



IRON RIVER

GUN VIOLENCE & ILLEGAL FIREARMS TRAFFICKING ON THE U.S.-MEXICO BORDER



Violence Policy Center



The Violence Policy Center (VPC) is a national non-profit educational organization that conducts research and public education on violence in America and provides information and analysis to policymakers, journalists, advocates, and the general public. This report was authored by VPC Senior Policy Analyst Tom Diaz and was funded in part with the support of The Herb Block Foundation, the David Bohnett Foundation, and The Joyce Foundation. Past studies released by the VPC include:

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- *One Shot, One Kill: Civilian Sales of Military Sniper Rifles* (May 1999)
- *Cease Fire: A Comprehensive Strategy to Reduce Firearms Violence* (Revised, October 1997)

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Introduction

Mexico is under siege, its democratic governance is at risk. This report examines the role of the U.S. civilian gun market in the drug-related violence in Mexico that is creeping northward into the United States.

Part One provides an overview of the conflict and its links with the United States. These links include the “drug war,” the U.S. civilian firearms market, and transnational street gangs involved in drug and firearms trafficking.

Part Two outlines in more detail the role of the U.S. civilian gun market in fueling the war in Mexico. It focuses on weak regulation and the deliberate introduction of military-style firearms that today define the civilian market.

Part Three suggests ways to control the firearms traffic. It emphasizes “upstream” measures to inhibit the movement of firearms from legal commerce into illegal trade, as opposed to only law enforcement efforts, which are aimed “downstream” and focus on apprehending and prosecuting smugglers after the damage is done. Some steps can be taken immediately by strong presidential leadership without the need for new legislation. Others require legislation or rule-making procedures.

Part One Overview—Mexico at War

The government of Mexico and ordinary Mexicans alike are at war with violent Mexican Drug Trafficking Organizations (“DTOs” or “cartels”) and, to a lesser extent, other armed criminal groups.^a

“The Mexican State is engaged in an increasingly violent, internal struggle against heavily armed narco-criminal cartels that have intimidated the public, corrupted much of law enforcement, and created an environment of impunity to the law,” retired U.S. Army Gen. Barry R. McCaffrey stated in a December 2008 report to the United States Military Academy at West Point.¹ In the same month, Mexican Attorney General Eduardo Medina Mora reported that organized crime-related homicides in 2008 reached 5,700, more than double the previous record of 2,700 in 2007. The 2008 total included 944 people killed in November alone, the deadliest month in Mexico's history, in terms of drug violence. According to Medina Mora, nearly 15 percent of the victims were members of law enforcement or the military.²



Among armaments seized during a March 2009 raid in Mazatlan, Sinaloa, by Mexican Federal Police were this U.S.-made Barrett 50 caliber anti-armor sniper rifle, 100 rounds of 50 caliber ammunition, three AR-15 semiautomatic assault rifles, two Galil semiautomatic assault rifles, and assorted other ammunition and weapons.

Mexico began directly confronting the security problem posed by DTOs in the 1990s.³ But the crisis of violence in Mexico accelerated dramatically beginning in December 2006, when President Felipe Calderon initiated a program of intensive use of federal resources against the cartels. Among other things, the central government has supplanted or supplemented local law enforcement with federal army troops in states where DTOs are powerful enough to contest authority, extradited drug kingpins to the United States, and attempted to purge security forces of corrupted officials.⁴

“It is a real fight,” Calderon was quoted as saying in June 2008. “It is a war.”⁵

^a Some law enforcement agencies and other observers prefer the term “drug trafficking organization” because in their view a “cartel” sets prices for its commodities, which it is not clear that drug traffickers in fact do. Congressional Research Service, “Mexico’s Drug Cartels,” October 16, 2007, footnote 1, page CRS-1. The terms are used interchangeably in this report.



Mexico's military has been committed to the country's war against the drug cartels.

The private intelligence organization Stratfor summarized Mexico's situation in February 2009 as follows:

Make no mistake, considering the military weapons now being used in Mexico and the number of deaths involved, the country is in the middle of a war. In fact, there are actually three concurrent wars being waged in Mexico involving the Mexican drug cartels. The first is the battle being waged among the various Mexican drug cartels seeking control over lucrative smuggling corridors, called plazas...The second battle is being fought between the various cartels and the Mexican government forces who are seeking to interrupt smuggling operations, curb violence and bring the cartel members to justice. Then there is a third war being waged in Mexico...on the Mexican population by criminals who may or may not be involved with the cartels. Unlike the other battles, where cartel members or government forces are the primary targets and civilians are only killed as collateral damage, on this battlefield, civilians are squarely in the crosshairs.⁶

News media reports about this pandemic violence have become commonplace in recent months. These anecdotal reports illuminate the horrific nature of the violence, often with accounts of mass beheadings, merciless torture, and the kidnap and murder of civilian victims, including children. Some recent examples:

- In February 2009 retired Brigadier General Mauro Enrique Tello Quinones, one of the most highly decorated officers in the Mexican Army, was kidnapped, methodically tortured, and murdered—along with his bodyguard and driver in Cancun, where he been hired to work with the mayor to help reduce drug cartel violence.⁷
- “[R]itual mutilations,” including beheadings, have become “routine.” According to Dr. Jorge Chabat, a Mexican expert in international affairs, the drug trade, and human rights on the international studies faculty at the Center for Economic Research and Teaching (*Centro de Investigación y Docencia Económicas*) in Mexico City: “This is psychological warfare. These beheadings serve to stun.”⁸

- Kidnapping ransoms extracted from family members in the United States, some of whom are legal residents and some of whom are not, have become “a new profit center for Mexico’s crime industry.”⁹
- A 45-year old man, Santiago Meza Lopez, arrested near Ensenada, Mexico, admitted that he was employed by a drug cartel to dispose of bodies. He did so by stuffing at least 300 of them into barrels of lye and industrial chemicals, then later dumping the reduced remains in remote locations.¹⁰

There is little evidence that this violence will ebb soon. Many believe that it will get worse before it gets better. For example, the U.S. Director of National Intelligence said in a February 2009 statement to the Senate Select Committee on Intelligence, “As trafficking networks have come under increasing strain from President Calderon’s counternarcotics efforts, elements of Mexico’s most powerful cartels have become more aggressive...[and] cartel elements are increasingly willing to kill high-level Mexican officials, retaliate against soldiers, and tolerate more collateral damage among civilians not directly involved in the drug trade.”¹¹

As shocking as these reports and anecdotal accounts are, it must be kept in mind that only modern military-style firearms give criminal organizations the means to violently confront legitimate state security forces—including both police and army forces—and contest the control of democratic governments. “Why do they need the high-powered guns?” Tom Mangan, a senior ATF agent in Arizona asked in 2008. “Because the Mexican military is armed too, and they need to pierce that armor.”¹²

The Drug War Nexus

The primary sources of the current Mexican violence lie in: (1) the struggle by the governments of the United State and Mexico to suppress traffic in illicit drugs such as cocaine, methamphetamine, heroin, and marijuana; and, (2) violent conflicts between criminal organizations attempting to control illicit drug markets. Mexican DTOs today dominate drug trafficking into and within the United States.

In 2001 testimony before Congress, former Drug Enforcement Administration Administrator Donnie R. Marshall explained the rise to dominance of the Mexican DTOs in the context of the traffic of cocaine—said by the National Drug Intelligence Center to be “the leading drug threat to the United States.”¹³

Through the 1980s, most of the cocaine that entered the United States did so through the Caribbean and South Florida. Increased enforcement and interdiction efforts, however, forced traffickers to shift the majority of their smuggling operations to Mexico....

By relinquishing a portion of the cocaine destined for the U.S. market to Mexican based drug organizations, as opposed to attempting to unilaterally control every aspect of importation and distribution, Colombian based drug lords radically changed the role and sphere of influence of Mexican based trafficking organizations in the cocaine trade.¹⁴

Today, although other criminal organizations—Asian, Colombian, Dominican, Cuban, and Italian—are also involved in drug trafficking in the United States, “Mexican DTOs control a greater portion of drug production, transportation, and distribution than any other criminal group or DTO,” according to the U.S. Department of Justice’s National Drug Intelligence Center (NDIC). The NDIC’s *National Drug Threat Assessment 2009* states:

Mexican DTOS are the greatest drug trafficking threat to the United States; they control most of the U.S. drug market and have established varied transportation routes, advanced communications capabilities, and strong affiliations with gangs in the United States.... Their extensive drug trafficking activities in the United States generate billions of dollars in illicit proceeds annually.¹⁵

The Director of National Intelligence also described the impact of Mexican DTOs in the public, unclassified, statement of his annual intelligence assessment to the Senate Select Committee on Intelligence in February 2009:

Mexico remains the most important conduit for illicit drugs reaching the United States. As much as 90 percent of that cocaine known to be directed toward the United States, and some Colombian heroin, eventually transits Mexico before entering the United States. Despite recent successful efforts to counter precursor chemical diversion and drug trafficking, Mexico is the chief foreign supplier of methamphetamine and marijuana to the U.S. market and produces most of the heroin consumed west of the Mississippi River.¹⁶

There is a range of opinion about the financial size of this illicit drug industry. The Congressional Research Service reported in 2007 that “wholesale illicit drug sale earnings estimates range from \$13.6 to \$48.4 billion annually.” The private reporting service Stratfor stated in October 2008 that Mexican cartels have “between \$40 billion and \$100 billion of income per year at their disposal.”¹⁷ NDIC estimates in 2009 that “Mexican and Colombian DTOs generate, remove, and launder between \$18 billion and \$39 billion in wholesale drug proceeds annually.”¹⁸ Whatever the exact size of the illicit drug industry, according to former DEA Administrator Marshall, “Today’s international drug trafficking organizations are the wealthiest, most powerful, and most ruthless organized crime entities we have ever faced.”¹⁹

The Role of the U.S. Civilian Firearms Market

The violence in Mexico, whether involving the cartels or other armed groups, is fueled in large part by firearms smuggled to Mexico from the wide-open civilian firearms market in the United States. William J. Hoover, Assistant Director, Office of Field Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, described this traffic in his testimony before the Western Hemisphere Subcommittee of the U.S. House of Representatives Committee on Foreign Affairs in February 2008:

Mexican drug trafficking organizations have aggressively turned to the U.S. as a source of firearms. These weapons are used against other DTOs, the Mexican military, Mexican and U.S. law enforcement officials, as well as innocent civilians on both sides of the

border. Our comprehensive analysis of firearms trace data over the past three years shows that Texas, Arizona, and California are the three primary source states respectively for U.S.-sourced firearms illegally trafficked into Mexico. Recently, the weapons sought by drug trafficking organizations have become increasingly higher quality and more powerful. These include the Barrett .50-caliber rifle, the Colt AR-15 .223-caliber assault rifle, the AK-47 7.62-caliber assault rifle and its variants, and the FN Herstal 5.57-caliber [sic] pistols better known in Mexico as the *mata policia* or “cop killer.”²⁰



The FN Five-seveN 5.7 mm pistol is known as the “cop killer” in Mexico.

It is no coincidence that the military-style firearms favored by Mexican drug cartels—and cop-killing criminals in the United States—are *precisely* the makes and models of firearms that have been designed, manufactured or imported, and heavily marketed over the last 20 years by the U.S. civilian gun industry. These types of firearms today define the U.S. civilian market. If one set out to design a legal market conducive to the business of funneling guns to criminals, one would be hard-pressed to come up with a better system than the U.S. civilian gun market. (See Part Two for a more detailed description and analysis.)

It is also significant that Assistant Director Hoover specifically identified firearms available in the *civilian* market in his testimony. According to another independent investigative report, five out of seven of the guns most in demand are civilian weapons:

Most weapons in demand by the cartels and drug gangsters are: (1) Colt (AR-15) .223 caliber assault rifle (2) AK-47 machine gun (3) M4-carbine rifles (5) FN Herstal 5.7 mm pistol (6) TEC-9 (7) Glock .9mm.²¹

Only the M4 carbine and the AK-47 machine gun are strictly military weapons, and many variants of the AK (sometimes also loosely called “AK-47s”) are among the trafficked guns.

Even though it appears from anecdotal reports that some military firearms—e.g., machine guns and hand grenades—are being smuggled to Mexico,²² such military armament is beyond the scope of this report. Nonetheless, one likely source of many of such weapons is theft from military arsenals by gang members in the U.S. armed forces. According to a January 2007 report by the National Gang Intelligence Center, “Gang-related activity in the U.S. military is

increasing and poses a threat to law enforcement officials and national security.”²³ With specific respect to firearms smuggling, the report stated:

Gang members in the military are commonly assigned to military support units where they have access to weapons and explosives. Military personnel may steal items by improperly documenting supply orders or by falsifying paperwork. Law enforcement officials throughout the United States have recovered military-issued weapons and explosives—such as machine guns and grenades—from criminals and gang members while conducting search warrants and routine traffic stops.²⁴

Even aside from theft of military weapons, U.S. street gangs are intimately involved in gun trafficking and gun violence on both sides of the border.

A Shared Scourge: Transnational Street Gangs

The thicket of violence tangled around drug trafficking and firearms is not an isolated phenomenon peculiar to or originating exclusively in Mexico. It is a prominent part of life in the United States in the form of street gangs, outlaw motorcycle gangs (OMGs), and prison gangs—particularly the score of such gangs with transnational ties to Mexican DTOs.²⁵ These gangs “smuggle drugs, firearms, and aliens across the U.S.-Mexico and U.S.-Canada borders,” according to the NDIC, and some “have established associate gangs or chapters in border cities in Mexico....”²⁶

Within the United States, gangs are the primary retail-level distributors of most illicit drugs. Some gangs are moving into wholesale-level distribution in urban and suburban communities.²⁷ Gangs are increasingly being integrated into the cartels’ operations, as described by the NDIC:

Mexican DTOs continue to strengthen their relationships with U.S.-based street gangs, prison gangs, and OMGs for the purpose of expanding their influence over domestic drug distribution. Although gangs do not appear to be part of any formal Mexican DTO structure, several Mexican DTOs use U.S.-based gangs to smuggle and distribute drugs,



Gang guns seized by police in British Columbia, Canada. Gun smuggling affects Canada as well as Mexico.

collect drug proceeds, and act as enforcers. Mexican DTOs' use of gang members for these illegal activities insulates DTO cell members from law enforcement detection.²⁸

The use of firearms and illegal trafficking in firearms is an integral part of U.S. gang activity:

Law enforcement agencies report that gang members are increasingly using firearms in conjunction with their criminal activities. Moreover, during the latest 5-year reporting period ending in 2007, 94.3 percent of gang-related homicides reportedly involved the use of a firearm. Gang members typically buy, sell, and trade firearms among their associates. Gang members often obtain these firearms through thefts and straw purchases. These firearms are for personal use or for use by fellow gang members in committing homicides and armed robberies. For example, members and associates of Los Angeles-based Black P Stone Bloods and Rolling 20s Crips were arrested in July 2008 for illegally selling more than 119 firearms, according to law enforcement reporting. In addition, members of California-based Mara Salvatrucha obtain weapons for their personal use and sell weapons and ammunition to members of other gangs in California for profit, according to FBI information.²⁹

According to U.S. Immigrations and Customs Enforcement, "MS-13 is spearheading alien, weapons and narcotics smuggling operations."³⁰



The imported Kalashnikov assault rifle on the right was one of two AKs used in a 1994 Los Angeles murder that resulted from an intramural fight over drug turf among members of the 18th Street gang and the Mexican Mafia prison gang.

The same civilian gun market that feeds Mexico's drug cartels serves as the armory for these U.S.-based transnational gangs. In some cases, precisely the same guns that are smuggled south are used to smuggle drugs and people north. "If that gun ends up in Mexico, it comes right back to you," William Newell, special agent in charge of ATF's Phoenix division was quoted as saying in May 2007.³¹

The Stakes: More Violence in the U.S., Mexican Governability

The stakes in the conflict are high for both the United States and Mexico. For the United States, the principal risk is the possibility of a marked escalation of armed violence within the United States linked to the drug cartels. Some reports suggest that violence related to the drug wars in Mexico is already increasing on U.S. streets. Stratfor reported in February 2009:

The spillover of violence from Mexico began some time ago in border towns like Laredo and El Paso in Texas, where merchants and wealthy families face extortion and kidnapping threats from Mexican gangs, and where drug dealers who refuse to pay ‘taxes’ to Mexican cartel bosses are gunned down. But now, the threat posed by Mexican criminals is beginning to spread north from the U.S.-Mexican border.³²

“These trends aren’t going down, they are going up,” Arizona Department of Public Safety Commander Dan Allen told the Arizona Senate Judiciary Committee in February 2009.³³ News reports cite a rise in kidnappings in Phoenix, Arizona, to about 370 in 2008—a total that reportedly makes Phoenix the second-ranked city in the world for kidnappings, behind only Mexico City.³⁴ The increase is said by law enforcement officials to be related to the violence in Mexico, which is “reaching into Arizona, and that is what is really alarming local and state law enforcement.”³⁵ Although most of these incidents involve internecine warfare between cartels, authorities are concerned about innocent bystanders being drawn into the violence, either by being hit by random fire or by being targeted because of mistaken identity. For example, a 14-year-old girl in Phoenix, mistaken for a member of a targeted family, was kidnapped but later released.³⁶ But a Houston man, Jose Perez, was mistakenly identified by an assassin as a rival drug lord and was shot to death outside a restaurant. The real drug lord, who was dining at another table that night, was later killed.³⁷ Moreover, Mexican cartel-related violence is not limited to the border region. It has been reported recently as far away from the border as Birmingham, Alabama, where five men were tortured and had their throats slit—one them apparently an innocent bystander.³⁸



Mexican cartel hit men allegedly wore gear typical of tactical units like this in a June 2008 nighttime attack on a house in Phoenix, Arizona, during which attackers fired more than 100 rounds and killed one man inside.

A number of reports on border violence focus on an incident in June 2008 during which alleged Mexican cartel hit men stormed a house in Phoenix wearing uniforms, body armor, and other gear similar to that of the Phoenix Police Department's tactical unit.³⁹ Using AR-15 rifles equipped with laser sights, the invaders fired over 100 rounds into the house, killing one man. Police drawn to the scene captured several of the fleeing shooters, who admitted that they were prepared to ambush police officers as well. Some experts have described the scenario as similar to attacks in Mexico in which DTO forces disguise themselves as security forces.⁴⁰

U.S. officials also worry about the potential for corruption of law enforcement officials at all levels of government in the United States. In May 2008, for example, there were reported to be about 200 open cases investigating corruption among U.S. Department of Homeland Security officials working on the border. The agency's inspector general reportedly saw an increase in cases that it investigated from 31 in 2003 to 79 in the 2007 fiscal year.⁴¹

For Mexico, "governability" of the state itself may be at issue. Professors John Bailey and Roy Godson discussed the meaning of governability in *Organized Crime & Democratic Governability: Mexico and the U.S.-Mexico Borderlands*:

Governability refers to the ability of a government to allocate values over its society, to exercise legitimate power in the context of generally accepted rules. It might be viewed in terms of a continuum. At one extreme are so-called failed states, which are marked by ungovernability, lawlessness, and even widespread violence. At another extreme are polities in which rules and norms are generally understood and supported by large majorities and where governments perform assigned roles effectively. In between there exists a range of cases in which societies operate at some acceptable level and governments exercise some effective degree of rule-making and implementation.⁴²

Godson and Bailey identified five general factors that mark the spectrum of governability: (1) monopoly of legal coercion; (2) administration of justice; (3) administrative capacity; (4) provision of minimum public goods; and, (5) conflict management.⁴³ The Mexican cartels and other criminal organizations have clearly confronted the elected government of Mexico on each of these factors. Some observers suggest the possibility that Mexico could move to the "failed" end of this continuum. For example, an analysis released in November 2008 by the United States Joint Forces Command included this sobering reflection:

In terms of worst-case scenarios for the Joint Force and indeed the world, two large and important states bear consideration for a rapid and sudden collapse: Pakistan and Mexico...The Mexican possibility may seem less likely, but the government, its politicians, police and judicial infrastructure are all under sustained assault and pressure by criminal gangs and drug cartels. How that internal conflict turns out over the next several years will have a major impact on the stability of the Mexican state. Any descent by the Mexico [sic] into chaos would demand an American response based on the serious implications for homeland security alone.⁴⁴

The implications of a failed Mexican state are grim. Stratfor analyzed the potential and its consequences in an extended report in May 2008:

Mexico's potential failure is important for three reasons. First, Mexico is a huge country, with a population of more than 100 million. Second, it has a large economy—the 14th-largest in the world. And third, it shares an extended border with the world's only global power, one that has assumed for most of the 20th century that its domination of North America and control of its borders is a foregone conclusion. If Mexico fails, there are serious geopolitical repercussions...

[T]here are economic incentives for the cartels to extend their operations into the United States. With those incentives comes intercartel competition, and with that competition comes pressure on U.S. local, state and, ultimately, federal government and police functions. Were that to happen, the global implications obviously would be stunning. Imagine an extreme case in which the Mexican scenario is acted out in the United States...

Less far-fetched is the extension of a Mexican failure into the borderlands of the United States. Street-level violence already has crossed the border. But a deeper, more-systemic corruption—particularly on the local level—could easily extend into the United States, along with paramilitary operations between cartels and between the Mexican government and cartels.⁴⁵

The potential for such extremely negative outcomes has inspired a variety of assurances by U.S. state and federal officials. For example, former Homeland Security Secretary Michael Chertoff said in January 2009, during the last days of the George W. Bush administration, that the government had a “surge...capability” that could extend to using U.S. troops in the event of a “significant spillover” of violence from Mexico.⁴⁶ Texas Governor Rick Perry was also reported to have requested that a thousand federal troops be assigned to supplement security at the southern border, a suggestion the new Secretary of the Department of Homeland Security Janet Napolitano questioned but said she would study.⁴⁷

At the same time, Mexican government officials have bristled at what some have taken as the veiled hint that some sort of U.S. intervention might be necessary if Mexico “failed.” Mexican Secretary of Governance Fernando Gomez Mont told CNN in an interview that the idea of U.S. intervention was “inadmissible.”⁴⁸ In news reports, Mexican think tank experts were said to “scoff” at suggestions from U.S. experts that Mexico was a failed or failing state.⁴⁹ Arturo Sarukhan, Mexico's ambassador to the United States, rejected the notion that Mexico is a failing state as “a shoe that does not fit.”⁵⁰ Some U.S. experts agree. For example, Eric Olson, a senior adviser with the Woodrow Wilson Center's Mexico Institute stated in February 2009 that armed groups have been “pushed to more rural, more isolated areas of the country...” and that “the general security situation for the vast majority of the people is somewhat better.”⁵¹

There nonetheless remains a deeper question beyond governability: Whether Mexico (and other states confronted by drug cartel violence) can continue to govern *democratically*. Godson and Bailey identify a core *procedural* dimension of democratic government marked by effective citizen participation in periodic elections, and a fundamental *substantive* element of “effective, resilient institutions...that can promote participation and accountability.”⁵²

Unfortunately, the extraordinary level of criminal violence in Mexico—exacerbated by economic troubles—has led many Mexicans (and other Latin Americans) to question whether democratic government can provide either economic justice or public safety. Mexican families and businesses reportedly invest about \$18 billion in private security measures every year.⁵³ The 2007 *Latinobarómetro* survey showed that crime “seems about to displace unemployment at the top of the list of problems in the region.”⁵⁴ In other recent polls, Mexicans in particular have indicated lack of confidence in their government—56 percent reportedly believe that the drug trafficking organizations are more powerful than the government. Just 23 percent believe the government is more powerful than the cartels.⁵⁵ Personal security is now the first concern of millions of Latin Americans. Last fall, for example, tens of thousands of Mexicans marched in a candle-lit procession through the main square of the capital city calling for improved security and demanding government leadership.⁵⁶ “The corruptive influence and increasing violence of Mexican drug cartels, which are among the most powerful organized crime groups in the world, impede Mexico City’s ability to govern parts of its territory and build effective democratic institutions,” according to the U.S. Director of National Intelligence’s statement of February 2009.⁵⁷

Disillusionment and consequent lack of popular support for democratic governance present vulnerabilities that some suggest might be exploited by antidemocratic forces: “Radical solutions and authoritarian leadership may become attractive alternatives to significant numbers of such dissatisfied people...These sizeable minorities offer significant bases of support within which authoritarian, opportunistic, and antidemocratic forces could take root, be nurtured, and expand.”⁵⁸

Failed Analysis, Piecemeal Solutions

Much U.S. policy attention in response to public safety concerns has been directed at changing *internal* factors in Mexico and other key Latin American states to achieve transparency and effective policing within the rule of law. Less attention has been given to examining and correcting *external* influences from the United States that help drive much of the violence in Mexico and elsewhere in the Western Hemisphere. This gap in analytical thinking has sometimes contributed to myopic, piecemeal, and ultimately ineffective policies.

One of the major drivers in Mexico’s violence that has been ignored until recently is the illicit flow of weapons to criminal organizations from the U.S. civilian firearms market. Moreover, to the extent that the problem of gun trafficking has been addressed, the focus has been exclusively on law enforcement measures: investigating, identifying, and prosecuting gun smugglers. Although aggressive law enforcement measures are an essential part of any effective overall program, an exclusive law enforcement focus overlooks a rich and ultimately more fruitful range of prophylactic measures that can be focused upstream of the transfers that move firearms from legal to illegal commerce.

The next section discusses the U.S. civilian gun market and how it contributes to the problem of Mexico’s violence.

Part Two The Role of the U.S. Gun Industry: Weak Regulation, Deadly Design and Marketing

“There is a war going on on the border between two cartels,” ATF Special Agent in Charge of ATF’s Phoenix Field Division William Newell was reported to have said in 2007. “What do they need to fight that war? Guns. Where do they get them? From here.”⁵⁹ This statement of fact is not surprising. The Violence Policy Center has reported in detail previously that it is entirely possible to outfit an army through the *civilian* commerce in firearms and related accessories in the United States.⁶⁰ That is what the Mexican DTOs are doing today. According to ATF Special Agent Tom Mangan, “The cartels are outfitting an army.”⁶¹



In a November 2008 raid on a drug lord’s house in Reynosa, the Mexican Army seized seven Barrett 50 caliber anti-armor sniper rifles, 288 assault rifles, 14 FN Herstal Five-seveN pistols, and 500,000 rounds of ammunition—in addition to various military armaments.

Smugglers reportedly move guns into Mexico in a variety of ways, but according to the *Associated Press* “most are driven through ports of entry, stuffed inside spare tires, fastened to undercarriages with zip ties, kept in hidden compartments, or bubble-wrapped and tucked in vehicle panels.”⁶² Arizona’s attorney general described this traffic recently as “a ‘parade of ants’ —it’s not any one big dealer, it’s lots of individuals.”⁶³ The dimensions of that traffic are not known, but it appears to be growing. U.S. and Mexican officials report that, based on ATF tracing data, the cartels obtain 90 percent or more of their firearms from the United States. Traces by ATF of firearms from Mexico have reportedly increased from 2,100 in 2006 to 3,300 in 2007 and 7,700 in 2008.⁶⁴

The reports illustrate graphically that if one set out to design a system for easily moving military-style firearms from legal civilian commerce to illegal trade through gun smuggling, one could not do better than the existing U.S. civilian firearms market. The hallmarks of that trade not only

make gun-running of the cartels' military-style weapons of choice easy, but help facilitate this illicit commerce. Those hallmarks are:

- Lax law and regulation of the firearms industry at local, state, and federal levels, compounded by weak or ineffective enforcement.
- Deliberate choice of military-style firearms design—assault weapons, 50 caliber anti-armor sniper rifles, and “vest-busting” handguns—by gun manufacturers and importers. Heavy industry marketing of these designs has made them the dominant products in the U.S. civilian gun market today

Lax Law and Regulation, Weak Enforcement

Although the gun lobby often maintains that the firearms industry is heavily regulated, in fact the industry is lightly regulated. The most important regulatory burdens on the gun industry are largely exercises in paper oversight—pro forma licensing and rare inspections by federal authorities. Most states do not regulate dealers, and the few that do rarely conduct regular inspections. Firearms and tobacco products are the only consumer products in the United States that are not subject to federal health and safety regulation. The sale (transfer) of firearms is subject only to a cursory federal background check under the federal Brady law—when the sale is made through a federally licensed gun dealer.



50 caliber anti-armor rifles are popular at unregulated gun shows.

One of the most important problems in preventing domestic and foreign gun smuggling alike is that—unlike illegal drugs, for example—firearms are not inherently contraband. Guns enter into commerce legally and may be legally transferred in a wide variety of ways in a multitude of venues. The process of transferring a semiautomatic assault rifle—or a dozen—in entirely legal commerce is in its form almost always indistinguishable from one in which the purpose of the transfer is to put the gun into the smuggling stream. Oversight of firearms transfers quickly dissipates the further down the distribution chain one goes. Many of the ways that guns legally change hands in the United States are wholly unregulated and invisible from public view. These include, for example, sales by non-dealers at gun shows and sales between individuals.

The structure of the gun industry is relatively simple. Domestic and foreign manufacturers make the firearms. Domestically manufactured or assembled firearms are distributed by the manufacturers, either through wholesalers (known in the industry as “distributors”) or directly to retail gun dealers. Foreign-made firearms are brought into the country through importers and then enter the same channels of commerce. In theory, imported firearms are required to have a “sporting purpose” under 18 USC §925(d)(3) (a provision of the 1968 Gun Control Act). In practice, however, the “sporting purposes” test is subject to administrative interpretation as to its definition and its application in specific cases. Under the George W. Bush administration, the sporting purposes test was substantially weakened, allowing the importation of a large number of cheap assault weapons and such “cop-killing” handguns as the FN Five-seveN.

Domestic firearm manufacturers, importers, dealers, and ammunition manufacturers are required to obtain a Federal Firearms License (FFL).⁶⁵ This licensing regimen effects the central purpose of the Gun Control Act of 1968, the core federal gun law, of supporting state control of firearms by basically forbidding interstate commerce in guns except through federally licensed dealers. However, FFLs are issued on a virtually pro forma basis — anyone who is at least 21 years old, has a clean arrest record, nominal business premises, and agrees to follow all applicable laws can get a license good for three years upon paying a fee and submitting a set of fingerprints with an application form.⁶⁶

New and imported firearms thus in theory always move in legal commerce through at least one federally licensed seller through the first retail sale. The federal Brady Law requires a background check as a prerequisite to any retail sale *through a federally licensed dealer*. However, once a gun has been sold at retail, it may be resold in the “secondary market”—that is,



Under federal law, semi-automatic assault rifles like this one can be sold without a background check or other formalities to in-state buyers at gun shows. Individual sellers often walk around with their wares.

not through a federally licensed dealer—any number of times using any one of a variety of channels. Vehicles for these secondary market transfers include classified advertising in newspapers and newsletters, Internet exchanges, and informal sales between individuals at “flea markets” or “gun shows.” None of these secondary market channels require the federal Brady background check, so long as the sale is conducted intrastate and there is no state background check requirement. Most states do not regulate such sales—although a few, like California, do regulate all firearms transfers. About 40 percent of all gun transfers are made through this secondary market, according to a 1994 national survey.⁶⁷

The consequences of this weak system are apparent in the fact that domestic gun trafficking is widespread and resistant to such law enforcement efforts as exist. Street gangs and other criminal organizations have demonstrated conclusively over the last 25 years that weak U.S. gun control laws do not prevent their acquiring as many of the increasingly lethal products of the gun industry as they desire. In spite of episodic efforts by ATF, organized interstate smuggling pipelines continue to move guns from states with virtually nonexistent gun regulations to the few primarily urban centers that have tried to stem the flow of guns.⁶⁸ As one analysis noted, “States that have high crime gun export rates—i.e., states that are top sources of guns recovered in crimes across state lines—tend to have comparatively weak gun laws.”⁶⁹

Some opponents of more effective gun control measures point to the continued trade in illegal firearms as evidence the gun control laws do not work. “A crook could care less how many laws you have,” a border region gun dealer told the *Los Angeles Times* in 2008.⁷⁰ Former Secretary of State Condoleezza Rice was reported by *El Universal* newspaper to have made a similar statement at a meeting with Mexico’s foreign secretary, Patricia Espinosa. “I follow the traffic in arms throughout the world, and I have never known traffickers in illegal arms to care much about the law,” the paper quoted Rice as saying.⁷¹ Based on the logic that laws do not deter criminals, the newspaper dryly observed, Mexico should repeal its laws against drug-trafficking.

In fact, the weakness of U.S. efforts against gun-trafficking (and firearms violence in general) is its almost total reliance on after-the-fact law enforcement investigation and prosecution. Instead of focusing on prophylactic measures to prevent guns from getting into the hands of traffickers, most attention has been paid to trying to apprehend and prosecute traffickers after the damage has been done and the guns are in criminal hands. If, as noted above, traffickers indeed use a “stream of ants” to move guns to Mexico, it would be more effective to focus efforts on making it more difficult for the ants to get the guns in the first place.

Although law enforcement efforts are an important and necessary part of a total package against gun trafficking—and gun violence generally—a more powerful solution would be to complement “downstream” law enforcement with effective “upstream” public health and safety measures designed to reduce the opportunity for gun trafficking. Examples of these upstream measures (detailed in Part Three) include stopping the production and import of military-style firearms such as semiautomatic assault weapons and 50 caliber anti-armor sniper rifles, and making all transfers of firearms subject to (at a minimum) the current background check to which transfers through federally licensed firearms dealers are subject.

Even if the commerce in firearms in the United States were more tightly regulated along the lines suggested in Part Three of this report, there remains the major problem of lack of oversight over design—the type of firearms that the gun industry produces and markets.

Design and Marketing of Military-Style Weapons

The U.S. gun industry has been sagging for decades.⁷² Although the industry enjoys brief periods of resurgence, the long-term trend for civilian gun manufacturers continues to be steady decline as fewer Americans choose to own guns and gun ownership becomes more concentrated.⁷³

One reason for the gun industry’s long-term slump is the steady decline in hunting, a traditional market for rifles and shotguns. “Hunters represent an aging demographic,” *The Wall Street Journal* summed up.⁷⁴ In addition to demographic stagnation, absorption of rural land by expanding suburbs has decreased the number of places where hunters can hunt. “Now there are Wal-Marts and shopping centers where I used to hunt,” said a Florida hunter.⁷⁵ Changes in society’s values and alternative recreational activities for young people have also hurt hunting. “Instead of waking up at 4 a.m. and going hunting, it’s easier for kids to sleep in until 9 and play video games,” a California wildlife official observed.⁷⁶

The gun industry’s cumulative loss of market ground is reflected in a 2006 study, “Public Attitudes Towards the Regulation of Firearms,” released by the National Opinion Research Center (NORC) at the University of Chicago analyzing the prevalence of household firearms. The NORC survey data shows that during the period 1972 to 2006, the percentage of American households that reported having any guns in the home dropped nearly 20 percentage points: from a high of 54 percent in 1977 to 34.5 percent in 2006.⁷⁷

The industry’s principal avenue of addressing its stagnant markets has been developing innovative gun designs aimed at stimulating repeat purchases of its products. “I think innovation is critical to the industry,” Smith & Wesson’s marketing chief said in 2005.⁷⁸ For the gun industry, innovation has translated into introducing increasingly deadly firearms onto the civilian market. The gun industry uses firepower, or lethality, the way the tobacco industry uses nicotine. Firearm lethality is a means to “hook” gun buyers into coming back into the market again and again as more deadly innovations are rolled out with industry-wide fanfare and subsequent promotion by “gun rights” organizations, firearm publications, and other pro-gun media.

The VPC has issued multiple reports on these products, focusing in detail on the industry’s introduction of:

- high-capacity semiautomatic pistols, which profoundly increased levels of street violence and lethality beginning in the 1980s;
- semiautomatic assault weapons (such as the Kalashnikov-type clones of the AK-47, and AR-15 assault rifles) which play an ongoing role in organized criminal violence;

- fifty caliber armor-piercing sniper rifles capable of piercing armor plate at a distance of a mile and a half; and, most recently,
- handguns with rifle striking power, capable of piercing all but the heaviest police body armor (as noted earlier, such weapons are reportedly known as *mata policias* or *asesino de policia*, “cop-killers,” in Latin America).

The consequences of these several decades of design and marketing are now being seen not only on the streets of Mexico, but on the streets of Miami, Los Angeles, Washington, D.C., and in cities and towns across the United States.

As the testimony of ATF Assistant Director Hoover quoted earlier underscores, it is precisely these highly lethal, military-style models which have become staples in the illicit traffic in firearms between the United States and Latin America.⁷⁹ “Recently, the weapons sought by drug trafficking organizations have become increasingly higher quality and more powerful. These include the Barrett .50-caliber rifle, the Colt AR-15 .223-caliber assault rifle, the AK-47 7.62-caliber assault rifle and its variants, and the FN 5.57-caliber [sic] pistols better known in Mexico as the cop killer.”⁸⁰

Observations of ATF agents in the field confirm Hoover’s testimony. According to ATF Special Agent Tom Mangan, for example, the Barrett 50 caliber anti-armor sniper rifle has become one of the “guns of choice” of the Mexican drug organizations. Says Mangan, “There’s nothing that’s going to stop this round.”⁸¹ The weapon has been used to assassinate Mexican police and other government officials traveling in armored vehicles.⁸²



The Barrett 50 caliber anti-armor sniper rifle is one of the “guns of choice” of drug lords, according to ATF. At least 100 were smuggled to Kosovo during the Balkan conflict.

This is not the first time 50 caliber anti-armor sniper rifles have been smuggled from the United States in quantity to arm foreign groups. In a 2005 documentary *60 Minutes* reported on the activities of Florin Krasniqi, whose network of compatriots bought at least one hundred and

possibly several hundred such rifles for the Kosovo Liberation Army (KLA). Krasniqi found the federally licensed dealers with whom his network dealt to be interested only in following the narrow letter of the law.

“You just have to have a credit card and clear record, and you can go buy as many as you want. No questions asked,” Krasniqi told *60 Minutes*. “Most of the dealers in Montana and Wyoming don’t even ask you a question. It’s just like a grocery store.”⁸³

A large number of the firearms smuggled from the United States into Mexico and elsewhere in Latin America come from the Southwest, the states of which are notoriously lax in gun control laws and law enforcement regulation. It has been reported that there are more than 6,700 U.S. gun dealers within a short drive of the southern border—more than three dealers for each of the approximately 2,000 miles of the border.⁸⁴

The Consequences in Mexico

The consequences in Mexico of weak oversight of the U.S. gun industry and its obsession with military-style firearms is reflected in the growing number of seizures of such guns by law enforcement, either in Mexico or on their way to Mexico. The following are a handful of examples from among many. (Unfortunately ATF refuses to release to the public data in its possession which would make more clear the precise type and origin of all the crime guns seized in Mexican gun trafficking or counter-drug operations. Until FY2004, comprehensive national crime gun trace data was released by ATF under the Freedom of Information Act. Since then, the release of such information has been banned under a spending prohibition contained in ATF’s appropriations, a measure commonly known as the Tiahrt Amendment, for its sponsor, Kansas Representative Todd Tiahrt.)

- On November 6, 2008, the Mexican Army seized the largest cache of firearms in the nation’s history, according to an Embassy of Mexico fact sheet.⁸⁵ Among the weapons seized were seven Barrett 50 caliber anti-armor sniper rifles, two other 50 caliber rifles, 14 FN Herstal Five-seveN 5.7mm handguns, 288 assault rifles of various makes and models, and 500,000 rounds of ammunition in assorted calibers.
- FN Herstal’s Five-seveN 5.7mm body armor-piercing pistols can be found on sale at “dozens of gun stores and pawn shops located a few hours drive from Mexico near the U.S. border.” Mexican gangsters have used these pistols to kill a number of Mexican police officers, including, for but one example, Mexico City policemen Felix Perez and Jose Rodriguez in May 2007. “These days the narcos think nothing of killing us for no reason other than marking their territory,” a police commander was quoted as saying after such an incident.⁸⁶
- Originally approached by two strangers who asked if he wanted to make money, a Dallas-area carpet-layer named Adan Rodriguez ended up buying more than 100 assault rifles, 9mm handguns and other weapons at various gun shops over several months for a Mexican cartel. He told the gun dealers that he was a private security officer. Rodriguez

made \$30 to \$40 on each gun. Rodriguez was sentenced in 2006 to five and a half years in prison. The men who paid him were never caught. Only five of the guns he bought were recovered. A pistol he bought in Dallas was used in a shootout near Reynosa, Mexico, in which two federal police officers were shot. A reporter asked an ATF agent why Rodriguez's multiple buys were not reported by the gun dealer. The agent replied, "As long as he passes the background check, it's a completely legal sale."⁸⁷

Time for Change

Although officials of the United States and Mexico regularly make public proclamations of alleged progress in stemming this traffic, few informed observers believe that more than a dent has been—or under the present regiment of laws and enforcement can be—made in the violent trade. It is probably the case, in fact, that ATF's self-interested spoon-feeding of information to the news media is on balance counter-productive, since it conveys the erroneous impression that U.S. federal and state law enforcement officials have the tools to do the job. In fact, they do not.

It is time for change.

Part Three

Five Steps the U.S. Government Can Take

STEP ONE: The Obama administration should immediately begin to strictly enforce the existing ban on the importation of semiautomatic assault weapons. The federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) can fully exercise its existing statutory authority to exclude from importation all semiautomatic assault rifles as “non-sporting” weapons pursuant to 18 USC §925(d)(3) (a provision of the 1968 Gun Control Act) and also exclude the importation of assault weapon kits and parts sets. This policy was first implemented in 1989 by the George H.W. Bush administration in response to drug wars and mass shootings in the U.S. The Clinton administration strengthened the import rules in 1998 in response to efforts by the gun industry to evade the ban, but the policy was essentially abandoned by the George W. Bush administration. A strict import policy would capture the vast majority of AK-type rifles and other imported assault rifles such as the FN PS90 favored by the Mexican cartels.

STEP TWO: The Obama administration should expand the import restrictions to include other dangerous “non-sporting” firearms. The same provisions of existing law could be used by ATF to restrict other “non-sporting” firearms that are currently being imported into the U.S. and trafficked to Mexico including the FN Five-seveN handgun and new AK-type pistols.

STEP THREE: The Obama administration should work with Congress to repeal the current restrictions on release of ATF crime gun trace data (“Tiahrt Amendment”). For several years the legislation making appropriations for the Bureau of Alcohol, Tobacco, Firearms and Explosives has included severe restrictions on the public release of data contained in the crime gun trace database. Previously, the data was publicly available under the Freedom of Information Act (FOIA). Access to this database is critical to a full understanding of the gun trafficking problem, e.g. most problematic makes/models, source states and dealers, etc. It is imperative that the Obama administration follow through on its campaign promise to work with Congress to repeal these restrictions in ATF’s fiscal year 2010 appropriations.

STEP FOUR: ATF should be far more aggressive in identifying and sanctioning Federal Firearms License holders (FFLs) who are the sources of high volumes of guns trafficked to Mexico. For example:

- **Target border-state dealers for yearly compliance inspections.** ATF is allowed to conduct one warrantless compliance inspection of each dealer once a year. It should ensure that dealers found to supply a significant number of guns seized in Mexico are inspected annually.
- **Be more aggressive in revoking the licenses of dealers found to be knowingly supplying Mexican traffickers.** Although federal law allows a license to be revoked for a single violation—provided ATF can show it was “willful”—ATF usually does not seek revocation unless a dealer has had numerous problems over years of inspections.
- **Require licensees who conduct business at gun shows to notify the Attorney General of such activity.** ATF has acknowledged that gun shows in border states are a significant

source of guns trafficked to Mexico. The law allows the Attorney General to prescribe the rules for dealers operating at gun shows. ATF could focus targeted oversight and regulation on FFLs who sell at gun shows in border states and sanction dealers identified as actively supplying those trafficking firearms to drug gangs in Mexico.

STEP FIVE: Implement legislative initiatives that will significantly reduce the firepower available to firearms traffickers.

- **Implement an effective federal assault weapons ban.** The federal ban that expired in 2004 was ineffective in that manufacturers continued to sell assault weapons throughout the term of the ban by making minor cosmetic changes in gun design. For example, the domestically manufactured AR-type rifles that are currently a huge part of the problem in Mexico were sold by manufacturers Bushmaster, Colt, DPMS, and others in “post-ban” configurations that complied with the letter, but not the intent, of the 1994 law. To be effective, a new federal law should be modeled on California’s existing comprehensive ban. Such a bill was introduced last Congress by Representative Carolyn McCarthy (D-NY) as H.R. 1022. The bill also includes a ban on high-capacity ammunition magazines that would help reduce the lethality of the standard high-capacity pistols that are also a problem in Mexico.
- **Implement restrictions on 50 caliber sniper rifles.** A bill to regulate the 50 caliber sniper rifles favored by Mexican gun traffickers under the strict licensing, background check, and taxation system of the National Firearms Act (NFA) was introduced last Congress by Senator Dianne Feinstein (D-CA) (S. 1331).
- **Update the current ban on armor-piercing ammunition to cover new types of armor-piercing and armor-piercing incendiary ammunition.** The current federal law uses an inadequate “content-based” standard that does not work to ban new types of armor-piercing ammunition like that used in the FN Five-seveN pistol currently favored by Mexican cartels or the .500 Smith & Wesson revolver.

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⁶² “Cartels in Mexico’s drug war get guns from US,” *The Associated Press*, January 27, 2009.

⁶³ “U.S. Is a Vast Arms Bazaar for Mexican Cartels,” *The New York Times*, February 26, 2009.

⁶⁴ “Cartels in Mexico’s drug war get guns from US,” *The Associated Press*, January 27, 2009.

⁶⁵ There are nine types of federal firearms licenses: Type 01, DEALER in firearms other than destructive devices; Type 02, PAWNBROKER in firearms other than destructive devices; Type 03, COLLECTOR OF CURIOS AND RELICS; Type 06, MANUFACTURER OF AMMUNITION FOR FIREARMS other than ammunition for destructive devices or armor piercing ammunition; Type 07, MANUFACTURER OF FIREARMS other than destructive devices; Type 08, IMPORTER OF FIREARMS other than destructive devices or ammunition other than armor piercing ammunition; Type 09, DEALER IN DESTRUCTIVE DEVICES; Type 10, MANUFACTURER OF DESTRUCTIVE DEVICES, AMMUNITION FOR DESTRUCTIVE DEVICES OR ARMOR PIERCING AMMUNITION; and Type 11, IMPORTER OF DESTRUCTIVE DEVICES, AMMUNITION FOR DESTRUCTIVE DEVICES OR ARMOR PIERCING AMMUNITION.” Bureau of Alcohol, Tobacco, Firearms and Explosives. “Types of Federal Firearms License,” http://www.atf.gov/firearms/fflc/ffl/ffl_types.htm.

⁶⁶ Department of the Treasury. Bureau of Alcohol, Tobacco, Firearms and Explosives. *ATF Federal Firearms Regulations Reference Guide 2005*, http://www.atf.gov/pub/fire-explo_pub/2005/p53004/q_and_a.pdf, 179.

⁶⁷ U.S. Department of Justice, National Institute of Justice, *Guns in America: National Survey on Private Ownership and Use of Firearms* (1997), 6-7.

⁶⁸ For a discussion of gun trafficking within the United States, see Mayors Against Illegal Guns, *The Movement of Illegal Guns in America: The Link between Gun Laws and Interstate Gun Trafficking*, December 2008.

⁶⁹ Mayors Against Illegal Guns, *The Movement of Illegal Guns in America: The Link between Gun Laws and Interstate Gun Trafficking*, December 2008, 9.

⁷⁰ “Guns from U.S. equip drug cartels,” *Los Angeles Times*, August 10, 2008.

⁷¹ “Quítenle los rifles al narco,” *El Universal* editorial, February 5, 2009, <http://www.eluniversal.com.mx/editorials/42828.html>. This quote is translated by the author from the following text: Hace dos meses la entonces secretaria de Estado del país vecino, Condoleezza Rice, dijo frente a la secretaria de Relaciones Exteriores

mexicana, Patricia Espinosa: “Yo sigo el tráfico de armas en todo el mundo, y nunca he sabido que a los traficantes de armas ilegales les importe mucho la ley. Así es que simplemente no acepto la noción de que el levantamiento de la prohibición (a la venta de armas de alto calibre en tiendas estadounidenses) haya conducido a los traficantes de armas a incrementar sus actividades.” Haberlo dicho antes. Bajo esa lógica, levantemos también la prohibición al tráfico de drogas.

⁷² This section is based on research on the gun industry, its products, and their impact on public health and safety, published by the Violence Policy Center over several decades. For examples, see www.vpc.org. An additional source is Tom Diaz, *Making a Killing: The Business of Guns in America* (New York: The New Press, 1999).

⁷³ See, e.g., Violence Policy Center, *A Shrinking Minority: The Continuing Decline of Gun Ownership in America*, <http://www.vpc.org/studies/gunownership.pdf>, 2007.

⁷⁴ “Selling Guns to the Gun-Shy,” *The Wall Street Journal Online*, July 28, 2005.

⁷⁵ “Summit aims to boost Florida hunting,” *Orlando Sentinel*, July 31, 2005, p. C15.

⁷⁶ “Growth curbing Inland hunting,” *Press Enterprise* (Riverside, CA), September 1, 2005, p. A1.

⁷⁷ “Public Attitudes Towards the Regulation of Firearms,” Tom W. Smith, NORC/University of Chicago, March 2007.

⁷⁸ “Selling Guns to the Gun-Shy,” *The Wall Street Journal Online*, July 28, 2005.

⁷⁹ For two recent journalistic accounts of this traffic, see “Guns from U.S. equip drug cartels,” *Los Angeles Times*, August 10, 2008; James Verini, “Arming the Drug Wars,” *Conde Nast Portfolio.com*, July 2008.

⁸⁰ Testimony Of William J. Hoover, Assistant Director, Office of Field Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice, Hearing of Western Hemisphere Subcommittee of the House Committee on Foreign Affairs on “U.S. Obligations Under The Mérida Initiative,” February 7, 2008.

⁸¹ “Smugglers’ deadly cargo: Cop-killing guns,” *CNN.com*, March 26, 2008, <http://www.cnn.com/2008/WORLD/americas/03/26/gun.smuggling/index.html>.

⁸² “Mexican Drug Gangs’ Weapons of Choice,” *ABCnews.com*.

⁸³ Transcript, “Buying Big Guns? No Big Deal,” *CBSNews.com*, July 17, 2005, <http://www.cbsnews.com/stories/2005/07/11/60minutes/main708195.shtml>.

⁸⁴ “Guns from U.S. equip drug cartels,” *Los Angeles Times*, August 10, 2008.

⁸⁵ Embassy of Mexico in the United States, Fact Sheet, “Historic Seizure of Weapons in Mexico,” November 2008; also, Government of Mexico Press Release: Sala de Prensa del Gobierno Federal, “Personal militar asegura medio millón de cartuchos y armamento en Reynosa, Tamaulipas,” November 7, 2008, <http://www.presidencia.gob.mx/prensa/sedena/?contenido=40005>.

⁸⁶ Clarence Walker, “Firepower and Bloodshed: Houston’s Underworld Connection with Mexican Drug Cartels,” *New Criminologist*, <http://www.newcriminologist.com/article.asp?nid=2131>.

⁸⁷ “Guns from U.S. equip cartels,” *Los Angeles Times*, August 10, 2008; James Verini, “Arming the Drug Wars,” *Conde Nast Portfolio.com*, July 2008; “Border Gun Control: Mexico, U.S. Work To Halt Flow Unprecedented Effort Seeks To End Smuggling That Fuels Drug Violence,” *The Dallas Morning News*, June 11, 2008.



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