

OIM HEARING #2
May 11, 2011
Chairman Michael McCaul Opening Statement
As Prepared for Delivery

NOTE: *Congressman McCaul may deviate from prepared text*

Welcome to this Subcommittee on Oversight, Investigations and Management hearing titled “On the Border and in the Line of Fire: US Law Enforcement, Homeland Security and Drug Cartel Violence.”

It is the second of two hearings to raise awareness of the danger we face along our Southern border with Mexico to determine what we are doing to confront this growing national security threat to both countries.

Our first hearing examined the US strategy assisting Mexico to win its war against the drug cartels. Testimony revealed drug cartels are taking huge amounts of territory and the violence in Mexico is escalating at an alarming rate.

We concluded there is no comprehensive US strategy and recommended they use lessons learned from Plan Colombia as our framework.

Additionally, federal law defines “terrorism” as activity that is “intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion, or to affect the conduct of a government by assassination or kidnapping.”

That is why I, along with Chairman King, introduced HR 1270, designating the Mexican drug cartels as Foreign Terrorist Organizations to provide us more authority to go after them and those who provide them assistance.

We communicated all these findings to Secretary Clinton, Attorney General Holder and Assistant to the President for National Security Affairs Mr. Donilon.

I would like to commend President Calderon for taking on the drug cartels that are overtaking his country. Mexico is losing this war. It is my intention through these hearings to help Mexico win it.

Today we examine the US side of the border. It is necessary to provide a realistic security assessment as determined by local and state law enforcement and accurately measure the level of crime in our border communities related to cartel activities.

In March our Secretary of Homeland Security said, “The border is better now than it ever has been.” Many officials who are directly in the line of fire, such as Captain Bob Bullock of the Texas Rangers, disagree with the Secretary. Of course there is violence along the border—spillover of criminal organizations and spillover crime and intimidation.

Since January 2010, the Texas Department of Public Safety has identified at least 22 murders, 24 assaults, 15 shootings and 5 kidnappings directly related to spillover violence.

This past Sunday there was a gun battle between Mexican Marines and drug smugglers on Falcon Lake, which straddles the border, killing 13 people. This is the same lake where Tiffany Hartley of Colorado watched the cartels murder her husband when they were riding jetskis together last year.

Arizona Pinal County Sheriff Paul Babeu said Mexican drug gangs “literally do control parts of Arizona,” noting that gang members are armed with radios, optics and night-vision goggles.”

Texas Zapata County Sheriff Sigifredo Gonzalez said, “The feds say our side of the border is safe, but we have bullet holes in our schools and businesses that say otherwise.”

The cartels do not fear US law enforcement. In February members of Los Zetas ambushed and killed US ICE Agent Jaime Zapata and wounded his partner, Agent Avila in broad daylight on a Mexican highway.

They commonly threaten law enforcement on American soil – most recently threatening to shoot at state police or federal agents from across the river in Mexico.

Make no mistake: the drug cartels are here inside the United States. The Department of Homeland Security reports that Mexican drug cartels have infiltrated 276 US cities. After Agent Zapata was killed more than 450 cartel members were arrested across this country.

The greatest impact on the US side of the border is not well publicized. The Mexican drug cartels threaten and intimidate. They offer their victims “plata o plomo,” silver or lead, meaning the bribe or the bullet.

This is exactly how these cartels operate. For example, in the border town of Reynosa, Mexico, across the Rio Grande River from McAllen, Texas, body parts were found this past December which were no longer recognizable. A blood stained poster board had a message of intimidation written on it; “See. Hear. Shut up, if you want to stay alive.”

It has been reported the FBI issued a bulletin, as early as 2008, warning drug gangs stockpiled weapons in safe houses in the United States in response to crackdowns against drug traffickers. The bulletin also said a drug gang kingpin ordered gang members to “regain control and engage law enforcement officers if confronted.” Gang members were armed with “assault rifles, bullet proof vests and grenades.”

Late that same year Mexican Federal Police and the Mexican Army discovered what was then the largest weapon seizure in Mexico’s history just a few miles from our border—540 rifles including 288 assault rifles and .50-caliber sniper rifles, 287 hand grenades, 2 M-72 anti-tank weapons, 500,000 rounds of ammunition, 67 ballistic vests and 14 sticks of dynamite.

While we know that spillover violence occurs, the Congressional Research Service recently found that no one set of data exists that can definitively answer whether there has been significant spillover violence.

The federal definition of spillover violence is based on the Uniform Crime Report. Significantly, this report does not include key data such as kidnappings, extortions, home invasions and smuggling that are directly related to cartel violence.

In contrast, the Texas Department of Public Safety's definition of spillover violence includes aggravated assault, extortion, kidnapping, torture, rape and murder. The Director of Texas DPS, Colonel Steven McCraw, says there is "no question spillover violence is growing in Texas."

I have urged the President to visit the border – but to do more than deliver a speech.

While I am pleased that we have added more resources, the border is not secure and it has never been more violent or dangerous. Anyone who lives down there will tell you that.

There is a disagreement about the definition of spillover violence and the extent of such violence. But there should be no disagreement about the threat we face and what will happen if this Administration continues to downplay the threat.

So what should we do? For starters we should:

- Get out of our foxholes and lean forward against this growing threat. If we don't the cartels will eventually attempt to take over our cities.
- Extend the use of National Guard troops on the border, and increase their numbers, until we have a sufficient number of Border Patrol Agents.
- Incorporate DOD surveillance technology.

- Add at least two more Unmanned Aerial Vehicles to the Texas-Mexico border.
- Increase southbound checkpoints to confiscate weapons and cash then use the cash to help pay for border security operations;
- Increase funding to state and local law enforcement along the border through increased funding of Operation Stonegarden.

We look forward to hearing the testimony from our witnesses.

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