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"U.S. Policy in Mexico and Central America: Ensuring Effective Policies to Address the Crisis at the Border"

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Chairman Risch, Ranking Member Menendez, distinguished members of the Committee: thank you for the opportunity to appear before you today to discuss the nature and scope of U.S. counternarcotics and law enforcement cooperation with Mexico and the Central American countries of El Salvador, Guatemala, and Honduras. Transnational criminal organizations (TCOs) continue to have a devastating and deadly effect on the United States and our citizens. In the region, they are undermining citizen security, eroding the rule of law and institutions that maintain it, and closing off opportunities for licit economic investment and growth. They thrive on corruptible public officials, and in many cases face no fear of punishment due to weak judicial institutions. In extraordinarily consequential ways, TCOs exploit our shared land border with Mexico and the porous borders of Central America and the Caribbean basin to traffic drugs, smuggle migrants and other illicit goods, and generate illicit revenue. Tackling this challenge demands our continued focus, collaborative action, and cross-border cooperation.

Transnational criminal organizations operating in the Western Hemisphere and beyond negatively affect the United States and its interests in a variety of ways, but nowhere are the consequences more sobering than in the ongoing drug crisis in our country. The U.S. Centers for Disease Control and Prevention (CDC) reported a staggering 68,588 drug overdose deaths in 2018, according to its preliminary data.¹ The reduction in fatalities compared to the more than 72,000 deaths reported by the CDC the year prior is an important initial decrease, but we cannot afford to lose sight of the work that remains. Fatal overdoses attributed to the types of drugs produced abroad and trafficked into the United States are near record-high levels, or in the case of synthetic opioids and methamphetamine, increasing. As we seek to disrupt and deter TCOs, a top priority of the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL) is to reduce overdose deaths through programs, alongside our interagency colleagues, that build the capacity and increase the will of our foreign partners to address these threats before they reach the United States, as well as through diplomacy at the bilateral, regional, and global levels. While we are naturally focused on the effect of drugs at home, we also know that narco-trafficking and other forms of transnational crime have a profound, negative effect on the citizens and institutions of the countries where they originate or transit. Because the consequences of transnational crime transcend borders, so must the remedies we seek to apply.

Key Challenges

Opioids, particularly synthetic opioids, continue to destroy the lives of Americans and tear at the very fabric of our communities. In 2017, nearly 68 percent of fatal drug overdoses in the United States involved opioids, and of those deaths, nearly 60 percent involved synthetic opioids. Synthetic opioids, such as fentanyl, are smuggled into the United States via mail from China and to a lesser degree, via Canada and Mexico. Traffickers also smuggle fentanyl into the United States across the U.S.-Mexico border, sometimes in the form of counterfeit prescription pills. More concerning are indications that Mexico's role as a fentanyl trafficking hub is growing and evolving to include fentanyl production. Synthetic opioids are particularly hard to target. Criminals can produce them almost anywhere and change formulas to evade detection

¹ Predicted Number of Deaths for the Period Ending December 2018, https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm

² Drug and Opioid-Involved Overdose Deaths, United States, 2013-2017,

https://www.cdc.gov/mmwr/volumes/67/wr/mm675152e1.htm?s_cid=mm675152e1_w

and outpace international mechanisms used to schedule and control them. Opium poppy cultivation in Mexico is also near an all-time high at 41,800 hectares (Ha)³, or around 160 square miles, and nearly 90 percent of the heroin seized in in the United States originated in Mexico.⁴

Mexico is also the country of origin for most methamphetamine consumed in the United States, and along with Central America and parts of the Caribbean, it is a major transit route for cocaine from Colombia. Nationwide, U.S. Customs and Border Protection seizures of methamphetamine rose 16 percent between fiscal year (FY) 2017 and the first 10 months of FY 2019. The CDC estimated nearly 13,000 Americans fatally overdosed on methamphetamine and similar substances in 2018 compared to approximately 10,700 the year prior.

Added to the persistent challenge of plant-based drugs and the increasing danger of synthetic drugs are concurrent innovations in criminal behavior, such as criminal use of the "dark web", virtual assets, and encrypted communication platforms. TCOs and their affiliates exploit the anonymity and convenience afforded by these tools. TCOs increasingly seek to diversify or expand their activities beyond their traditional drug trafficking, kidnapping and extortion schemes, making illicit revenue streams more diffuse and networks harder to dismantle. These crimes include fuel theft; illegal mining; the trafficking of wildlife, guns, and counterfeit goods; as well as human smuggling and human trafficking.

TCOs, drug traffickers, and other criminal organizations also perpetuate violence and corruption. The people of Mexico, El Salvador, Guatemala, and Honduras suffer daily from the violence caused by the drug trade. In Mexico, the documented homicide rate hit a record high in 2018 at 29 per 100,000 inhabitants, compared to 16.1 in 2014, and homicides continue to climb in 2019, according to Mexican government statistics. In El Salvador, Guatemala, and Honduras, homicides have fallen in recent years compared to peak totals earlier in the decade, but they remain high. We have seen decreases in daily homicides in El Salvador since President Bukele took office and are hopeful this trend will continue, though in 2018 El Salvador still had the highest rates in the region at 50 per 100,000. Citizens often do not trust governments enough to report crimes, especially corruption and extortion, and for crimes that are reported, the alleged perpetrators often go unpunished.

We also know that criminal organizations – no matter what commodity they are trafficking – corrupt institutions and individuals as part of their business models. In Transparency International's Corruption Perceptions Index (CPI), Mexico, Honduras, and Guatemala fall into the bottom third of countries when ranked globally and within the hemisphere. El Salvador ranks in the middle of the road globally and according to the CPI, showed improvement between 2017 and 2018.

To varying degrees in each country, high levels of violence and crime contribute to the large number of Guatemalans, Salvadorans, and Hondurans attempting to migrate to the United States. Migrants are also motivated by difficult economic conditions; rampant corruption and

³ New Annual Data Released by White House Office of National Drug Control Policy Shows Poppy Cultivation and Potential Heroin Production Remain at Record-High Levels in Mexico, https://www.whitehouse.gov/briefings-statements/new-annual-data-released-white-house-office-national-drug-control-policy-shows-poppy-cultivation-potential-heroin-production-remain-record-high-levels-mexico/

⁴ The 2016 Heroin Signature Program Report, https://www.dea.gov/documents/2018/10/15/heroin-signature-report

impunity; and their governments' inability to effectively provide security and dispense justice, combined with their citizens' perception of that inability.

Border security institutions in the region, not immune to these pressures and suffering from a lack of resources, fail to effectively control the movement of drugs, illicit goods, and migrants. Porous borders and poor infrastructure compound the problems they face. The severity and interwoven nature of these challenges make our task difficult to reduce the number of Americans who fatally overdose on illicit drugs.

Where do we go from here?

Mexico, El Salvador, Guatemala, and Honduras all have their own histories and their own unique set of circumstances. Nevertheless, the interconnectivity of the transnational crime issues and the scourge of the drug crisis require collective action. Like the United States, each has a role to play in lessening the effect of this shared catastrophe.

Mexico remains one of the United States' most necessary bilateral partners. Our country cannot effectively address the drug crisis without Mexico's direct action. We continue to work with the Lopez Obrador administration to address our shared security priorities and seek to intensify cooperation on counternarcotics and other key security issues, such as improving border security and bolstering effective criminal justice in Mexico. The Merida Initiative remains the main vehicle for U.S.-Mexico security and law enforcement cooperation, including on counternarcotics. Over the last two and a half years, the U.S. government refocused our efforts in Mexico to reflect the guidance of E.O. 13773, Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking, the National Security Strategy, and high-level security dialogues with the Mexican government. Programs attack each component of the TCO business model to reduce the production of heroin, fentanyl, methamphetamine, and the transit of cocaine. Programs also focus on supporting Mexico's efforts to secure its borders and ports, deprive TCOs of their illicit revenue streams, and reduce impunity and corruption.

Mexican law enforcement and justice sector institutions lacked any enforceable career standards and relied heavily upon on-the-job training. Today, Mexican institutions are improving standards for professionalization, including training programs, skills and competency certifications for personnel, and accreditation to international standards. Just last month, Mexico strengthened its asset forfeiture law, a key tool in the fight against TCOs, drug producers and traffickers, and their affiliates. We applaud Mexico for taking this long-awaited step and want to see the law used effectively. All of these steps are critical to enhancing shared security in the hemisphere in the long-term.

Mexico has undertaken efforts that will provide a better understanding of poppy cultivation and associated opium yields, enabling better monitoring and information sharing on poppy eradication. Cooperation between the United States, Mexico, and the United Nations Office on Drugs and Crime on these efforts is laudable. It has been, and will continue to be, essential to lessening the production and trafficking of heroin. Yet as President Trump noted in

his recent Majors List determination, Mexico needs to do more to stop the flow of deadly drugs entering our country. We must see better results in order to reduce the number of fatal drug overdoses in the United States and to adequately degrade Mexican TCOs and their networks. Mexico needs to develop a comprehensive and whole-of-government counternarcotics strategy that includes clear metrics so the United States can better understand Mexico's progress – or the lack thereof – in reducing drug production and trafficking. We stand ready to jointly create unambiguous, shared, and measurable targets. In support of such a strategy, the United States needs Mexico to interdict more drugs, sustainably reduce poppy cultivation, and bring more drug traffickers to justice while removing their illicit profits. We recognize that inherent to this task are life-or-death consequences for citizens from both our countries, and we are grateful to the many Mexicans who are bravely meeting this challenge and confronting the TCOs that threaten us.

Earlier this year, the President directed the Department to reprogram foreign assistance funding from El Salvador, Guatemala, and Honduras over concerns these governments were doing too little to stop outward migration to the United States. While the President has approved some limited exceptions for INL-funded programs the message is clear that we need these governments to show they are committed to these priorities.

In El Salvador, Guatemala, and Honduras, under the U.S. Strategy for Central America, INL has worked to counter drug trafficking, combat TCOs, and decrease irregular migration to the United States by improving the capacity of these governments' law enforcement, migration, customs, and justice sectors to address these threats. Commitment to these goals is not uniform throughout the region, but the Guatemalan navy is a Central American leader making positive strides in counternarcotics cooperation, much like El Salvador does in the fight against transnational criminal gangs.

In Guatemala, through which TCOs routinely smuggle cocaine on its way north from Colombia, INL and its U.S. interagency partners are working closely with the country's Naval Special Forces (FEN), a highly regarded counternarcotics partner in Central America. The FEN is responsible for over 80 percent of Guatemala's total drug seizures and interdicted over 21 MT of cocaine in 2018. More needs to be done in Guatemala to stop the increase in clandestine flights arriving with narcotics in Guatemala's territory. El Salvador, even with a comparatively lower threat from drug trafficking, seized nearly 13 MT of illegal drugs in the same year. Honduras has not demonstrated the same counternarcotics capacity and remains a permissive environment for trafficking. Though Honduras established its own FEN equivalent, the unit needs additional resources such as vessels or adequate fuel. Honduras seized just 3.7 MT of illegal drugs in 2018.

On law enforcement and anti-gang cooperation more broadly, INL and the U.S. Federal Bureau of Investigation (FBI) work with the Governments of El Salvador, Guatemala, and Honduras to support Transnational Anti-Gang (TAG) vetted units and an associated Regional Criminal Gang Intelligence Platform (SICAT). TAGs lead international efforts to target transnational criminal gangs such as MS-13 and Barrio 18. The Salvadoran TAG has facilitated the arrest of more than 150 MS-13 members in the United States since 2015. The International Law Enforcement Academy in El Salvador, a venue for U.S. law enforcement to provide

specialized training to law enforcement officials from around the hemisphere, has also proven itself to be an effective tool in strengthening ties with U.S. law enforcement, creating regional law enforcement networks, and increasing capacity to combat TCOs and drug trafficking.

El Salvador is leading the charge in hosting an international fusion center of border security, law enforcement, and intelligence agencies (Joint Border Intelligence Group, or GCIF). This fusion center enables real-time collection, analysis, and dissemination of criminal intelligence among the United States, Mexico, Canada, Australia, Spain, and participating countries in Central America. From June 2017 to May 2019, information sharing facilitated by GCIF led to the identification of 1,330 gang members, the majority of whom were previously unknown to the United States. In this same period, GCIF also identified 132 human smugglers and 56 drug traffickers, among other criminals, many of whom were seeking entry to the United States. Additionally, information from GCIF led to significant arrests of gang members, including the June 2019 arrest of one of El Salvador's most wanted criminals who was seeking entry to the United States. While GCIF remains a vital tool for enhancing security through shared information, it can only succeed with greater commitment from its members. There is a need for additional analysts from Mexico and Guatemala. Most importantly, Honduras has yet to commit to providing permanent analysts. Countries' assignments of permanent analysts within GCIF would demonstrate commitment to enhancing regional security. El Salvador is unique amongst Central America in its political will and commitment to these partnerships.

Related to information sharing and strengthening border security, the U.S. government will build on bilateral efforts with Mexico –and are working to expand in Central America—to routinely collect and exchange with the United States biometric information collected by border security and law enforcement agents. These capabilities enhance our countries' joint efforts to identify, track, and dismantle TCOs and other violent criminal groups; track migration patterns; to anticipate, plan for, and respond to migration surges; to analyze criminal networks; and to support cross-border investigations of gang members and other criminals. In this regard, Mexico's action on enforcing migration controls strengthens our own border security.

Beyond bilateral and sub-regional efforts to address the drug crisis, including associated crime and insecurity, the Department and INL are hard at work to find broader solutions to this global challenge. As a member of the Organization of American States (OAS) and as incoming Chair of the OAS Inter-American Drug Abuse Control Commission (CICAD), the United States works to advance key drug priorities in the Western Hemisphere. The Department aids OAS Member States in their implementation of global and regional drug control and organized crime treaties and helps to ensure that law enforcement and counternarcotics authorities collaborate effectively to disrupt and dismantle TCOs and their trafficking routes. We are also implementing a five-point, five-year strategy to tackle the number one drug threat to the United States: synthetic opioids. The strategy guides our efforts to reduce the production of synthetic drugs, increase detection and interdiction, target online sales and associated financial transactions, reduce global demand for these drugs, and expand global partnerships that lead to action. The President carried this message to the United Nations General Assembly last year leading a Global Call to Action, momentum we were able to harness and build upon in March at the Commission on Narcotic Drugs in Vienna.

Conclusion

While the INL Bureau has worked to address some of the more immediate and acute challenges within our mandate – particularly the drug threat – we have historically applied solutions to the long-term challenges, such as working to strengthen the rule of law and give citizens hope that their governments are in fact capable of protecting them and holding criminals accountable. Successfully addressing these complex challenges requires strong and willing foreign partners, meaningful regional cooperation, and a willingness and a capability to quickly adapt to new trends in criminal behavior. Over the long-term, success on this front can ultimately help to create conditions more conducive to economic investment and growth. Whether in the region, the hemisphere, or elsewhere in the world, INL is committed to addressing these challenges for as long as they remain with the tools at our disposal.