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DRUG TRAFFICKING

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INTRODUCTION



The illustration depicts the global flow of cocaine.

*UN Office of
Drugs &
Crime*

Drug trafficking has brought much harm to many Americans. From the east coast of Maine to the shores of Florida, illicit drugs have moved across American borders. The impact is staggering - between 1999 and 2020, there were over one million deaths caused by drug-related overdoses. (Cohen, 2022). Even more, over 40% of gang-related crimes and conflict involve drug sales. (National Gang Center, 2012). The congressional plan to combat drug trafficking must acknowledge this issue as a matter of national security. The profits raised by drug trafficking often fund other illicit activities, such as arms trafficking and terrorism. By preventing illicit drug transactions, the federal government can limit the flow of funds to criminal operations and terrorist organizations.

Addressing drug trafficking requires international cooperation. The US-Mexico border is a particularly important point of collaboration; 707 thousand pounds of illegal narcotics were seized along this border in 2020 alone. (US Customs and Border Protection, 2023). Collaborating to disrupt the drug supply chain and sharing intelligence can help disrupt the global drug trade. It is crucial the committee works towards finding solutions that will protect the economic and mental well-being of Americans.

EXPLANATION OF THE ISSUE

Historical Development

Drug trafficking across the US-Mexican border has been an issue for decades. Mexican traffickers, as well as organizations in the Middle East like the Taliban and al-Qaeda, have held immense power over the manufacturing and transportation of illegal drugs.

Trafficking– the illegal movement of selling or buying goods.

Drug Cartel– an organized criminal group specializing in the production, distribution, and trafficking of illegal drugs and that restrict supply to artificially inflate prices.

Money laundering – the process where money obtained illegally is passed through complex transfers and transactions in order to hide the original source of the money.

(Peters, 2009). From 2004 to 2010, Americans spent about \$100 billion per year on illicit drugs. (Kilmer, 2014).

The largest and most infamous Mexican **drug cartel** is the Sinaloa Federation. According to the US Attorney General’s office and the United States Department of the Treasury, “the Sinaloa cartel imported and distributed almost 200 tons of cocaine and large amounts of heroin between 1990-2008.” The US Department of Justice reports over 6,500 people being killed in 2009, due to cartel violence. Though this direct violence has primarily been confined to Mexico, the frequency of drug-related crimes has increased in the United States. (US Department of Justice, 2010).

Scope of the Problem

Individuals involved in the distribution and misuse of illicit substances often engage in a range of violent crimes and may jeopardize public safety. By combating drug trafficking, law enforcement agencies can disrupt these criminal networks and reduce their influence and impact. Many reports of drug-related crimes are accounted for by cocaine consumers (NDIC, 2008). Residential burglaries are particularly common among methamphetamine abusers. These home invasions “often target residents known or suspected to be involved in the illicit drug business; drugs or money are commonly stolen from these residences” (NDIC, 2008).

Border Control

Since drug trafficking is heavily intertwined with other forms of illicit trade and **money laundering**, enhancing border security with advanced technology, including drones, manned aircraft, thermal sensors, radar, and surveillance towers can help effectively control the border when it comes to drug trafficking (DHS, 2023). In particular, the US Immigration and Customs Enforcement Homeland Security Investigations (ICE-HSI) uses “comprehensive border enforcement strategies to investigate and disrupt the flow of narcotics and ill-gotten gains across the Nation’s borders and dismantle related smuggling organizations” (White House, 2022). ICE is able to maintain these objectives by applying Title 21 cross-designated Special Agents and “enforcing multi-disciplined money laundering control initiatives to investigate financial crimes and interdict bulk currency shipments exported out of the United States” (White House, 2022). In order to carry out its mission, ICE-HSI has implemented hundreds of federal statutes to combat the illegal movement of people and goods.

ICE-HSI also supports “US drug control policy, specifically the President’s *National Drug Control Strategy* and other ONDCP



Co-chair of the Congressional Hispanic Conference, Tony Gonzales, during conference on a proposed GOP border security bill that “this crisis ends when President Biden signs a bill into law that strengthens border security and protects legal immigration.”

News Nation

initiatives, such as Disrupting Domestic Drug Trafficking and Production, Strengthening Law- Enforcement and International Partnerships to Reduce the Availability of Foreign-Produced Drugs in the United States, and by supporting the overall ICE mandate to detect, disrupt, and dismantle smuggling organizations” (White House, 2022).

Congressional Action

Homeland Security Fentanyl Enforcement Act

On September 30th, 2022, Congressman Clay Higgins (R-LA) introduced legislation to address the ongoing fentanyl crisis. The bill, titled the *Homeland Security Fentanyl Enforcement Act*, would amend Title 21 of the US Code, “which governs drugs and other controlled substances, to provide DHS Homeland Security Investigations (HSI) agents with independent authority to enforce America’s drug laws” (Clay Higgins, 2022). Currently, HSI is the primary DHS agency responsible for investigating gun trafficking, human trafficking, and transnational gang activity.

Under this act, the authority of the Department of Homeland Security (DHS) to conduct counter-narcotics operations and fight transnational criminal organizations (TCOs) would be expanded. Granting full Title 21 enforcement authority to HSI would enable HSI’s 3,750 local, state, and tribal task force officers to investigate every agent and add more than 10,000 law enforcement professionals to fight the deadly drugs that are being smuggled into the United States (Clay Higgins, 2022).

The bill's co-sponsors, at the time of introduction, were Reps. Brian Babin (R-TX), Mike Carey (R-OH), Mayra Flores (R-TX), Mary Miller (R-IL), Mariannette Miller-Meeks (R-IA), and Chris Smith (R-NJ). (Clay Higgins, 2022).

Enhancing DHS Drug Seizures Act

The Enhancing DHS Drug Seizures Act came about on Thursday, May 4th, 2023, the Enhancing DHS Drug Seizures Act was reintroduced by Senators Gary Peters (D-MI) - Chairman of the Homeland Security and Governmental Affairs Committee - and Josh Hawley (R-MO). The bipartisan legislation was intended to ensure the Department of the Homeland Security (DHS) efficiently uses existing resources and expanding available tools to stop the flow of deadly and illicit drugs like fentanyl” into the United States. (Gary Peters, 2023). The bill empowers DHS to access necessary data and many resources needed to counter drug trafficking. The bill is said to align with the priorities outlined in the National Drug Control Strategy, particularly the goal of reducing the supply of illicit drugs and deaths from the opioid epidemic.



Along the border in El Paso, Texas, Federal agents have reported a 4,000% increase in fentanyl seizures.

NBC News

The legislation requires the development of a plan to improve and leverage public-private partnerships within relevant industries (e.g., shipping, chemical, and pharmaceuticals) for the purposes of “early detection and interdiction of illicit drugs” (Gary Peters, 2023). The Enhancing DHS Drug Seizures Act would also implement harsher penalties for drug traffickers who willfully track and/or circumvent law enforcement officials or destroy border technology, like sensors and cameras, in an effort to smuggle drugs in the United States (Gary Peters, 2023).

Disrupt Fentanyl Trafficking Act of 2023

On May 16th, 2023, Rep. Salud Carbajal (D-CA), Rep. Stephanie Bice (R-OK), Sen. Joni Ernst (R-IA), and Sen. Tim Kaine (D-VA) declared their intent to fight the threat of fentanyl with a bill that would redirect federal attention to “fentanyl trafficking by utilizing the tools of the Department of Defense (DoD) and involving Mexico as an active partner to combat this crisis and disrupt drug cartel and trafficking activity” (Salud Carbajal, 2023). The Disrupt Fentanyl Trafficking Act of 2023 would define fentanyl trafficking as a national security threat and direct the Pentagon to develop a fentanyl-specific counter-drug strategy, including enhanced cooperation with foreign nations. The bill would also require the Secretary of Defense to cooperate with the Mexican military on this issue.

Other Policy Action

On March 3rd, 2023, the Office of National Drug Control Policy (ONDCP) began training staff with field-based scientists and implementing satellite laboratories at selected points of entry along the border in order to stop the transportation of fentanyl. Other strategies include expanding the “use of analytical tools for expedited screening of packages and expanding the current International Mailing Facilities initiative to interdict shipments of opioids, unapproved foreign drugs, counterfeit pharmaceuticals, and health fraud related shipments.” (White House, 2023).

The Office of National Drug Control Policy is also leading a “sustained diplomatic push that will address fentanyl and other synthetic drugs and the international supply chain supporting the manufacture of all illicit drugs” (White House, 2023). The Administration specifically is working towards establishing international partnerships in hopes of seizing chemical ingredients and fentanyl before it can reach US borders, and hold traffickers, facilitators, and producers accountable. (White House, 2023).

IDEOLOGICAL VIEWPOINTS

Conservative View

The conservative viewpoint regarding drug trafficking has called for stronger enforcement measures at the US-Mexico border. House Speaker Kevin McCarthy has stated, “you cannot tell us this border is secure when now there’s enough fentanyl in this country to kill every single American more than twenty times over. This has all got to change. That’s our commitment and that’s what we’ll make happen.” (Falco, 2023). Conservatives call for stricter sentencing for drug-related crimes. While rehabilitative efforts for drug addiction has bipartisan support, a larger contingent of conservatives see incarceration as a punitive means of reducing drug offenses, whether they are coupled with addiction or not (American Addiction Centers, 2023)

Conservatives believe that collectively working harder to prevent drugs from entering the nation is crucial. Drug education is a necessity among adults to teach their children and should be taught in schools. Additionally, conservatives believe that there should be drug treatment options given to those who are seeking help.



The United Nations Office on Drugs and Crime launched a four-sphere action strategy to support countries in addressing drug trafficking as a public health concern.

United Nations Office on Drugs and Crime

Liberal View

The liberal standpoint emphasizes treating drug trafficking and addiction as public health concerns. This approach favors decriminalizing the consumption of drugs. Additionally, liberals believe that those in prison should have access to care for drug addiction. Escalations and interventions at the border, according to Representative David Trone, would be a “grave mistake.” (Falco, 2023). Enhancing education and treatment could mitigate the demand for illicit drugs. Liberals want countries to allocate funding towards establishing “better metrics to measure progress” and focus “their repressive actions on violent organized crime and drug traffickers, in order to reduce the harms associated with the illicit drug market” (Liberal International, 2017). Liberals also believe in governments trying models of legal regulation with certain drugs, such as cannabis, with hopes of “undermining the power of organized crime and safeguarding the health and security of their citizens.” (Liberal International, 2017).

AREAS OF DEBATE

Regulating drugs is difficult given their chemical structure can be minutely alternated to avoid regulation. This was the case with fentanyl. To close this **loophole**, the The federal government classifies fentanyl as a Schedule I drug, Drug Enforcement

Loophole— a flaw or unclear meaning found in an agreement or law that leads to ambiguous interpretation that can be exploited.

The safety of families at the border is at risk. For example, an individual or individuals may be kidnapped because of a lost drug load or failure to pay a drug debt. (U.S Department of Justice, 2010).

Administration and Congress had to expand the drug’s definition to cover all fentanyl-related substances under Schedule I strict regulation. (White House, 2023). In such cases, and in others, measures to prevent the entrance of drugs into the country could mitigate the risk. Potential avenues of doing so are elucidated below.

Surveillance

Improving surveillance technology at the US-Mexico border is one way to preventing drug trafficking. Advanced surveillance involves funding for technology and personnel. One surveillance strategy to consider is the deployment of drones and unmanned aerial vehicles (UAVs) with cameras and sensors to monitor remote areas of the border. Another option could be to install high-resolution cameras along the border that are capable of capturing detailed images, both during the day and the night. Policymakers may also want to consider ground sensors that human movements and track low-flying aircraft that are used to transport drugs across the border.

Border Security and Drug Seizure

A border wall is a proposed way of deterring criminal activity. Improved infrastructure can include fencing and strategically designed barriers that could deter illegal border crossings. Whether it be drug trafficking, child trafficking, or counterfeit products, robust border security is important for the safety of Americans.

Dogs are another possible solution to detecting narcotics at the border. Expanding and supporting the K-9 units at checkpoints could be effective to identify concealed drugs and deter traffickers from entering the United States. Traffickers may also be deterred by the increased presence of personnel and border patrol agents at the border. Surveillance machines with advanced data algorithms to analyze remote areas of the border could help identify patterns and suspicious activity that customs officers and border patrol agents may not find on their own. It is essential to have border security trained to combat the evolving tactics used by drug traffickers.

International Cooperation

Collaboration and data sharing between US and Mexican authorities is important in the fight against drug trafficking.

Sharing information with international partners can help strengthen the response of Mexican law enforcement and provide US authorities the right intelligence to identify drug trafficking organizations and learn more about their transportation strategies. The international community must jointly coordinate efforts to disrupt drug cartels and their criminal networks.

The public awareness aspect can serve as a preventative measure, as education and public health campaigns and raise awareness and mitigate risk in impacted communities.

BUDGETARY CONSIDERATIONS

For FY 2024, President Biden has requested \$46.1 billion in funding for National Drug Control Program operations, a \$2.3 billion increase from the previous fiscal year (White House, 2023). In 2022, \$63.1 million for the Department of the Treasury's efforts was requested to "conduct narcotics-related financial investigations, address cybercrime, and interrupt the financial activities of drug traffickers" (White House, 2022). When crafting your legislation, additional funding can also be allocated to the Criminal Investigation Division of the Internal Revenue Service and the Office of Foreign Assets Control (OFAC). Collaborating with other federal, state, and local agencies involved in drug control efforts is crucial. Funding could support joint task forces and information sharing initiatives.

The Department of Homeland Security Customs and Border Protection budget for Federal Drug Control Spending in 2023 was nearly \$4 billion and the agency has requested \$4.3 billion for FY 2024 (White House, 2023). A portion of the requested funding could be allocated towards technology and updated infrastructure to detect drug trafficking at the border. The US Immigration and Customs Enforcement's budget for drug control activities in 2022 was approximately \$642.1 million for drug control activities (White House, 2022). Investing in advanced technology for data analysis and intelligence gathering can help identify drug trafficking patterns and routes. Funding could be directed towards developing software and databases to fulfill this mission. Hiring additional personnel and border patrol agents may help improve enforcement. This would involve funding for recruitment, training, and salaries.

CONCLUSION

Overall, drug trafficking at the US border is a complex issue that requires cooperation of members of the House and the

international community. The trafficking of heroin, fentanyl, and other opioids from overseas into the United States is creating a national epidemic with life-threatening consequences. It is imperative that we address the consequences that have grown from inadequate drug control and border management. The mission of the US Homeland Security is to facilitate lawful travel and trade while preventing illegal activity.

As you craft your bills, brainstorm strategies that will strengthen preparedness and resilience against cartels. Draft solutions that will incorporate specific border control methods needed to stop drug abuse and the harm it is bringing to the US economy. You should proactively detect which loopholes in our current federal justice system have made the drug market rapidly accessible across the US-Mexican border. Addressing the social determinants of health that drug trafficking relates to will also strengthen your stance for immediate change. There is not just one solution that can end drug trafficking.

GUIDE TO FURTHER RESEARCH

The statistics and lived experiences of drug abuse contains can be emotionally triggering. Take appropriate precautions when researching drug-related violence. The US border is not typically the first or final destination in drug trafficking networks. Your research should try to identify the roots of drug trafficking and its relation to foreign affairs. I suggest reviewing the CIA World Factbook, as well as national government reports, to investigate the main producers of illicit drugs. Dive deeper into the rules and regulations of the House Homeland Security. The sources listed in the bibliography serve as an appropriate starting point.

GLOSSARY

Drug cartel– a formulated group of producers in which controls the supply and regulation of illegal drug trade.

Loophole– a flaw or unclear meaning found in an agreement or law that leads to ambiguous interpretation that can be exploited.

Money laundering – the process where money obtained illegally is passed through complex transfers and transactions in order to hide the source the money was gained.

Trafficking– the illegal movement of selling or buying goods.

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