflicted on local labor markets by the presence of large numbers of illegal aliens willing to work for less than market rates has far-reaching fiscal implications that are often not quantified on average balance sheets. Low-wage workers generally access more government benefits than higher-paid employees. Furthermore, illegal aliens also tend to remit large portions of their earnings back to their home countries, and thus less money is incorporated back into local economies and less is paid in local sales and excise taxes. However, because this study looks at the fiscal impacts of illegal immigration, and tax collections are a fiscal offset, we do our best to estimate how much of the fiscal costs borne by taxpayers are reduced by taxes paid by illegal aliens.

Illegal aliens are not typical taxpayers. First, the large percentage of illegal aliens who work in the underground economy avoid paying any income tax at all. Those that do work in the formal economy often receive back more than they pay to the Federal Government through refundable tax credit programs. Finally, the average earnings of illegal alien households are considerably lower than earnings of legal aliens and native-born workers, thus they typically fall into the lowest tax brackets.

- State Taxes Collected—\$15.2 Billion
- Net State Impact—\$100.4 Billion

COMBINED FEDERAL STATE COST TABLES

- Federal and State Fiscal Outlays—\$182 Billion
- Federal and State Tax Contributions—\$31.4 Billion
- Net Cost of Illegal Immigration—\$150.7 Billion
- Cost of Illegal Immigration by State (PDFs)

NOTES ABOUT THIS REPORT

- A Note on the Lack of Transparency in Government Data Reporting
- Summary of Methodology

Chairman GREEN. I now recognize Ms. Greene.

Ms. GREENE. Thank you, Mr. Chairman.

Human trafficking is a \$150 billion-a-year industry. In 2021, Georgia had one of the highest number of cases per capita that were reported through trafficking hotlines. The northern area of Atlanta is well-known. It is one of the highest places of human trafficking, human sex trafficking of women and children. Women and girls represent approximately 71 percent of all trafficking victims globally. More than 90 percent of detected female victims are trafficked for the purpose of sexual exploitation. Approximately one-third of all human trafficking victims are children. This next sentence is hard to even read because it is our country. The United States is one of the top destinations for human trafficking and is among the largest consumers of child sex. The average age of entry into the commercial sex market is 12 years old.

In the past few weeks, there has been a lot of controversy about a movie called “Sound of Freedom”. I can’t understand why anyone would say anything negative about a movie that is trying to expose child sex trafficking, especially when it involves our United States border.

Ms. Vaughan, can you tell me, is it a conspiracy theory? Is child sex trafficking a conspiracy theory?

Ms. VAUGHAN. It is most certainly not a conspiracy theory. It occurs far too much. I have met with and hugged survivors and heard what they have gone through. To refer to it as a conspiracy is an insult to what they have endured.

Ms. GREENE. Is our border a serious issue, the fact that our border is open, and the amount of people coming across our border, is that contributing to child sex trafficking?

Ms. VAUGHAN. It is most definitely contributing to the problem of not only child sex trafficking, but forced labor and domestic servitude and debt bondage, as we’ve discussed today.

Ms. GREENE. Is our current administration’s border policies contributing to child sex trafficking?

Ms. VAUGHAN. They are certainly facilitating it, yes. So it’s happening with more frequency as a result of the loose policies at the border and the lack of enforcement, frankly, in the interior of the country as well that would help rescue some of these survivors—or at least turn them into survivors as opposed to victims.

Ms. GREENE. Thank you, Ms. Vaughan.

Fentanyl deaths are at an all-time high, 300 Americans dying every single day from fentanyl. Having a top government official on the Mexican cartels’ payroll helped the cartels operate with impunity, moving tons of drugs around the world and make billions. It cost the cartels as little as \$.10 to produce the fentanyl-laced fake

prescription pill—\$.10. That is sold in the United States for as much as \$10 to \$30 per pill.

Mr. Maltz, with your experience in your career in the DEA, is the amount of fentanyl coming across our border, is this an all-time high?

Mr. MALTZ. Yes. I mean, this is the greatest drug threat we've ever faced in the history of the country. But I want to add that it's really not a drug, it's a chemical weapon coming out of China. Just like the K2, the spice now, the xylazine, that is rotting people from the inside out. This is deliberate, in my opinion, my expert opinion, from all the years of doing this. I lived this nightmare starting in about 2008, and then fentanyl started 2012. This is deliberate, and I would say based on my experience, it's like—just like the Afghans used to say, selling heroin to the West is a Jihad against America. Well, for China, they're undermining, they're destroying our country and they're sitting back using the Mexican cartels to do the dirty work.

Ms. GREENE. I agree with you Mr. Maltz. I believe, and I would ask your opinion as well, with the Biden administration's policies allowing the Mexican cartels to traffic the amount of poison fentanyl that is coming across China, it seems to be it is not negligence. It is not that they don't know it is happening, they know it is happening. It is hard to deny 300 Americans dying every single day from fentanyl. But would you agree that the Biden administration's policies is helping the Mexican cartels traffic this Chinese poison fentanyl into the United States?

Mr. MALTZ. Little boy, 3 years old, from Kentucky—and this is his mother in the coffin here with the kid because of fentanyl. It's happening every day all over the country. I deal with the families, I know. That's really sad. It's very sad that the current administration overturned strong homeland security policies that kept us all safe. That's my passion. I mean, I can't believe this is happening to this great country.

Ms. GREENE. I agree with you, Mr. Maltz. It seems that border security should be our utmost important issue that we are working on, not only to stop child sex trafficking, human trafficking, but also to prevent the poison of 300 Americans a day.

Thank you, Mr. Chairman. I yield back.

Chairman GREEN. Thank you. The gentlelady yields.

I now recognize Mr. Garcia for 5 minutes.

Mr. GARCIA. Thank you, Mr. Chairman.

Just want to also, just to be clear, just to review for the hearing, Democrats want to solve drug trafficking, we want to solve human trafficking, and certainly want to solve any sort of arms trafficking, which funds the cartels. What we don't want, and what some on this committee are hell-bent on doing, is we don't want to demonize or scapegoat immigrants, refugees, and people that need the most help. We are interested in real solutions, not going along with Republican attacks and the crusade to launch fake impeachments of Secretary Mayorkas for political gain.

Now, I do want to start with a question. Now, less than a year after the Tree of Life massacre in Pittsburgh, which we know killed 11 worshippers, a terrorist shot up a Walmart in El Paso, killing 23 people. Like the Tree of Life shooter before him, the murderer

in El Paso believed he was fighting in a war to end “Hispanic invasion of Texas”.

Mr. JONES, yes or no, is there an invasion of Texas at the Southern Border by immigrants?

Mr. JONES. No, sir. We are now in a new phase. We are a Nation overrun.

Mr. GARCIA. A Nation overrun. No longer an invasion. You don’t believe there is an invasion going on?

Mr. JONES. I’m saying we’re even beyond an invasion.

Mr. GARCIA. OK. Because you have on Twitter and on numerous occasions said that there is actually an invasion that is being caused by the U.S. Government, similar to the same words that have been said in this horrific shooting. So I just want to know that words actually cause impacts and can be quite dangerous here and across the country.

Our country needs responsible leadership. It needs border security. Of course Democrats agree with that. I also want to note, just to clarify the record, that more than 90 percent of hard drugs such as fentanyl enter the United States through legal crossings at ports of entry, which continues to be forgotten over and over again. Democrats have increased funding for ports of entry in the Government funding package last year, which Republicans, of course, overwhelmingly opposed.

So we keep hearing over and over again solutions that are not serious, which is why we never seem to discuss treatment programs here in this committee. There is no answers to how to improve access to health care or tackle the mental health crisis happening in our country. We just keep having the same Groundhog Day hearing over and over again, blaming migrants for a drug crisis that continues to replay itself hearing after hearing.

I want to just real quickly just go down the list and ask each of you yes or no, yes or no for each of you. Yes or no, solving the fentanyl crisis must involve addressing not only the supply, but also the demand is coming from the United States? Mr. Jones, is that correct?

Mr. JONES. It is. Also we have to remember where the demand is being supplied from.

Mr. GARCIA. Just a yes or no. So yes. Thank you, sir.

Mr. JONES. Well, you have to remember what the cartels have done now is—

Mr. GARCIA. Sir, this is my time. I just asked you for a yes or no. Thank you.

Mr. JONES. Yes.

Mr. GARCIA. Ms. Vaughan, is that correct?

Ms. VAUGHAN. Well, when a teenager ingests fentanyl—

Mr. GARCIA. Do we have to also—

Ms. VAUGHAN [continuing]. That they think is Adderall, I wouldn’t call that displaying demand.

Mr. GARCIA. So you would not agree that U.S. demand is not part of the fentanyl crisis?

Ms. VAUGHAN. I think it is part of it.

Mr. GARCIA. Thank you.

Mr. Maltz.

Mr. MALTZ. Absolutely. Demand is a disaster right now.

Mr. GARCIA. Thank you.

Ms. Felbab-Brown.

Ms. FELBAB-BROWN. Yes.

Mr. GARCIA. Thank you.

Second question, just a yes or no, please. Mr. Jones, have you ever received a direct order from the President to stand down or open the border?

Mr. JONES. Have I received a direct order from the President to stand down on the border?

Mr. GARCIA. Yes. Yes.

Mr. JONES. No, sir.

Mr. GARCIA. Thank you.

Mr. Maltz, have you?

Mr. MALTZ. No.

Mr. GARCIA. Ms. Vaughan, are you aware of any such orders that have ever happened?

Ms. VAUGHAN. Am I aware of?

Mr. GARCIA. Of orders directly from the President?

Ms. FELBAB-BROWN. No, I—

Mr. GARCIA. To stand down and open the borders?

Ms. FELBAB-BROWN. I don't have any—

Mr. GARCIA. Ms. Felbab-Brown, have you ever heard of that?

Ms. FELBAB-BROWN. No.

Mr. GARCIA. Thank you very much.

Also want to just real briefly ask you about some of the border policies, though, that have been proposed by some of my friends on this committee and on the other side.

Ms. Felbab-Brown, do you think it would be a good idea to build a water-filled trench with alligators along the border? Would that be helpful in stopping the border crisis?

Ms. FELBAB-BROWN. No.

Mr. GARCIA. No? Interesting. Do you think that if we shot migrants in the legs and stopped them from coming over, do you think that would be helpful?

Ms. FELBAB-BROWN. No.

Mr. GARCIA. So those policies were actually proposed by former President Donald Trump, just to be very clear. Like Members of this committee, I am very concerned that we continue to have this hearing to essentially put down immigrants. I immigrated to this country when I was a young kid. I am proud to be a very proud American that earned and gained my citizenship. I hope that in future committees we could stop demonizing immigrants.

With that, I yield back. Thank you.

Chairman GREEN. The gentleman yields.

I now recognize the Ranking Member for his closing remarks.

Mr. THOMPSON. Thank you very much, Mr. Chairman.

To say the least, it has been a journey the last 3 hours. Mr. Chairman, I remain extremely concerned that the committee continues to focus its attention on a baseless attempt to impeach Secretary Mayorkas to the exclusion of its legitimate legislative and oversight work.

As Representative Magaziner outlined, the Department of Homeland Security, under the leadership of Secretary Mayorkas, has taken unprecedented law enforcement actions to disrupt and dis-

mantle the cartels. The notion that Secretary Mayorkas is working to advance cartel crime in America, as this hearing title suggests, is outrageous. He is working to combat it. This is a monumental task, one that entirety of the Biden administration is focused on. This committee should be focused on how we can help the administration in those efforts. This should be bipartisan. In the past, it has been bipartisan.

But now we need to look no further than the previous title for this hearing, which accused President Biden and Secretary Mayorkas of being accomplices to crime. To understand the goal of this so-called investigation, I will remind everyone that Chairman Green struck that title from the record because it didn't adhere to House rules. We can also look at the Members who accused Secretary Mayorkas of being derelict in his duties before their so-called investigation has even concluded. That doesn't seem to matter. The investigation has closed before it is even open.

They are explicit about this. In fact, the hearing that launched this investigation was called "Open Borders, Closed Case: Secretary Mayorkas' Dereliction of Duty on the Border". That is right, closed case. This doesn't sound like a good faith investigation. Releasing a report today without any consultation with Democrats isn't a good faith effort at bipartisanship. Nonetheless, I am grateful for the witnesses for appearing here today.

This is America and we have an opportunity to voice our opinions. The greatness of this country is that we can do it without any fear of a cartel or anything doing anything to us. But also the greatness of it is that at some point, as Americans, we can come together. It is a process. But I don't think citing Secretary Mayorkas, who has been here as Secretary 2 years, 6 months, is the way to go.

Democrats are prepared to work with Republicans. We have put our votes where our concerns have been. We actually support comprehensive immigration reform. We support fully funding the men and women who protect us along the border. Our votes reflect that. Our votes will continue to reflect that.

So I thank our witnesses, those who are in law enforcement, for their service. But you know, when you look at the Democrats on this committee and its diversity, it looks a lot like America today. So I hope you understand that that diversity makes us strong, but it also says that our policies have to reflect that diversity. My ancestors came over to this country in the belly of a ship, didn't want to come, but they came. I am an American. I only know this country. I will defend the right for what we do in this country and for others who used to come because we invited them to come because we were the shining star. Now, for whatever reason, we have decided that we don't want anybody else because we have enough. I reject that notion. Sure, comprehensive immigration will get us there. President Reagan knew we had a problem. He solved the problem right off the bat. He said, I am going to let everybody who is here stay here. That backlog, he wiped it out with an Executive Order.

We can do anything we want as Americans. But to demonize people who travel thousands of miles to try to get to our border because what we stand for is not our value system. Our value system

is what everybody else would like to be like. I don't ever want to change it. Comprehensive immigration reform, not impeachment, is the way for us to get there.

I yield back, Mr. Chairman.

Chairman GREEN. The gentleman yields.

I want to thank our witnesses for being here. Deeply appreciate it. I am sure the Ranking Member knows that immigration reform is handled in the Judiciary Committee and not here, but I do appreciate him bringing up the need for it. I will talk to Mr. Jordan and encourage him to take that up.

We heard today from the Ranking Member about how embarrassed he is that this committee has held 9 hearings on the Southwest Border. We have heard from our witnesses, though, that the horrific actions of the cartels are worsening secondarily to the policies of this administration. We all know the process. They allowed instant parole, they stopped detention, they stopped deportation, the catch-and-release policies happened and the migrants called home, millions have come. Make no mistake, there was no change in crime or corruption or economic conditions in Latin America. Actually, since COVID is gone, the economic conditions in Latin America have gotten better. The mass migration is secondary to the policies of this administration, period. There is no legitimate argument to suggest otherwise. Even Merrick Garland agreed that the cartels have taken advantage of these policies and are trafficking large groups to overwhelm the Border Patrol and then pass nefarious individuals the gotaways and drugs around them.

The Attorney General recognizes it. Perhaps if the Minority party owned that current administration is failing, perhaps if the administration addressed the problem, we could move on. But the numbers are not going down. CBP's One app shell game, not releasing the OFO numbers, moving the numbers from crossing over to the ports of entry and then giving automatic parole to those individuals, not decreasing the incentive. They are still coming. The drug cartels will continue to take advantage of it, just like Merrick Garland said. We have allowed automatic parole through this app and those numbers are not being counted. The border is open. The incentive for mass migration remains. As I said, they are coming. The drug cartels are seizing the opportunity.

My Democrat colleagues have said it is a waste of time to look into cartel crime. They said it was a waste of time to address the dead Americans to fentanyl. Nine Committee hearings is too many. They say look at all the policies that this administration has done. Well, they are not working. Fix it and maybe we will stop these hearings. I happen to believe personally, as do many people in this country, that the Southwest Border, the human trafficking, the overdose deaths, the cartel crime, is the greatest threat to this country. So yes, we are going to continue until the border is controlled and the cartels are stopped. When Americans stop dying, then we will stop these hearings.

Open border, drug cartels seizing the day, partnering with gangs that have taken over the criminal activity in many of our cities, that is what is happening. The Dems on this panel don't want to discuss it.

No one has denigrated immigration today. Not a single individual has picked on a particular race of individuals or anything, yet that is what they want to imply. I am offended by that. This is about migration policies that have resulted in the drug cartels taking advantage of them and killing Americans.

I hope the media is paying attention. Americans are dying and the left is saying our committees investigating this as an embarrassment. Sixty-one percent of Americans get it, though. That is the percentage of Americans who say that our border is not controlled by us, yet investigations are an embarrassment.

As for impeachment, my Democrat colleagues keep saying how this is somehow an impeachment effort. I have never used those words, not here in this committee and not at this supposed recording that they keep talking about.

They also say that somehow this discussion is racist. It is not racist to say we have a problem at our Southern Border. It is not racist to say that the cartels are seizing this opportunity of our open border and the automatic parole and the mass waves of people who are coming. It is not racist to say that. The only reason they bring up that it is racist or that we are trying to impeach, or it is some kind of dog-and-pony show is because they can't tell you that Americans aren't dying. They can't say, oh, look, the numbers are going down on Americans dying due to fentanyl, look, the drug cartel crime is going down in America. They can't make a valid argument against those facts and so they say we are racist or imply that we are racist, or that we somehow have some game here, or that it is embarrassing that we have had 9 committee hearings on this. Well, I will tell you when the committee hearings will end. They will end when this administration starts fixing the problem. They will end when the White House recognizes that their Secretary of Homeland Security isn't doing his job. That is called a dereliction of duty. That is when the hearings will end.

It is the job of this committee to get to the bottom of what is going on and we will do it. The Democrats are on record, they think this Homeland Security Committee, its investigation of the border, the oversight of the border is embarrassing. They don't want these hearings because they don't want the light shined on what is going on. The decisions made by this White House and the DHS Secretary.

Well, like I said, we will not stop until we get to the bottom of it and the problem gets fixed, period.

Again, I thank our witnesses for being here.

As I said, this doesn't end these hearings, but it does end this one. The committee is adjourned.

[Whereupon, at 5:11 p.m., the committee was adjourned.]

