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U.S. Renews Pledge to Control Flow of High-Caliber Weapons to Mexico, but New Difficulties Arise

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The US has pledged to make a greater effort to halt the flow of contraband firearms to Mexico, and US Secretary of State Hillary Rodham Clinton conveyed this commitment to Mexican officials during a visit to Mexico. As if to underscore its intentions while Clinton was in Mexico, the US government announced the arrest of 20 people on firearms charges for allegedly participating in a ring that bought more than 700 guns that were to be smuggled into Mexico for use by the notorious Sinaloa drug cartel. The US promise may ring hollow, however, as the expenditures plan presented by the White House budget office for the next fiscal year proposed to reduce funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), potentially dooming Project Gunrunner, created in 2008 to slow the illegal flow of weapons into Mexico.

Secretary Clinton addresses issue during recent trip to Mexico

The two North American countries have been at odds for at least two years regarding the failure of the US government to stem the flow of high-caliber weapons to Mexico. US President Barack Obama's administration has made some good-faith efforts to address the problem, such as creating Project Gunrunner, which boosts security measures to stop the illegal flow of armaments to Mexico ([SourceMex, March 5, 2008](#)). That effort was followed up with a second initiative intended to increase controls along the US-Mexico border ([SourceMex, April 1, 2009](#)).

The Obama government's initiatives have made only a small dent in the flow of weapons, in part because the administration has been unable to tighten controls at the point of purchase because of opposition from the gun lobby and those who claim that added restrictions violate the Second Amendment of the US Constitution, which guarantees the right of citizens to bear arms. Some states like Arizona, rather than help tighten gun laws, are proposing to ease restrictions significantly.

The ineffectiveness of US efforts to curb the weapons flow has led to protests from Mexican officials during meetings with US counterparts ([SourceMex, May 26, 2010](#)).

The Obama administration insists that it is doing all it can, given the circumstances, but has pledged to continue efforts. During a meeting with Foreign Relations Secretary Patricia Espinosa in Guanajuato, Mexico, on Jan. 24, Secretary Clinton renewed the Obama government's commitment to address the smuggling of high-caliber weapons into Mexico. To back up this commitment, the Clinton announced that the administration was allocating US\$60 million for nonintrusive inspection equipment for customs agents this year. She also promised that the government would implement new measures to track multiple purchases of high-powered rifles at the border after the ATF requested authority to require gun dealers to report such purchases.

"The United States has been willing, under President Obama, to admit that we have a responsibility for some of the very difficult transnational organized-crime challenges that Mexico is dealing with," Clinton said at a press conference in Guanajuato. "That is why it is important for us to work closely

together to halt the stream of illegal weapons and cash coming in one direction and drugs going in the other direction."

High-profile arrest of gun smugglers in Arizona

Perhaps as a sign to Mexico that it was serious about cracking down on arms traffickers, the Obama administration announced on Jan. 25—in the middle of Clinton's visit to Mexico—that federal authorities had indicted 20 people on weapons-smuggling charges. The accused had acquired about 700 weapons in Arizona and were conspiring to transfer them across the border, primarily to the Sinaloa cartel.

The arrests and subsequent 53-count indictment were the result of extensive investigations by several federal law-enforcement authorities, including the ATF, Immigration and Customs Enforcement (ICE), and the Drug Enforcement Administration (DEA). The investigations, held between September 2009 and December 2010, revealed that the defendants conspired to acquire hundreds of weapons such as Kalashnikov rifles, .50 caliber sniper rifles, and high-powered 5.7 mm pistols—which are capable of piercing body armor—on behalf of Mexican drug traffickers.

"The massive size of this operation sadly exemplifies the magnitude of the problem: Mexican drug lords go shopping for war weapons in Arizona," Dennis Burke, US attorney in Arizona, said in a statement.

US officials said this case is a clear example of why gun laws need to be tightened so that gun sellers must report multiple purchases of long-barreled weapons by a single buyer. Under current regulations, dealers must report multiple purchases of handguns but not high-powered weapons. "From our perspective...you have this incongruity in the law, where for handguns there's a reporting requirement for multiple purchases but for long guns...no. There's no sense to that, it's arbitrary," Burke told Reuters.

The ATF is pushing for an emergency change in regulations, so that 8,500 gun dealers in the four US states that border Mexico—California, Arizona, New Mexico, and Texas—would be required to report sales of two or more semi-automatic rifles with detachable magazines to the same person within a five-day period. The White House Office of Management and Budget (OMB) has yet to approve the rule change, which is strongly opposed by the National Rifle Association (NRA) and other members of the gun lobby.

For now, the cartels continue to take advantage of the loophole, acquiring large numbers of weapons through so-called straw purchases. Under this scheme, legal residents of a state acquire the weapons from licensed gun dealers, certifying that they are for their own use. They then sell the guns to drug cartels.

Budget cuts could doom gun-detection campaign

While the White House has not indicated whether it plans to make modifications to the weapons-purchasing rules, other changes might hinder the ATF's ability to do its work. Facing pressure from the Republican-dominated House of Representatives, the Obama administration has recommended budget cuts to the agency, which could endanger Project Gunrunner. reported that the administration has proposed eliminating about US\$160 million from the ATF's US\$1.25 billion budget request for the coming fiscal year. That not only is a nearly 13% reduction in the requested amount but a 3.6% cut from the current ATF budget.

ATF officials declined to comment because the budget process is not complete. But sources said ATF officials fear the proposed cuts would harm the Project Gunrunner border initiative because federal rules require the last hired to be laid off first, and most new hiring at the agency has been for the Southwest border effort.

A funds reduction could primarily affect agents working with Mexican law-enforcement officials in Mexico to trace guns seized by police. More than 65,000 weapons seized in Mexico have been traced back to gun dealers in the US.

The ATF has already taken some steps to save the program, such as moving funds from an explosives initiative to the Gunrunner effort, some sources said.

Observers say law enforcement is likely to face fewer cuts than other departments, but there is concern that the ATF could see much larger reductions in funding than other agencies like the Federal Bureau of Investigation (FBI). "ATF is the ugly stepchild of every administration," former ATF senior executive James Cavanaugh told. "It would really handicap the ATF. It's a small agency and it's a lean machine. There are not a lot of agents and inspectors. There is not a lot of fat. With ATF, it would be an amputation."

Project Gunrunner has faced its share of criticism. For example, the Justice Department's inspector general said ATF managers have discouraged field personnel from conducting "the types of complex conspiracy investigations that target higher-level members of trafficking rings." As a result, more than two-thirds of the cases have involved single defendants.

Other controversies arise during Clinton's Mexico visit

Much of the law-enforcement community in Mexico has welcomed the collaboration with US agencies, even inside Mexican territory. But the work is often dangerous and unpopular among the Mexican public at large. The media and politicians showered President Calderón with criticisms when word leaked out that the Mexican government had allowed FBI agents to question undocumented immigrants, mostly from Central America, being held in Mexican jails. The reports about this activity were in the latest round of previously confidential diplomatic correspondence posted on the Wikileaks Web site. Earlier Wikileaks cables written by US diplomats in Mexico showed strong skepticism about Mexico's war on drugs ([SourceMex, Dec. 8, 2010](#)).

The latest leaked cable, dated May 2008, expressed concern about the possibility that Mexico was being used as a "potential transit point for terrorists intending to launch attacks against the US." The cable also criticized Mexican intelligence efforts as chaotic and rife with corruption. But the dispatch also praised Mexico's intelligence agency, the Centro de Investigación y Seguridad Nacional (CISEN), for its willingness to cooperate so closely with the FBI.

"On a positive note," said the cable, "CISEN has been our closest ally in the fight against terrorism. They have allowed US government officers to interview foreign nationals detained at Mexican immigration detention centers dispersed around the country for potential CT [counterterrorism] information."

It was this last bit of information that raised strong concerns in Mexico. Opposition legislators in the Mexican Senate called for a full explanation from the Calderón administration on why it was allowing the US to violate Mexico's sovereignty.

Still, there was conflicting information from former and current officials on whether the FBI had actually conducted interrogations in Mexico. Interior Secretary Francisco Blake Mora and Cecilia Romero, former commissioner of the Instituto Nacional de Migración (INM), said the interrogations had taken place. Romero was in charge of the INM during the time that FBI personnel would have visited Mexican jails.

"Public safety is not the exclusive concern...of Mexico, but it is a problem that crosses borders," Blake Mora told reporters. "And one strategy to address this is international cooperation."

But current INM director Salvador Beltrán del Río, who replaced Romero as head of the Mexican immigration agency, adamantly denied that any FBI interrogations had taken place on Mexican soil. When asked if any US FBI agents had ever conducted interrogations in Mexico, Beltrán simply answered with a terse "no." And when asked if the Wikileaks information was false, his reply was "yes."

Secretary Clinton did not address the issue during her visit to Mexico but did speak about strong cooperation between US and Mexican law-enforcement agencies. "And we are seeing real results on both sides of the border. On the Mexican side, thanks to improved intelligence and targeting, nearly two dozen high-level traffickers have been captured or killed just in the past year," Clinton said during her press conference in Guanajuato.

"On the US side, the FBI just arrested the largest number of mafia members in history this month. And our Treasury has designated nearly 800 businesses and individuals associated with drug kingpins," Clinton said. "In both countries, we continue to confront organized crime within our borders and across them. We still have work to do. I'm not going to deny that. But we are making progress."

During her meetings with Mexican officials, Clinton pledged US\$500 million in funds for capacity building and equipment to fight traffickers. The nonintrusive inspection equipment used by US border agents to detect arms will be part of this total. She did not make it clear when the money would be allocated or if a portion of the funds would be devoted to ongoing programs to train investigators and judges in judicial reform.

She went out of her way to praise Calderón's anti-drug efforts, calling the Mexican president "courageous" for his anti-drug efforts. "This is very hard, and what President Calderón has done is absolutely necessary," Clinton said after meeting with Espinosa in Guanajuato. "There is no alternative."

Opposition legislators criticized Clinton for only mentioning Calderón in her statement. "This was a political slap on the back to Calderón," said Sen. Jorge Carlos Ramírez Marín, a member of the Partido Revolucionario Institucional (PRI). "This praise should have been offered instead to the Mexican people."

The PRI delegation in the Chamber of Deputies also weighed in on the comments, suggesting that the US recognition of the Mexican government efforts by itself is "not sufficient to halt the violence that is occurring in our country." The PRI called for actions rather than words from the US, especially when it comes to exchange of information and a halt to weapons trafficking.

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