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US-Mexican Border Security: Civil-Military Cooperation

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An increasing US and Mexican focus on border security issues is changing the structure, employment and deployment of law enforcement and military establishments on both sides. This article considers the continuing debate surrounding US military support to border law enforcement, focusing most directly on little-examined changes in Mexican policing and military assistance along the border that have brought US and Mexican forces into closer proximity and fostered varying levels of cooperation and uncertainty. Before looking at Mexican military and police interaction and their border presence specifically, it is instructive to briefly review analogous US developments and address how the evolving border security environment shapes law enforcement.

Border Policing and the US Military

The US Border Patrol celebrated its 75th Anniversary on 28 May 1999.¹ This old and distinguished federal law enforcement organization performs an increasingly demanding and complex mission—preventing the smuggling and unlawful entry of undocumented aliens into the United States, apprehending immigration law violators and serving as the primary agency responsible for drug and contraband interdiction between ports of entry. These challenges exist in all of the Border Patrol's 22 US and Puerto Rican sectors, but the 2,000 miles of shared border with Mexico remain the most critical, most publicly visible, most dangerous and the most rapidly evolving. This is reflected not only in high rates of illegal immigration, but in mounting cross-border violence, internationalized drug, arms, and alien smuggling and fundamental changes in the border environment itself.

A spectrum of federal, state and local law enforcement organizations join the Border Patrol in many aspects of border region policing, particularly drug interdiction.² But the most controversial partner, as viewed from both sides of the border, clearly has been the US military.³ For years, US Active and Reserve Component military support to drug law enforcement along the border has sparked protests in the United States and from Mexican official and media sources. Charges that the border is being "militarized" became increasingly

common in the mid-1990s.⁴ These protests peaked in May 1997, when a US Marine patrol/observation team supporting the Border Patrol near Redford, Texas, shot and killed an 18-year-old American citizen, Esequiel Hernandez, who had fired in their direction.⁵ An investigation found that the Marine corporal who fired the shot acted in accord with existing rules of engagement and he was not charged.⁶ However, the incident has become a familiar topic in debates about using US military forces to support law enforcement.

The prospect of increased and broader border security roles for the military has surfaced periodically over the last few years and emerged forcefully again on 10 June 1999. On that date, the US House of Representatives approved an amendment to the National Defense Authorization Act for Fiscal Year 2000 that would modify Title 10 rules governing military support to law enforcement. The House identified the US-Mexican border as a weak point in protecting the US homeland from a range of transnational threats. The amendment called for the secretary of defense—with the agreement of the attorney general and the secretary of the treasury—to "assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Immigration and Naturalization Service (INS) [including the Border Patrol] and the United States Customs Service in the performance of border protection functions."⁷ This amendment would explicitly extend military support beyond counterdrug duties and include "preventing the entry of terrorists" and "illegal aliens" as well as other law enforcement functions. It would not, however, bestow powers of arrest and search and seizure.⁸

There was some negative domestic reaction—reportedly including Pentagon opposition—but the most rapid and vociferous response was from Mexico. Mexican articles and editorials decried the vote, characterizing it as "unacceptable militarization of the border, offensive and disproportionate" and incompatible with constructive bilateral relations. They questioned the implication that Mexico served as a base for foreign terrorists and invoked the name of Ezequiel Hernandez as a warning of what might befall migrants and border residents.⁹

The eventual success of this House initiative was far from assured. But while a similar effort failed two years earlier in the Senate the latest amendment had far more resonance than past attempts.¹⁰ This was largely due to the 1998 signing of Presidential Decision Directive (PDD) 62 (Combating Terrorism), PDD-63 (Protecting America's Critical Infrastructure), as well as the US military's ongoing developments of Homeland Defense concepts and approaches.¹¹ Although Homeland Defense continues to evolve in content and scope, it clearly has implications for the Armed Forces' role in border security.¹²

While the United States contemplated military support to law enforcement over the last several years, substantial changes were taking place in military and police interaction in Mexico. Before addressing these developments, it is necessary to define past and recent border security developments.

Evolution of Border Security Issues

The basic shape of the current US-Mexican border was established in conflict more than 150 years ago and has been challenged ever since. Creation of the Texas Republic from Mexican

territory by force of arms in 1836, its subsequent annexation by the United States in 1845, the 1846-1847 war with Mexico and the resulting Treaty of Guadalupe Hidalgo in 1848 collectively led to "more than half the territory of Mexico becoming one third of the territory of the United States."¹³ This period was also punctuated by other armed border-altering efforts, notably, the short-lived Republic of the Rio Grande (1840) and abortive efforts by armed groups of Americans in the years after 1847 to establish a "Republic of the Sierra Madre" in Mexico's Tamaulipas state and annex it to the United States.¹⁴

The new border remained unsettled in the mid-19th century. In 1859 and 1860, parts of the Lower Rio Grande Valley of Texas were marked by the "Cortina War," led by Brownsville area rancher and later governor of Tamaulipas state in Mexico, Juan Nepomuceno Cortina, who challenged the appropriation of land by North American Anglos and the treatment of Mexicans and new Mexican-Americans. His forces took over the town of Brownsville, Texas, and for a while controlled portions of the Lower Rio Grande Valley. The "war" was terminated by the Army and Texas Rangers, but the violence Cortina encouraged from inside Mexico lasted for nearly two decades. By the mid-1870s, continuing bandit raids on US territory from Mexico prompted the formation of a special Texas Ranger force—McNelly's Rangers—who, with US Army support reduced raids and with uncompromising force established general order in the area.¹⁵

Twenty years later, the 1898 Spanish-American War stirred continuing anti-US sentiments in Mexico, sparking a Mexican newspaper's proposal for a clandestine force to incite rebellion on US Indian reservations, mobilize disaffected US black citizens and exploit other perceived fault lines to "liberate us from the unsupportable Yankee yoke."¹⁶ While such overheated language was rightly judged absurd by most contemporaries, border raids associated with the 1910-1920 Mexican Revolution—and especially Pancho Villa's 1916 raid on Columbus, New Mexico—had real substance and sparked General John J. Pershing's Punitive Expedition into Mexico to curtail the Villa threat.

Less well known, but significant, were efforts to implement the 1915 "Plan de San Diego."¹⁷ The plan was drafted under hazy circumstances in San Diego, Texas, and called for conspirators to "reclaim for themselves the territory comprising Texas, New Mexico, Arizona, Colorado and California," promote a race war and put to death every North American male over the age of 16.¹⁸ As many as several thousand Mexican adherents in Texas and Mexico carried out numerous raids and attacks in the Lower Rio Grande Valley for several years, striking isolated ranches and farms, attacking trains or tearing up tracks and hitting other targets of opportunity. The raids were eventually put down—sometimes brutally—by Texas Rangers, the Army and other law enforcement elements that were for a time all put under the control of US Army General Frederick Funston's Southern Department.¹⁹ These irredentist hopes and plans still echo from time to time on the Internet home pages of anarchist and other dissident groups. Some of these formulations seek to reestablish a mythical "Azatlan"—the supposed origin of Aztec, Mayan and Inca peoples that some assert encompasses US territory formerly belonging to Mexico.²⁰

As the 20th century progressed, border law enforcement became more regularized in dealing with cross-border criminality and border control generally. Prohibition-associated smuggling

and other contrabanding were prominent concerns in the first half of the century as was military cooperation in World War II.²¹ In the United States, the oft-romanticized 19th- and early 20th-century history briefly addressed above has receded into the past but still illustrates the more intense kinds of military-law enforcement along the US-Mexico border. For many Mexicans and some Mexican-Americans, however, the period is regarded as one of North American abuse and disenfranchisement, making current border law enforcement and control initiatives all the more sensitive.

Southern Pacific railroad tracks near the US-Mexico border where frequent cross-border train robberies occurred in the mid 1990s. To the left, beyond the fence, is Chihuahua State, Mexico, while to the right a security guard in a pickup watches the track switch controls to prevent gang tampering aimed at slowing the train for looting. Railroad tracks near US-Mexico border

Today, the border is vastly changed, marked by urbanization and burgeoning border communities, vibrant economic growth and cultural activities and varying cooperation on US-Mexican central issues. It is also marked by enormous, coexisting disparities in wealth and opportunity. Increasingly, specialists characterize the border region as an area "different" from both the United States and Mexico, an area where the border is disappearing and a new culture is emerging.²² Indeed, the press and public affairs minister for the Mexican Embassy in Washington, José Antonio Zabalgoitia, opined that "the border is the third country between Mexico and the United States. It's the fourth member of NAFTA."²³ Some specialists have postulated recently that the easier movement of goods and services under the North American Free Trade Act will eventually generate free labor zones as well, with an open US-Mexico border allowing the free movement of people.²⁴

These kinds of formulations by sociologists, political scientists and other specialists on both sides of the border may provide insights into the region and its development. However, border issues on the eve of the new millennium—some redolent of far earlier times—present concrete and growing security problems on both sides of the border.

Visitors to the religious shrine of Mr. Cristo Rey near the Texas-Mexico border, have long been cautioned to watch for criminal assaults. Religious shrine of Mr. Cristo Rey

The US border today remains a dangerous environment for law enforcement officers, with armed confrontations and planned or random shots frequently fired from across the border, often with deadly consequences. Eighty-six Border Patrol agents and pilots have been killed in the line of duty since the force was created, six of them in 1998.²⁵ In this regard, US Border Patrol Agent Alexander Kirpnick was shot and killed on 3 June 1998 while attempting to arrest five Mexican marijuana traffickers two miles north of Nogales, Arizona. Well-organized and armed drug-trafficking organizations in Mexico and other cross-border criminals have increased violence along the border over the last few years.²⁶ These range from armed robberies sometimes taking place many miles inside US territory to car thefts and other planned or random crimes of various types. On the other hand, heavy fencing and other security measures along high-crime areas of the border have reduced cross border crime in some sectors. For example, the frequent mid-1990 attacks on Southern Pacific railroad trains

near Sunland Park, New Mexico, resulting in hundreds of thousands of dollars lost annually, have now been sharply curtailed.²⁷

The construction of improved border security fencing like this in California has reduced illegal immigration, smuggling and cross-border crime in selected areas of the 2,000 mile-long US-Mexico border. Border Security Fencing

The Drug Enforcement Administration's (DEA's) Congressional Testimony in March 1999 detailed the drug dimensions of the problems.²⁸ The testimony noted that two-thirds of the cocaine entering the United States comes across the Mexican border, along with nearly 30 percent of the heroin and huge quantities of methamphetamines and marijuana.²⁹ Like other law enforcement organizations, the DEA points to the increased targeting of US government personnel and police counterparts in Mexico.

Continued high levels of illegal immigration— facilitated often by innovative alien smuggling gangs which may have international connections— constitute a continued challenge to territorial sovereignty. The flood of illegal immigrants in some areas has concerned US border ranchers and other residents, sparking self-defense measures.³⁰ In Douglas, Arizona, for example, border residents report large groups of 30 to 40 illegal immigrants commonly moving across their property throughout the night, a problem developing apace over the last year. Some residents carry weapons, and one has acquired night vision goggles to check for intruders. Residents hint at taking matters into their own hands if necessary, and some have requested National Guard troops and increased law enforcement presence.³¹

Recent cases show that the internationalized alien smuggling now links the US-Mexican border with areas far removed from the Americas. INS personnel have noticed a rise in high-quality forgeries of entry papers and other identification. The potential for entry by foreign terrorists through busy ports-of-entry is enhanced by this development. In addition, natural disasters like Hurricane Mitch, which badly damaged Honduras and other parts of Central America, can generate thousands of unanticipated immigrants who travel through Mexico up to the border.³² Efforts to deal with the changing nature of illegal immigration have been largely behind increasing the Border Patrol from around 6,000 agents in 1996 to over 8,000 today—more than 7,000 on the US-Mexican border alone. Plans are reportedly underway to add another 1,000 agents, most to be assigned along the southwest border.³³

The posture of military and law enforcement resources on the other side of the border has also changed as efforts to deal with drug trafficking, arms trafficking and criminal violence—as well as to mitigate endemic police corruption—have seen a greater military presence on the border. These changes and associated developments are reviewed below.

South of the Border: Mexican Military and Police Interaction

Mexico's mid-1990s' preoccupation with insurgencies in Chiapas, Guerrero, Oaxaca and other impoverished states soon broadened to include skyrocketing criminal violence, institutional corruption, drug operations and other organized crime.³⁴ Along the US-Mexico border and in the Mexican interior, drug traffickers and other criminals frequently targeted police and other

law enforcement personnel for intimidation or elimination. In this environment, Mexican authorities sought to better use their law enforcement and defense resources to control security threats ranging from insurgency, to drug and arms trafficking, to violent street crime. At the same time, the US government was reportedly insisting that Mexico get tough with drug traffickers and pushing for a more active role by the Mexican military in drug eradication and interdiction.³⁵ The resulting actions by the Mexican government changed Mexican military-law enforcement interaction generally and altered the composition of Mexico's security presence at the border.

The Mexican government determined to employ the Defense Secretariat (Secretaría de la Defensa Nacional—comprising the army and air force) and the Marine Secretariat (Secretaría de la Marina—constituting the navy and amphibious elements) far more prominently in internal security and law enforcement roles. Beginning in the mid-1990s, Mexico purged, reorganized and reinforced elements of the federal and state police establishments and modernized training and equipment in the growing Mexican armed forces. Increasingly the military bolstered the struggle to restore and sustain adequate internal security and public safety. While judged necessary by hard-pressed Mexican authorities dealing with multiple problems, involving the military also intensified internal debate about its proper role in countering vigorous, growing threats to Mexican stability.

Police corruption has been revealed at every level of administration in every Mexican state. There is scarcely a criminal enterprise without police complicity—major or minor, commonplace or bizarre.³⁶ Police collusion with drug and other criminal organizations, extortion, bribery and the commission of robberies, assaults and kidnappings is widespread and has affected police, customs and immigration officials on the border as it has in the interior. The Mexican government hoped that military discipline and integrity would help root out the culture of police corruption.

As a consequence, Mexican authorities began a dramatic restructuring of Federal Judicial Police (Policía Judicial Federal [PJF]) and analogous State Judicial Police (Policía Judicial Estatal [PJE]) establishments throughout Mexico, as well as the capital's Public Security Secretariat (Secretaría de Seguridad Pública [SSP]). Large numbers of corrupt officers were dismissed and many top leadership positions were filled with military personnel. Some military officers were assigned to police establishments in border states such as Baja California, Chihuahua and Tamaulipas among others.³⁷ Overall, some form of military involvement in law enforcement exists in most of Mexico's 31 states (in addition to the Federal District).³⁸ The Mexican army continues to train new generations of PJF agents in physical fitness, weapons skills, rappelling, land navigation and counterdrug and counter-terrorism techniques.³⁹

With the aim of better interdicting drug and arms traffickers, Mexican army units simultaneously redeployed in some states, including along the border. Employing Mexican military units in counterdrug operations—for interdiction, eradication and support to the police in drug sweeps—is far from a new phenomenon. Army and police counter-drug interaction gained some momentum during the administration of President Jose Lopez Portillo (1976-1982). It developed into a more "systematic campaign" during the tenure of Miguel de

la Madrid (1982-1988) and his successor, Carlos Salinas Gortari (1988-1994), and has intensified all the more under current President Ernesto Zedillo.⁴⁰ From the mid 1990s on, however, the Mexican army has been more prominent in border areas counter-drug patrols.

Mexican Army anti-drug patrol examines a seized cocaine shipment. Mexican Army anti-drug patrol

Mexican military personnel are now directly active and visible in counterdrug and other anti-crime activities than was earlier the case, including along the US-Mexico border. Despite legislative and other challenges to using military forces in these roles, the Mexican Supreme Court determined in March 1996 that the army, air force and navy may intervene in public security matters "as long as civilian authorities, even the government itself, request it."⁴¹ The National Defense Secretariat set out important future changes in its 1995 "Mexican Army and Air Force Development Plan," also identifying "the fight against drug trafficking" as a task in which the military would participate more directly.⁴² Regrettably, hopes that the military would remain relatively uncorrupted by the drug trade were dashed with the early 1997 arrest of army General Jesús Gutiérrez Rebollo, the just-appointed head of the National Institute to Combat Drugs (Instituto Nacional para el Combate a las Drogas [INCD]).⁴³ When appointed, Gutiérrez Rebollo was commander of Military Region V, covering several states in west-central Mexico, to include Jalisco's Military Zone 15 headquartered at the drug trafficking center of Guadalajara. Initially reputed to be a tough officer with strong personal integrity, the general had extensive experience in running Army operations against drug traffickers in the Guadalajara area. His reputation as a tough, honest commander with more than 42 years of distinguished military service was shattered in early February 1997 when Mexican authorities announced his arrest as a direct collaborator with the notorious head of the Juárez cartel, Amado Carrillo Fuentes.⁴⁴

Aides and associates were also arrested in the weeks ahead, and through mid 1999, other military officers—including general officers—have been charged or convicted of complicity with drug cartels.⁴⁵

While the military confronted security problems within Mexico, for the United States, the most apparent dimension of Mexican military activity against criminals has been in the border area. As noted, Mexico announced that army units would be redeployed in Chihuahua and tasked to perform a more assertive role in counterdrug and patrolling activities along Mexico's northern border. Indeed, over the last year Mexican army units have begun to more visibly patrol sections of the US-Mexico border—not only in Chihuahua, but also in other areas from the Pacific to the Gulf of Mexico. Dismounted or in light transport vehicles, including US-supplied HUMVEES, these units perform counterdrug missions in some sectors and also search for arms being smuggled from the United States.⁴⁶ Armed Mexican military units and police patrols occasionally cross into US territory along the often-unmarked border, raising concerns about risky, surprise encounters with the US Border Patrol, other law enforcement bodies and even US military units supporting national drug law enforcement.⁴⁷ The tragic confrontation between the US Marine patrol on drug enforcement duties and Ezequiel Hernández highlights the dangers. Also, given the levels of corruption within Mexican police forces in particular, it is far from clear whether seemingly official Mexicans are crossing the

border by accident or with some other—possibly criminal—intent.

A well-beaten path marks a favorite Rio Grande crossing site for illegal immigrants moving from Mexico (straight ahead) to the Laredo, Texas area. Rio Grande crossing site for illegal immigrants

Also visible along the US border, Mexican "Beta" interagency border patrol/migrant protection groups constitute an additional frontier law enforcement presence that may have benefited from military reinforcement.⁴⁸ Group members are selected for their good personnel records, are more highly paid than police officers and are subject to strict codes of conduct. Owing to the manifest border dangers, there have been calls to "reinforce" and better equip them by issuing body armor, for example.⁴⁹

Early in 1999, Mexican military and law enforcement organizations began to implement a new strategy that will affect operations along the border. Initially launched in Yucatan and targeted subsequently for the border states of Baja California and Tamaulipas, the approach involves specially trained Federal Judicial Police and army troops sealing off transiting routes in a large area and conducting drug sweeps, searches and arrests within the sealed zones.⁵⁰

The accompanying figure illustrates the deployment of Mexican army units and the general law enforcement presence in border military regions and zones along with specific units associated with these jurisdictions. This proliferation of organizations shows that the identity of armed and unarmed groups encountered along the border is problematic; they may be military, law enforcement, local residents, migrants, drug traffickers or criminals, or some combination thereof. The uncertainty has placed increased importance on improving the limited and uneven coordination among law enforcement and military organizations operating on both sides of the border.

Map of Mexican Border Security Presence

Toward Border Cooperation

Views on the significance of US-Mexico border security problems and proposals for remediation differ sharply. On the one hand, the security environment along the border is viewed by some as an existing national security emergency requiring immediate action—even the dispatch of thousands of troops in roles not previously sanctioned for the military. Others characterize border law enforcement primarily as a manageable public safety problem that can be met with better law enforcement. By most objective standards—numbers of arrests, drugs and other contraband seized, illegal immigrants detained, incidents of cross-border violence or other statistics—border security is a far more serious problem than it was just a few years ago. Since the border is a vector for the most pernicious forms of transnational security threats, the position of border security as an important element of Homeland Defense seems assured.

Antidrug patrols such as this became far more commonplace as drug-trafficking cartels directly threatened Mexican national security; soldiers surround an arms-trafficking aircraft carrying rifles, pistols and thousands of rounds of ammunition; and a smuggling aircraft discovered after its crash landing. anti-drug patrol arms trafficking aircraft surrounded by

soldiers a smuggling aircraft discovered after its crash landing

Deciding on the proper approach and balance is another matter. Among the most difficult tasks is determining the roles of the US military establishment in dealing with border security issues, a problem that Mexico has as well. Topics include the types and extent of employment, forms of interaction with law enforcement and the balance of security requirements with commercial, cultural, personal and other cross-border movement restrictions and control.

As the United States addresses these issues for the future, it is clear that current border security efforts will benefit immediately from closer cooperation with Mexican law enforcement and military counterparts. Existing venues range from the highest government policy-making levels to informal, aperiodic coordination in the field with counterparts. High Level Contact Group (HLCG) meetings, for example, are intended to resolve bilateral policy issues such as drug control and arms trafficking. The May 1997 US/Mexico Bi-National Drug Threat Assessment is one result of the HLCG program as are some of the newly formulated Mexican counterdrug efforts discussed above.⁵¹ Annual US-Mexican military Border Commanders' Conferences address major issues affecting both military establishments for senior leaders of both militaries, though at the field-operating level there seems to be only limited interaction.⁵² International Military Education and Training (IMET) programs bring Mexican officers into US military-educational academic venues and security assistance programs and are valuable on both sides of the border. US officers' attendance at Mexican military institutions has been instructive and useful, but Mexican law enforcement corruption continues to hinder effective US-Mexican working relationships. Nevertheless, the various bilateral border task forces in the principal border cities may represent a point of departure by bringing together Federal AntiDrug Judicial Police, agents of the Federal Public Prosecutor's Office (MPF) and DEA, FBI and Customs personnel.⁵³ Some law enforcement training and information exchanges are contributing to Mexican police professionalism, and less-formal working-level, cross-border coordination is worthwhile.⁵⁴

Security along the US-Mexico border clearly will become a prominent and growing focus of US strategic planning, unilateral law enforcement, military actions and cross-border cooperation. For the present, the many complex issues associated with controlling the southwest border present a special challenge to those law enforcement and supporting military resources that constitute the front line of US efforts to confront real challenges to US national interests.

NOTES

1. The US House of Representative Concurrent Resolution, "Recognizing the United States Border Patrol's 75 years of service since its founding," 27 May 1999, took note of the occasion. The resolution reviewed the organization's history, from its inception as the Mounted Guard composed of "Texas Rangers, sheriffs and deputized cowboys" through today's modern, technically equipped Border Patrol consisting of over 8,000 agents.

2. These groups include the US Custom's Service; Department of Justice Immigration and

Naturalization enforcement officers; Drug Enforcement Administration agents; Alcohol, Tobacco and Firearms elements; state police organizations; county sheriffs departments; municipal police from border communities; and a number of others.

3. Since 1989, the planning and coordination of Department of Defense (Title 10, Active and Reserve Component) operational support to counterdrug law enforcement along the US southwest border has been the responsibility of US Forces Command's Joint Task Force 6 under US Atlantic Command.

4. Timothy J. Dunn, *The Militarization of the U.S.-Mexico Border, 1978-1992: Low-Intensity Conflict Doctrine Comes Home* (Austin: CMAS Books, University of Texas, 1996).

5. Conflicting stories and rumors surrounding this event abound. The young man, who was herding his fathers' goats, had reportedly fired shots in the patrols' direction knowingly or unknowingly. See Thaddeus Herrick, "Marine on antidrug duty shoots, kills student," *Houston Chronicle*, 22 May 1997; and William Branigin, "Questions on Military Role Fighting Drugs Ricochet From a Deadly Shot," *Washington Post*, 22 June 1997, among many accounts.

6. Joint Task Force 6, *Operational Support Planning Guide*, 1 July 1995, 5. This guide indicates, in this regard, that "Title 10, Active and Reserve Component, military support to Law Enforcement Agencies (LEAs) is governed by the Joint Chiefs of Staff (JCS) standing rules of engagement. Military personnel deployed to border areas are authorized to be armed with their issued weapons for self-defense only. They may return fire when threatened with deadly force to defend either themselves, accompanying law enforcement personnel or others present. Title 32, National Guard, military support to LEAs is governed by similar rules as modified by each state governor." See also S.C. Gwynne, "Border Skirmish," *Time*, 25 August 1997, 40.

7. U.S. House of Representatives, Amendment 158 to the National Defense Authorization Act, 10 June 1999. This amendment, introduced by Representative James A. Traficant Jr., passed by a vote of 242-181.

8. The amendment provided for law enforcement training for military personnel, stipulated that military personnel would be accompanied by law enforcement personnel and was not to supercede the Posse Comitatus Act, section 1385, Title 18. The National Guard, it should be noted, are not subject to Posse Comitatus, though policy restricts their role in arrests and search and seizure. They do, however, conduct port-of-entry vehicle searches in support of the Customs Service.

9. "La Cámara de Representantes aprueba militarizar la frontera"; Andrea Becerril, "Enviar soldados, acto ominoso de Washington: Calderón"; and "Inaceptable militarización de la frontera," *La Jornada*, 12 June 1999.

10. In 1997, Representative James A. Traficant won House approval of a program to station up to 10,000 troops on the border. However, the proposal was eventually dropped due to Senate opposition. ("House Approves Troops on Border with Mexico," *Washington Times*, 6

September 1997, and "A Job for the Border Patrol," Los Angeles Times, 30 October 1997.) Still earlier calls for expanded military use along the border—often in the course of national political campaigns—received lukewarm receptions. In 1996, for example, Senator Robert Dole's (R) Kansas, presidential campaign highlighted the need for increased military power against drug trafficking, but gained little general interest. (Katharine Q. Seelye, "Dole Calls for Military Role in Fight Against Drugs," New York Times, 26 August 1996.)

11. See LTC William Flynt's article, "Threat Convergence," in the September/October 1999 edition of *Military Review* for a discussion of the threats associated with the two PDDs. See also The White House, Office of the Press Secretary, "Fact Sheet: Summary of Presidential Decision Directives 62 and 63," Annapolis, MD, 22 May 1998.

12. GEN Joseph T. Palastra, "The FORSCOM Role in the Joint Arena," *Military Review* (March 1989), 2-9; LTC Joseph L. Robinson, LCDR Carl R. Graham, and MAJ Jeffery R. Oeser, "Homeland Defense: The American Challenge for the 21st Century," *A Common Perspective: USACOM Joint Warfighting Center's Newsletter*, April 1999, 6-11; Richard J. Rinaldo, "Saving Citizen Ryan: US Military Support to Homeland Defense," *A Common Perspective: USACOM Joint Warfighting Center's Newsletter*, April 1999, 6-11; and US Army Training and Doctrine Command (Joint and Army Doctrine Directorate) "White Paper: Supporting Homeland Defense," Fort Monroe, VA, 22 April 1999

13. The treaty transferred what is now California, Arizona, New Mexico, Nevada, Colorado and parts of Utah and Wyoming from Mexico to the US and ratified the earlier annexation of Texas. The Gadsden Purchase in 1853 transferred an additional 77,692 square kilometers of Mexican territory to New Mexico and Arizona. See Library of Congress, *Mexico: A Country Study* (Washington, DC: US Government Printing Office, 1985), 38 for a map depicting Mexican territorial losses to the US over the 1836-1853 period.

14. Ramón E. Ruiz, *Asymmetry*, JSRI Occasional Paper No. 16, The Julian Samora Research Institute, Michigan State University, East Lansing, Michigan, 1997, received via Internet.

15. The most heavily affected area ranged north-to-south from the Nueces River to the Rio Grande and east-to-west from the Gulf Coast to Eagle Pass, Texas. For an autobiographical account of this period, see George Durham and Clyde Wantland, *Taming the Nueces Strip* (Austin: University of Texas Press, 1990).

16. James A. Sandos, *Rebellion in the Borderlands: Anarchism and the Plan of San Diego, 1904-1923* (Norman: University of Oklahoma Press, 1992), 79.

17. Sandos, *Rebellion in the Borderlands*; Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (Austin: University of Texas Press, 1987), 484-486; and Dunn, *The Militarization of the U.S.-Mexico Border*, 9.

18. Sandos, 81.

19. *Ibid.*, 97.

20. See Mark de Socio, "Borderline Nation: Irredentism in Texas and the Southwest," undated, received via Internet 7 May 1999, for an interesting historical review of the border framed in irredentist terms.

21. Donald Fisher Hamilton, "United States-Mexican Military Cooperation During World War II," Dissertation submitted to the Graduate School of Georgetown University, Washington, D.C., August 1976.

22. See, for example, Ruiz, *Asymmetry*; and Clint E. Smith, *The Disappearing Border: Mexico-United States Relations to the 1990s* (Stanford, CA: Stanford Alumni Association, 1990).

23. Beverly Kees, "U.S. Mexico Border on its 150th Birthday is a Many Splintered Thing," *Freedom Forum*, 1997, via Internet at <http://www.latinolink.com/news/news97/0825nbor.htm>.

24. Howard LaFranchi, "Making a Hole in Mexican Border," *The Christian Science Monitor*, 9 June 1999.

25. "Recognizing the United States Border Patrol's 75 years of service."

26. See the "unofficial" US Border Patrol Special Report: *Violence on the Border*, received via Internet at <http://www.usbp.com/border.htm>, for a collection of Associated Press reports illustrating the range of border violence building in the mid-1990s. See also K.L. Billingsley "Mexican drug lords trying to gun down U.S. Border Patrol," *The Washington Times*, 2 June 1997, for more recent incidents.

27. Where Southern Pacific tracks run a few yards from the border near Colonia Anapra in Mexico, gangs from the 45,000-person shanty town used a variety of ways to slow or stop the trains and loot the boxcars. See Gregory Gross, "Robbers Ride the Rails," *San Diego Union-Tribune*, 10 September 1995; Tony Clark (Interviews with US Border Patrol Representatives), *CNN News*, 31 January 1996, received via Internet. New security measures and border fencing have dramatically reduced, but not totally eliminated, the losses suffered so frequently in the mid-1990s.

28. Thomas A. Constantine, Drug Enforcement Administration, United States Department of Justice, Testimony Before the Subcommittee on Criminal Justice, Drug Policy and Human Resources, 4 March 1999, received via Internet at <http://www.usdoj.gov/dea/pubs/cngrtest/ct030499.htm>.

29. *Ibid.*, as the report notes, "from 1994 to 1998, Mexican citizens detained by US authorities at the Southwest Border in connection with drug seizures increased dramatically from 594 in 1994 to 4,036 in the first ten months of 1998. DEA arrests of Mexican nationals within the US increased 65 percent between 1993 and 1997. Most of these arrests took place in cities that average Americans would not expect to be targeted by international drug syndicates in

Mexico—cities such as Des Moines, IA; Greensboro, NC; Yakima, WA; and New Rochelle, NY."

30. Mark Shaffer, "Incidents at Arizona-Mexico Border Chill Diplomatic Ties," *The Arizona Republic*, 25 January 1997; William Branigin, "Drug Gangs Terrorize the Texas Border," *Washington Post*, 25 September 1996.

31. Mark Moran, Douglas, Arizona, "Cracking Down on Illegal Immigrants," *National Public Radio (Transcript)*, 17 May 1999, received via Internet.

32. Linda Robinson, "Mitch Moves 'em North," *U.S. News & World Report*, 15 March 1999, received via Internet.

33. "U.S. to Beef up Border Patrol Staff," *Reuter's Report*, 23 March 1999, received via Internet.

34. Levels of organization, planning, weaponry and transportation employed in criminal acts have often blurred the distinction among criminal, insurgent and terrorist perpetrators. A number of the 74 bank robberies that occurred in Mexico City from January 1996 to the end of November 1996 involved well-armed groups that commit crimes and escape. See the *Associated Press* report of 28 November 1996 for an account of two of the most recent Mexico City bank robberies.

35. Mexican commentators complain that the greater involvement of Mexican military units in counterdrug operations is a consequence of US pressure and American calls to "confront drug trafficking as if it were a foreign invasion." Eduardo R. Huchim, "Narcotráfico: la corrupción militar," *La Jornada*, 8 April 1996.

36. Among recent, unusual charges are allegations that federal and/or state police personnel in Oaxaca protect poachers who have stolen hundreds of thousands of endangered Olive Ridley sea turtle eggs from the states' ecologically sensitive Pacific beaches. The eggs are sold on the black market for their presumed aphrodisiac qualities. See "Mexico Police Charged With Turtle Poaching," *United Press International* 18 October 1996, received via Internet.

37. For example, the Defense Secretariat exercised concentrated control of judicial commands and agents in Chihuahua through military prosecutors targeted against the Juárez cartel, with soldiers substituted for law enforcement in Baja California as well. Police were also increasingly "militarized" in Tamaulipas state with the appointment of Army officers as Federal Judicial Police commanders and soldiers "on leave" as police agents. Miguel Concha, "Militarización," *La Jornada*, 2 November 1996; for subsequent developments, Jorge Alberto Cornejo, Alejandro Romero and Martín Sánchez, "Mas relevos militares a la PJJF y al INCD en BC y Chihuahua," *La Jornada*, 21 February 1997; Meliton Garcia and Miguel Dominguez, "Soldiers Replace Police in Tamaulipas," *Reforma*, 5 March 1997, as translated in FBIS-LAT-97-048.

38. Gregory Gross, "Mexican Army Takes Command of War on Crime," *San Diego Union-*

Tribune, 5 December 1996, received via Internet. One estimate asserted that 29 of 31 states had military involvement in law enforcement of some type.

39. Araceli De La Torre Moreno, "Nueva Generación," *Revista del Ejército y Fuerza Aérea Mexicanos*, 4-5. The army has long expressed private—and sometimes public—contempt for the professionalism of PJF and PJE components and especially their endemic corruption. In particular, army spokesmen continue to allege that the PJF in particular protects and facilitates the operations of narcotraffickers. There have been a number of encounters between Army and police units in the field during counterdrug operations to include, on occasion, firefights.

40. For a good recent treatment of Mexico's counterdrug efforts, see María Celia Toro, *Mexico's "War" on Drugs: Causes and Consequences, Studies on the Impact of the Illegal Drug Trade*, vol. 3 (Boulder, CO: Lynne Rienner Publishers, 1995).

41. Edgar Muñoz, "Night Monitor" program, Mexico City Radio Red, 0000 GMT, 20 March 1996, as translated in FBIS-LAT-96-058, received via Internet. It was reported also that one of the articles of the Constitution would be revised to better reflect what the military was legally permitted to undertake in supporting civil authorities.

42. Ignacio Rodríguez Reyna, "The Enemy is Also Within" (Part II of a three-part series), *El Financiero*, 26 September 1995, as translated in FBIS-LAT-95-194, 21.

43. "Mexico's New Top Lawman Promises to Clean House," Associated Press, 4 December received via Internet. Following the arrest of its leader, the INCD was dissolved and replaced.

44. Among the many articles that followed in the wake of the general's arrest, a good review of the events is provided in Agustín Ambríz, "Informe militar sobre el general Gutiérrez-Rebollo: otros oficiales del Ejército, agentes y comandantes del INCD y de la PGR, cómplices de Amado Carrillo," *Proceso*, No. 1060, 23 February 1997, 7 and 11-12 and several associated pieces appearing in the same issue.

45. Mark Fineman, "2nd Mexican General Arrested on Drug Charges," *Washington Post*, 19 March 1997; and Gerardo Rico and Antonio González Vázquez, "House Arrest Ordered for General Cardona," *La Jornada*, 22 March 1997, as translated in FBIS-LAT-97-057. The effects of corruption endemic in Mexican law enforcement, has not left the US untouched, as allegations of US local, state or Federal law enforcement corruption have, in a number of cases, turned out to have merit.

46. As regards the weapons smuggling issue, see "U.S. to Help Mexico Trace Thousands of Seized Firearms," Associated Press, 5 November 1996, received via Internet; and Pierre Thomas and John Ward Anderson, "Mexico Asks U.S. to Track Guns Being Imported by Drug Cartels," *Washington Post*, 5 November 1996, received via Internet.

47. Jaime Nieto, "Army Presses Offensive Against Drug Trafficking at U.S. Border," XEW Television Network, 0330 GMT, 1 June 1996, as translated in FBISTDD96019L, received via Internet; Gregory Gross, "Mexican Soldiers Increase Presence Along U.S. Border," *San Diego*

Union-Tribune, 3 November 1996.

48. NOTIMEX, 0231 GMT, 21 May 1996, as translated in FBIS-LAT-96-102, received via Internet. A "Grupo Beta Sur" (South Beta Group) group has also been established on Mexico's southern border in Chiapas, according to NOTIMEX, 2002 GMT, 5 May 1996, as translated in FBIS-LAT-96-088, received via Internet. See also Nancy Nusser, "Special Police Unit Aims to Crack Down on Illegal Migrant Abuse," Cox News Service, 23 November 1996, received via Internet, for more on the 35-man Grupo Beta Sur and its activities.

49. Jorge Alberto Cornejo, "Aplica México plan para proteger derechos de centroamericanos," La Jornada, 23 May 1996.

50. "USMexico Drug Cooperation Detailed," La Jornada, 18 February 1999, as translated in FBIS via Internet; and Roberto Garduno, "Topics of Week's Antidrug Meetings Cited," La Jornada, 28 March 1999, as translated in FBIS via Internet.

51. High Level Contact Group on Drug Control, US/Mexico Bi-National Drug Threat Assessment, US Office of National Drug Control Policy, Mexican Office of Attorney General, and Mexican Office of the Secretary of Foreign Relations, May 1997.

52. A recent remark to this effect was attributed earlier this year to former US Principal Deputy Under Secretary of Defense, Jan Lodal, in La Jornada, 10 February 1999, as translated in FBIS and received via Internet. He reportedly said that "while neither Mexico nor any other nation can by itself solve the problem of drug trafficking, many US officials find it difficult to coordinate efforts with the Mexican military because `there is no one in charge... especially someone inside the Mexican armed forces who is responsible for coordinating the antinarcotics fight.'"

53. "USMexico Drug Cooperation Detailed," La Jornada, 18 February 1999, as translated by FBIS, received via Internet.

54. A letter to the editor of the Washington Post on 24 September 1996, from the Mexican Ambassador to the United States, discussed the March 1996 establishment of a High Level Contact Group for Drug Control (HLCG). It was to consist of various working groups addressing issues like money laundering, essential chemical control, arms trafficking and other issues as well as specialized border task forces. An HLCG meeting took place in early December 1996. See also Gross, "Mexican Soldiers Increase Presence," for other kinds of cross-border interaction at the tactical level.

Photos: US Army and Ejército y Fuerza Aerea Mexicanos