

DHS SECRETARY
ALEJANDRO MAYORKAS
HAS EMBOLDENED CARTELS,
CRIMINALS, AND AMERICA'S
ENEMIES

PHASE 2 INTERIM REPORT

COMMITTEE ON
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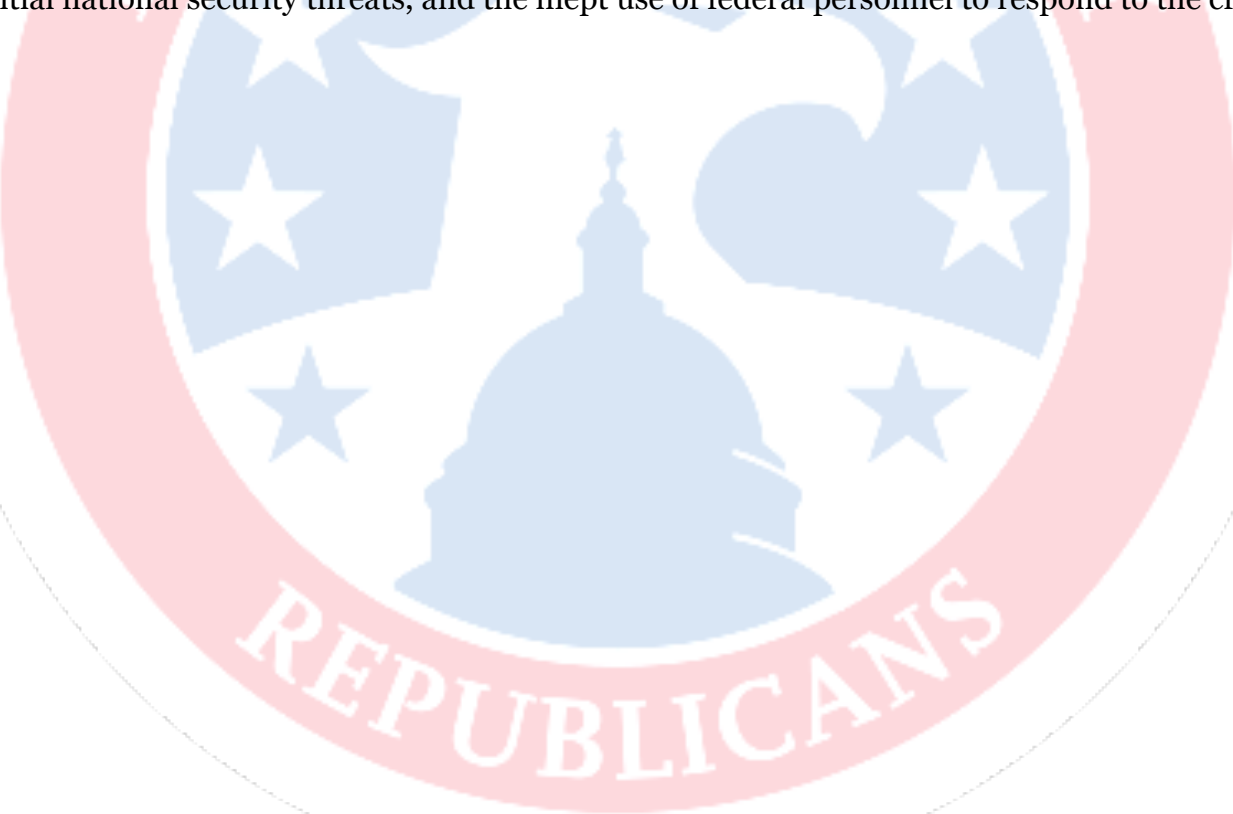


INTRODUCTION

Introduction: Mayorkas Has Empowered the Worst Actors Around the Globe

Department of Homeland Security (DHS) Secretary Alejandro Mayorkas' open-borders policies have empowered and emboldened some of the most vicious, ruthless, and savage individuals and groups in the world. Whether it is transnational criminal organizations (TCOs) like the cartels and human smuggling organizations in the Western Hemisphere, potential national security threats from countries who sponsor terrorism, or those coming from major state adversaries like China and Russia, the wide-open Southwest border has given America's enemies all over the globe an opportunity to infiltrate the homeland—an opportunity too good to pass up.

This report will demonstrate the massive threats posed by these groups and individuals to Americans' safety and security. It will also highlight how the cartels have seized unprecedented control of the Southwest border to smuggle record amounts of illicit drugs and illegal aliens into the United States, pocketing historic profits in the process. Finally, the report will document the historic increase of individuals apprehended at the Southwest border who are being flagged as potential national security threats, and the inept use of federal personnel to respond to the crisis.





SECTION 1: HOW CARTELS ARE TAKING ADVANTAGE OF OPEN-BORDERS POLICIES

Section 1: How Cartels Are Taking Advantage of Open-Borders Policies

Understanding the Cartels

The cartels are the most vicious, evil organizations in the Western Hemisphere,¹ with operations that include a number of illicit activities—drug trafficking, human smuggling, and human trafficking chief among them. According to one senior official with the Drug Enforcement Administration (DEA), they are “ruthless and violent global criminal enterprises, with members, associates, facilitators and brokers in all 50 states and in at least 100 countries throughout the world. The cartels use treachery and deceit to drive addiction and deaths in our country.”²

Moreover, the DEA’s 2020 National Drug Threat Assessment highlights the cartels’ connection to “independent drug trafficking organizations” and “transnational gangs, U.S.-based street gangs, prison gangs, and Asian money laundering organizations (MLOs).”³ These groups employ brutal violence to exert their influence in Mexico. For example, in August 2023, members of the Jalisco Nueva Generación Cartel (CJNG) lured, abducted, and later beheaded five young men in the Mexican state of Jalisco after the men reportedly refused to be recruited into the cartel’s ranks.⁴

These groups maintain substantial control in Mexico, with the two largest and most powerful cartels—Sinaloa and CJNG—actively operating in the majority of Mexico’s 32 states.⁵ The cartels are the leading suppliers of drugs to the United States,⁶ with Sinaloa and CJNG responsible for most of the illicit fentanyl entering the country.⁷

Americans must understand the sheer control these organizations exert over the flow of illegal aliens and illicit drugs across the Southwest border, and how they profit from it all. The cartels control smuggling routes throughout Mexico and exert near-complete control on the movement of individuals through that country, particularly at and near the Southwest border.⁸

Before the cartels increased their control of the Southwest border, aliens could often cross by themselves to complete their journey to the United States. Now, it is nearly impossible to cross

¹ “Cuccinelli: Cartels are the most evil, vicious people in western hemisphere,” *Fox Business*, YouTube video, April 1, 2021, <https://www.youtube.com/watch?v=sidPMxP4GtU>.

² “Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border,” *Homeland Security Committee Events*, YouTube video, 50:06, July 12, 2023, <https://www.youtube.com/live/L0EurNtLz0M?feature=share&t=3006>.

³ U.S. Department of Justice, Drug Enforcement Administration, *2020 National Drug Threat Assessment*, DEA-DCT-DIR-008-21, March 2021, 69, https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.

⁴ Lawrence Richard, Five students beat, murdered by Mexican cartel in horrifically graphic video were lured by job offer: report,” *Fox News*, August 18, 2023, <https://www.foxnews.com/world/five-students-beat-murdered-mexican-cartel-horrically-graphic-video-lured-job-offer-report>.

⁵ U.S. Department of Justice, Drug Enforcement Administration, *2020 National Drug Threat Assessment*, DEA-DCT-DIR-008-21, March 2021, 70-71, https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.

⁶ “Mexico’s Long War: Drugs, Crime, and the Cartels,” *The Council on Foreign Relations*, September 7, 2022, <https://www.cfr.org/backgrounder/mexicos-long-war-drugs-crime-and-cartels>.

⁷ Katie Cooper, “Briefing on the Senate Foreign Relations Committee Countering Illicit Fentanyl Trafficking Hearing,” *The Wilson Center*, February 24, 2023, <https://www.wilsoncenter.org/article/briefing-senate-foreign-relations-committee-countering-illicit-fentanyl-trafficking-hearing#:~:text=Both%20cartels%20in%20Mexico%20are,coming%20into%20the%20United%20States>.

⁸ See U.S. Congress, Senate, Committee on Foreign Relations, Minority, *Biden’s Border Crisis: Examining Policies That Encourage Illegal Migration*, 117th Cong., 2nd sess., June 2022, 28-29, <https://www.risch.senate.gov/public/cache/files/5/0/5082e293-b23d-4726-a581-dc428517a843/9FB8D6A16D2415A013D48761339299C6.bidens-border-crisis.pdf>; and Josh Jones, “Cartels and Their Cruelty Are the Crisis at the Border,” *Texas Public Policy Foundation*, March 15, 2021, <https://www.texaspolicy.com/cartels-and-their-cruelty-are-the-crisis-at-the-border/>.



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without paying some sort of price to the cartels. Former Border Patrol Chief Rodney Scott answered affirmatively when asked by one media outlet in February 2023 if “every single person” crossing illegally has had “some sort of contact with the cartels,” further explaining, “That hasn’t always been that way, by the way.”⁹ Before smugglers controlled the Rio Grande River, some individuals crossed back and forth daily, according to Timothy Tubbs, a retired agent with Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI).¹⁰

The New York Times’ Miriam Jordan put it succinctly in a July 2022 report, writing, “Migrant smuggling on the U.S. southern border has evolved over the past 10 years from a scattered network of freelance ‘coyotes’ into a multi-billion-dollar international business controlled by organized crime, including some of Mexico’s most violent drug cartels.”¹¹

Now, almost anyone who crosses the Southwest border, including at ports of entry, has done so only because they have first paid a cartel, or agreed, knowingly or not, to enter into months or years of debt to the organization upon arriving in the United States. Jason Owens, then-chief patrol agent for the Del Rio Sector, told the House Committee on Homeland Security in May 2023 that the criminal organizations “keep a death grip on anything that comes across the border illicitly, because they want their cut. They want their money, and so they’re going to do things to dissuade individuals from doing what you’re saying, crossing on their own—to include violent tactics against them.”¹² In his February 2023 testimony before the House Committee on Oversight and Reform, John Modlin, chief patrol agent for the Tucson Sector, said, “What I see in Tucson Sector, in my experience, is that no one crosses the border in Tucson Sector without going through the cartels.”¹³ He later told the House Committee on Homeland Security in July 2023, “[N]ow nobody crosses without paying the cartels. ... It’s all controlled by them.”¹⁴

The money these organizations have made has only increased their influence and command over the Southwest border. Former Customs and Border Protection (CBP) Acting Commissioner Mark Morgan pointed out in early 2022 that every individual who crosses the border illegally “paid the cartels. That illegal immigration is fueling and financing the cartels’ criminal operations. It’s making them stronger. And it’s also enabling their criminal schemes in other areas, including drugs, to expand.”¹⁵

Cartels Now Control the Southwest Border

Numerous law enforcement veterans, local officials, and national security experts agree that the cartels have seized an unprecedented level of control at the Southwest border. This control

⁹ Virginia Allen, “Former Border Patrol Chief Opens Up About the Horrifying Power Cartels Wield Around the Rio Grande,” *The Daily Signal*, February 10, 2023, <https://www.dailysignal.com/2023/02/10/no-one-crosses-unlawfully-from-mexico-without-working-with-cartels-former-border-patrol-chief-says/>.

¹⁰ Miriam Jordan, “Smuggling Migrants at the Border Now a Billion-Dollar Business,” *The New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

¹¹ *Ibid.*

¹² Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 53-54, May 5, 2023.

¹³ “On The Front Lines of the Border Crisis: A Hearing with Chief Patrol Agents,” *House Oversight and Accountability Committee*, YouTube video, 36:24, February 7, 2023, <https://oversight.house.gov/hearing/on-the-front-lines-of-the-border-crisis-a-hearing-with-chief-patrol-agents/>.

¹⁴ John Modlin, Transcribed Interview with the House Committee on Homeland Security, 64, July 26, 2023.

¹⁵ Maggie Hroncich, “Officials Assail Biden Inaction: ‘Mexican Cartels Basically Control Our Border Now,’” *The Daily Signal*, March 15, 2022, <https://www.dailysignal.com/2022/03/15/officials-assail-biden-inaction-mexican-cartels-basically-control-our-border-now/>.



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represents a significant challenge to CBP's national security mission, the safety of American communities, and the sovereignty of the United States.

Most notably, in a March 2023 hearing held by the House Committee on Homeland Security, then-Border Patrol Chief Raul Ortiz contradicted Mayorkas' prior claims that DHS has operational control of the Southwest border.¹⁶ During the hearing, Ortiz testified to Chairman Mark Green, R-Tenn., that DHS did not have operational control of the border,¹⁷ and that five of the Border Patrol's nine sectors along the Southwest border were under tremendous strain.¹⁸

During a July 2023 hearing, the House Committee on Homeland Security's Border Security and Enforcement Subcommittee Chairman Rep. Clay Higgins, R-La., asked witnesses if the cartels have gained "unprecedented access and networking within the United States of America." Derek Maltz, former special agent in charge of the DEA's Special Operations Division, and Jaeson Jones, a former captain in the Texas Department of Public Safety's (DPS) Intelligence and Counterterrorism Division, with years of experience in combatting the cartels, answered in the affirmative.¹⁹ They further confirmed that cartel control increased "incredibly" during Mayorkas' tenure, with Maltz later testifying the cartels "have total control."²⁰

Former Border Patrol Chief Scott stated in February 2023, "[The cartels] control the border today. And they control the border today under the Biden administration because of this mass migration to a level that they've never had. And I mean...they don't worry hardly at all about what they're trying to get in because their success rate is so high."²¹

Border correspondent Ali Bradley reported in February of this year that, based on Border Patrol assessments, the "cartels are controlling operations at the southern border as they force migrants across the Rio Grande at gunpoint and hold asylum seekers in stash houses...The cartel sees what is happening on the U.S. side and takes advantage of the lack of resources, pushing people and drugs through the holes while Border Patrol is busy processing..."²² Bradley further explained that Border Patrol officials believe the cartels "are always one step ahead" of law enforcement.²³

Other officials have echoed this conclusion. Former DEA Acting Administrator Uttam Dhillon told a forum in Washington, D.C., in March 2022, "Mexican cartels basically control our border now."²⁴ Morgan and former DHS Acting Deputy Chief of Staff Lora Ries released a statement in September 2022 agreeing with this assessment, stating, "The drug cartels now have operational

¹⁶ U.S. Congress, House of Representatives, Committee on the Judiciary, *Oversight of the Department of Homeland Security*, 117th Cong., 2nd sess., April 28, 2022, 119-120, <https://www.congress.gov/117/chr/CHRG-117hrg49702/CHRG-117hrg49702.pdf>.

¹⁷ "User Clip: Chief Ortiz Admits No Operational Control over Border," *C-SPAN video*, March 15, 2023, <https://www.c-span.org/video/?c5062135/user-clip-chief-ortiz-admits-operational-control-border>.

¹⁸ Anna Giaritelli, "Biden Border Chief in Hot Seat over Whether US-Mexico Boundary Is Secure," *The Washington Examiner*, March 15, 2023, <https://www.washingtonexaminer.com/policy/immigration/border-chief-hot-seat-texas-gop-hearing-mexico>.

¹⁹ "Biden and Mayorkas' Open Border: Advancing Cartel Crime in America," *Homeland Security Committee Events*, YouTube video, 1:21:01, July 19, 2023, <https://www.youtube.com/live/kva0HOb1TUg?feature=share&t=4861>.

²⁰ *Ibid.*, 1:34:18.

²¹ Virginia Allen, "Former Border Patrol Chief Opens Up About the Horrifying Power Cartels Wield Around the Rio Grande," *The Daily Signal*, February 10, 2023, <https://www.dailysignal.com/2023/02/10/no-one-crosses-unlawfully-from-mexico-without-working-with-cartels-former-border-patrol-chief-says/>.

²² Ali Bradley, "Cartels Controlling Migrant Activity at Southern Border," *NewsNation*, February 6, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/cartels-migrant-activity-southern-border/>.

²³ *Ibid.*

²⁴ Maggie Hroncich, "Officials Assail Biden Inaction: 'Mexican Cartels Basically Control Our Border Now,'" *The Daily Signal*, March 15, 2022, <https://www.dailysignal.com/2022/03/15/officials-assail-biden-inaction-mexican-cartels-basically-control-our-border-now/>.



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control of our southern border,”²⁵ while Jonathan Lines, supervisor of Yuma County, Arizona, recently described the cartels as a major threat to communities like his—“Unless this situation changes and we take back control from the cartels, for the trafficking coming across our border, it will only get worse.”²⁶



Law enforcement officials released photos in August 2023 of a group of suspected cartel gunmen armed with rifles and body armor caught on camera crossing illegally into Texas in the Rio Grande Valley region. In June 2023, the Border Patrol’s chief patrol agent for the Laredo Sector told the House Committee on Homeland Security that agents frequently encounter armed human smugglers in his sector.²⁷ Lieutenant Chris Olivarez of Texas DPS said in August 2023 that incursions by armed cartel operatives have become “a more common occurrence.”²⁸ (Source: Fox News)

The assessment of cartel control at the Southwest border is bipartisan. Independent Arizona Sen. Kyrsten Sinema said in May 2023, in the context of the Biden administration’s ending of the Centers for Disease Control and Prevention’s (CDC) Title 42 public health order, “The cartels are incredibly well-resourced and they’re very strategic, so they’re pushing people through different parts of the border at different times with different prices for different purposes, and they’re controlling what’s happening on the southern border, not the United States government.”²⁹

²⁵ “Heritage Border Experts on Texas Designating Cartels as Terrorist Organizations: States Should Follow Texas’ Lead on Border Security,” *The Heritage Foundation*, September 22, 2022, <https://www.heritage.org/press/heritage-border-experts-texas-designating-cartels-terrorist-organizations-states-should>.

²⁶ Megan Myers, “Border under control of cartels, not the US, Yuma residents say as gangs rake in billions off human smuggling,” *Fox News*, January 18, 2023, <https://www.foxnews.com/us/border-control-cartels-us-yuma-residents-say-gangs-rake-billions-human-smuggling>.

²⁷ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 122, June 1, 2023.

²⁸ Ali Bradley [@AliBradleyTV], “I talked with @TxDPS @LtChrisOlivarez after two CDN cartel members were apprehended in Texas — He tells me cartel operatives are breaching our southern border on a daily basis— Saying state and federal partnerships are crucial in preventing those individuals from getting into our communities.” Tweet, *Twitter*, August 16, 2023, <https://twitter.com/AliBradleyTV/status/1691981814225944640>.

²⁹ Kevin Stone, “Sen. Kyrsten Sinema blasts Biden administration over handling of Title 42 end,” *KTAR News*, May 11, 2023, <https://ktar.com/story/5494615/sen-kyrsten-sinema-blasts-biden-administration-over-handling-of-title-42-end/>.



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This malign presence is not just confined to the Southwest border. As one West Texas sheriff put it during a recent roundtable with the House Committee on Homeland Security, “As far north as we are from the border—the cartels are here. They’re everywhere.”³⁰

The American people agree with the judgment of these law enforcement and national security professionals. According to a poll released in September 2022, 61 percent of registered voters believe the cartels possess more control of the Southwest border than the federal government.³¹

How the Cartels Seized Control of the Southwest Border

Multiple factors have enabled the cartels’ unprecedented seizure of control at the Southwest border—and they can all be traced back to President Joe Biden and Mayorkas’ open-borders policies.

First, Mayorkas and Biden’s reversal of the effective border security policies of the previous administration, as well as the host of policies they have subsequently implemented, have encouraged millions of individuals to make the journey to the Southwest border in hopes of being released into the United States. The Committee’s Phase 1 interim report on Mayorkas’ dereliction of duty presented substantial evidence of the consequences of these policies in explicit detail.³²

The massive increase in the number of people now traveling up through Mexico on their way to the Southwest border represents a historic business opportunity for the cartels, as each person is someone off whom they can profit.

Second, the unmitigated tide of individuals flooding across the Southwest border under Mayorkas’ policies has forced Border Patrol agents to focus their efforts on processing, transporting, and releasing unprecedented numbers of illegal aliens, rather than patrolling the border.³³

This has left broad stretches of the border open to exploitation by the cartels, who not only take advantage of areas where agents are no longer present, but often send across groups of aliens in places where agents are in order to tie up Border Patrol resources. While those agents are responding, the cartels will then push drugs or other groups of aliens across in another location.³⁴ This process—“flooding the zones,” as one expert has called it³⁵—has been repeated day in and

³⁰ U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *Texas Ranchers, Law Enforcement, and State Officials Share the Truth on Mayorkas’ Border Crisis With Homeland Security Republicans*, 118th Cong., 1st sess., March 16, 2023, <https://homeland.house.gov/texas-ranchers-law-enforcement-and-state-officials-share-the-truth-on-mayorkas-border-crisis-with-homeland-security-republicans/>.

³¹ Diana Glebova, “Majority of Americans Think Cartels Control Border More than U.S. Government: Poll,” *National Review*, September 22, 2022, <https://www.nationalreview.com/news/majority-of-americans-think-cartels-control-border-more-than-u-s-government-poll/>.

³² U.S. Congress, House of Representatives, Committee on Homeland Security, Majority, *DHS Secretary Alejandro Mayorkas’ Dereliction of Duty, Phase 1 Interim Report*, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Phase-One-Report.pdf>.

³³ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,’” *Homeland Security Committee Events*, YouTube video, 2:46:10 March 15, 2023, <https://www.youtube.com/watch?v=7Z1ETzh3AUA&t=9960s>.

³⁴ “On The Front Lines of the Border Crisis: A Hearing with Chief Patrol Agents,” *House Oversight and Accountability Committee*, YouTube video, 29:30, February 7, 2023, <https://oversight.house.gov/hearing/on-the-front-lines-of-the-border-crisis-a-hearing-with-chief-patrol-agents/>.

³⁵ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 2:14:29, July 19, 2023, <https://www.youtube.com/live/kva0HOb1TUg?feature=share&t=8069>.



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day out ever since Mayorkas implemented his open-borders policies, a fact confirmed by senior Border Patrol officials.

Gregory Bovino, then-chief patrol agent for the El Centro Sector, confirmed this tactic to the House Committee on Homeland Security in July 2023, stating, “So, what in fact happens, there is a large group [that] comes across or a group comes across, gives up to Border Patrol agents, and, as Border Patrol agents are busy dealing with that group that had given up, the gotaways come around the periphery.”³⁶ In May 2023, two other chief patrol agents confirmed the cartels’ use of this tactic in interviews with Committee staff.³⁷

Local law enforcement officials have documented this tactic, as well. According to Sheriff Leon Wilmot in Yuma County, Arizona:

“So, what the cartels do is they tie up Border Patrol resources by sending across large groups of ‘give ups’ ... so they can actually funnel in those that are smuggling narcotics. And they are actually dropping off certain groups out 30 miles away from civilization and having them call 911, so that ties up our resources, and that’s why we’re seeing such a large amount of fentanyl throughout the whole of the U.S. We’ve never seen it this bad. Human life is nothing to them. It’s a commodity...”³⁸

Open Borders Equal Record Profits and Expanded Arsenals for the Cartels

The sheer volume of people and drugs the cartels are moving across the border has generated historic profit margins for these criminal organizations. Indeed, the cartels are no longer just “drug cartels,” as human smuggling and trafficking have become central to their business model.³⁹ Per the New York Times, the cartels may have made as much as \$13 billion just from human smuggling in 2021,⁴⁰ a year in which CBP recorded around 1.5 million encounters at the Southwest border.⁴¹

In Fiscal Year (FY)22, encounters jumped to 2.37 million, and through July 2023, CBP was on pace to record a similar number in FY23.⁴² In an interview with House Committee on Homeland Security staff in May 2023, Owens said that his sector intelligence unit ascertained the cartels were making more than \$30 million per week from human smuggling just in the Del Rio Sector alone, for a total of around \$1.5 billion a year.⁴³

³⁶ Gregory Bovino, Transcribed Interview with the House Committee on Homeland Security, 174, July 12, 2023.

³⁷ See Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 51-52, May 5, 2023; and Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 40-41, May 9, 2023.

³⁸ America’s Newsroom [@AmericaNewsroom], “CARTEL CRISIS: How Mexican Cartels Are Exploiting Biden’s Open Border Policy @BillHemmer – Reporting Live from Yuma, AZ – Is Joined by Two County Officials Who Claim the Border Is Under Control of the Cartels, Not the US. ‘We Have Never Seen It This Bad.’” Tweet, *Twitter*, February 14, 2023, <https://twitter.com/AmericaNewsroom/status/1625511036227842048>.

³⁹ Miriam Jordan, “Smuggling Migrants at the Border Now a Billion-Dollar Business,” *The New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

⁴⁰ Ibid.

⁴¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Southwest Land Border Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>.

⁴² Ibid.

⁴³ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 52, May 5, 2023.



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Also to be factored into the cartels’ balance sheet are the historic number of known gotaways—at least 1.5 million since FY21,⁴⁴ among whom are often previous deportees and individuals with criminal records who “pay premium rates” to avoid apprehension.⁴⁵ Aaron Heitke, then-chief patrol agent for the San Diego Sector, confirmed this to the House Committee on Homeland Security in May 2023, saying, “From what we have gathered from people...it costs more to go through an area that has a better chance of getting away.”⁴⁶

Then-Border Patrol Chief Ortiz told the Committee in March 2023 that the true number of gotaways—known and undetected—could be 20 percent higher than the reported 1.5 million.⁴⁷ These numbers are truly historic. Through August 2023, the Border Patrol had recorded approximately 590,000 known gotaways in FY23, putting the agency on pace to record more than 640,000 gotaways this fiscal year.⁴⁸ In FY22, known gotaways totaled around 599,000, and more than 389,000 in FY21.⁴⁹

All three totals far exceed annual known gotaways from the 10 years prior to the Biden administration. In fact, the number of gotaways in just the El Paso Sector in the first nine months of FY23—166,344⁵⁰—exceeded total known gotaways across all nine Border Patrol sectors every year between FY10-20 except one, as the DHS numbers below show.

Table 2b.
USBP Detected Got Aways between POEs by Border, FY 2010 to 2020

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Coastal Border	351	682	610	577	594	681	572	533	496	935	926
Northern Border	16	39	21	35	53	43	41	67	239	441	289
Southwest Border	155,232	85,505	104,474	171,051	161,424	100,771	106,030	103,694	127,944	150,090	135,593
Nationwide Total	155,599	86,226	105,105	171,663	162,071	101,495	106,643	104,294	128,679	151,466	136,808

Note: Data for 2013-2020 as of end of year dates; data for 2010-2012 as of July 30, 2021 (end of year data snapshots only began as of 2013).
Source: USBP.

The number of known gotaways has exploded on Mayorkas’ watch, averaging well over 500,000 per year, and dwarfing known gotaway numbers from recent years. (Source: DHS 2021 Border Security Metrics Report)

Further, the approximate 1.5 million known gotaways from FY21-23 exceeds those from FY10-20 combined (1.29 million), according to the department’s 2021 Border Security Metrics Report.⁵¹

⁴⁴ MaryAnn Martinez, “1.5M ‘gotaways’ have slipped into the US under Biden — three times as many as during 3 years of Trump,” *New York Post*, May 15, 2023, <https://nypost.com/2023/05/15/1-5m-gotaways-have-slipped-into-the-us-under-biden-three-times-as-many-as-during-3-years-of-trump/>.

⁴⁵ Nick Miroff, “Border Officials Say More People Are Sneaking Past Them as Crossings Soar and Agents Are Overwhelmed,” *The Washington Post*, April 2, 2021, https://www.washingtonpost.com/national/got-aways-border/2021/04/01/14258a1e-9302-11eb-9af7-fd0822ae4398_story.html.

⁴⁶ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 43, May 9, 2023.

⁴⁷ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,’” *Homeland Security Committee Events*, YouTube video, 1:08:17, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?feature=share&t=4089>.

⁴⁸ Bob Price and Randy Clark, “SOURCE: 590K Migrant Got-Aways This Year — Exceeds Last Year Same Period,” *Breitbart*, September 1, 2023, <https://www.breitbart.com/border/2023/09/01/source-590k-migrant-got-aways-this-year-exceeds-last-year-same-period/>.

⁴⁹ MaryAnn Martinez and Stephanie Pagonos, “530K Illegal Migrants Sneaked into US Since October: CBP,” *New York Post*, May 10, 2023, <https://nypost.com/2023/05/10/530k-illegal-migrants-have-border-agents-since-start-of-2023/>.

⁵⁰ Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 73-74, June 29, 2023.

⁵¹ U.S. Department of Homeland Security, *Department of Homeland Security Border Security Metrics Report: 2021*, April 27, 2022, 16, https://www.dhs.gov/sites/default/files/2022-06/2022_0427_plcy_border_security_metrics_report_FY2021_%282020_data%29.pdf.



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Even in 2019, with the short-lived spike in illegal crossings, known gotaways remained relatively stable compared to historic trends.⁵²



Texas DPS arrested 14 illegal aliens dressed in camouflage attempting to evade apprehension in April 2023. They would have entered as gotaways if not for the efforts of law enforcement. (Source: Texas DPS)

The massive increase in gotaways is just more fuel on the fire of the cartels' profits. Ultimately, as the number of illegal aliens—gotaways or not—being smuggled or trafficked across the border continues to rise, so do the cartels' profits.

In 2018, then-DHS Secretary Kirstjen Nielsen estimated the cartels made at least \$500 million annually from human smuggling.⁵³ In August 2021, John Condon, HSI acting assistant director of international operations, told Congress the number had risen to somewhere between \$2-\$6 billion, and potentially more.⁵⁴ In February 2021 alone, the Border Patrol estimated the cartels made \$14 million per day smuggling illegal aliens across the border.⁵⁵

Crossing the border illegally is an expensive proposition. In 2021, Newsweek reported Border Patrol sources saying that Mexicans could expect to pay several hundred to several thousand dollars, while Central Americans could pay between \$8,000-\$10,000, and those from South American nations could pay upwards of \$15,000.⁵⁶ Another 2021 report, this one from CNN,

⁵² Ibid.

⁵³ Stephen Dinan, "Kirstjen Nielsen: Cartels Make \$500 Million a Year from Smuggling Illegals into U.S.," *The Washington Times*, May 15, 2018, <https://www.washingtontimes.com/news/2018/may/15/kirstjen-nielsen-cartels-make-500-million-year-smu/>.

⁵⁴ Stephen Dinan, "DHS: Cartels Earn up to \$6 Billion a Year from Smuggling Migrants," *The Washington Times*, August 4, 2021, <https://www.washingtontimes.com/news/2021/aug/4/dhs-cartels-earn-6-billion-year-smuggling-illegal-/>.

⁵⁵ William La Jeunesse, "US-Mexico Border Traffickers Earned as Much as \$14M a Day Last Month: Sources," *Fox News*, March 22, 2021, <https://www.foxnews.com/politics/us-mexico-border-traffickers-million-february>.

⁵⁶ Alex Rouhandeh, "Human Smugglers Charging Up To \$15,000 Per Person for U.S. Border Crossing," *Newsweek*, June 3, 2021, <https://www.newsweek.com/human-smugglers-charging-15000-per-person-us-border-crossing-1597043>.



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found that illegal aliens from Guatemala, Honduras, and El Salvador paid smugglers an average of \$7,500 to make it to the border.⁵⁷ Additionally, press reports quoting individuals making the journey show many make various payments to different groups along the way in order to traverse particular sections of the route, or simply to pay off robbers or gangs.⁵⁸

It is also instructive to note the higher fees the cartels charge individuals from nations like China. One report found that three Chinese nationals who entered in February 2023 each paid \$35,000.⁵⁹ Texas officials say the \$35,000 number for Chinese nationals is a baseline and may go as high as \$50,000.⁶⁰ The Border Patrol's Joel Martinez, then-acting chief patrol agent for the Laredo Sector, told the House Committee on Homeland Security in June 2023 that he had heard reports of Chinese nationals being charged \$60,000 by the cartels.⁶¹

The math gives Americans a sense of the potential scope of cartel profits under Mayorkas' policies. If every Chinese national apprehended illegally crossing the Southwest border in FY23—the Border Patrol recorded 17,678 apprehensions of Chinese nationals through July 2023⁶²—paid the cartels \$50,000 to cross the border, that would represent roughly \$880 million in revenue. At \$35,000 per Chinese national, the total would be around \$618 million. Of course, 17,678 apprehensions are a mere drop in the bucket compared to almost 5.8 million Southwest border encounters recorded since Mayorkas took office and the more-than 1.5 million known gotaways, making total cartel profits a troubling figure to imagine. As Jones said in July 2021, “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.”⁶³

Contrary to Mayorkas' assertions,⁶⁴ his new policy that allows otherwise inadmissible aliens to request an appointment at an official port of entry via the CBP One mobile app is failing to stem the record profits flowing to the cartels. This is because individuals must still pay to get through Mexico to the Southwest border, whether they choose to cross between the ports of entry, or make use of Mayorkas' parole pathway at a port of entry. According to Jessica Vaughan, director of policy studies at the Center for Immigration Studies (CIS), in her testimony before the House Committee on Homeland Security on July 19, 2023:

“Biden officials have claimed that 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

⁵⁷ Catherine Shoichet, “Central American Migrants Paid \$2.2 Billion Trying to Reach the US,” *CNN*, November 24, 2021, <https://www.cnn.com/2021/11/24/us/central-american-migration-costs/index.html>.

⁵⁸ Nick Paton Walsh, et. al., “On one of the world’s most dangerous migrant routes, a cartel makes millions off the American dream,” *CNN*, April 17, 2023, <https://www.cnn.com/2023/04/15/americas/darien-gap-migrants-colombia-panama-whole-story-cmd-intl/index.html>.

⁵⁹ Adam Shaw and Bill Melugin, “Border Patrol Apprehensions of Chinese Nationals at Southern Border up 800%: Source,” *Fox News*, February 9, 2023, <https://www.foxnews.com/politics/border-patrol-apprehensions-chinese-nationals-southern-border-800-source>.

⁶⁰ State of Texas, Office of the Texas Governor, Greg Abbott, *Operation Lone Star Turns Back Over 30,000 Illegal Immigrants*, March 24, 2023, <https://gov.texas.gov/news/post/operation-lone-star-turns-back-over-30000-illegal-immigrants>.

⁶¹ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 36, June 1, 2023.

⁶² U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

⁶³ Karol Suárez, “Cartels reap growing profits in the smuggling of migrants across the US-Mexico border,” *Louisville Courier Journal*, July 1, 2021, <https://www.courier-journal.com/story/news/investigations/2021/07/01/mexican-cartels-fuel-immigration-crisis-at-us-border/5290082001/>.

⁶⁴ “Oversight of the U.S. Department of Homeland Security,” *House Judiciary GOP*, YouTube video, 1:58:02, July 26, 2023 <https://www.youtube.com/live/cAhJdIQy1IA?feature=share&t=7082>.



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migrants still have to get there, and for most, that still means paying a cartel-approved smuggler, and the CBP One appointment itself turns out to be yet another opportunity for them to extort the migrants.”⁶⁵

Subsequent reporting demonstrates that the cartels are continuing to rake in record profits. According to media analysis of the data:

“Secretary Alejandro Mayorkas has characterized the decline as a blow to the smuggling cartels that control the market. Yet those who make the attempt are paying more, according to The Washington Times’ database of smuggling cases, which tracks payments in near-real time and which suggests that the cartels aren’t taking as big of a hit as Mr. Mayorkas would like.”⁶⁶

The Times noted, “A Mexican crossing into the Laredo area of Texas is paying an average of \$9,500, up from about \$7,400 earlier this year, before the end of the Title 42 border pandemic expulsion policy in May. A Mexican sneaking into Arizona is paying an average of nearly \$10,000, up from about \$9,300.”⁶⁷

And, of course, as reported by the Washington Examiner in August 2023, the cartels have hijacked the app through the use of virtual private networks (VPN) to help aliens from all over the globe request appointments through the app, getting around the requirement that an individual be in northern Mexico before submitting such a request. Indeed, cartels are now offering this as a paid service, meaning they are actually using DHS’ own policies and procedures to expand their profit margins.⁶⁸

Lucrative drug operations add even more revenue. A report published by ICE as far back as 2010 estimated cartels made nearly \$30 billion on drug trafficking,⁶⁹ though more recent comprehensive estimates are hard to come by. With the massive increase in the production of fentanyl and the favorable profit margin it provides,⁷⁰ one can only imagine the cartels’ revenues from trafficking illicit drugs today.

And many of those dollars go right back to expanding the cartels’ operations, including building up their massive paramilitary capabilities. Journalist Todd Bensman, who is also a former member of Texas DPS’ Intelligence and Counterterrorism Division, wrote in a recent op-ed that

⁶⁵ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 37:22, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=2242>.

⁶⁶ Stephen Dinan, “Smuggling cartels raking in cash despite lower border numbers,” *The Washington Times*, July 30, 2023, <https://www.washingtontimes.com/news/2023/jul/30/smuggling-cartels-still-raking-cash-despite-lower-/>.

⁶⁷ Ibid.

⁶⁸ Anna Giaritelli, “Mexican cartels exploit US government’s CBP One app,” *The Washington Examiner*, August 4, 2023, <https://www.washingtonexaminer.com/policy/immigration/mexican-cartels-exploit-cbp-one-app>.

⁶⁹ U.S. Department of Homeland Security, Office of Counternarcotics Enforcement and U.S. Immigration and Customs Enforcement, Government of Mexico, Secretaría de Hacienda y Crédito Público and Unidad De Inteligencia Financiera (UIF), *United States of America-Mexico Bi-National Criminal Proceeds Study*, June 2010, 2, <https://www.ice.gov/doclib/cornerstone/pdf/cps-study.pdf>.

⁷⁰ U.S. Congress, Senate, Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, *Prepared Testimony of the U.S. Department of Justice, Anne Milgram, Administrator, Drug Enforcement Administration for a Review of the President’s Fiscal Year 2024 Funding Requests for the Federal Bureau of Investigation and for the U.S. Drug Enforcement Administration*, 118th Cong., 1st sess., May 10, 2023, 5, https://www.appropriations.senate.gov/imo/media/doc/Administrator_written%20statement_Senate%20CJS%20hearing.pdf.



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there is “plenty of evidence to suggest” the cartels have acquired the capability to “outgun” the Mexican government:

“It’s impossible to know how much military hardware the revenues from the Biden border crisis have paid for, but the cartels are clearly reinvesting their massive profits. ... These are armies, with highly trained special forces units, supported by professional intelligence operations and run by warlords...I’m not alone in my estimation that Biden’s cartel-enriching mass migration crisis poses serious threats to important U.S. national interests, including many that are rarely discussed out loud, such as Mexican trade.”⁷¹

Bensman also highlighted several recent seizures by the American and Mexican governments of military assets the cartels acquired or attempted to acquire. The sheer firepower wielded by these organizations is staggering:

“In March 2022, inside four houses controlled by a faction of the Sinaloa Cartel in the northern State of Sonora, the Mexican army recovered 2.8 million rounds of ammunition, 89 hand grenades, 20 machine guns, six .50 caliber sniper rifles, more than 150 handguns and automatic rifles, and bulletproof vests.

“In May 2022, U.S. authorities broke up a Cartel del Noreste scheme to buy \$500,000 worth of machine guns, grenades, and rocket-propelled launchers to be smuggled south from the U.S. into Mexico.

“An August 2022 report showed that the state of Tamaulipas seized 257 shop-built armored ‘narco-tanks’ from the cartels in recent years, so-called ‘monsters’ made of semis, SUVs, or pickup trucks encased in thick steel with machine-gun ports. Video shows well-kitted masked cartel soldiers filling them.”⁷²

The cartels have even made use of advanced submarines, known as “narco-submarines,” to traffic drugs into the United States. According to one report, “The technology has progressed in recent years and has become a significant force in the international drug trade.”⁷³ In May 2023, one prominent Colombian TCO operative—the “Prince of Semi-Submersibles”—was sentenced to more than 20 years in prison for smuggling thousands of pounds of drugs into the United States via these submarines.⁷⁴ According to federal prosecutors, the organization “primarily sent vessels such as self-propelled semi-submersible vessels to Guatemala, where the cocaine was then smuggled over the Guatemala/Mexican border and then into the United States.”⁷⁵

⁷¹ Todd Bensman, “Biden’s border crisis is fueling growing cartel armies - now armed to the teeth and rivaling Mexico’s military, warns TODD BENSMAN... so why is no one talking about this threat to American interests?,” *The Daily Mail*, December 22, 2022, <https://www.dailymail.co.uk/news/article-11563659/Mexicos-cartels-getting-rich-powerful-Bidens-mass-migration-crisis-TODD-BENSMAN.html>.

⁷² Ibid.

⁷³ Michael James, “Colombian ‘Prince of Submersibles’ gets 20 years for smuggling kilos of coke into US with narco-submarines,” *USA Today*, May 8, 2023, <https://www.usatoday.com/story/news/nation/2023/05/08/colombian-drug-lord-gets-20-years-for-smuggling-coke-into-us-via-narco-subs/70197761007/>.

⁷⁴ Ibid.

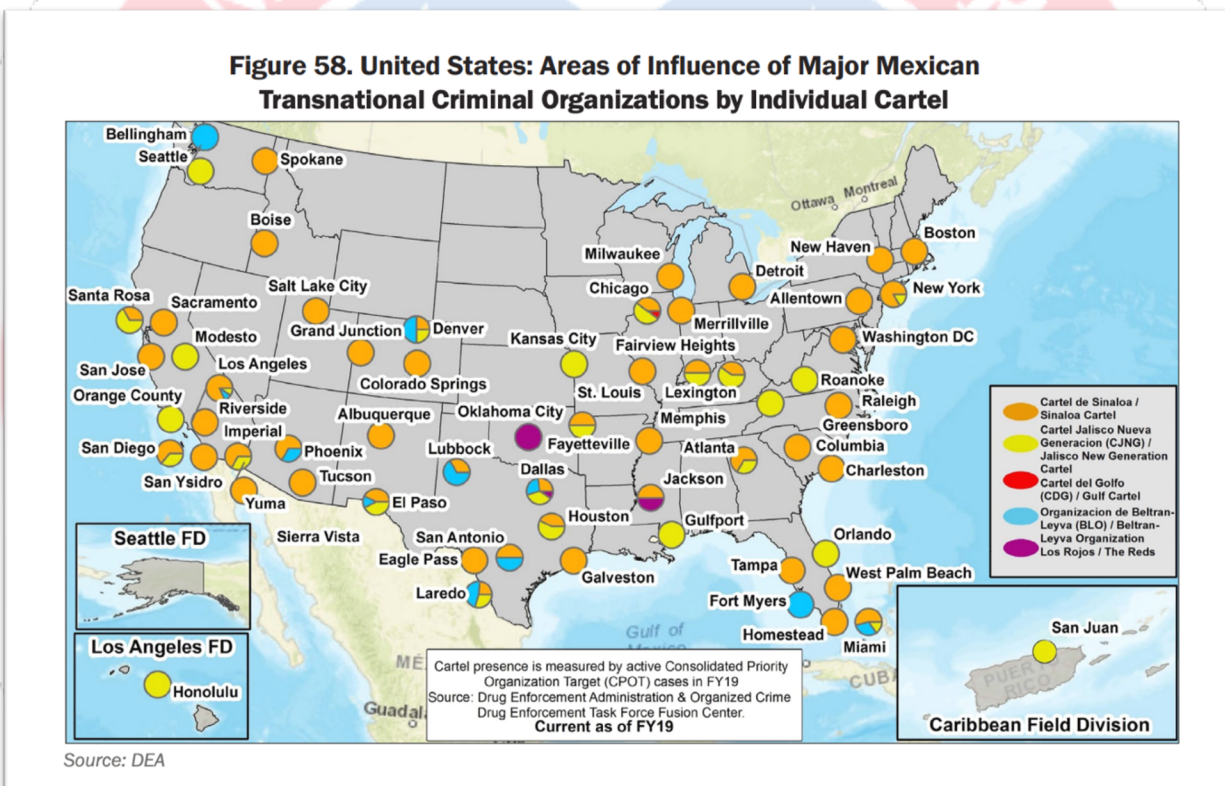
⁷⁵ U.S. Department of Justice, U.S. Attorney’s Office, Middle District of Florida, *Colombia’s “Prince Of Semi-Submersibles” Sentenced To Over 20 Years In Federal Prison For Smuggling Thousands Of Kilograms Of Cocaine*, May 8, 2023, <https://www.justice.gov/usao-mdfl/pr/colombias-prince-semi-submersibles-sentenced-over-20-years-federal-prison-smuggling>.



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Section 2: The Cartel-Crime Nexus at the Border and in the United States

These criminal operations are not limited simply to Mexico and border states, however. Indeed, the cartels are increasingly active in communities across the United States. As Mayorkas and Biden’s border crisis has continued to expand, so has the reach and influence of these groups. The DEA’s most recent assessment in FY19 showed major Mexican cartels already operating in at least 60 American cities.⁷⁶ Since the publication of that assessment, “the cartels have expanded to all 50 states, battling for control of the nation, coast to coast.”⁷⁷ This section of the report will detail the innovative tactics being used by the cartels on Mayorkas’ watch, and the criminal activity in which they are engaged in American communities.



The Inhumane and Destabilizing Tactics of the Cartels

Debt Bondage and Coercion—A Horrific New Phenomenon: Increasingly, vulnerable individuals coming to the border are not just being forced to pay one-time fees, which perhaps constitute their entire life savings, in order to enter the United States. In many cases, they are being further

⁷⁶ U.S. Department of Justice, Drug Enforcement Administration, *2020 National Drug Threat Assessment*, DEA-DCT-DIR-008-21, March 2021, 69, https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment_WEB.pdf.

⁷⁷ “NewsNation exclusive: Deadly drug cartels in America | CUOMO,” *NewsNation*, February 6, 2023, <https://www.newsnationnow.com/video/newsnation-exclusive-deadly-drug-cartels-in-america-cuomo/8367575/>.



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exploited and forced to serve the cartels and smuggling organizations—a phenomenon known as “debt bondage.”

In its 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.”⁷⁸ In other words, they pay their debt by facilitating and committing crimes against Americans inside the United States.

In July 2023, the San Francisco Chronicle corroborated this finding as part of an in-depth investigation into the city’s drug trade. The report included interviews with numerous dealers who had arrived from other countries and were now selling drugs supplied by the cartels. According to the Chronicle, one dealer “said the migrants’ desperation makes them easy targets for exploitation by coyotes:”

“They offer to take you to the United States and help you find a job,’ the man said in an interview from jail. ‘They tell you that once you work you can pay them back for the help they gave you. But once you are in their hands they start trying to figure out who your family is, who your parents are. Later, the threats start. They put you out there selling drugs.’

“The coyotes, he said, ‘put you under threat because you owe them money and you have to pay them. There are people who pay them, but they don’t succeed in getting out because once you are benefiting them, they don’t want to set you free. They always want you to be working.”⁷⁹

In a heartbreaking February 2023 report, the New York Times detailed the plight of unaccompanied alien children (UACs) brought across the border illegally and who now reside in the United States.⁸⁰ The next phase of this investigation will cover in unflinching detail the horrors many of these minors continue to experience daily. In this context, however, Americans must understand that in addition to the horrific exploitation and abuse to which many of these minors have been subjected, many are trapped in a system of debt bondage from which they may never escape. Per the Times, “Far from home, many of these children are under intense pressure to earn money. They send cash back to their families while often being in debt to their sponsors for smuggling fees, rent and living expenses.”⁸¹

⁷⁸ U.S. Department of Homeland Security, *Department of Homeland Security Border Security Metrics Report: 2021*, April 27, 2022, 63, https://www.dhs.gov/sites/default/files/2022-06/2022_0427_plcy_border_security_metrics_report_FY2021_%282020_data%29.pdf.

⁷⁹ Megan Cassidy and Gabrielle Lurie, “This Is How San Francisco’s Open-Air Drug Dealers Work,” *San Francisco Chronicle*, July 10, 2023, <https://www.sfchronicle.com/projects/2023/san-francisco-drug-trade-how-dealers-work/>.

⁸⁰ Hannah Dreier, “Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.,” *New York Times*, February 25, 2023, <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

⁸¹ *Ibid.*



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Just consider the experience of one Guatemalan teenager sent by his parents to the United States to find work:

“Nery Cutzal was 13 when he met his sponsor over Facebook Messenger. Once Nery arrived in Florida, he discovered that he owed more than \$4,000 and had to find his own place to live. His sponsor sent him threatening text messages and kept a running list of new debts: \$140 for filling out HHS paperwork; \$240 for clothes from Walmart; \$45 for a taco dinner.

“Don’t mess with me,” the sponsor wrote. ‘You don’t mean anything to me.’

“Nery began working until 3 a.m. most nights at a trendy Mexican restaurant near Palm Beach to make the payments. ‘He said I would be able to go to school and he would take care of me, but it was all lies,’ Nery said.”⁸²

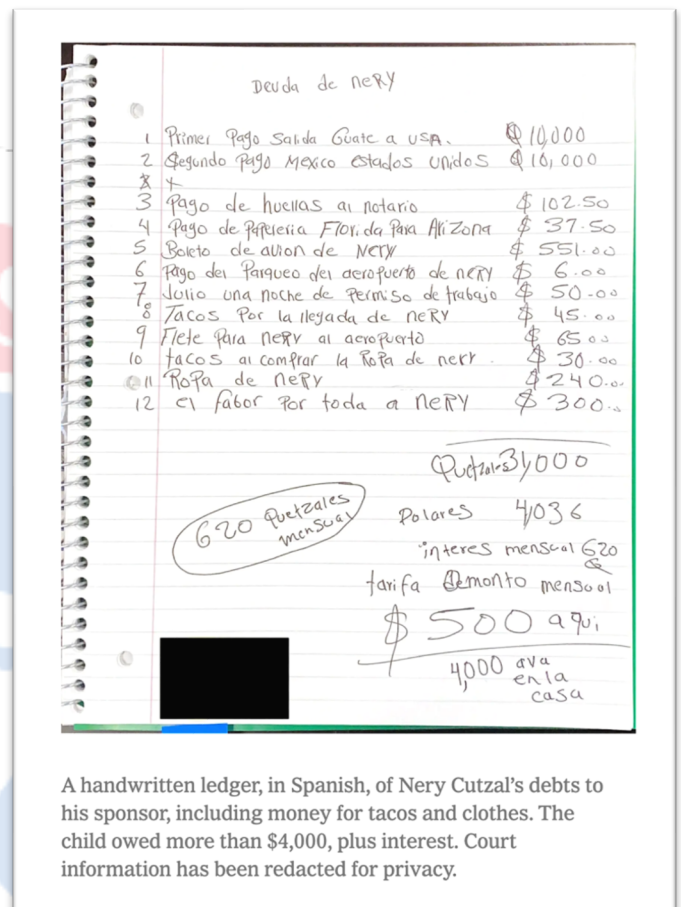
Another teenager told the Times, “I still have to pay back my debt, so I still have to work.”⁸³

The Border Patrol’s Owens highlighted this practice in May 2023, telling Committee staff that individuals can “find themselves indentured and paying off that debt for years to come, doing unspeakable things.”⁸⁴

Jones, the former Texas DPS captain, has said, “If they don’t pay their debt then the cartel has the information about where they’re going, but more importantly, they have the information on their families in home countries. From there, they can start the threats and hold them accountable through debt bondage, a form of human trafficking. Either pay or we’re going to come after your family.”⁸⁵

He further explained how the debt-bondage system works in his July 2023 testimony before the House Committee on Homeland Security:

“The Gulf Cartel specifically has a saying and that is that ‘people are the gift that keep giving,’ because they can make them move the commodity...but we have seen that on the



A handwritten ledger, in Spanish, of Nery Cutzal’s debts to his sponsor, including money for tacos and clothes. The child owed more than \$4,000, plus interest. Court information has been redacted for privacy.

(Source: New York Times)

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 142-143, May 5, 2023.

⁸⁵ Todd Bensman, “Overwhelmed Mexican Alien-Smuggling Cartels Use Wristband System to Bring Order to Business,” *Center for Immigration Studies*, March 2, 2021, <https://cis.org/Bensman/Overwhelmed-Mexican-AlienSmuggling-Cartels-Use-Wristband-System-Bring-Order-Business>.



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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. And what these really represent, 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.

“And the Gulf had to come up with a process that worked and you're seeing it in my hand. There's a number on each of these [wristbands] ... That number goes into a database.”⁸⁶



“And now [the cartels] have transitioned into the final version of human trafficking known as ‘debt bondage’ and I am holding it in my hands. This is it. This is how emboldened they’ve become.” — Former Texas DPS Capt. Jaeson Jones testifies before the House Committee on Homeland Security, July 19, 2023, about the Mexican cartels’ sophisticated new system of inventorying, trafficking, and enslaving hundreds of thousands of individuals.

According to testimony submitted to the Committee by Sheriff Bill Waybourn of Tarrant County, Texas, on July 19, 2023, smugglers and traffickers are even exploiting the state's criminal justice system to further advance their illicit objectives, in particular trapping vulnerable women in forced servitude:

“These traffickers also capitalize on the vulnerable inmate population by identifying females who are incarcerated and bond them out of jail for the strict purpose of sex

⁸⁶ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 2:03:07, July 19, 2023, <https://www.youtube.com/live/kva0HOb1TUg?feature=share&t=7387>.



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trafficking. They will also force uncooperative females, sometimes those who were smuggled over the border, to engage in petty criminal activity to ensure they are arrested and jailed. These criminal organizations are using the jail system—a taxpayer funded public safety system—to both capitalize on their victims and identify new ones.”⁸⁷

Texas DPS has reported a similar phenomenon, stating that smugglers often pick up individuals from stash houses and attempt to transport them to other destinations throughout the state, where some are “forced into debt bondage and work off the debt through forced labor and sex trafficking.”⁸⁸

Vaughan, in her July 2023 testimony before the House Committee on Homeland Security, also noted this new reality for many people who make the journey, stating:

“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.”⁸⁹

In July 2023, nearly 60 victims of human trafficking were rescued from an illicit marijuana facility in central California.⁹⁰ According to one report, “The victims arrived several days earlier, smuggled across the southern border ‘with the promise that they would have a good-paying job and a place to stay’...They were found living in ‘horrible’ conditions, forced to process marijuana ‘to pay back the individuals that brought them across the border,’” per law enforcement.⁹¹

The cartels’ mass use of debt bondage, and the complex systems devised to make it a reality, are a unique consequence of Mayorkas’ open-borders policies. The following exchange between New York Rep. Andrew Garbarino, and the Texas DPS veteran Jones in July 2023 should sober every American:

Garbarino: “You talked about how you’ve seen this before, but lower numbers. With these higher numbers and the amount of people, is this relatively a new phenomenon under Secretary Mayorkas?”

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 to themselves, ‘My 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

⁸⁷ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Sheriff Bill Waybourn for Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America*, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Written-testimony-SIGNED3.pdf>.

⁸⁸ State of Texas, Office of the Texas Governor, *Operation Lone Star: Combats Increasing Smuggling Attempts By Cartels*, April 21, 2023, <https://gov.texas.gov/news/post/operation-lone-star-combats-increasing-smuggling-attempts-by-cartels>.

⁸⁹ “Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America,” *Homeland Security Committee Events*, YouTube video, 38:24, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=2304>.

⁹⁰ Aliza Chasan, “Dozens of suspected human trafficking victims found processing black market marijuana in California,” *CBS News*, July 27, 2023, <https://www.cbsnews.com/news/dozens-human-trafficking-victims-processing-black-market-marijuana-operation-merced-california/>.

⁹¹ *Ibid.*



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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, and now it's nationwide."⁹²

Complex Human Trafficking/Smuggling Operations: One of the ways in which some of the cartels execute their mass trafficking operation and enslave people in debt bondage is by using a complex system of wristbands. These wristbands help create an inventory of those who will owe the cartels upon arriving in the United States, where individuals are going, which group is responsible for smuggling the alien, and other logistical information.

The office of Rep. Henry Cuellar, D-Tex., has confirmed this type of system, in which different color wristbands indicate how many times the alien has attempted to cross the border, and whether they will be allowed to try again—"Those with red bands are first-time crossers and those with purple bands are not allowed to try to cross again."⁹³ One expert on smuggling has observed that the cartels "are organizing the merchandise in ways you could never imagine five or 10 years ago."⁹⁴ The Border Patrol's Owens told the House Committee on Homeland Security these organizations use these wristbands "as a way to categorize them, basically treating them like cattle."⁹⁵

Incredibly, Mayorkas claimed ignorance of these wristbands when questioned by Texas Sen. Ted Cruz in a March 2023 Senate Judiciary hearing. When shown pictures of the bracelets worn by illegal aliens, as well as one in Cruz's hand, Mayorkas testified he did not know what they were.⁹⁶

⁹² "Biden and Mayorkas' Open Border: Advancing Cartel Crime in America," *Homeland Security Committee Events*, YouTube video, 2:05:02, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=7502>.

⁹³ Sandra Sanchez, "EXCLUSIVE: Colored Wristbands Help Cartels Track Migrants, Payments for Smuggling Them, Lawmaker Confirms," *Border Report*, April 15, 2021, <https://www.borderreport.com/immigration/border-crime/exclusive-colored-wristbands-help-cartels-track-migrants-payments-for-smuggling-them-lawmaker-confirms/>.

⁹⁴ Miriam Jordan, "Smuggling Migrants at the Border Now a Billion-Dollar Business," *New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

⁹⁵ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 148, May 5, 2023.

⁹⁶ "Secretary Mayorkas Testifies at Homeland Security Oversight Hearing," *C-SPAN video*, 2:10:05, March 28, 2023, <https://www.c-span.org/video/?526938-1/secretary-mayorkas-testifies-homeland-security-oversight-hearing>.



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[WATCH: Mayorkas Confesses Ignorance About Cartel Human Trafficking Operations](#)

In response to this surprising admission by the secretary, National Border Patrol Council (NBPC) Vice President Art Del Cueto told Fox Business, “A Google search would have gotten him the answer. It’s been reported many times. ... It baffles me for the Secretary of Homeland Security to say he has no idea what they’re for.”⁹⁷

Stash Houses: “Just imagine 60 people in an enclosed space with no electricity, running water, or food,” from which they “can’t escape because often they are locked in,” said Laredo Sector Border Patrol agent Kenneth Kroupa in 2020.⁹⁸ Such images offer just a glimpse into the network of stash houses the cartels and smugglers use to facilitate the trafficking and smuggling of illegal aliens throughout the country.

⁹⁷ “Mayorkas’ cartel wristband ignorance is ‘baffling’: Art Del Cueto,” *Fox Business*, Fox Business video, 01:01, March 29, 2023, <https://www.foxbusiness.com/video/6323600529112>.

⁹⁸ U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Frontline Magazine*, *Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.



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(Source: U.S. Border Patrol)

The cartels use homes, apartments, or even hotel rooms as stash houses to hide large groups of illegal aliens after they have been smuggled into the country and prior to transporting them to their next destination. CBP officials describe these sites as often being filthy buildings with no water, food, or electricity, where smugglers pack illegal aliens until they can be distributed around the country, with air conditioning “unheard of,” despite temperatures often in excess of 100 degrees.⁹⁹ Illegal aliens are often locked in these houses, unable to leave. Garbage often accumulates inside, as

putting the trash generated by dozens of people out for collection could attract unwanted attention.¹⁰⁰

These stash houses represent a public health nightmare, as the cramped and unsanitary conditions facilitate the transmission of diseases like COVID-19 and tuberculosis, particularly among populations coming from countries with minimal public health infrastructure or lower vaccination rates for diseases largely eradicated in the United States.¹⁰¹

The use of stash houses has exploded on Mayorkas’ watch. In May 2021, in the early days of the crisis, Texas DPS and Border Patrol officials reported a 400-percent increase in the number of illegal aliens rescued from stash houses.¹⁰² From October 2022 to April 2023 in just the El Paso Sector, Border Patrol agents discovered more than 165 stash houses, containing more than 2,400 individuals.¹⁰³

By comparison, in 2022, El Paso agents uncovered 232 stash houses.¹⁰⁴ In FY20, Border Patrol uncovered 397 stash houses across all nine sectors.¹⁰⁵ According to the New York Times in 2022,

⁹⁹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Frontline Magazine, *Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.

¹⁰⁰ MaryAnn Martinez, “Border Patrol Waging War on Cartels with Migrant ‘Stash House’ Busts,” *New York Post*, April 6, 2023, <https://nypost.com/2023/04/06/border-patrol-waging-war-on-cartels-with-stash-house-busts/>.

¹⁰¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Frontline Magazine, *Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.

¹⁰² Adolfo Muniz, “Texas DPS Says Human Smugglers Using Color-Coded Wristband System at the U.S.-Mexico Border,” *Spectrum News 1*, May 15, 2021, <https://spectrumlocalnews.com/tx/south-texas-el-paso/news/2021/05/14/texas-dps-says-human-smugglers-using-color-coded-wristband-system-at-the-u-s-mexico-border->.

¹⁰³ Chief Raul Ortiz [@USBPChief], “51 Migrants Located in a Single Stash House! US Border Patrol El Paso Sector Human Smuggling Interdiction Teams Have Uncovered over 165 Stash Houses in the Region with over 2,421 Migrants so Far in FY23. Outstanding Work Is Being Done at EPT! @USBPChiefEPT,” *Tweet, Twitter*, April 28, 2023, <https://twitter.com/USBPChief/status/1652010403734384640>.

¹⁰⁴ MaryAnn Martinez, “Border Patrol Waging War on Cartels with Migrant ‘Stash House’ Busts,” *New York Post*, April 6, 2023, <https://nypost.com/2023/04/06/border-patrol-waging-war-on-cartels-with-stash-house-busts/>.

¹⁰⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Frontline Magazine, *Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.



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“Over the past year, federal agents have raided stash houses holding dozens of migrants on nearly a daily basis.”¹⁰⁶

Since January 2021, CBP and ICE have conducted hundreds of operations to shut down stash houses and break up these criminal enterprises, with CBP’s press page alone documenting the routine occurrence of these operations on Mayorkas’ watch.¹⁰⁷

- In a one-week period in July 2023, Border Patrol agents in the El Paso Sector discovered six stash houses holding 52 illegal aliens.¹⁰⁸
- In May 2023, Border Patrol agents in Santa Teresa, New Mexico, found more than 50 illegal aliens “living in deplorable conditions” in a stash house.¹⁰⁹
- In April 2023, CBP and Texas DPS conducted operations at two separate stash houses in El Paso, finding more than 140 illegal aliens.¹¹⁰
- On March 27, 2023, Texas DPS moved on an El Paso stash house holding 23 illegal aliens. The house contained a shrine to Santa Muerte, the patron saint of the cartels.¹¹¹
- On March 3, 2023, the Border Patrol announced operations involving four stash houses in the El Paso Sector, rescuing 171 illegal aliens in the process.¹¹²
- In September 2022, HSI agents uncovered a stash house in Albuquerque, New Mexico, holding 29 illegal aliens, drugs, and a firearm.¹¹³
- In September 2022, CBP announced Border Patrol agents and members of Texas DPS had rescued 21 illegal aliens from a stash house in Laredo, seizing more than 160 pounds of illicit drugs in the process.¹¹⁴
- In August 2022, Border Patrol agents and local law enforcement rescued 28 illegal aliens from a stash house in Edinburg, Texas, after a woman called 911 and told operators she was being held against her will.¹¹⁵

¹⁰⁶ Miriam Jordan, “Smuggling Migrants at the Border Now a Billion-Dollar Business,” *The New York Times*, July 25, 2022, <https://www.nytimes.com/2022/07/25/us/migrant-smuggling-evolution.html>.

¹⁰⁷ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Media Releases*, accessed on July 19, 2023, https://www.cbp.gov/newsroom/media-releases/all?field_date_release_value_op=between&field_date_release_value%5Bvalue%5D=&field_date_release_value%5Bmin%5D=2021-01-20&field_date_release_value%5Bmax%5D=2023-04-14&field_newsroom_type_target_id_1=All&combine=stash+house.

¹⁰⁸ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, El Paso Sector, *El Paso Sector weekly recap*, July 19, 2023, <https://www.cbp.gov/newsroom/local-media-release/el-paso-sector-weekly-recap>.

¹⁰⁹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, El Paso Sector, *El Paso Sector weekly recap*, July 19, 2023, <https://www.cbp.gov/newsroom/local-media-release/el-paso-sector-weekly-recap>.

¹¹⁰ Dave Burge, “Border Patrol Finds More than 50 Migrants in ‘Deplorable Conditions’ in Stash House,” *KTSM 9 News*, May 15, 2023, <https://www.ktsm.com/news/border-patrol-finds-more-than-50-migrants-in-deplorable-conditions-in-stash-house/>.

¹¹¹ Patrick Reilly, “Border Forces Find over 140 Illegal Migrants in Stash House Raids,” *New York Post*, April 4, 2023, <https://nypost.com/2023/04/04/border-forces-find-over-140-illegals-in-stash-house-raids/>.

¹¹² Louis Casiano, “Texas Illegal Immigrant Stash House Found with Shrine to Cartel ‘Santa Muerte’ Saint Inside,” *Fox News*, March 28, 2023, <https://www.foxnews.com/us/texas-illegal-immigrant-stash-house-shrine-cartel-santa-muerte-saint>.

¹¹³ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, El Paso Sector, *Agents intercept smuggled migrants from multiple local stash houses*, March 3, 2023, <https://www.cbp.gov/newsroom/local-media-release/agents-intercept-smuggled-migrants-multiple-local-stash-houses>.

¹¹⁴ Matthew Reisen, “Twenty-Nine Migrants Found in Alleged Cartel Stash House,” *Albuquerque Journal*, October 18, 2022, https://www.abqjournal.com/news/local/twenty-nine-migrants-found-in-alleged-cartel-stash-house/article_79a37fa1-d515-5ee6-ae6d-ed819ccaa1b1.html.

¹¹⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, Laredo Sector, *Laredo Sector Border Patrol agents shut down stash house and seize narcotics*, September 7, 2022, <https://www.cbp.gov/newsroom/local-media-release/laredo-sector-border-patrol-agents-shut-down-stash-house-and-seize>.

¹¹⁶ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, Rio Grande Valley Sector, *Migrant Credited with Saving Herself and 27 Others from Stash House*, August 16, 2022, <https://www.cbp.gov/newsroom/local-media-release/migrant-credited-saving-herself-and-27-others-stash-house>.



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- In April 2022, the Border Patrol disrupted operations at four stash houses in 24 hours, leading to the apprehension of 53 illegal aliens. The stash houses were part of El Paso apartment complexes and motels.¹¹⁶

Stash houses are not limited to border towns, but are used throughout the country wherever the cartels need to store illegal aliens. For example, in July 2022, ICE busted multiple stash houses in Washington, D.C.¹¹⁷ More than 70 illegal aliens were found in the operation, including 13 minors.¹¹⁸

These stash houses also represent a major humanitarian concern. According to Border Patrol agent Fidel Baca, “So you have criminals inside these homes, a lot of the times they’ve committed serious crimes, crimes against people, crimes of sexual assault, crimes of assault, and they are caretaking for lots of people...We have children, we have women in these homes, and they are being taken care of by criminals.”¹¹⁹

Per the Border Patrol’s Martinez during a transcribed interview with the House Committee on Homeland Security in June 2023, when it comes to how long individuals are held in these locations, “It could be hours, it could be days, it could be weeks. It depends on when the coast is clear, when the cartel believes the coast is clear for them to travel up north or further their travel.”¹²⁰ When the cartels decide to move, many of these people are crammed into tractor-trailers, train cars, or other vehicles to be transported elsewhere in the United States.

Now-Border Patrol Deputy Chief Matthew Hudak has said, “They’ll stockpile them for a couple of days in one of these stash houses until they have enough people to put in a tractor-trailer, then lock it with no way for them to escape the brutal South Texas heat. When we open up these containers, and it’s well over 105 degrees with no ventilation...no water. It’s tragic.”¹²¹ Americans need look no further than the horror uncovered in San Antonio last summer, when more than 50 individuals died after being smuggled in the back of a locked tractor-trailer, for devastating



(Source: CBP)

¹¹⁶ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, El Paso Sector, *Four stash houses busted in 24-hours*, April 8, 2022, <https://www.cbp.gov/newsroom/local-media-release/four-stash-houses-busted-24-hours>.

¹¹⁷ Quinn Owen, “73 Migrants -- Including 13 Kids -- Found in D.C. ‘Stash Houses,’ Official Says; Smuggling Suspected,” *ABC News*, July 28, 2022, <https://abcnews.go.com/US/73-migrants-including-13-kids-found-dc-stash/story?id=87565679>.

¹¹⁸ *Ibid.*

¹¹⁹ Ariana Parra, “El Paso Sector Border Patrol Tells Community to Keep an Eye out for Stash Houses,” *KFOX 14*, April 6, 2023, <https://kfoxtv.com/news/local/el-paso-sector-border-patrol-tells-community-to-keep-an-eye-out-for-stash-houses-report-smuggling>.

¹²⁰ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 105, June 1, 2023.

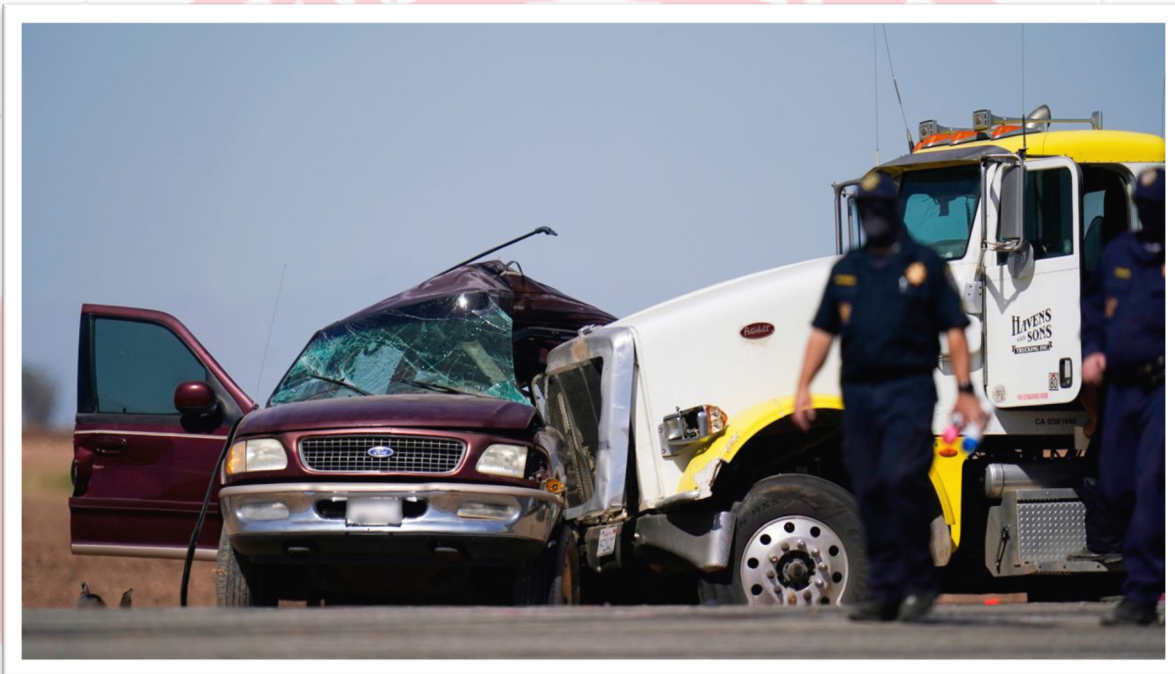
¹²¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Frontline Magazine, *Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.



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proof of how the cartels treat these people like cargo.¹²²

In another devastating example, 13 Mexicans and Guatemalans were killed in March 2021, when their transport vehicle was struck by a tractor-trailer in Imperial County, California.¹²³ At the time of the accident, 25 people were packed in the Ford Expedition driven by Jose Cruz Noguez, a Mexican national who, according to the Department of Justice's (DOJ) criminal complaint, "oversees the transportation of individuals who are in the United States illegally to stash houses; collects smuggling payments from family members or sponsors; recruits drivers; and scouts for the presence of law enforcement."¹²⁴



More than a dozen people were killed in early March 2021 when the overpacked SUV they were being smuggled in was hit by a tractor-trailer in California. (Source: Gregory Bull/AP)

The cartels' casual disregard for human life is manifestly apparent. According to Martinez:

"I mean, they consider you a commodity, not a human being, and they will stop at nothing to make money. So, you being a commodity, it doesn't matter if something happens to you. So, they're gonna lock you in an 18-wheeler; they're gonna walk you through the brush, and if you fall behind because you sprain your ankle, they're gonna leave you behind to find your own way home. They have no regard for human life."¹²⁵

¹²² "Death Toll Rises to 53 after Bodies of Migrants Found in Texas Tractor-Trailer," *CBS News*, June 29, 2022, <https://www.cbsnews.com/news/san-antonio-migrants-texas-tractor-trailer-dead-injured/>.

¹²³ Doha Madani, "Man Charged with Smuggling Migrants after California Crash That Killed 13 People," *NBC News*, March 31, 2021, <https://www.nbcnews.com/news/latino/man-charged-smuggling-migrants-after-california-crash-killed-13-people-n1262642>.

¹²⁴ U.S. Department of Justice, U.S. Attorney's Office, Southern District of California, *Man Charged with Organizing Smuggling Event that Led to Deaths of 13 Mexican and Guatemalan Nationals*, March 30, 2021, <https://www.justice.gov/usao-sdca/pr/man-charged-organizing-smuggling-event-led-deaths-13-mexican-and-guatemalan-nationals>.

¹²⁵ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 122-123, June 1, 2023.



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Stash houses also function as prisons for an increasing number of illegal aliens, as more and more are being held for ransom after being brought into the United States. In July 2022, the Federal Bureau of Investigation (FBI) announced that since February 2022, the agency—along with the Border Patrol and other law enforcement—had “rescued 88 victims from kidnapping for ransom incidents and continue to see an increase in extortion crimes directly affecting undocumented immigrants who have paid human smugglers to bring them across the United States-Mexico border.”¹²⁶ According to Jeffrey Downey, FBI special agent in charge in El Paso, the FBI documented no instances of such extortion in 2021.¹²⁷

“They have already paid upfront to cross the border. And then once they get here, they are assaulted and held in life-threatening situations,” Downey told the *New York Post* last year. In his experience, individuals’ families are forced to pay between \$3,000-\$10,000 on top of the thousands of dollars that have already been paid by the aliens themselves to enter the country.¹²⁸ Another immigration expert has said that family members of those being held in stash houses are often extorted by the smuggling groups for even more money.¹²⁹ In another report, the *Post* noted, “Migrants who are taken captive by cartel members have their cell phones taken away and have been dismembered if their families or friends in their home countries in the U.S. are unable to pay a ransom.”¹³⁰

Border Patrol agent Oscar Joanicot has made clear the stakes involved with these stash houses—“I don’t care who you are, when you walk in and see something like [a stash house], especially when there’s children involved, your heart goes out to them. ... [The smugglers’] commodity is people. They don’t care if someone dies. They just go and find another person waiting to come across.”¹³¹

Drone Operations and Surveillance: The cartels have also developed and deployed sophisticated tactics in their use of drones to conduct surveillance and intelligence-gathering operations, as well as deliver drugs across the border. According to the DEA’s 2020 National Drug Threat Assessment, “Mexican TCOs also exploit various aerial methods to transport illicit drugs across the Southwest border. These methods include the use of ultralight aircraft and unmanned aerial systems (drones) to conduct airdrops.”¹³² Per testimony from DHS officials in 2022, “use of

¹²⁶ U.S. Department of Justice, Federal Bureau of Investigation, El Paso Field Office, *FBI El Paso, US Border Patrol, and the El Paso Police Department Rescue Victims Held in Another Kidnapping for Ransom Incident*, July 8, 2022, <https://www.fbi.gov/contact-us/field-offices/el-paso/news/press-releases/fbi-el-paso-us-border-patrol-and-the-el-paso-police-department-rescue-victims-held-in-another-kidnapping-for-ransom-incident>.

¹²⁷ Isabel Vincent, “Cartels Hold Migrants for \$10K Ransom after Crossing US Border,” *New York Post*, July 13, 2022, <https://nypost.com/2022/07/13/cartels-hold-migrants-for-10k-ransom-after-crossing-us-border/>.

¹²⁸ *Ibid.*

¹²⁹ Mark Krikorian, “The Human Cost of Open-ish Borders,” *National Review*, March 3, 2021, <https://www.nationalreview.com/corner/the-human-cost-of-open-ish-borders/>.

¹³⁰ MaryAnn Martinez, “Migrants’ Fingers, Ears Cut off If They Can’t Pay Cartels: Report,” *New York Post*, May 22, 2023, <https://nypost.com/2023/05/22/migrants-fingers-ears-cut-off-if-they-cant-pay-cartels-report/>.

¹³¹ U.S. Department of Homeland Security, U.S. Customs and Border Protection, *Frontline Magazine, Stashed Away: CBP Fights Human Smuggling and Disease by Shutting Down Filthy Stash Houses*, by John Davis, October 22, 2020, <https://www.cbp.gov/frontline/cbp-fights-human-smuggling-and-stash-houses>.

¹³² U.S. Department of Justice, Drug Enforcement Administration, *2020 National Drug Threat Assessment*, DEA-DCT-DIR-008-21, 73, March 2021, <https://www.dea.gov/sites/default/files/2021-02/DIR-008-21%202020%20National%20Drug%20Threat%20Assessment%20WEB.pdf>.



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drones for illicit cross-border activity is not only wide-spread, but also organized and an integrated element of TCO operations.”¹³³

If Border Patrol agents are stretched to the breaking point trying to secure the border and apprehend illegal aliens and illicit drugs coming across on the ground, imagine the extra nightmare that expanded cartel drone operations represent.

Lieutenant Chris Olivarez of Texas DPS recently described the dire situation—“They’re able to scout everything and watch what we are doing, every movement we are making. That’s why it’s a cat and mouse game and we have to try and be one step ahead of them.”¹³⁴ NBPC President Brandon Judd has echoed Olivarez’s assessment, saying, “They’ll use drones to scout our positions, where our Border Patrol agents are, how can they facilitate the drug trade. They’ll also use the drones to actually fly into United States land and they’ll carry small packages with drugs.”¹³⁵

According to Gloria Chavez, chief patrol agent for the Border Patrol’s Rio Grande Valley Sector, the cartels “have 17 times the number of drones, twice the amount of flight hours and unlimited funding to grow their operations.”¹³⁶ In a June 2023 interview with the House Committee on Homeland Security, the Border Patrol’s Martinez confirmed that the cartels were using drones to track agents’ movements and patterns in order to assist their smuggling operations.¹³⁷

One Border Patrol agent told the press in July 2023, two months after the expiration of Title 42, that these operations were still ongoing. According to the agent, “We don’t have operational control of the border,” and the cartels are “using drones to bypass our movements, including sensor locations. They know where we are at all times. They know how to get around us.”¹³⁸

During a recent hearing conducted by the Committee, Texas Rep. Monica De La Cruz said that drone operations just in the Rio Grande Valley Sector had skyrocketed, posing a potentially insurmountable challenge for Border Patrol: “The cartel drone detections just right here in the RGV Sector in FY22 was 35,000 drone detections. ... Out of the 35,000 drone detections, only 10,000 were intercepted.”¹³⁹ One Texas sheriff recently told Congress that just three Texas counties observed almost 2,000 drone incursions in a 31-day period earlier this year.¹⁴⁰

¹³³ U.S. Congress, House of Representatives, Committee on Homeland Security, Subcommittee on Oversight, Management, and Accountability, and Subcommittee on Transportation and Maritime Security, *Assessing the Department of Homeland Security’s Efforts to Counter Unmanned Aircraft Systems*, 117th Cong., 2nd sess., March 31, 2022, 22, <https://www.congress.gov/117/chrg/CHRG-117/jhrg47767/CHRG-117/jhrg47767.pdf>.

¹³⁴ Robert Sherman, “For Texas border officials, cartel drones are the latest headache,” *NewsNation*, January 19, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/for-texas-border-officials-cartel-drones-are-the-latest-headache/>.

¹³⁵ *Ibid.*

¹³⁶ Ali Bradley and Robert Sherman, “Border agent describes how cartels are using drones,” *NewsNation*, February 9, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/border-agent-cartels-using-drones/>.

¹³⁷ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 120, June 1, 2023.

¹³⁸ Bethany Blankley, “Border Patrol agents: June southwest border apprehension data is a ‘shell game,’” *The Center Square*, July 11, 2023, https://www.thecentersquare.com/national/article_d6ece71e-2049-11ee-8d58-130f9e1cd70e.html.

¹³⁹ “Full Committee Field Hearing: ‘Failure By Design: Examining Secretary Mayorkas’ Border Crisis,” *Homeland Security Committee Events*, YouTube video, 1:52:49, March 15, 2023, <https://www.youtube.com/live/7Z1ETzh3AUA?feature=share&t=6734>.

¹⁴⁰ Anna Giaritelli, “Texas sheriff tells Congress nearly 2,000 Mexican drug cartel drones are swarming US skies,” *The Washington Examiner*, February 15, 2023, <https://www.washingtonexaminer.com/policy/immigration/texas-sheriff-drones-border-mexico-congress>.



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The cost-benefit analysis also weighs heavily in favor of the cartels' expansive use of drones. James Mandryck, deputy assistant commissioner of CBP's Office of Intelligence, testified to the Committee in July 2023 that for the cost of perhaps \$1,000 per drone, the cartels could smuggle around \$1 million worth of fentanyl into the country per flight and run "continuous" flights throughout the day.¹⁴¹

The cartels also employ a vast human intelligence network in support of their operations. El Paso Sector Chief Patrol Agent Anthony "Scott" Good told the House Committee on Homeland Security in June 2023 that the cartels use the agency's own checkpoints against them. When asked whether cartel-employed scouts "know about situations where Border Patrol is vulnerable, like when you have to shut down checkpoint[s] because of decompression or weather extremity," he responded, "Yes. People, scouts, will frequently drive through the checkpoints to see if they're open or not, yes."¹⁴²

The Cartel Connection to Crime at the Border and in Our Communities

The crime and chaos caused by TCOs has been exacerbated by Mayorkas' policies. According to the American Sheriff Alliance—a national coalition of several major sheriffs' associations—these groups "are directly responsible for the increases in deaths, human trafficking, sex trafficking, and unprecedented violence occurring in cities and counties across our nation."¹⁴³

Sheriff Eddie Guerra of Hidalgo County, Texas, who is also chairman of the Southwestern Border Sheriffs' Coalition, said in a February 2023 press release that the crisis "is a public safety and public health issue. It's not just the violence and drugs, it's the sexual assaults, human trafficking, enslavement, and fear and terror that are destroying neighborhoods here in the United States."¹⁴⁴

Drug Trafficking: The illicit drug trade in American cities is booming on Biden and Mayorkas' watch. According to Michelle Cook, sheriff of Clay County, Florida, in 2022, "I will tell you that the open borders are a problem. We are seeing a significant amount of drugs making its way to Clay County because of open borders, and that is definitely something that concerns me as a Sheriff."¹⁴⁵

The cartels have grown so bold that the illegal alien dealer networks they supply have taken over the drug trade in major American cities. In California, "Honduran migrants have taken over San Francisco's drug market with the aid and blessing of Mexican cartels," where "they have squeezed competition out through their highly-coordinated organization and sheer numbers..."¹⁴⁶

¹⁴¹ "Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border," *Homeland Security Committee Events*, YouTube video, 1:52:00, July 12, 2023, <https://www.youtube.com/live/L0EurNtLz0M?feature=share&t=6716>.

¹⁴² Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 142, June 29, 2023.

¹⁴³ "Nation's Sheriffs Call for the Eradication of Drug Cartels, Starting with the Sinaloa and Jalisco New Generation Cartels," *The American Sheriff Alliance*, February 9, 2023, https://www.sheriffs.org/AmericanSheriffAlliance_Feb092023.

¹⁴⁴ *Ibid.*

¹⁴⁵ "Clay County sheriff blames 'open borders' following arrest, seizure of 26 pounds of meth," *First Coast News*, February 8, 2022, <https://www.firstcoastnews.com/article/news/crime/clay-county-sheriff-blames-open-borders-following-arrest-seizure-of-26-pounds-of-meth/77-8b4d1e4e-3d6f-44e0-9391-46b298f039a1>.

¹⁴⁶ Stephanie Pagones, "Honduran migrants working for Mexican cartels brazenly took over San Francisco's drug market thanks to lax policies," *New York Post*, July 10, 2023, <https://nypost.com/2023/07/10/honduran-migrants-mexican-cartels-overtaking-san-francisco/>.



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Per the San Francisco Chronicle's investigation, the cartels are behind the rise of this vast network:

"The cartels hire runners to ferry their product from Mexico to Southern California; from there it's transported up the West Coast with local operatives close to the cartels working out the details. These operatives often own a few properties in the East Bay, which can serve as stash houses and rental units for street dealers, according to court records and police interviews.

"These operatives are the highest-ranking members of the Bay Area network and are the middlemen in this global operation. The operatives are known to their underlings as 'the machine,' according to two sources.

"Drugs will typically flow through the machine to either a lower-level distributor or directly to a dealer.

"Shipments are often sent by car to distributors who live primarily in Oakland and are from Honduras."¹⁴⁷

Mayor London Breed said the massive and complex network "conduct[s] business like they're going to a job."¹⁴⁸ One dealer told Chronicle reporters that the city's streets are "oversaturated with migrant Honduran teens," while another, a man in his mid-20s, told them, "I'm going to be honest, I came here to sell drugs," and that he has been arrested four times since 2022.¹⁴⁹

Tom Wolf, founder of Pacific Alliance for Prevention and Recovery and a recovering addict himself, told one media outlet in March 2023 that San Francisco had "become the epicenter of the overdose crisis in the United States," and that authorities needed to "take these organized drug

¹⁴⁷ Megan Cassidy and Gabrielle Lurie, "This Is How San Francisco's Open-Air Drug Dealers Work," *San Francisco Chronicle*, July 10, 2023, <https://www.sfchronicle.com/projects/2023/san-francisco-drug-trade-how-dealers-work/>.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.



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dealers down because they are cartel-fueled, organized drug dealers that are operating on our streets.”¹⁵⁰

Meanwhile, the cartels’ drug-smuggling operations are gaining momentum in Texas, as well. According to Tarrant County’s Waybourn, the county recorded “a 1000% increase in the amount of drugs seized in a two-year span. In 2020, we seized \$3 million worth of drugs. In 2022, it was \$35 million.”¹⁵¹ Along with this increase in drugs flooding the Dallas-Fort Worth area came a massive increase in the number of fentanyl poisonings, increasing from 10 between 2018-2019 to 113 between 2020-2021.¹⁵²

This deadly phenomenon is not just limited to border states, however. States and towns hundreds of miles from the Southwest border are feeling the consequences of increased cartel activity.

Per NewsNation’s Robert Sherman, “Once limited to cities along the southern border, the influence of Mexican drug cartels has spread to smaller American towns across the country, including several in the state of Montana.”¹⁵³ Montana Attorney General Austin Knudsen told the outlet last year, “We have specific intelligence that primarily two drug cartels based out of Mexico are operating here in Montana on a very large scale,”¹⁵⁴ and that he assesses the likelihood of drugs on Montana streets being linked to the cartels at “100 percent,” saying, “Within 20 or 30 miles of where you purchased that, there is very likely a Mexican drug cartel member or an associate involved with that drug trade.”¹⁵⁵ In December 2022, the DOJ announced that it had secured 22 convictions of individuals in Montana involved in a “large-scale drug trafficking organization that had ties to the Sinaloa Cartel,” with three of those 22 directly connected to the cartel.¹⁵⁶

A sheriff in Oregon recently told the press, “When you hear about the drug cartels and the amounts of drugs coming across the border, you start thinking those are big city problems. But if you have drugs in your community, and I don’t think there is any community that can say they don’t have any, it is coming from the drug cartels.”¹⁵⁷

¹⁵⁰ Bailee Hill, “San Francisco activist warns city has become ‘epicenter’ of ‘cartel-fueled’ drug crisis as overdoses soar,” *Fox News*, March 21, 2023, <https://www.foxnews.com/media/san-francisco-activist-warns-city-become-epicenter-cartel-fueled-drug-crisis-overdoses-soar>.

¹⁵¹ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Sheriff Bill Waybourn for Biden and Mayorkas’ Open Border: Advancing Cartel Crime in America*, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Written-testimony-SIGNED3.pdf>.

¹⁵² *Ibid.*

¹⁵³ Robert Sherman, “Mexican drug cartels arrive in Big Sky Country,” *NewsNation*, February 7, 2023, <https://www.newsnationnow.com/cuomo-show/mexican-cartels-montana/>.

¹⁵⁴ *Ibid.*

¹⁵⁵ “NewsNation exclusive: Deadly drug cartels in America | CUOMO,” *NewsNation*, February 6, 2023, <https://www.newsnationnow.com/video/newsnation-exclusive-deadly-drug-cartels-in-america-cuomo/8367575/>.

¹⁵⁶ U.S. Department of Justice, U.S. Attorney’s Office, District of Montana, *Investigation dismantles Butte drug trafficking organization with ties to the Sinaloa Cartel*, December 15, 2022, <https://www.justice.gov/usao-mt/pr/investigation-dismantles-butte-drug-trafficking-organization-ties-sinaloa-cartel>.

¹⁵⁷ Beth Warren, “A cartel flooded an Oregon town with drugs. Here’s how authorities nabbed the ringleader,” *Louisville Courier Journal*, March 9, 2023, <https://www.usatoday.com/in-depth/news/nation/2023/03/09/el-menchos-mexican-cartel-cjng-supplied-drugs-to-portland-oregon/11418543002/>.



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Mexican drug cartels arrive in Big Sky Country



In May 2023, the DEA announced dozens of arrests and the seizure of 1.3 million fentanyl pills in Kansas, Missouri, and southern Illinois following a year-long operation, “Operation Last Mile,” which targeted “operatives, associates and distributors affiliated with the Sinaloa and Jalisco cartels — the two drug cartels based in Mexico responsible for the ‘vast majority’ of the fentanyl and methamphetamine that is killing Americans.”¹⁵⁸ Per one report, “The operation showed that the cartels use violent local street gangs and criminal groups and people across the U.S. to flood American communities with ‘huge’ amounts of fentanyl and methamphetamine, which drives addiction and violence and kills Americans.”¹⁵⁹

The operation resulted in the seizure of nearly 193 million lethal doses of fentanyl across the country,¹⁶⁰ with the agency’s efforts also highlighting the cartels’ relationships with gangs and dealers in states far from the border, like Kentucky,¹⁶¹ Nebraska,¹⁶² and Colorado.¹⁶³ According to

¹⁵⁸ Angela Mulka, “Yearlong DEA operation targets cartel associates distributing drugs across US,” *The Alton Telegraph*, May 8, 2023, <https://www.thetelegraph.com/news/article/dea-st-louis-division-operation-long-mile-18085840.php>.

¹⁵⁹ Ibid.

¹⁶⁰ U.S. Department of Justice, Drug Enforcement Administration, *DEA Operation Last Mile Tracks Down Sinaloa and Jalisco Cartel Associates Operating within the United States*, May 8, 2023, <https://www.dea.gov/press-releases/2023/05/08/dea-operation-last-mile-tracks-down-sinaloa-and-jalisco-cartel-5>.

¹⁶¹ Mark Vanderhoff, “DEA targets link between Mexican cartels, Louisville gangs,” *WLKY*, May 8, 2023, <https://www.wlky.com/article/dea-mexican-cartels-louisville-gangs-drugs/43829200>.

¹⁶² “DEA arrests 87 cartel-connected suspects in Nebraska, Iowa and surrounding states,” *KMTV-3*, May 8, 2023, <https://www.3newsnow.com/news/local-news/dea-arrests-87-cartel-connected-suspects-in-nebraska-iowa-and-surrounding-states>.

¹⁶³ Ashley Eberhardt, “Year-long DEA operation seizes almost 900K fentanyl doses,” *Fox 21 News*, May 9, 2023, <https://www.fox21news.com/news/state/year-long-dea-operation-seizes-almost-900k-fentanyl-doses/>.



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another recent report, more than 300 people in the United States have been charged or arrested for criminal activity directly linked to the Mexican cartels since January 2022.¹⁶⁴

The cartels are primarily motivated by profit margins, but law enforcement officials have noted more sinister elements within the cartels' trafficking of record amounts of fentanyl into the United States. According to Waybourn, "TCSO intelligence collection shows that Mexican cartels have weaponized drugs with the intent to harm Texas residents and destabilize our communities. In fact, cartel members have before expressed to our team that 'they will send whatever kills the gringo [Americans, irrespective of race].'"¹⁶⁵

Similarly, when asked by Rep. Josh Brecheen, R-Okla., during a July 2023 hearing if law enforcement had observed a "revenge element" in the cartels' operations, DEA Principal Deputy Administrator George Papadopoulos testified:

"We have evidence in some of the previous cases I mentioned where the cartels knew that there was deadly fentanyl. The amount of fentanyl that they were sending to the U.S. was deadly because they tested it on human beings in Mexico and they still sent it anyway...[We]'ve seen pills with less than a milligram of fentanyl all the way up to eight milligrams of fentanyl. The average dose is 2.4 milligrams, and two milligrams is considered a potentially deadly dose."¹⁶⁶

Mayorkas' new CBP One app scheme also presents an opportunity for the cartels to push more illicit drugs across the Southwest border. One recent press report noted, "Frontline employees being pulled from normal inspection duties are reducing the number of labor hours dedicated to finding hidden narcotics, according to a source within Customs and Border Protection," and that per this source, "One worry is by redirecting personnel from inspections to asylum processing we are missing the deadliest drug we have seen in modern times, fentanyl."¹⁶⁷

The source explained that those entering the country via the new CBP One app "require hours of administrative processing that is converting some frontline CBP Officers into asylum petition clerks."¹⁶⁸

Ultimately, "even here in the heartland of America, cartels are taking lives from our communities," said Michael Davis, special agent in charge of the DEA's St. Louis Division, in May 2023.¹⁶⁹ Unfortunately, even as these vital federal agencies work tirelessly to protect Americans from the scourge of fentanyl and other drugs, the cartels are relentlessly flooding more of these

¹⁶⁴ Steve Joachim and Andrew Dorn, "Interactive map: Tracking cartel arrests across the country," *KTLS News*, February 16, 2023, <https://ktla.com/news/interactive-map-tracking-cartel-arrests-across-the-country/>.

¹⁶⁵ U.S. Congress, House of Representatives, Committee on Homeland Security, *Prepared Testimony of Sheriff Bill Waybourn for Biden and Mayorkas' Open Border: Advancing Cartel Crime in America*, 118th Cong., 1st sess., July 19, 2023, <https://homeland.house.gov/wp-content/uploads/2023/07/Written-testimony-SIGNED3.pdf>.

¹⁶⁶ "Protecting the U.S. Homeland: Fighting the Flow of Fentanyl from the Southwest Border," *Homeland Security Committee Events*, YouTube video, 1:12:38, July 12, 2023, <https://www.youtube.com/live/L0EurNtLz0M?feature=share&t=4358>.

¹⁶⁷ Randy Clark, "Exclusive: Official Says Biden's CBP One Program Benefits Drug Cartels," *Breitbart*, June 18, 2023, <https://www.breitbart.com/border/2023/06/18/exclusive-official-says-bidens-cbp-one-program-benefits-drug-cartels/>.

¹⁶⁸ *Ibid.*

¹⁶⁹ U.S. Department of Justice, Drug Enforcement Administration, *DEA Operation Last Mile Tracks Down Sinaloa and Jalisco Cartel Associates Operating within the United States*, May 8, 2023, <https://www.dea.gov/press-releases/2023/05/08/dea-operation-last-mile-tracks-down-sinaloa-and-jalisco-cartel-5>.



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illicit substances across the Southwest border. Under Mayorkas and Biden's policies, no community is safe from the expanding reach of the cartels and the drugs they are trafficking.

Violence: Cartel and gang violence continues to be a growing problem in the United States. Though it is less prevalent than in Mexico, direct cartel violence is well documented in the United States.

In January 2023, six people, including a six-month-old baby and her teenage mother, were shot dead in a house in the city of Goshen, California. Tulare County Sheriff Mike Boudreaux left no ambiguity about who was responsible, saying, "I think it's specifically connected to the cartel. The level of violence ... this was not your run-of-the-mill low-end gang member."¹⁷⁰ Boudreaux also said of the young mother murdered protecting her child, "I know for a fact this young lady was running for her life. And I know for a fact that there was no reason to kill her—but they did."¹⁷¹ His assessment of the cartel presence in California was sobering: "I can tell you, the cartels are here. We have a very unsecure border right now—there's a lot of back and forth when it comes to the cartels and free movement up and down the state and across the border."¹⁷²

Charles Marino, a former DHS senior law enforcement advisor, recently said, "My expert opinion is that we're going to see an increase in cartel violence within the United States in all of its forms."¹⁷³ Authorities in Texas have also been raising the alarm about cartel violence. In November 2021, Texas law enforcement reported that Mexican cartels were murdering victims and dumping their bodies on the American side of the border, with the Texas Rangers investigating a range of cartel activities linked to the dead bodies.¹⁷⁴ On Oct. 26, 2021, authorities found a woman who had been raped and tortured before she was killed. Texas DPS' Olivarez said that cartels are "professional" and "very methodical" in their murderous actions, and that the cartels come to the United States to kill people and then cross back over the border. He pointed out that these murders send a message to rival cartels.¹⁷⁵

Drugs coming from Mexico and beyond are being sold by the cartels to transnational and American gangs, who effectively function as the cartels' distribution network, and who then engage in their own turf wars on the streets of American cities, leading to even further carnage and devastation. DEA Administrator Anne Milgram has stated, "The Sinaloa and Jalisco Cartels use multi-city distribution networks, violent local street gangs, and individual dealers across the United States to flood American communities with fentanyl and methamphetamine, drive addiction, fuel violence, and kill Americans."¹⁷⁶ The Virginia Department of Criminal Justice

¹⁷⁰ Kanishka Singh, "Six dead in California home shooting, including 6-month-old baby and her mother," *Reuters*, January 17, 2023, <https://www.reuters.com/world/us/six-people-dead-california-home-shooting-including-six-month-old-baby-2023-01-16/>.

¹⁷¹ Lee Brown, "Cartels are here": California sheriff rips border crisis as details emerge on massacre of 6," *New York Post*, January 19, 2023, <https://nypost.com/2023/01/19/california-sheriff-rips-border-crisis-as-details-emerge-on-massacre-of-6/>.

¹⁷² *Ibid.*

¹⁷³ Andrew Dorn, "Are Mexican cartels carrying out more violence on US soil?," *NewsNation*, January 20, 2023, <https://www.newsnationnow.com/crime/are-mexican-cartels-carrying-out-more-violence-on-us-soil/>.

¹⁷⁴ Emily Crane, "Texas authorities claim Mexican cartels murdering people on US soil," *New York Post*, November 12, 2021, <https://nypost.com/2021/11/12/texas-authorities-claim-mexican-cartels-murdering-people-on-us-soil/>.

¹⁷⁵ *Ibid.*

¹⁷⁶ U.S. Department of Justice, Drug Enforcement Administration, *DEA Operation Last Mile Tracks Down Sinaloa and Jalisco Cartel Associates Operating within the United States*, May 8, 2023, <https://www.dea.gov/press-releases/2023/05/08/dea-operation-last-mile-tracks-down-sinaloa-and-jalisco-cartel-5>.



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Services has also reported collaboration between the cartels and street gangs, noting, “Mexican Cartels have continued their strategic relationship with traditional street gangs operating in the United States.”¹⁷⁷ One expert has noted how cartel violence often “will be subcontracted to local street gangs, prison gangs, and local actors,” while others have reported, “[D]rug disputes that ultimately stem from cartel activities may be attributed to domestic street gangs instead.”¹⁷⁸

These gangs are also involved in other avenues of violence, including manufacturing illicit, privately made firearms. In January 2023, for example, following an eight-month investigation, the DOJ charged nine members of the Latin Kings gang in New Jersey with not just conspiracy to distribute substances like fentanyl, but also with “manufacturing untraceable gun parts that could be used to convert weapons for automatic firing.”¹⁷⁹

In addition to the drug-related violence, senior Border Patrol officials have also acknowledged that cartel and gang violence targeting illegal aliens themselves has been happening more frequently inside the United States. During a May 2023 interview with the House Committee on Homeland Security, the Border Patrol’s Heitke said:

“[W]e have seen considerably more bandit activity on our side, as well. ... It’s individuals coming up from Mexico and robbing the migrants as they’re moving through. And it’s a combination of the individual smugglers wanting to make a little extra money. They’ll have—it’s coordinated. So, they’re working together.

“But one of the foot guides, for example, will leave for a little while. They’ll leave the group and say, ‘I’ll be back in a little bit.’ Two more individuals will come up and rob them and leave, and then the smuggler will come back and move them on. It’s just a way of earning extra money and preying on the remote areas with minimal law enforcement on either side of the border. And most of the migrants have everything they own with them, so they’re easy targets.”¹⁸⁰

Human Trafficking: These groups do not simply smuggle illegal aliens across the Southwest border—they are now engaged in transnational human trafficking operations worth billions of dollars.¹⁸¹ Senior DHS officials have noted the cartels’ shift away from simply drug trafficking to the insidious practice of human smuggling and trafficking. Blas Nuñez-Neto, DHS assistant secretary for border and immigration policy, said on July 20, 2023:

“We see migrants now routinely paying smuggling organizations what are vast sums of money for them—often more than \$10,000 to \$15,000—to facilitate their journey to the

¹⁷⁷ State of Virginia, Department of Criminal Justice Services, *Mexican Drug Cartels*, March 2023, <https://www.dcs.virginia.gov/training-events/mexican-drug-cartels>.

¹⁷⁸ Andrew Dorn, “Are Mexican cartels carrying out more violence on US soil?,” *NewsNation*, January 20, 2023, <https://www.newsnationnow.com/crime/are-mexican-cartels-carrying-out-more-violence-on-us-soil/>.

¹⁷⁹ U.S. Department of Justice, United States Attorney’s Office for the District of New Jersey, *Nine Men Charged with Roles in Gang-Led Drug and Gun Trafficking Network*, January 5, 2023, <https://www.justice.gov/usao-nj/pr/nine-men-charged-roles-gang-led-drug-and-gun-trafficking-network>.

¹⁸⁰ Aaron Heitke, Transcribed Interview with the House Committee on Homeland Security, 166, May 9, 2023.

¹⁸¹ Human trafficking and human smuggling are two different crimes. Human trafficking is a crime committed against another person that does not necessarily require transportation or physical movement of that individual. For example, a victim of human trafficking may be coerced into forced labor at a marijuana grow farm. In contrast, human smuggling is a crime committed in violation of a country’s immigration laws and requires the illegal transportation of a person across an international border.



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border. This is so lucrative, in fact, that we are now seeing the drug cartels increasingly becoming a key player in not just collecting taxes for people who transit through their territory, which is what we saw historically, but actually moving people and becoming deeply involved in human smuggling, not just in Mexico, but throughout the region, including, you know, in Colombia and the Darien region.”¹⁸²

In testimony before the House Judiciary Committee in April 2023, CIS’ Vaughan emphasized that the resurgence of the violent gang MS-13 in the Washington, D.C.-metro area “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.”¹⁸³ Other organizations have noted how MS-13 uses this trafficking to fund other aspects of its operations:

“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.”¹⁸⁴

Guerra further described in March 2021 how the cartels use sex trafficking to enhance their profit margins, explaining that for family units looking to illegally enter the United States, “If you can’t afford it, and you have that little 15, 16-year-old child with you, well, guess what? Well, you’re gonna go to Houston. And that little girl is gonna go to work in sex trafficking and that little girl is going to pay off all your debt. That’s happening.”¹⁸⁵

And these groups continue to deploy creative methods in their effort to evade law enforcement. On June 14, 2023, the Border Patrol’s Good tweeted that Border Patrol agents and Texas DPS officers had broken up a human smuggling operation involving three vehicles and 26 aliens. Two of the vehicles being used by the smuggling groups were sprinter vans made to resemble FedEx delivery trucks.¹⁸⁶

Organized Retail Theft: According to a July 2023 press report, the cartels have expanded their operations into mass-retail theft, “targeting big-box stores, luxury retail brands, and small businesses, then selling the stolen goods online and laundering the profits through Chinese brokers.”¹⁸⁷ Per the Washington Examiner, the cartels “that have facilitated the greatest-ever human smuggling operation across the U.S.-Mexico border over the past two years and

¹⁸² “Straining under the Backlog: Fixing a U.S. Immigration Court System in Crisis,” *Migration Policy Institute*, YouTube video, 26:27, July 20, 2023, <https://www.youtube.com/live/sA1fuW96GNo?feature=share&t=1587>.

¹⁸³ U.S. Congress, House of Representatives, Judiciary Committee, Subcommittee on Immigration Integrity, Security and Enforcement, *Prepared Testimony of Jessica M. Vaughan for The Biden Border Crisis: Exploitation of Unaccompanied Alien Children*, 118th Cong., 1st sess., April 26, 2023, 6, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/vaughan-testimony.pdf>.

¹⁸⁴ “The Connection between the Mara Salvatrucha and Human Trafficking,” *Human Trafficking Search*, August 24, 2017, <https://humantraffickingsearch.org/the-connection-between-the-mara-salvatrucha-and-human-trafficking/>.

¹⁸⁵ Gabrielle Fonrouge, “Texas sheriff in charge of US-Mexico border says it’s ‘basically open,’ blames Biden,” *New York Post*, March 18, 2021, <https://nypost.com/2021/03/18/texas-sheriff-at-us-mexico-border-says-its-basically-open/>.

¹⁸⁶ Anthony “Scott” Good [@USBPChiefEPT], “Express Consequence Delivery! #SantaTeresa Station Anti-Smuggling Unit Agents along with @TxDPSWest Intercepted a Smuggling Scheme Involving 26 Smuggled Migrants. Of the 3 Vehicles Involved, 2 Were Cloned FedEx Vans. The Smugglers Will Face Charges! @cbp,” Tweet, *Twitter*, June 14, 2023, <https://twitter.com/USBPChiefEPT/status/1669116247093686272>.

¹⁸⁷ Anna Giaritelli, “Mexican drug cartels are behind the surge in retail thefts,” *The Washington Examiner*, July 24, 2023, <https://www.washingtonexaminer.com/news/business/mexican-drug-cartels-behind-surge-in-retail-thefts>.



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simultaneously caused the fentanyl epidemic in America now have a hand in organized retail crime.”¹⁸⁸

According to HSI, “Organized retail theft results in \$125.7 billion in lost economic activity each year as criminals use e-commerce platforms to resell stolen merchandise.”¹⁸⁹ And now the cartels have extended their operations into this multi-billion-dollar, illicit business. HSI also revealed in a June 2022 press release, “Recent investigations have also identified organized retail crime schemes exploiting undocumented migrants forced to steal goods to pay back ‘coyotes’ who smuggle them across international borders.”¹⁹⁰

RETAIL

Mexican drug cartels are behind the surge in retail thefts

The cartels have expanded their operations into mass-retail theft to increase their profit margins. (Source: Washington Examiner report)

Disorder in Border Towns: In March 2023, four Americans were attacked by members of the Gulf Cartel in the Mexican border state of Tamaulipas, with two of them, Shaheed Woodard and Zindell Brown, fatally wounded in the incident.¹⁹¹ The group had traveled to Tamaulipas from South Carolina in order for one member, LaTavia Washington, to receive a medical procedure. Officials believe the group was fired upon and then abducted because the cartel believed they were part of a rival Haitian smuggling group.¹⁹²

Peter Yachmetz, a former hostage negotiator for the FBI, said following the events in Tamaulipas, “The big takeout is the border is wide open, and drug cartels are operating and controlling the border. Do not go through any of these border crossings. It is a known ‘Do Not Travel’ zone.”¹⁹³ In fact, Tamaulipas’ official “Do Not Travel” designation from the State Department puts it on par with nations like Afghanistan and Syria.¹⁹⁴

The incident underscored just how unstable the cartels have made the region, on both sides of the border. That same month, shocking video emerged of hundreds of illegal aliens rushing across the

¹⁸⁸ Ibid.

¹⁸⁹ U.S. Department of Homeland Security, U.S. Customs and Immigration Enforcement, Newsroom, *HSI New Orleans launches multistate Organized Retail Crime Alliance*, July 19, 2023, <https://www.ice.gov/news/releases/hsi-new-orleans-launches-multistate-organized-retail-crime-alliance>.

¹⁹⁰ U.S. Department of Homeland Security, U.S. Customs and Immigration Enforcement, Newsroom, *HSI, ACAMS take aim at organized retail crime*, June 1, 2022, <https://www.ice.gov/news/releases/hsi-acams-take-aim-organized-retail-crime>.

¹⁹¹ Noe Torres, Sarah Morland and Dave Graham, “Five men arrested in Mexico over killings of Americans,” *Reuters*, March 10, 2023, <https://www.reuters.com/world/americas/five-people-mexico-held-over-killings-americans-state-prosecutor-2023-03-10/>.

¹⁹² Josh Campbell et al., “Cartel suspected of American kidnappings issues apology letter,” *CNN*, March 10, 2023, <https://www.cnn.com/2023/03/09/us/mexico-matamoros-americans-kidnapped-thursday/index.html>.

¹⁹³ Antonio Planas, “Mexico kidnapping was ‘difficult to prevent’ despite known dangers in border regions,” *NBC News*, March 7, 2023, <https://www.nbcnews.com/news/us-news/mexico-kidnapping-danger-border-region-rcna73888>.

¹⁹⁴ U.S. Department of State, Bureau of Consular Affairs, *Travel Advisories*, accessed on July 19, 2023, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html>.



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Paso Del Norte International Bridge connecting El Paso with Ciudad Juarez, Mexico, “posing a potential threat to make a mass entry” into the United States, according to CBP.¹⁹⁵

Texas DPS’ Olivarez later said that this was the result of cartel efforts to distract and undermine law enforcement: “As it is, Border Patrol is overwhelmed, they’re tied up in processing. So, they want to expose more vulnerable gaps along the border, so they can bring across criminals, fugitives or drugs, whatever the case may be.”¹⁹⁶



[WATCH: Hundreds of People Storm Bridge Leading to El Paso](#)

In August 2022, four Mexican border cities—Tijuana, Mexicali, Rosarito and Ensenada—erupted in violence when gang members targeted civilians and demolished stores and cars to send a message to authorities cracking down on the gangs.¹⁹⁷ Tijuana is a prime corridor for drug-trafficking, with various groups, including CJNG and Sinaloa, battling for control of the city.¹⁹⁸ Around the same time, 600 Mexican troops were sent to Juarez to combat cartel activity, shutting down many schools in the area.¹⁹⁹

¹⁹⁵ “Agents stop crowd at Texas border crossing amid asylum woes,” *The Associated Press*, March 13, 2023, <https://apnews.com/article/migrants-bridge-el-paso-mexico-customs-d414138040bb78229d3cfb6fe1793b05>.

¹⁹⁶ Elizabeth Heckman, “Mexican cartels’ social media misinformation blamed for rush of migrants to Texas border bridge,” *Fox News*, March 14, 2023, <https://www.foxnews.com/media/mexican-cartels-social-media-misinformation-blamed-rush-migrants-texas-border-bridge>. Full quote in the second embedded video in the article.

¹⁹⁷ “Mexico: Gang violence erupts in US border cities,” *Deutsche Welle*, August 13, 2022, <https://www.dw.com/en/mexico-gang-violence-erupts-in-us-border-cities/a-62800685>.

¹⁹⁸ *Ibid.*

¹⁹⁹ *Ibid.*



SECTION 2: THE CARTEL-CRIME NEXUS AT THE BORDER AND IN THE UNITED STATES

CONFLICTS | MEXICO

Mexico: Gang violence erupts in US border cities

08/13/2022

The US consulate in Tijuana told employees to "shelter in place" amid deadly violence which reportedly included gang members shooting at bystanders and starting fires.

11 people were killed in a wave of violence instigated by gangs in cities along the Southwest border in August 2022. (Source: Deutsche Welle)

In the Mexican state of Chihuahua, meanwhile, the murder rate is surging due to “cartel infighting for control of migrant smuggling.”²⁰⁰ Per Chihuahua Attorney General Cesar Jauregui, “It is clear to us what is going on. Criminal groups are having disputes and there is an increase in homicides related to people-trafficking. They are disputing control (of territory) and that has led to people being murdered for being involved in people-trafficking.”²⁰¹ Most of these murders are taking place in Juarez, just across the border from El Paso.²⁰²

The city of Laredo, Texas, was put on edge in March 2022, after the Mexican border city of Nuevo Laredo was rocked by violence following the arrest of a cartel leader.²⁰³ Two international bridges into Mexico were closed as a precaution, and law enforcement was put on alert, in another example of how cartel and gang violence impacts Americans even when it occurs on the other side of the border.²⁰⁴

The Connection Between the Cartels, Gangs, and Open Borders

“MS-13, other gang members exploit migrant wave to cross into U.S.,” reads one headline from May 2021.²⁰⁵ Unfortunately, this reporting is altogether accurate. It is not just the cartels who have taken advantage of Mayorkas’ open-borders policies—so have the transnational gangs seeking to expand their operations and influence. These gangs are responsible for human trafficking, drug smuggling, and criminal violence.

²⁰⁰ Julian Resendiz, “Murders up as cartels fight for control of migrant smuggling in Chihuahua,” *Border Report*, April 12, 2023, <https://www.borderreport.com/immigration/border-crime/murders-up-as-cartels-fight-for-control-of-migrant-smuggling-in-chihuahua/>.

²⁰¹ Ibid.

²⁰² Ibid.

²⁰³ Sandra Sanchez, “Nuevo Laredo violence shakes sister city of Laredo, Texas, after cartel leader ‘The Egg’ arrested,” *Border Report*, March 17, 2022, <https://www.borderreport.com/immigration/border-crime/nuevo-laredo-violence-shakes-sister-city-of-laredo-texas-after-cartel-leader-the-egg-arrested/>.

²⁰⁴ Ibid.

²⁰⁵ Isabel Vincent, “MS-13, other gang members exploit migrant wave to cross into US,” *New York Post*, May 1, 2021, <https://nypost.com/2021/05/01/ms-13-other-gang-members-exploit-migrant-wave-to-cross-into-us/>.



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On April 30, 2021, the Border Patrol's Hudak tweeted that gang members "attempt to evade arrest by exploiting the influx of migrants attempting to enter our country."²⁰⁶ CBP statistics show that the main gangs Border Patrol encounters include MS-13, Paisas, 18th Street, Surenos (Sur-13), and the Latin Kings.²⁰⁷

These gangs work closely with the cartels. Texas DPS Director Steve McGraw said earlier this year that the gangs "work to support cartel operations on both sides of the border. They certainly do it, they operate in Mexico and they operate on this side too in terms of stash houses where there's drugs and people. They extort people on the south of the border and extort them when they get to this side of the border."²⁰⁸ Per ICE, "Transnational criminal gangs account for a large percentage of narcotics trafficking in communities throughout the United States."²⁰⁹

According to Texas DPS veteran Jones in his July 2023 testimony before the House Committee on Homeland Security:

The cartels "contract directly with U.S.-based street gangs and what we call Tier-1 gangs. Those are gangs which impact multiple regions in our country. They work directly with the cartels, and today it is very important to understand, your U.S.-based street gangs are working side by side contracting with the cartels. ... So, when you wonder today why you are being overrun with drugs, it is because the Tier-1 gangs and U.S.-based street gangs are contracting and working directly with these cartels..."²¹⁰

Per one report, "Cartels have been doubling down on their efforts, including recruiting American street gangs to act as distribution centers in major urban areas...Cartel recruitment efforts are ramping up in the U.S. as they wrangle members of notoriously violent American gangs like the Bloods, the Crips and the Aryan Brotherhood to work both sides of the border."²¹¹

Texas DPS estimates there are more than 100,000 gang members in the Lone Star State, many of whom are connected to Mexican cartels.²¹² In California, the Mexican Mafia maintains documented ties to cartels.²¹³ The Sinaloa and Gulf cartels are operating in cities like Chicago, providing drugs that are then sold and distributed by the violent street gangs in those locales.²¹⁴

²⁰⁶ Laredo Sector Border Patrol [@USBPChiefLRT], "5 Gang Members in 7 Days! #Laredo Sector #USBP Agents Arrested a Total of 5 Gang Members in the Last Week, Including an #ms13 & Two 18th Street Gang Members. They Attempt to Evade Arrest by Exploiting the Influx of Migrants Attempting to Enter Our Country. #bordersecurity," Tweet, *Twitter*, April 30, 2021, <https://twitter.com/USBPChiefLRT/status/1388123097568403468>.

²⁰⁷ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics Fiscal Year 2023*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

²⁰⁸ Cecilia Treviño, "DPS Director Says Mexican Cartels Recruit U.S. Gangs," *KGNS TV*, March 19, 2023, <https://www.kgens.tv/2023/03/19/dps-director-says-mexican-cartels-recruit-us-gangs/>.

²⁰⁹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Combating Gangs*, August 4, 2022, <https://www.ice.gov/features/gangs>.

²¹⁰ "Biden and Mayorkas' Open Border: Advancing Cartel Crime in America," *Homeland Security Committee Events*, YouTube video, 59:42, July 19, 2023, <https://www.youtube.com/live/kva0HOblTUg?feature=share&t=3582>.

²¹¹ Ali Bradley, "Cartels Recruit American Gangs in Smuggling Efforts," *NewsNation*, March 21, 2023, <https://www.newsnationnow.com/us-news/immigration/border-coverage/cartels-recruit-american-gangs/>.

²¹² *Ibid.*

²¹³ *Ibid.*

²¹⁴ *Ibid.*



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However, despite the carnage being inflicted by these groups, the number of illegal alien gang members being removed from the United States has decreased under Mayorkas' leadership. In FY19, ICE removed 5,497 known or suspected gang members, compared to just 2,667 in FY22.²¹⁵

MS-13—The World's Most Violent Gang Thrives on Mayorkas' Watch

MS-13 is perhaps the most notorious of the transnational gangs operating in the United States, and has been designated a transnational criminal organization by the U.S. government.²¹⁶ The gang's motto of "mata, viola, controla" ("kill, rape, control") accurately describes the group's activity within the United States.

MS-13 "has a reputation for particularly violent criminal activity."²¹⁷ Its members regularly commit crimes like "extortion, drug distribution, prostitution, robbery, and murder, as well as in more transnational illicit activity such as drug trafficking and human smuggling and trafficking. While some of the illegal activities help support the gang's criminal finances, others facilitate the maintenance of territory as well as gang brand and unity."²¹⁸ The gang also plagues Central American communities in the United States by extorting businesses, providing drugs to addicts, recruiting members of the community into its ranks, and inciting violence.²¹⁹

For example, in February 2023, 15-year-old Limber Lopez Funez from Frederick, Maryland, went missing.²²⁰ Two months later, his body was discovered in a Maryland state park. In May, five illegal aliens under the age of 30 were arrested and charged with Lopez Funez's murder. All five suspects were found to be MS-13 gang members.²²¹

Additionally, many MS-13 members present in the United States are here illegally, with the gang historically taking advantage of "weaknesses in border enforcement policies."²²² In October 2020, the DOJ under the Trump administration released a report highlighting its efforts to combat TCOs, including MS-13. In the report, the DOJ noted 74 percent of 749 MS-13 members prosecuted by the department since 2016 were "unlawfully present" in the United States, with another 15 percent unable to have their immigration status verified.²²³

²¹⁵ See U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report*, 22, <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>; and U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *ICE Annual Report Fiscal Year 2022*, December 30, 2022, 24, <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf>.

²¹⁶ U.S. Department of the Treasury, *Treasury Sanctions Latin American Criminal Organization*, October 11, 2012, <https://home.treasury.gov/news/press-releases/tg1733>.

²¹⁷ U.S. Library of Congress, Congressional Research Service, *MS-13 in the United States and Federal Law Enforcement Efforts*, by Kristin Finklea, R45292, August 20, 2018, 6, <https://sgp.fas.org/crs/homsec/R45292.pdf>.

²¹⁸ *Ibid.*

²¹⁹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Combating Gangs*, August 4, 2022, <https://www.ice.gov/features/gangs>.

²²⁰ "15-year-old from Frederick missing for days," *FOX 5 DC*, March 2, 2023, <https://www.fox5dc.com/news/15-year-old-from-frederick-missing-for-days>.

²²¹ "5 Immigrants Charged in Murder of Missing 15-Year-Old Frederick Boy," *FOX 5 DC*, May 31, 2023, <https://www.fox5dc.com/news/5-immigrants-charged-in-murder-of-missing-15-year-old-frederick-boy>.

²²² U.S. Department of Justice, Office of Public Affairs, *Department of Justice Releases Report on its Efforts to Disrupt, Dismantle, and Destroy MS-13*, October 21, 2020, <https://www.justice.gov/opa/pr/department-justice-releases-report-its-efforts-disrupt-dismantle-and-destroy-ms-13>.

²²³ *Ibid.*



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The gang continues to try to exploit the porous Southwest border. In FY22, agents arrested more than 300 MS-13 members attempting to sneak into the United States.²²⁴ Through July 2023, the Border Patrol had apprehended another 156 members of the gang.²²⁵ On Aug. 16, 2023, Border Patrol Chief Jason Owens tweeted that Border Patrol agents in both Laredo and Miami had recently arrested “violent gang members,” with one MS-13 member assaulting and injuring two agents in the Miami incident.²²⁶ In May 2023, ICE officials in New York conducted operations over a three-day period targeting “over a dozen individuals who have reentered the United States unlawfully—some of whom are connected to the MS-13 gang,” and per one press report, “Officials told NewsNation that many of the people they’re arresting this week gain entry through the southern border.”²²⁷

Officials do not know how many MS-13 members have entered the United States un-apprehended or undetected since Mayorkas took office. However, given the skyrocketing number of gotaways and the tendency of bad actors like violent criminals and gang members to pay more to enter the country without being caught, it is potentially a number that should cause great concern.²²⁸

Recent events demonstrate why Americans should be concerned about MS-13 members among the historic number of gotaways. In August 2023, ICE arrested MS-13 gang member Juan Carlos Portillo in Alabama.²²⁹ At the time of his apprehension, Portillo was on El Salvador’s “100 Most



²²⁴ Anna Giaritelli, “More than 300 MS-13 Gang Members Arrested at Southern Border in Fiscal Year ‘22,” *The Washington Examiner*, October 24, 2022, <https://www.washingtonexaminer.com/news/crime/more-than-300-ms-13-members-arrested-fy-22>.

²²⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics Fiscal Year 2023*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.

²²⁶ Chief Jason Owens [@USBPChief], “8/14: USBP agents in Laredo & Miami arrested violent gang members. During the arrest in Miami, an MS-13 gang member assaulted & injured two of our agents. That subject is now in custody & facing prosecution for Reentry & for Assault on a Federal Officer, both felonies.” Tweet, *Twitter*, August 16, 2023, <https://twitter.com/USBPChief/status/1691797407753781421>.

²²⁷ Dray Clark and Ava Pittman, “New York ICE operation targets wanted illegal migrants,” *NewsNation*, May 5, 2023, <https://www.newsnationnow.com/crime/new-york-ice-operation-dozen-individuals-ms-13/>.

²²⁸ Bethany Blankley, “Arrests of noncitizens with criminal convictions at border at record highs,” *The Center Square*, August 3, 2023, <https://www.washingtonexaminer.com/news/arrests-of-noncitizens-with-criminal-convictions-at-border-at-record-highs>. Former CBP Acting Commissioner Morgan quoted: “It’s common sense. There have been more than 1.7 million total gotaways in the past 29 months. The number of [murderers], rapists, pedophiles, aggravated felons, and gang members among the gotaways who now call the U.S. home is staggering and should terrify us all.” Multiple Border Patrol chief patrol agents also told the Committee in transcribed interviews that they were concerned about threats to public safety entering through the Southwest border as gotaways.

²²⁹ U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, Newsroom, *ERO New Orleans arrests gang member on El Salvador’s 100 Most Wanted list*, August 14, 2023, <https://www.ice.gov/news/releases/ero-new-orleans-arrests-gang-member-el-salvadors-100-most-wanted-list>.



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Wanted” list for a variety of heinous crimes, including aggravated kidnapping, attempted aggravated homicide, and aggravated homicide.²³⁰ He had previously been apprehended and subsequently removed from the United States after crossing illegally near Hidalgo, Texas, in December 2022, but later reentered the country on an unknown date in an unknown location—in other words, as a getaway.²³¹

AUGUST 14, 2023 • BIRMINGHAM, AL • ENFORCEMENT AND REMOVAL

ERO New Orleans arrests gang member on El Salvador’s 100 Most Wanted list

The historic influx of UACs is another area in which Mayorkas’ policies have uniquely benefitted the gang, and almost certainly served to swell its ranks. Between May 2017 and March 2018, for example, ICE conducted an ongoing enforcement effort called “Operation Matador.”²³² During the course of the operation, ICE arrested 475 gang members and affiliates, including 274 members of MS-13—99 of those 274 had entered the country as UACs.²³³

During a law enforcement roundtable hosted at the White House in 2018, Angel Melendez, HSI special agent in charge for New York, said that ICE routinely finds that 30 percent of MS-13 members they arrest came into the country as UACs.²³⁴ Melendez also provided analysis that demonstrates the UAC pipeline MS-13 can exploit today at far greater scale.

He pointed out that in FY17, 40,810 UACs were referred by DHS to the Department of Health and Human Services’ (HHS) Office of Refugee Resettlement (ORR) to be resettled in the United States with sponsors, and that of this population, 21,881 were from Northern Triangle countries, male, and the right age for gang recruitment (13-17).²³⁵ Melendez also briefed that MS-13 was “looking at these 21,000 unaccompanied alien children that came into the states as potential recruits to continue to fill in their ranks.”²³⁶

By comparison, in FY21 and FY22, DHS referred approximately 250,000 UACs to HHS for placement, and in FY22, 72 percent of all UACs referred were over 14 years old, and 64 percent were male.²³⁷ Simple math makes clear that Mayorkas and the Biden administration’s policies have almost certainly brought a flood of new potential recruits right to MS-13’s doorstep.

²³⁰ Ibid.

²³¹ Ibid.

²³² U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, *Joint Operation nets 24 transnational gang members, 475 total arrests under Operation Matador*, March 29, 2018, <https://www.ice.gov/news/releases/joint-operation-nets-24-transnational-gang-members-475-total-arrests-under-operation>.

²³³ Ibid.

²³⁴ “WATCH: President Trump holds law enforcement roundtable on MS-13 at the White House,” *PBS NewsHour*, YouTube video, 18:54, February 6, 2018, <https://www.youtube.com/watch?v=IVYeA9ognyU&t=1134s>.

²³⁵ See “WATCH: President Trump holds law enforcement roundtable on MS-13 at the White House,” *PBS NewsHour*, YouTube video, 17:52, February 6, 2018, <https://youtu.be/IVYeA9ognyU?t=1072>; and U.S. Department of Health & Human Services, Administration for Children & Families, Press Office, *Fact Sheet: Unaccompanied Children (UC) Program*, July 5, 2023, <https://www.hhs.gov/sites/default/files/uac-program-fact-sheet.pdf>.

²³⁶ “WATCH: President Trump holds law enforcement roundtable on MS-13 at the White House,” *PBS NewsHour*, YouTube video, 18:14, February 6, 2018, <https://www.youtube.com/watch?v=IVYeA9ognyU&t=1093s>.

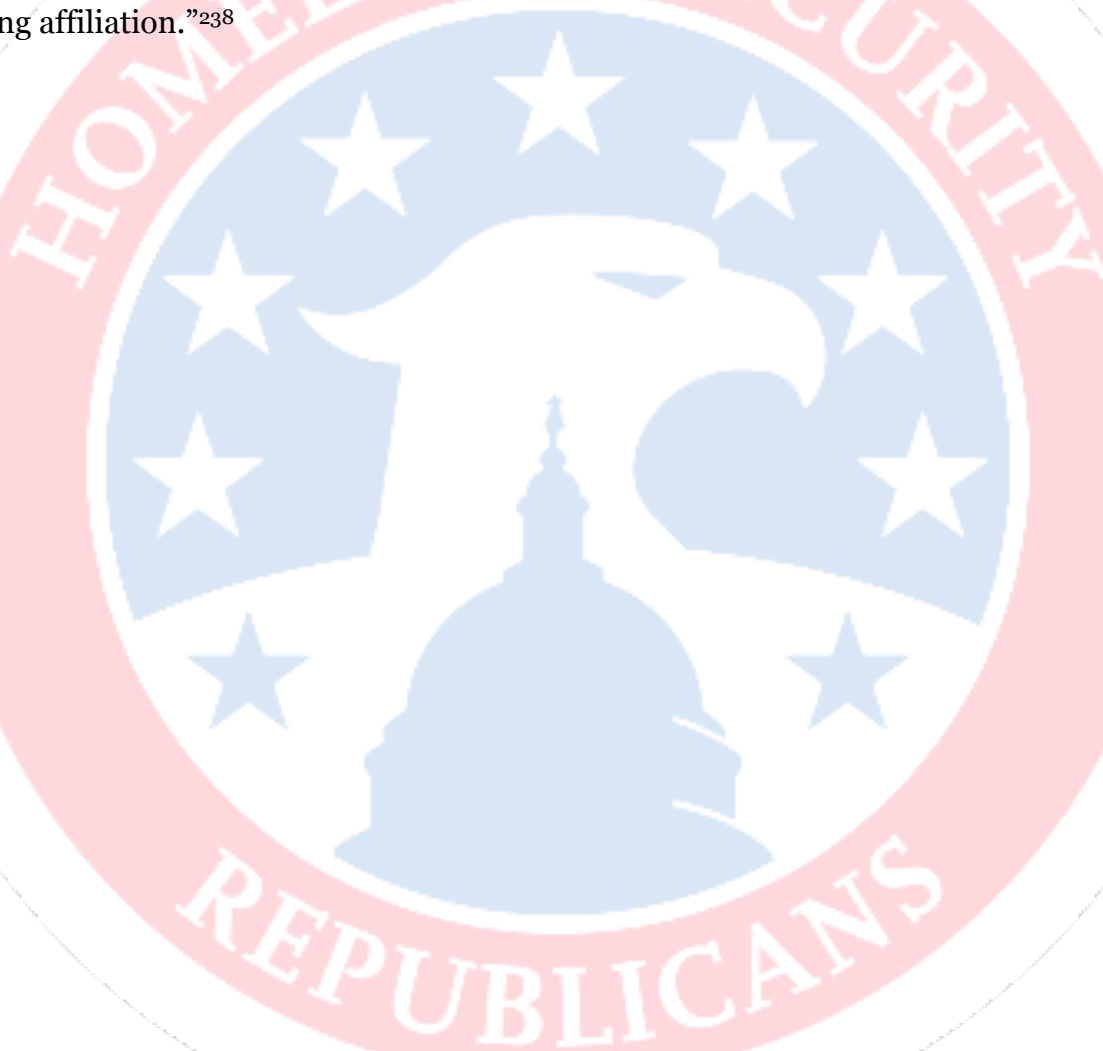
²³⁷ U.S. Department of Health & Human Services, Administration for Children & Families, Press Office, *Fact Sheet: Unaccompanied Children (UC) Program*, July 5, 2023, <https://www.hhs.gov/sites/default/files/uac-program-fact-sheet.pdf>.



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A recent grand jury investigation in Florida into the Biden administration’s irresponsible handling of the flood of UACs across the border found that a growing number of gang members are being brought into the United States under the guise of being UACs:

“According to the testimony of the Border Patrol’s acting chief, even as far back as 2017 it was known that at least 59 UAC had been identified as members of the MS-13 gang. That number has increased significantly; we received testimony that other gangs likewise send members and even have UAC members graduate to adulthood and apply to sponsor other UAC members. Entire separate facilities were required at some ORR shelters to house those UAC who were flashing gang signs, engaging in fights, and making threats due to gang affiliation.”²³⁸



²³⁸ State of Florida Supreme Court, Twenty-First Statewide Grand Jury Regarding Unaccompanied Alien Children, *Third Presentment*, No. SC22-796, March 29, 2023, 15, <https://www.documentcloud.org/documents/23734272-3rd-presentment-of-21st-swgi>.



SECTION 3: THE SURGE OF NATIONAL SECURITY THREATS ACROSS THE BORDER

Section 3: The Surge of National Security Threats Across the Border

The Biden-Mayorkas border crisis represents an unmitigated national security threat. It is well documented that cartels, human smugglers, and violent gangs have taken full advantage of Mayorkas and Biden’s open-borders policies in pursuit of their malicious ambitions—but they are not the only ones.

Individuals from more than 160 countries have been encountered by Border Patrol agents since January 2021,²³⁹ including individuals from countries that sponsor terrorism or are major U.S. adversaries. According to DHS’ Nuñez-Neto, an “enormous proportion” of the individuals CBP now encounters are not from Mexico or the Northern Triangle at all, in stark contrast to the majority of encounters in previous years.²⁴⁰ John Modlin, Tucson Sector’s chief patrol agent, told Committee staff in July 2023, “This flow of nontraditional migrants was what [the Yuma Sector] was dealing with a year ago—a lot of Chinese, a lot of...nontraditional migrants. Not Mexico, not Northern Triangle, just the rest of the world, basically. Now we are seeing that [in Tucson Sector]. It’s not uncommon for one of these large groups to be made up of 12 to 15 different nationalities.”²⁴¹

Individuals on the Terror Watchlist Coming Across in Record Numbers

Perhaps most troubling is that an increasing number of those coming across the Southwest border represent potential national security threats. Since FY21, the Border Patrol has recorded a historic number of apprehensions of individuals who appear on the Terrorist Screening Data Set (TSDS) since the start of FY21. The TSDS, also known as the “terror watchlist,” is the “U.S. government’s database that contains sensitive information on terrorist identities.”²⁴² The TSDS originally provided information on known or suspected terrorists, but now includes information about individuals who represent a potential threat to the United States.

²³⁹ Robert Sherman, “Migrants From More Than 160 Countries Encountered At Border,” *NewsNation*, October 6, 2022, <https://www.newsnationnow.com/us-news/immigration/migrants-from-more-than-160-countries-encountered-at-border/>.

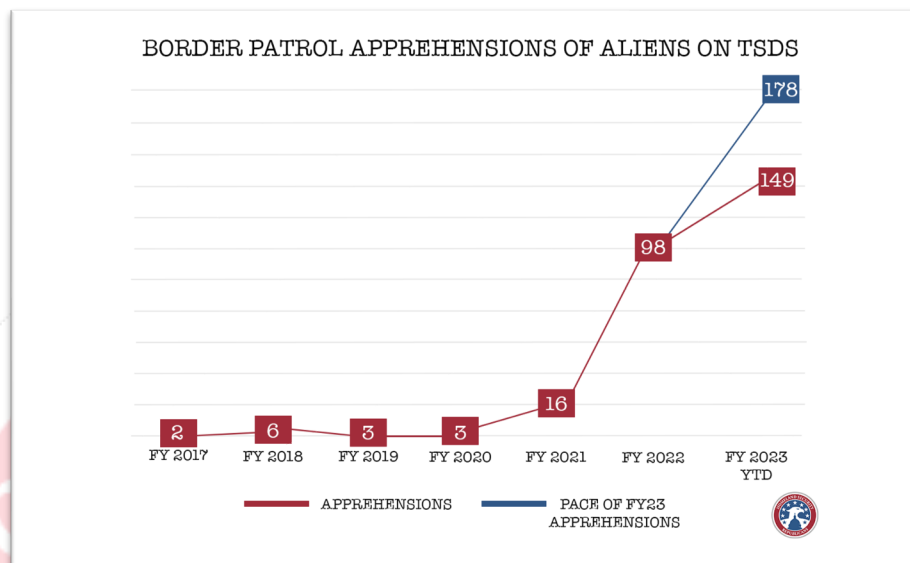
²⁴⁰ “Straining under the Backlog: Fixing a U.S. Immigration Court System in Crisis,” *Migration Policy Institute*, YouTube video, 56:04, July 20, 2023, <https://www.youtube.com/live/sA1fuW96GNo?feature=share&t=3364>.

²⁴¹ John Modlin, Transcribed Interview with the House Committee on Homeland Security, 133, July 26, 2023.

²⁴² U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *CBP Enforcement Statistics Fiscal Year 2023*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.



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(Source: CBP TSDS Encounters data)

From FY17–FY20, between ports of entry along the Southwest and northern borders, the Border Patrol apprehended just 14 individuals whose names were on the TSDS, with most of them attempting to enter through the Southwest border.²⁴³ In comparison, 263 individuals whose names appear on the TSDS have been apprehended since FY21—259 of them along the Southwest border.²⁴⁴ More than half of these individuals (146) have been apprehended at the Southwest border this fiscal year alone, far surpassing the previous record of 98 set in FY22.²⁴⁵

Shortly after the Title 42 public health order expired, CBP reported multiple apprehensions of individuals on the TSDS, including an Afghan national apprehended near San Diego,²⁴⁶ a Pakistani national near Ajo Station, Arizona,²⁴⁷ and five more individuals caught in the Tucson Sector.²⁴⁸

This historic number of TSDS apprehensions represent just the individuals Border Patrol agents have been able to catch. It is unknown how many additional national security threats have been among the approximately 1.5 million known gotaways that have evaded Border Patrol altogether. Richard Wiles, sheriff of El Paso County, has said the open border “is ripe for terrorists and criminals to simply walk across our border and do harm to our citizens.”²⁴⁹ When asked if he was concerned about the public safety implications of the gotaways in his sector, Sean McGoffin, chief

²⁴³ Ibid.

²⁴⁴ Ibid.

²⁴⁵ Ibid.

²⁴⁶ Danielle Dawson, “Afghan on terror watch list reportedly arrested near San Diego border,” *Fox 5 San Diego*, May 15, 2023, <https://fox5sandiego.com/news/end-of-title-42/afghan-on-terror-watch-list-reportedly-arrested-near-san-diego-border/>.

²⁴⁷ Anna Giaritelli, “Pakistani illegal immigrant on FBI terror list arrested at border day after Title 42 ended,” *The Washington Examiner*, May 15, 2023, <https://www.washingtonexaminer.com/policy/defense-national-security/pakistani-illegal-immigrant-fbi-terror-list-arrested-border>.

²⁴⁸ Randy Clark and Bob Price, “EXCLUSIVE: Five Migrants on Terror Watch List Arrested near AZ Border Post-Title 42,” *Breitbart News*, May 14, 2023, <https://www.breitbart.com/border/2023/05/14/exclusive-five-migrants-on-terror-watch-list-arrested-near-az-border-post-title-42/>.

²⁴⁹ Jamel Valencia, “El Paso County Sheriff sounds alarm over Border Patrol overwhelmed due to migrants,” *CBS 4 El Paso*, September 15, 2022, <https://cbs4local.com/richard-wiles>.



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patrol agent for the Big Bend Sector, told the House Committee on Homeland Security in April 2023, “Absolutely. I don’t think anybody in law enforcement wouldn’t be.”²⁵⁰

The Border Patrol’s Owens told Committee staff during a May 2023 interview that he was “absolutely” concerned that the high flow of illegal aliens through the Del Rio Sector was impeding his agents’ ability to reduce the number of gotaways:

“[I]f my men and women are stuck in a humanitarian effort of processing these folks, they cannot be in two places at once. They cannot be out on patrol. And where I need them out on patrol is to not only account for those gotaways but to reduce them, where possible. Everything revolves, as I said before, around having those men and women on the ground doing the job. ... I need them out doing the job that they were hired to do. And where they’re doing something else, they cannot be there.”²⁵¹

“Anytime somebody chooses to evade capture, as I said before, you have to ask yourself why, and is that individual a cause of greater concern? What do they have to hide that they’re willing to go through such lengths to try and evade capture? Those are the ones that—especially if they are among the gotaways—that keep us up at night,” he later added.²⁵²

Finally, as former ICE Acting Director Tom Homan has pointed out, it is reasonable to assume that potential national security threats are among the gotaways entering the country, because they do not want to be apprehended by the Border Patrol. He told Fox News in March 2023:

“After 9/11, we created all these databases so if you want to come to the United States, get a plane ticket or a visa, you gotta go through all this vetting through various databases. Why would any terrorist put themselves in a position to be vetted through these databases when you can simply get to Mexico, cross the Southwest border like 1.3 million others did, and not get arrested?”²⁵³

Some individuals have already tried to take advantage of the open border to commit acts of terrorism, including Shihab Ahmed Shihab Shihab. Shihab came to the United States on a non-immigrant visa, but was charged with planning to smuggle terrorists into the country through the open Southwest border in an attempt to assassinate former President George W. Bush.²⁵⁴

Individuals on the TSDS have also been released into the United States after being apprehended. In April 2022, a Colombian man named Isnardo Garcia-Amado was released into the interior with a GPS monitoring device via the Alternatives to Detention (ATD) program.²⁵⁵ Three days

²⁵⁰ Sean McGoffin, Transcribed Interview with the House Committee on Homeland Security, 39, April 25, 2023.

²⁵¹ Jason Owens, Transcribed Interview with the House Committee on Homeland Security, 56, May 5, 2023.

²⁵² *Ibid.*, 128.

²⁵³ “Tom Homan: The southern border ‘scares the hell out of me,’” *Fox News*, Fox News video, 01:35, March 20, 2023, <https://www.foxnews.com/video/6322980718112>.

²⁵⁴ U.S. Department of Justice, U.S. Attorney’s Office for the Southern District of Ohio, *Ohio man charged with aiding and abetting plot to murder former President*, May 24, 2022, <https://www.justice.gov/usao-sdoh/pr/ohio-man-charged-aiding-and-abetting-plot-murder-former-president>.

²⁵⁵ Adam Sabes and Bill Melugin, “Border Patrol released suspected terrorist who crossed into U.S. illegally, ICE took weeks to rearrest him,” *Fox News*, May 23, 2022, <https://www.foxnews.com/us/border-patrol-released-suspected-terrorist-ice-rearrest-weeks>.



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after his release, the FBI flagged his name as a hit on the terror watchlist, but ICE did not rearrest him until almost two weeks later. He had traveled from Arizona to Florida in that time.²⁵⁶

In June 2023, the DHS Office of the Inspector General (OIG) released a shocking report showing that in April 2022, CBP officials had released an illegal alien who was ultimately found to have been on the terror watchlist.²⁵⁷ On April 17, 2022, the alien was apprehended with family members in Yuma, Arizona. He was initially determined to be an “inconclusive Terrorist Watchlist match” based on data provided by CBP to the FBI, and subsequently released April 19. Two days later, when the alien and his family attempted to fly from California to Tampa, Florida, the FBI received more information from TSA showing the alien was actually on the terror watchlist. Two weeks later, ICE arrested the alien.²⁵⁸

According to the OIG, “CBP apprehended and subsequently released a migrant without providing information requested by the [Terrorist Screening Center] that would have confirmed they were a positive match with the Terrorist Watchlist.”²⁵⁹ This potential terrorist was released before proper vetting was completed because, according to Border Patrol agents at the Yuma centralized processing center, “the Yuma CPC was over capacity following an increase in apprehensions, which created pressure to quickly process migrants and decreased the time available to review each file.”²⁶⁰

It is deeply troubling that individuals on the terror watchlist are being released before they have been fully vetted simply because CBP officials feel pressured to release them. Ultimately, it is Mayorkas’ policies that are to blame, as record numbers of illegal aliens continue to flow across the Southwest border in response to his mass “catch-and-release” policies.

Additionally, one recent report makes clear that those connected to terror groups have been able to take advantage of a Southwest border increasingly left vulnerable by Mayorkas’ policies. On Aug. 29, 2023, CNN reported that a large group of Uzbek nationals were smuggled across the Southwest border earlier in 2023 by a smuggling network that contained at least one individual “with ties to ISIS.”²⁶¹ At the time of CNN’s report, federal law enforcement had not yet located all these individuals who had illegally crossed into the United States, and more than 15 of those who had been apprehended were “still under scrutiny by the FBI as possible criminal threats.”²⁶²

²⁵⁶ Ibid.

²⁵⁷ U.S. Department of Homeland Security, Office of the Inspector General, *CBP Released a Migrant on a Terrorist Watchlist, and ICE Faced Information Sharing Challenges Planning and Conducting the Arrest (REDACTED)*, OIG-23-31, June 28, 2023, 3, <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>.

²⁵⁸ Ibid.

²⁵⁹ Ibid., p. 9.

²⁶⁰ Ibid., p. 12.

²⁶¹ Katie Bo Lillis, et. al., “Exclusive: Smuggler with ties to ISIS helped migrants enter US from Mexico, raising alarm bells across government,” *CNN*, August 29, 2023, <https://www.cnn.com/2023/08/29/politics/migrants-us-southern-border-smuggler-isis-ties/index.html>.

²⁶² Ibid.



SECTION 3: THE SURGE OF NATIONAL SECURITY THREATS ACROSS THE BORDER

Perhaps these examples demonstrate why the Laredo Sector's Martinez, in the context of national security, told the House Committee on Homeland Security, "every apprehension worries me," because agents "never know...who we'll run into. One minute we're dealing with a child and the next we're dealing with an adult. We don't know what their intentions

are."²⁶³ Mayorkas has lost control of the border, and created an environment in which nefarious individuals with the intention of doing Americans harm can enter the country at will.

Potential National Security Threats Arriving from Other Nations

It is not just potential terrorists that are flooding across the border, however. Waves of individuals from adversarial countries like China and Russia continue to flow across, as well. Then-Border Patrol Chief Ortiz tweeted on June 9, 2023, that from FY22 to FY23, Border Patrol agents had recorded surges of illegal aliens from China and Afghanistan in excess of 1,000 percent.²⁶⁴

The number of Chinese and Russian nationals crossing illegally has skyrocketed in the last two years. This fiscal year alone, the Border Patrol has recorded 17,678 apprehensions of Chinese nationals just at the Southwest border.²⁶⁵ In all of FY20, that number was 1,236, just 323 in FY21, and 1,970 in FY22.²⁶⁶ In the same timeframe, the Border Patrol has also apprehended more than 7,000 Russians illegally crossing the Southwest border, compared to 24 in FY20, 509 in FY21, and 5,197 in FY22.²⁶⁷

The surge in apprehensions of Chinese nationals at the Southwest border has placed a substantial strain on CBP officials. The Border Patrol's Chavez said in March 2023 that apprehensions of Chinese nationals in FY23 in the Rio Grande Valley Sector had increased more than 900 percent compared to FY22.²⁶⁸ She tweeted that the surge was "creating a strain on our workforce due to the complexities of the language barrier & lengthens the processing."²⁶⁹ Through July 2023,



²⁶³ Joel Martinez, Transcribed Interview with the House Committee on Homeland Security, 27-28, June 1, 2023.

²⁶⁴ Chief Jason Owens [@USBPChief], "We Have Seen an Increase of over 1000% from Some Countries. While We Work Diligently to Repatriate Migrants from These Countries, We Still Have Challenges with Countries' Governments to Get Working Programs in Place to Repatriate All Those We Apprehend.," Tweet, *Twitter*, June 9, 2023, <https://twitter.com/USBPChief/status/1667215420984573960>.

²⁶⁵ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*

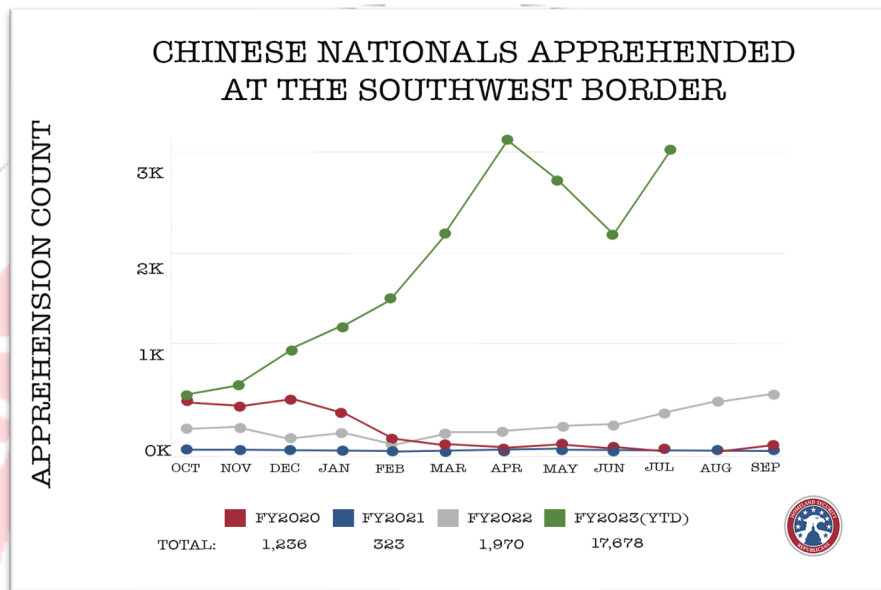
²⁶⁸ Sandra Sanchez, "South Texas Sees Surge of Chinese Nationals Crossing Border Illegally, Chief Says," *Border Report*, March 20, 2023, <https://www.borderreport.com/immigration/south-texas-sees-surge-of-chinese-migrants-crossing-border-illegally-chief-says/>.

²⁶⁹ Chief Patrol Agent Gloria I. Chavez [@USBPChiefRGV], "RGV Continues to Lead the Nation in Chinese Migrant Encounters. In FY23, There Have Been 1,577 Apprehensions-91% Being Single Adults. A 920% Increase Compared to FY22 Creating a Strain on Our Workforce Due to the Complexities of the Language Barrier & Lengthens the Processing.," Tweet, *Twitter*, March 16, 2023, <https://twitter.com/USBPChiefRGV/status/1636489039917219840>.



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Border Patrol apprehensions of Chinese nationals along the Southwest border exceeded FY22 apprehensions of the same demographic by almost 800 percent—the overwhelming majority of them single adults.²⁷⁰



(Source: CBP Nationwide Encounters data)

Chinese and Russian nationals are of particular concern, given those nations’ status as the United States’ most significant adversaries and the threat they pose to America’s national security. Fox News’ Adam Shaw and Bill Melugin reported in February 2023 that Chinese nationals are typically processed for expedited removal, “unless they claim to have a credible fear of persecution if returned to the country—where the Chinese Communist Party holds power.”²⁷¹ Consequently, sources told Shaw and Melugin, “many are claiming that fear and are subsequently being released into the U.S. on their own recognizance and with a notice to appear for a court date for their immigration hearings.”²⁷²

It is possible that many of these individuals are fleeing the authoritarian, repressive regimes in their home countries. Some of them may even qualify for asylum, unlike the vast majority of those who are crossing illegally for economic reasons or to flee general violence in their home countries.²⁷³ Notably, however, Chief Patrol Agent Good told the House Committee on Homeland Security in June 2023 that based on his observations, the “typical reason” given by Chinese nationals for entering illegally was “the same as most of the migrants—for work or a better life.”²⁷⁴

²⁷⁰ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

²⁷¹ Adam Shaw and Bill Melugin, “Border Patrol Apprehensions of Chinese Nationals at Southern Border up 800%: Source,” *Fox News*, February 9, 2023, <https://www.foxnews.com/politics/border-patrol-apprehensions-chinese-nationals-southern-border-800-source>.

²⁷² *Ibid.*

²⁷³ Members of the House Committee on Homeland Security were given a bipartisan classified briefing on July 27, 2023, by multiple CBP officials. In this briefing, officials stated that some of the Chinese nationals apprehended illegally crossing the border presented they were fleeing from oppression by the Chinese Communist Party, or taking advantage of relaxed COVID-19 restrictions.

²⁷⁴ Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 37, June 29, 2023.

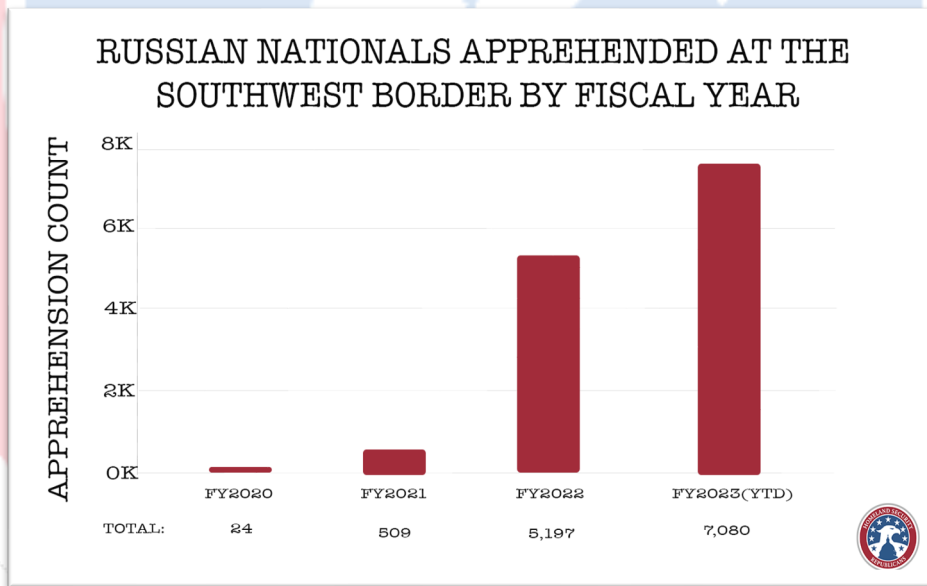


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The threat to national security lies not just in the fact that these individuals are crossing illegally to begin with, putting undue strain on Border Patrol agents, but that CBP and other federal agencies simply do not have the ability to properly screen them before they are released into the interior. As the crisis continues, and agents are forced to continue rapidly processing and releasing those they encounter, the possibility of bad actors from these countries being released into American communities will only increase.

It is simply unknown how many of those released into the interior have sinister intentions. What is known, however, is that some unquestionably do. In an astounding revelation on June 14, 2023, House Homeland Security Committee Chairman Green revealed that senior Border Patrol sources had confirmed that some of the Chinese nationals apprehended in recent months at the Southwest border “have ties to the Chinese Communist Party (CCP) and the People’s Liberation Army (PLA).”²⁷⁵

Russia has been suspected of using similar tactics on the borders of European nations for its own ends, smuggling operatives in amongst the flow of migrants between these states. A 2021 Newsweek report noted, “NATO allies on its Baltic front lines fear that Russia and Belarus are exploiting the flow of thousands of migrants into the European Union (EU)—perhaps even as cover for their agents—to infiltrate and destabilize Western democracies, and threaten exiled dissidents.”²⁷⁶



(Source: CBP Nationwide Encounters data)

²⁷⁵ U.S. Congress, House of Representatives, Committee on Homeland Security, *Chairman Green: “Alejandro Mayorkas Has Been Derelict in His Duty as the United States Secretary of Homeland Security.”* 118th Cong., 1st sess., June 14, 2023, <https://homeland.house.gov/2023/06/14/chairman-green-alejandro-mayorkas-has-been-derelict-in-his-duty-as-the-united-states-secretary-of-homeland-security/>.

²⁷⁶ David Brennan, “NATO Allies Fear Russia, Belarus Using Migrant Chaos to Destabilize Europe, Hide Agents.” *Newsweek*, October 19, 2021, <https://www.newsweek.com/nato-allies-fear-russia-belarus-migrant-chaos-hide-agents-destabilize-europe-1640303>.



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Moscow, however, is not the only American adversary using migration flows for its own sinister purposes. In the Western Hemisphere, Venezuela has done the same thing. During a June 2023 hearing held by the House Homeland Security Committee’s Subcommittee on Counterterrorism, Law Enforcement, and Intelligence, Christopher Hernandez-Roy of the Center for Strategic and International Studies (CSIS) testified that Venezuela had been known to embed spies in the flow of individuals into neighboring Colombia to “harass and persecute” those opposed to the Maduro regime. Such conduct, he said, raises questions about what other U.S. adversaries are doing to take advantage of the porous Southwest border:

“Thus, a U.S. adversary has taken advantage of this human wave to conceal the entry of spies into a traditional U.S. ally. This begs the question of what more sophisticated U.S. adversaries like China and Russia might be doing to take advantage of the historic migration flows across the U.S. southern border.”²⁷⁷

During the same hearing, Elaine Dezenski, former DHS acting assistant secretary for policy, was asked whether policymakers should assume China is taking advantage of the porous Southwest border. She responded, “I think we should assume that any vulnerabilities at our southern border are open for authoritarian influence of many kinds. I think that’s a safe assumption. If the gaps are there, then those who are working against us are going to use them to their advantage.”²⁷⁸

According to Dezenski, finding the national security risks among the millions of illegal aliens crossing the border is a “needle in the haystack problem” and that the United States has “an identity management problem at the border” that is only “going to become more and more difficult.”²⁷⁹

²⁷⁷ “Countering Threats Posed by Nation-State Actors in Latin America to U.S. Homeland Security,” *Homeland Security Committee Events*, YouTube video, 31:40, June 21, 2023, <https://www.youtube.com/live/riLhJjhoIkk?feature=share&t=1892>.

²⁷⁸ “Countering Threats Posed by Nation-State Actors in Latin America to U.S. Homeland Security,” *Homeland Security Committee Events*, YouTube video, 44:08, June 21, 2023, <https://www.youtube.com/live/riLhJjhoIkk?feature=share&t=1892>.

²⁷⁹ “Countering Threats Posed by Nation-State Actors in Latin America to U.S. Homeland Security,” *Homeland Security Committee Events*, YouTube video, 52:31, June 21, 2023, <https://www.youtube.com/live/riLhJjhoIkk?feature=share&t=3139>.



SECTION 4: IRRESPONSIBLE USE OF FEDERAL LAW ENFORCEMENT PERSONNEL

Section 4: Irresponsible Use of Federal Law Enforcement Personnel

The massive influx of illegal aliens on Mayorkas' watch has put a tremendous strain on CBP personnel and resources. As a result, federal law enforcement personnel from around the country have been diverted from their vital responsibilities in order to support operations on the Southwest border—often in simple administrative capacities.

Redeploying Border Patrol Agents from the Northern Border

One of DHS' more controversial personnel shifts has been the deployment of Border Patrol agents from the northern border to the Southwest border. According to CBP, between October 2020-April 2023, thousands of Border Patrol agents and CBP officers were temporarily relocated from the northern border to the Southwest border.²⁸⁰ Deployments of CBP officials, in particular, increased substantially from FY22 to FY23,²⁸¹ likely to further enable CBP to more rapidly process and release illegal aliens into the United States. In 2022, per a DHS spokesperson, “at the peak of deployments, 464 [Border Patrol] agents were deployed from northern border sectors.”²⁸²

It should be noted that the Committee was provided the specific numbers of deployments for each agency, by year, but was prohibited from publishing them in this report by an arbitrary ‘For Official Use Only’ marking on the data.

After DHS confirmed the personnel policy in early 2022, Texas Rep. Cuellar criticized the policy, saying, “It’s almost like bringing people so they can be more efficient in allowing the migrants to come into the United States... It’s ‘how do we move the migrants faster from the border out into the interior?’”²⁸³

In FY20, the number of Border Patrol agents assigned to the northern border totaled around 2,000, while around 17,000 were serving on the Southwest border.²⁸⁴ The Border Patrol's Good, who previously served in the Grand Forks Sector along the northern border, told the House Committee on Homeland Security in June 2023 that sending agents to the Southwest border, and even having them help with processing remotely, had an impact on operations at the northern border:

“Like I said before, we only have 200 agents for over 800 miles of border in the Grand Forks Sector. So, sending sometimes up to 30 agents...required us to have less shifts. So, if a station had two shifts for a 24-hour period, they were reduced to one shift. And there was a station that had three shifts, a 24/7 operation, that reduced to two shifts. And we were

²⁸⁰ Information provided by CBP to the House Committee on Homeland Security, April 19, 2023.

²⁸¹ Ibid.

²⁸² Virginia Allen, “Illegal Immigrants Are Now Using the Northern Border, Too,” *The Daily Signal*, February 20, 2023, <https://www.dailysignal.com/2023/02/20/its-not-just-southern-border-anymore-northern-border-also-faces-explosion-of-illegal-immigration/>.

²⁸³ Tyler Olson, “Biden admin moving officers from northern US to southern border for Title 42 migrant surge, Cuellar says,” *Fox News*, April 21, 2022, <https://www.foxnews.com/politics/henry-cuellar-border-officers-northern-border-southern-title-42>.

²⁸⁴ U.S. Department of Homeland Security, U.S. Customs and Border Protection, U.S. Border Patrol, *Sector Profile - Fiscal Year 2020*, August 2021, <https://www.cbp.gov/sites/default/files/assets/documents/2021-Aug/U.S.%20Border%20Patrol%20Fiscal%20Year%202020%20Sector%20Profile%20%28508%29.pdf>.



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successful by leveraging our Stone Garden partners, local law enforcement in those areas to assist us. However, there were less agents in the field doing border security missions in the Grand Forks Sector.”²⁸⁵

In May 2023, the DHS OIG released a report on the operations being conducted at various CBP facilities it had inspected along the northern border.²⁸⁶ In speaking with Border Patrol personnel in the course of this investigation, the OIG found that the deployment of agents to the Southwest border had a substantial operational impact:

“Swanton sector Border Patrol officials also said the details affected enforcement on the northern border. For example, boat patrols on the St. Lawrence River were curtailed, as was participation in joint law enforcement task forces operating on the northern border. When agents needed to take emergency leave due to illness, some shifts were not staffed or were understaffed. Officials said as a result of the details, the Swanton sector Border Patrol was less effective at disrupting cross-border smuggling and assisting with criminal cases.”²⁸⁷

Even as more Border Patrol agents and resources have been shifted to the Southwest border, illegal crossings at the northern border have surged. Total northern border encounters have jumped in the past two years. In FY21, CBP recorded 27,180 total encounters of inadmissible aliens at or between northern ports of entry. That jumped to 109,535 in FY22, and through July of FY23, stood at 150,743 encounters.²⁸⁸ As noted by one independent analysis of the figures in February 2023, “the number of ‘other than Canadian’ nationals deemed inadmissible at the northern border ports jumped sixfold between FY 2021 and FY 2022 — from around 10,250 to nearly 67,000,” with around 10 percent coming from China.²⁸⁹

²⁸⁵ Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 35-36, June 29, 2023.

²⁸⁶ U.S. Department of Homeland Security, Office of the Inspector General, *CBP Facilities in Vermont and New York Generally Met TEDS Standards, but Details to the Southwest Border Affected Morale, Recruitment, and Operations*, OIG-23-27, May 23, 2023, <https://www.oig.dhs.gov/sites/default/files/assets/2023-05/OIG-23-27-May23.pdf>.

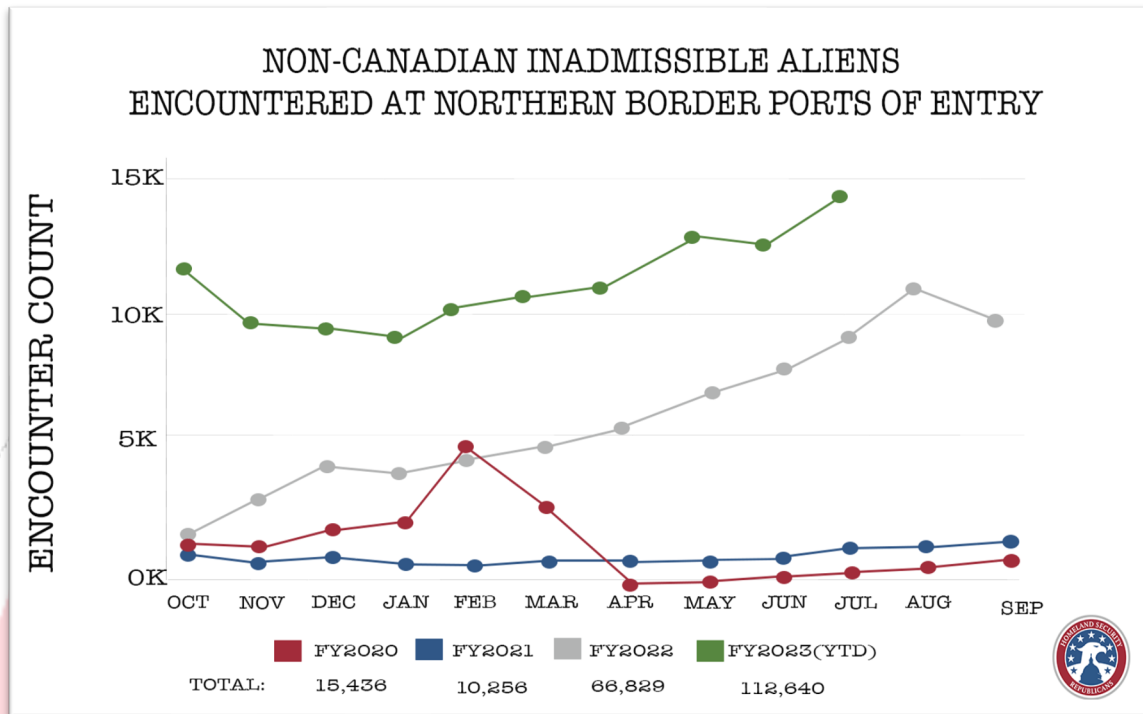
²⁸⁷ *Ibid.*, 12.

²⁸⁸ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

²⁸⁹ Andrew Arthur, “Migrant Surge — At the Northern Border,” *Center for Immigration Studies*, February 23, 2023, <https://cis.org/Arthur/Migrant-Surge-Northern-Border>.



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(Source: CBP Nationwide Encounters data)

Meanwhile, the number of Border Patrol apprehensions between northern border ports of entry this fiscal year (7,633) has already more than tripled FY22’s total (2,238), which in turn more than doubled FY21 (916).²⁹⁰ North Carolina Rep. Dan Bishop, chairman of the House Committee on Homeland Security’s Subcommittee on Oversight, Investigations, and Accountability, said in March 2023:

The northern border “is now a hot spot for illegal alien crossings, including individuals on the terrorist watchlist, organized criminal activity, and illicit drug smuggling. Illegal alien encounters are up more than 800 percent from last fiscal year in the Swanton Sector alone. The Biden administration has encouraged and facilitated this lawlessness and left our northern Border Patrol agents without the means to accomplish their mission and defend our porous border.”²⁹¹

According to Border Patrol agents in the Swanton Sector in June 2023, illegal crossings between October 2022-May 2023 exceeded total crossings from the past six years combined.²⁹² By September, that number had increased even more, with Robert Garcia, chief patrol agent for the

²⁹⁰ U.S. Department of Homeland Security, U.S. Customs and Border Protection, Newsroom, *Nationwide Encounters*, August 18, 2023, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

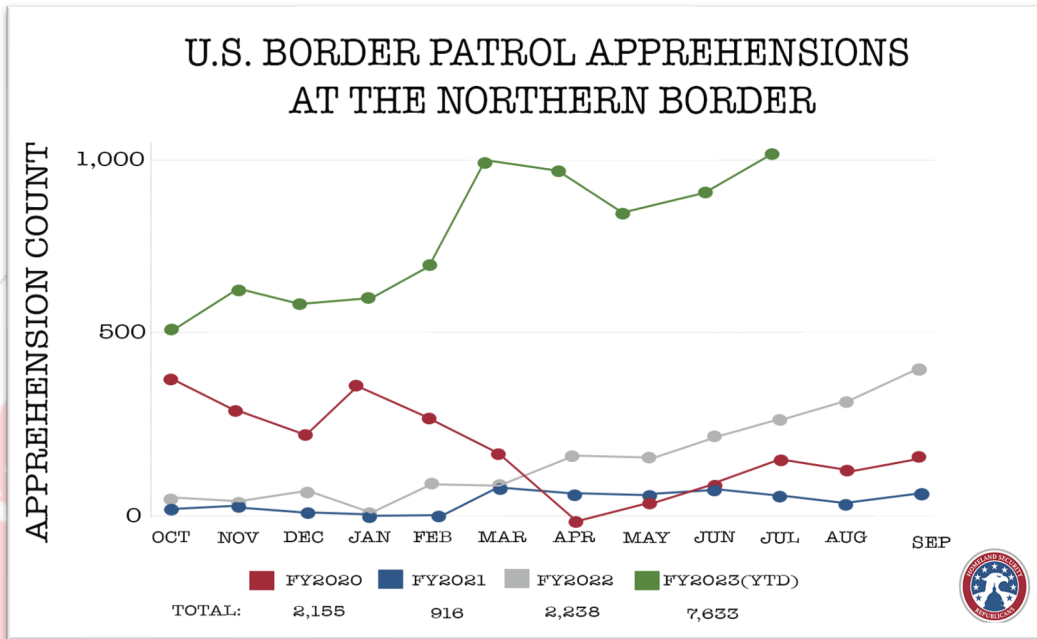
²⁹¹ U.S. Congress, House of Representatives, Committee on Homeland Security, *Bishop Announces Subcommittee Hearing on Northern Border Crisis*, 118th Cong., 1st sess., March 23, 2023, <https://homeland.house.gov/media-advisory-bishop-announces-subcommittee-hearing-on-northern-border-crisis/>.

²⁹² Jennie Taer, “Agents in One Area of the Northern Border Saw More Migrants Cross Illegally in Eight Months Than Last Six Years,” *The Daily Caller*, June 21, 2023, <https://dailycaller.com/2023/06/21/agents-northern-border-migrants-cross-illegally-eight-months-last-six-years/>.



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sector, tweeting that apprehensions had exceeded 6,100 individuals from 76 different countries through August of FY23—more than the previous 10 years combined.²⁹³



(Source: CBP Nationwide Encounters data)

The NBPC’s Judd pointed out in congressional testimony in March 2023 that given Canada’s more-lax visa policies, individuals from hostile nations like China can more easily enter Canada and then illegally cross the United States’ northern border.²⁹⁴ Other officials have confirmed similar findings.²⁹⁵

The northern border’s extreme elements can also be just as perilous as those at the Southwest border. In January 2022, Canadian police found an Indian family, including two young children, frozen to death near the U.S.-Canada border. Authorities believe the family perished attempting to cross.²⁹⁶

²⁹³ Chief Patrol Agent Robert Garcia [@USBPChiefSWB], “Over 6,100 apprehensions from 76 different countries in just 11 months, surpassing the last 10 years combined. Swanton Sector Agents are resolute and determined to hold the line across our 295 miles of border in northeastern New York, Vermont & New Hampshire.” Tweet, *Twitter*, September 6, 2023, <https://twitter.com/USBPChiefSWB/status/1699368978932449444>.

²⁹⁴ U.S. Congress, House of Representatives, Committee on Homeland Security, Subcommittee on Oversight, Investigations, and Accountability, *Prepared Testimony of Brandon Judd on Behalf of the National Border Patrol Council for Biden’s Growing Border Crisis: Death, Drugs, and Disorder on the Northern Border*, 118th Cong., 1st sess., March 28, 2023, 41-42, <https://homeland.house.gov/wp-content/uploads/2023/07/2023-03-28-OIA-HRG-Testimony-Arthur-combined.pdf>.

²⁹⁵ Jennie Taer, “Illegal Migrant Encounters Surge Roughly 36% At Northern Border,” *The Daily Caller*, August 18, 2023, <https://dailycaller.com/2023/08/18/illegal-migrant-encounters-surge-roughly-36-at-northern-border/>.

²⁹⁶ Samantha Fischer, Danny Spewak, and David Griswold, “Canadian police identify family found frozen to death near U.S.-Canada border,” *KARE 11*, January 27, 2022, <https://www.kare11.com/article/news/crime/canadian-police-identify-patel-family-found-frozen-to-death-near-us-canada-border/89-a68abf47-ab14-47b7-84a2-8a2647813b7b>.



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Finally, in an embarrassing turn of events demonstrating Mayorkas' reactionary approach to dealing with the border crisis, DHS has responded to the growing crisis at the *northern border* by deploying agents from the *Southwest border* to handle the influx there.²⁹⁷

Not-So-Friendly Skies—Reassigning Air Marshals to Administrative Duty

The Federal Air Marshals Service (FAMS) has also been impacted by the crisis, as marshals have been pulled away from their roles ensuring security on flights to instead perform duties at the Southwest border unrelated to law enforcement. The House Committee on Homeland Security received information in spring 2023 that air marshals are being placed on three-week rotations, with up to several dozen air marshals and multiple supervisors at the border at any given time.²⁹⁸ In mid-2021, the marshals service requested volunteers for shifts at the Southwest border, but after few individuals volunteered to be taken away from their law enforcement duties, the deployments were made mandatory.²⁹⁹

According to the Air Marshals Association, the forced deployment of air marshals has put immense strain on the workforce as a whole, since many marshals are retiring. The association recently stated in an internal newsletter, “We have had a staggering number of retirements in the last few years. We cannot keep sending a large number of our flying FAMS to the border at the expense of our current mission, while also creating new AVO positions, which currently take more FAMS out of the air without a clearly defined job.”³⁰⁰

These deployments also represent a national security risk. Per one 2022 press report, these involuntary deployments to the Southwest border “would strip 99% of commercial flights from federal protection as people take to the skies during the busiest time of the year for air travel,” leaving “just 1-in-100 U.S. flights with federal agents on board, one-eighth of its normal coverage.”³⁰¹ The National Association of Police Organizations (NAPO) released a statement in November 2022 highlighting similar concerns with the policy:

“During these deployments, air marshals are not using their law enforcement skills to help secure the border, but are tasked with non-law enforcement jobs, including janitorial duties. The Federal Air Marshal Service is understaffed and covering the fewest number of flights since before September 11, 2001. We strongly question the decision by the Department of Homeland Security to divert much-needed aviation security to the southern border especially as we enter the busiest travel season of the year, particularly as a Federal emergency has not been declared at the border. The jobs air marshals are being asked to

²⁹⁷ Julia Ainsley and Didi Martinez, “U.S. transfers Border Patrol agents to northern border as migrant crossings from Canada rise,” *NBC News*, March 6, 2023, <https://www.nbcnews.com/politics/immigration/us-transfers-border-patrol-agents-canada-border-migrant-crossings-rena73623>.

²⁹⁸ Information provided to the Committee by Transportation Security Administration Legislative Affairs, May 4, 2023.

²⁹⁹ See Anna Giaritelli, “US air marshals plot 'mutiny' against Biden plan to leave flights unprotected,” *The Washington Examiner*, November 30, 2022, <https://www.washingtonexaminer.com/restoring-america/fairness-justice/us-air-marshals-plot-mutiny-against-biden>; and Matthew Medsger, “Biden admin deploys Air Marshals to border to help with migrants,” *The Boston Herald*, November 23, 2022, <https://www.bostonherald.com/2022/11/23/biden-admin-deploys-air-marshals-to-border-to-help-with-migrants/>.

³⁰⁰ “April Membership Update: Message from the AMA,” *Air Marshal Association*, email newsletter, April 22, 2023.

³⁰¹ Anna Giaritelli, “US air marshals plot 'mutiny' against Biden plan to leave flights unprotected,” *The Washington Examiner*, November 30, 2022, <https://www.washingtonexaminer.com/restoring-america/fairness-justice/us-air-marshals-plot-mutiny-against-biden>.



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do at the border are well below their skill level and a waste of important resources. Further, it puts an incredible strain on an already stressed workforce.”³⁰²

Diverting HSI Away from Federal Investigations

In addition, based on data provided to the Committee, as many as 120 HSI agents have been diverted from working on border security efforts, many of them being pulled away from their jobs doing casework on crimes like child trafficking.³⁰³ In August 2023, the Biden administration announced it was sending 140 more HSI agents to the Southwest border, prompting one source to say, “You’re using skilled and trained special agents who are trained in criminal investigations and law enforcement tactics to guard people and to hand out food to individuals and help with processing.”³⁰⁴

The HSI source further told the press:

“So, when you pull an agent from an active investigation, and you put them somewhere else for 30 days, that affects that agent’s ability to continue working in that case. And for HSI a lot of times, we have just one agent in that case. We don’t have multiple agents assigned to it. So, someone else can’t pick up that slack once somebody has to go down there. So, your case just gets put on standstill, put on pause, but the criminal activity doesn’t. That continues.”

“So, you’re not able to continue with the activity going on in that investigation, which includes terrorism cases, human trafficking cases, violent organized crime cases and child exploitation cases. We’re already understaffed as an agency, and pulling us down to the border — it makes us almost a critical level of understaffed.”³⁰⁵

On a similar note, the Border Patrol’s Good told Committee staff in June 2023 that law enforcement detailees are typically “put where the need is, which is usually processing and transportation,” and that these professionals could be placed in administrative functions because that was the area of need.³⁰⁶

Senior DHS officials confirmed these functions in official memos, as well. In an April 2023 memorandum of agreement (MOA) signed by the heads of both ICE and CBP, the agencies stipulated that HSI detailees to the Southwest border would be assigned primarily to administrative functions, including “hospital watch,” “entry control,” and “welfare checks.”³⁰⁷

³⁰² “NAPO Opposes Forced Deployment of Federal Air Marshals to Southern Border,” *National Association of Police Organizations*, November 8, 2022, <https://www.napo.org/washington-report/latest-news-updates/napo-opposes-forced-deployment-federal-air-marshals-southern-border/>.

³⁰³ Internal correspondence provided to House Committee on Homeland Security.

³⁰⁴ Adam Shaw, “Biden administration sending surge of ICE special agents to border amid increase in migrant numbers,” *Fox News*, August 3, 2023, <https://www.foxnews.com/politics/biden-admin-surg-ing-ice-special-agents-border-amid-increase-migrant-numbers>.

³⁰⁵ *Ibid.*

³⁰⁶ Anthony Scott Good, Transcribed Interview with the House Committee on Homeland Security, 83, June 29, 2023.

³⁰⁷ April 2023 CBP-ICE Memorandum of Agreement provided to the House Committee on Homeland Security.



SECTION 4: IRRESPONSIBLE USE OF FEDERAL LAW ENFORCEMENT PERSONNEL

MEMORANDUM OF AGREEMENT
BETWEEN
U.S. CUSTOMS AND BORDER PROTECTION

AND

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

TO PROVIDE ASSISTANCE TO U.S. BORDER PATROL
ON THE SOUTHWEST BORDER

1. PARTIES:

The parties to this Memorandum of Agreement (MOA) are the U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) (collectively, "the Parties"), both of which are components of the U.S. Department of Homeland Security (DHS).

2. AUTHORITIES:

The authorities for CBP and ICE to enter into this Agreement are:

(A) 5 U.S.C. § 3341 and 5 C.F.R. § 300.301, which authorize details of personnel within an Executive agency for 120-day periods; and,

(B) 31 U.S.C §§ 1535-1536.

3. BACKGROUND:

The Nation is experiencing a surge in irregular migration along the Southwest Border. The unprecedented volume of Noncitizen Migrants (NCMs) currently apprehended and in U.S. Border Patrol (USBP) custody along the Southwest Border requires immediate action to protect the life and safety of federal personnel and noncitizens in CBP custody. To support its mission, CBP is seeking federal employees from DHS Components and other federal agencies to be placed on reimbursable detail to assist in critical support functions.

4. PURPOSE:

The purpose of this MOA is to document approval of, and terms and conditions for, the reimbursable detail of ICE, Homeland Security Investigations (HSI) Special Agents to CBP in support of the border security and humanitarian mission along the Southwest Border. This MOA addresses the relationships between operational (i.e., daily) control and administrative and management control of the detailees.



SECTION 4: IRRESPONSIBLE USE OF FEDERAL LAW ENFORCEMENT PERSONNEL

5. DUTIES:

Detailees will not be assigned responsibilities that exceed their current pay band. Non-supervisory personnel will not be asked to perform supervisory responsibilities while on detail to include but not limited to, monitoring, assigning, and directing work or work assignments of co-workers. No temporary promotions will be afforded during the detail assignments. Individual detailees, at the discretion of CBP, will be assigned to non-supervisory duties in one of the following categories:

- a. **Hospital Watch** – Escort and transportation of NCMs to local health providers and hospitals, security detail for the duration of the NCM's hospital care, and transportation back to the USBP station or Office of Field Operations (OFO) facility once medically deemed fit for travel.
- b. **Transportation** – Escort and transportation of NCMs from the point of apprehension to processing; from a port of entry to holding or processing; between Border Patrol Sector facilities or from Border Patrol Sector facilities to U.S. Immigration and Customs Enforcement (ICE) custody, the U.S. Department of Health and Human Services (HHS), or other entities with jurisdiction over post-processing custody, or point of release, as appropriate.
- c. **Law Enforcement Searches** – Performing searches of NCMs in CBP custody in accordance with CBP Transportation, Escort, Detention, and Search (TEDS) standards, including immediate pat downs of individuals in custody before they board for transport, placing or removing handcuffs or restraint devices on individuals in custody, if necessary, during transport, and responsibility and oversight of NCMs' personal property, documents, and medications during transportation.
- d. **Entry Control** – Aiding with authorizing access to CBP owned or managed facilities and/or grounds at the vehicle entry/exit-control points.
- e. **Security at CBP Facilities** – Staffing holding areas at CBP facilities, including soft-sided detention facilities, and providing walking escort of NCMs, pedestrian access control, security for housing units, processing pods, and roving patrols on CBP owned/managed grounds.
- f. **Welfare Checks** – Physically observing NCMs in holding areas and assessing safety and well-being while pending processing or transportation. These checks are required every 15 minutes and are required during the period that any person is in CBP custody.

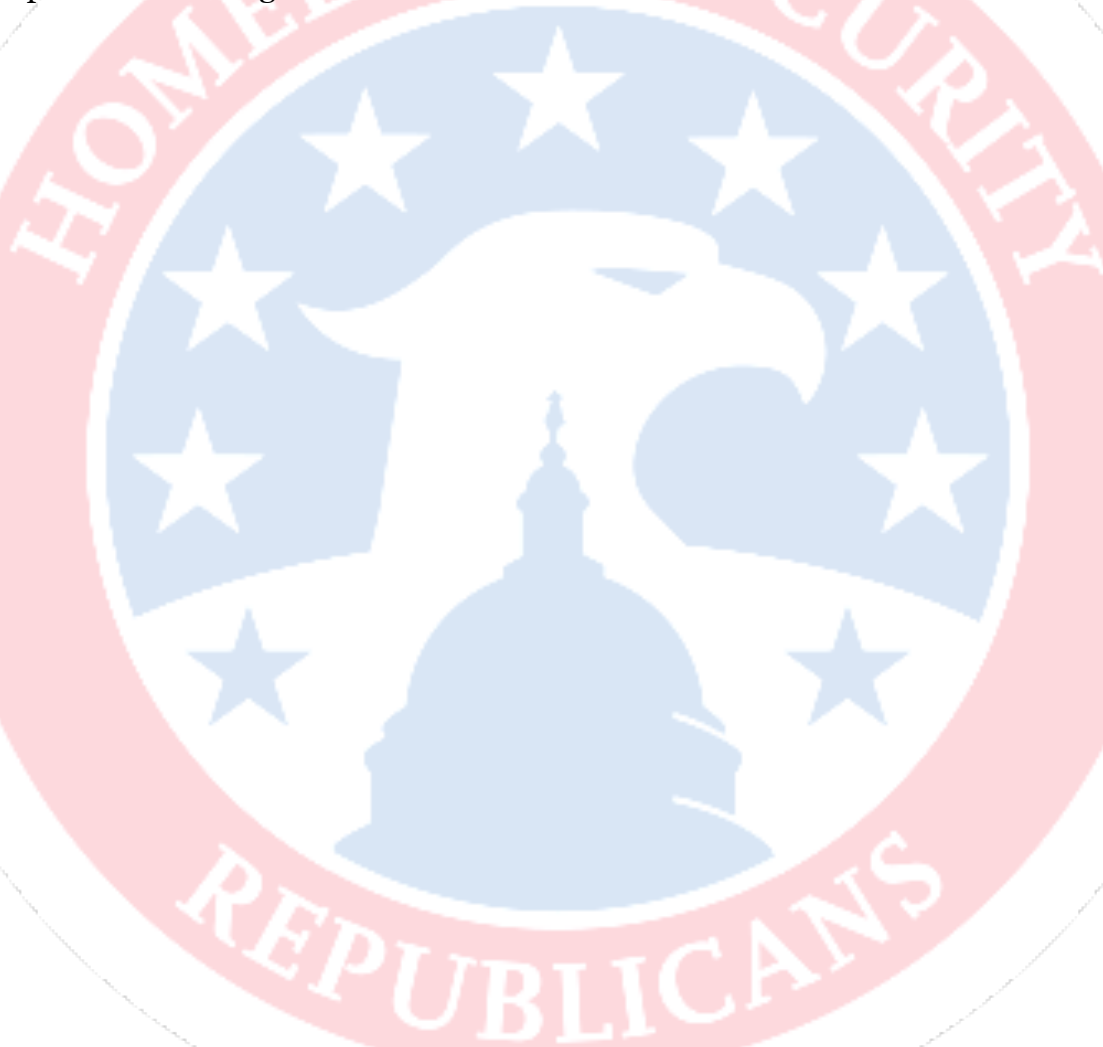
An April 2023 memorandum of agreement shows that HSI agents are being required to perform administrative functions at the Southwest border.



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DHS Requesting Volunteers from Federal Workforce

The Biden administration has also repeatedly solicited volunteers from other federal departments, even those not connected to border security, asking for assistance. In March 2021, the administration sent a request for volunteers to help process UACs as part of an HHS detail.³⁰⁸ A year later, DHS leadership sent a department-wide request asking for more volunteers to assist CBP with the “large numbers” of illegal aliens flooding across the border.³⁰⁹ Even more recently, in the summer of 2023, DHS sent an internal memo calling for volunteers to assist CBP, looking for “general support and data entry volunteers to perform non-law enforcement and logistics tasks to help our CBP colleagues at the Southwest border.”³¹⁰



³⁰⁸ Eric Katz, “Biden Asks Feds Across Government to Volunteer to Assist at the Border,” *Government Executive*, March 26, 2021, <https://www.govexec.com/workforce/2021/03/biden-asks-feds-across-government-volunteer-assist-border/172953/>.

³⁰⁹ Adam Shaw, “DHS puts out call for employees to volunteer at southern border amid ‘large numbers’ of migrants,” *Fox News*, March 17, 2022, <https://www.foxnews.com/politics/dhs-call-employees-volunteer-border-large-numbers-migrants>.

³¹⁰ Adam Shaw, “DHS calls for more agency volunteers to help process migrants at southern border,” *Fox News*, August 5, 2023, <https://www.foxnews.com/politics/dhs-agency-volunteers-help-process-migrants-southern-border>.



CONCLUSION

Conclusion: Mayorkas Has Ceded Control of the Southwest Border to Cartels, National Security Threats

In the early days of the crisis, Texas Rep. Chip Roy and Nicole Bishop, criminal district attorney for Kendall County, Texas, explained that the crisis sparked by Mayorkas' policies at the Southwest border has not only overwhelmed federal and state law enforcement, but has empowered the cartels:

“And with interior enforcement overrun, cartels are proving they are in control of this crisis. They are profiting handsomely as a result...This is no longer just a border problem; it's a problem for the whole country. There are dangerous people doing horrible things to human beings for profit further and further away from our border and closer and closer to where most of us live. Cartel smugglers are becoming increasingly armed and increasingly emboldened as they expand their operations on U.S. soil.”³¹¹

This conclusion is inescapable. The evidence overwhelmingly demonstrates three incontrovertible facts about cartel operations at the Southwest border and in American communities across the nation.

First, the cartels have seized unprecedented control of the Southwest border. The testimony of experienced border security and law enforcement professionals, to say nothing of the sheer number of illegal aliens and illicit drugs being moved across the border every day, together demonstrate that the cartels now possess a historic level of control at the Southwest border. Despite their heroic efforts, the men and women of federal, state, and local law enforcement have been overwhelmed by the onslaught, and are only able to mitigate some of the consequences of that control.

Second, the cartels have seized control as a result of the open-borders policies of Mayorkas and the Biden administration. These groups have seized on the millions of people streaming through Mexico to the Southwest border to take advantage of Mayorkas' radical “catch and release” policies, confident in the knowledge that if they gain entrance into the United States, they will never be sent home. The cartels have capitalized on this eagerness, and devised insidious new ways to take advantage of vulnerable populations to ensure an effectively endless stream of revenue.

Third, cartel control of the Southwest border has led to dire consequences for Americans and aliens alike. The cartels' operations at the border and in communities across the country have meant more crime, more families ripped apart by addiction, and more vulnerable people exploited and abused. The massive increase in the frequency of these tragedies finds its root in Mayorkas' willful opening of America's borders. Meanwhile, the cartels continue to smuggle an unknown number of potential national security threats across the border, some of whom are simply released into the interior.

³¹¹ Nicole Bishop and Chip Roy, “Drug Cartels Aren't Just a Border Problem,” *National Review*, April 26, 2021, <https://www.nationalreview.com/2021/04/drug-cartels-arent-just-a-border-problem/>.



CONCLUSION

It is, therefore, this Committee's conclusion that Mayorkas and Biden's policies have emboldened and enriched the cartels, ceded control of America's sovereign Southwest border to these organizations, and jeopardized the safety and security of individuals and communities across this country in the process.

As Sheriff Mark Dannels of Cochise County, Arizona, stated in written testimony to the House Judiciary Committee in February of this year:

“By allowing our border security mission and immigration laws to be discretionary, these Criminal Cartels continue to be the true winners, their exploitation of mankind is simply “Modern Day Slavery”; allowing thousands of pounds of illicit drugs into our country that continue to erode the core-values of families, schools, and subsequently killing Americans on an average of 270 every day is completely unacceptable at any level. ... Our voice of reason has been buried during what I call an intellectual avoidance by this Administration, and yes, members of [the] U.S. Congress.”³¹²

The facts are indeed clear—the cartels have been the greatest winners from Mayorkas and Biden's open-borders policies. In his testimony before the House Judiciary Committee on July 26, 2023, Mayorkas brazenly claimed that his policies had “weakened” the cartels.³¹³ That claim does not withstand even cursory scrutiny.

The next phase of this Committee's investigation will focus in even greater depth on the various human costs of Mayorkas' radical agenda, many of them stemming from the unprecedented control cartels now exercise over the United States' sovereign Southwest border.



(Source: Al Drago/Bloomberg via Getty Images)

³¹² U.S. Congress, House of Representatives, Committee on the Judiciary, *Prepared Testimony of Sheriff Mark Dannels for The Biden Border Crisis: Part I*, 118th Cong., 1st sess., February 1, 2023, 3, <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/the-honorable-mark-dannels-testimony.pdf>.

³¹³ “Oversight of the U.S. Department of Homeland Security,” *House Judiciary GOP*, YouTube video, 2:24:22, July 26, 2023, <https://www.youtube.com/live/cAhJdIQy1IA?feature=share&t=8662>,