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U.S.-Mexico Security Cooperation: From the Mérida Initiative to the Bicentennial Framework

Record drug overdose deaths in the United States and rising homicides in Mexico, most of which never lead to convictions, have led some in Congress to question the efficacy of U.S.-Mexican security cooperation. The homicide rate in Mexico tripled from 2007 to 2021, reaching 28 per 100,000 people. Over the same period, U.S. drug overdose deaths rose from 27,700 in 2007 to 107,000 in 2021. Some 66% of U.S. overdoses in 2021 were linked to fentanyl. Since 2019, Mexico has replaced China as the United States' primary source of fentanyl (with precursor chemicals coming mostly from China), despite bilateral efforts under the Mérida Initiative that were supported by $3.5 billion in appropriations from FY2008 to FY2021.

Congress may evaluate lessons learned from the Mérida Initiative to inform funding and oversight of the U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities, adopted in 2021.

Origins of the Mérida Initiative

Prior to FY2008, Mexico did not receive large amounts of U.S. security assistance, partially due to Mexican sensitivity about U.S. involvement in the country's internal affairs. In March 2007, then-Mexican President Felipe Calderón asked for more U.S. cooperation to fight criminal organizations and their cross-border trafficking operations. In response, the Mérida Initiative, a package of U.S. antidrug and rule-of-law assistance to Mexico, began. As part of the Mérida Initiative's emphasis on shared responsibility, the Mexican government pledged to tackle corruption. The U.S. government pledged to address drug demand and the illicit trafficking of firearms and bulk currency to Mexico. Both governments have struggled to fulfill those commitments.

Initial Phase: FY2008-FY2010

Congress appropriated $1.5 billion for the Mérida Initiative from FY2008 to FY2010, including $420.7 million in Foreign Military Financing (FMF), which enabled the purchase of equipment, including aircraft and helicopters, to support Mexico's federal security forces (military and police). Congress required the State Department to withhold 15% of certain U.S. aid for the Mexican military and police until the agency submitted an annual report stating that Mexico was taking steps to meet human rights requirements. U.S. assistance focused on counternarcotics, border security, and counterterrorism; public security; and institution building. U.S. intelligence supported Mexico's strategy of arresting (and extraditing) kingpins from each of the major drug trafficking organizations, which inadvertently contributed to intra-cartel violence.

The Four-Pillars: FY2011-FY2017

In 2011, the U.S. and Mexican governments broadened the scope of bilateral efforts under four pillars.

1. **Combating transnational criminal organizations (TCOs)**
2. **Strengthening criminal justice sector institutions** while protecting human rights
3. **Creating a 21st-century U.S.-Mexican border** while improving immigration enforcement in Mexico
4. **Building strong and resilient communities** through pilot projects aimed at violence prevention and drug demand reduction

Some observers initially praised the initiative's breadth but later concluded that the governments adopted too many priorities without allocating adequate funding for them, particularly on the Mexican side. For example, pillar two received significant U.S. funding for courtroom infrastructure, training, and equipment to support Mexico's 2008-2016 transition to an accusatorial justice system at the federal and state levels. According to the World Justice Project, however, the new criminal justice system is unlikely to succeed without improvements in the investigative capacities of Mexican police and prosecutors.

Final Phase and Demise: FY2018-FY2021

In January 2018, President Trump issued two executive orders on combatting TCOs (E.O. 13773) and enhancing border security (E.O. 13767) that refocused the Mérida Initiative. Controlling irregular migration became a central U.S. goal, along with reducing synthetic drug production, improving border interdiction, and conducting anti-money laundering efforts. Analysts asserted that promoting human rights and institutionalizing the new criminal justice system were deemphasized.

Since taking office in December 2018, Mexican President Andrés Manuel López Obrador has criticized the Mérida Initiative and reduced federal security cooperation with the United States, with the exception of migration enforcement. In 2019, the López Obrador administration disbanded the federal police, which had received significant U.S. equipment and training. It created a National Guard, primarily composed of retired military officers, that has limited investigative capacity and lacks civilian control over its operations. In 2020, the COVID-19 pandemic hindered bilateral cooperation. In October 2020, the United States arrested former Defense Minister Salvador Cienfuegos on drug charges; the move angered the Mexican government, which further limited cooperation. Mexico's Congress enacted a law requiring foreign law enforcement

officials to share information they gather with designated Mexican federal authorities and requiring Mexican state and local officials to report contacts with foreign officials. Bilateral cooperation further diminished as the Mexican government stopped approving many Mérida programs.

Bicentennial Framework (2021-Present)

The Biden Administration has sought to reduce tensions and rebuild the U.S. security relationship with Mexico. In October 2021, Mexico hosted the first High-Level Security Dialogue (HLSD) since 2016. After the dialogue, the governments announced a new Bicentennial Framework for Security, Public Health, and Safe Communities (the Framework) with three pillars:

1. **Protect people** by investing in public health solutions to drug use, supporting safe communities, and reducing homicides and other high-impact crimes
2. **Prevent transborder crime** by securing modes of travel and commerce, reducing arms trafficking, targeting illicit supply chains, and reducing human trafficking and smuggling
3. **Pursue criminal networks** by disrupting illicit financiers, strengthening justice sector actors to prosecute organized crime, addressing cyber threats, and cooperating on extraditions

Many observers credit the 2021 HLSD and the Framework with restarting bilateral security cooperation. The Framework envisions a more coordinated, "whole of government" approach to combating shared security challenges. In March 2023, U.S. and Mexican officials announced "phase two" of the Framework, focused on combatting fentanyl production, arms trafficking, and TCOs. Mexico has enacted a new law to detect and punish illicit synthetic drug production; dedicated federal prosecutors to work on fentanyl cases; and extradited Ovidio Guzmán, a major fentanyl trafficker. At the 2023 HLSD, U.S. officials highlighted increased interdictions, arrests, and indictments for arms and fentanyl trafficking. Sanctions have become a key tool to combat both crimes and those who finance TCOs.

Key questions remain, however, about the Framework, including the extent to which it should include migration control as a major focus, as discussed at the 2023 HLSD. Some observers have argued that the Framework provides insufficient U.S. support for corruption efforts and institutional strengthening in Mexico. Others have urged U.S. agencies to push for transparency and human rights safeguards as Mexico has increased reliance on the military to perform public security, customs, and other traditionally civilian functions. Human rights groups assert that the Framework does not prioritize addressing impunity for past and ongoing grave human rights abuses committed by Mexican security forces. A September 2023 Government Accountability Office report questioned how the Framework's efficacy would be evaluated.

Congressional Action

Congress could influence the Bicentennial Framework through appropriations and conditions on those appropriations, other legislation, and oversight. The Biden Administration's FY2023 foreign assistance budget request included $141.6 million for Mexico. The Consolidated Appropriations Act, 2023 (P.L. 117-328), did not specify an appropriations level for Mexico, though the explanatory statement noted that the act included aid "commensurate with prior fiscal years." Mexico received $127.1 million in FY2022 (including $64 million in International Narcotics and Law Enforcement [INCLE] funds and $32 million in Economic Support Funds [ESF] to support the Framework). Other ESF money supported climate programs and other goals. The explanatory statement also instructed agencies to comply with directives in H.Rept. 117-401, which prohibited foreign military financing (FMF) aid for Mexico and directed that no other funds appropriated be used to support military involvement in law enforcement. H.Rept. 117-401 also required the State Department to produce a report assessing the impact of aid provided through the Framework, as well as a report on human rights in Mexico, among other topics.

Congress has not completed action on the Biden Administration's $111.4 million FY2024 request for foreign assistance to Mexico. Most programs continue to be funded at the FY2023 level under a continuing resolution (P.L. 118-15) that expires on November 17, 2023. The House-passed version of the State, Foreign Operations, and Related Programs Appropriations bill (H.R. 4665) would not specify a total appropriations level for Mexico and would prohibit the provision of ESF to Mexico. It also would require the State Department to withhold 15% of all international security aid for Mexico (including INCLE and other funds) until the Secretary certifies that the Mexican government has taken steps to combat fentanyl trafficking and TCOs. H.Rept. 118-146, accompanying H.R. 4665, would direct the State Department and other U.S. agencies to focus on strengthening the capacity of Mexican judicial and security institutions to combat crime, especially crime associated with fentanyl and other narcotics trafficking.

The Senate Appropriations Committee's reported foreign aid appropriations bill, S. 2438, would prohibit the obligation of INCLE assistance for the Mexican government until the Secretary of State submits a report to the Appropriations Committees assessing the Mexican government's antidrug efforts over the past two years. S.Rept. 118-71, accompanying the bill, would require the Secretary to submit a second report prior to the obligation of INCLE funds, assessing the extent to which the Mexican government is addressing certain human rights issues and how U.S. assistance has supported those objectives. In addition to any assistance provided for Mexico, S. 2438 would provide "not less than" $125.0 million for programs to counter the flow of fentanyl and other synthetic drugs and their precursors from the People's Republic of China to the United States, including through other countries and across the United States-Mexico border.

See CRS In Focus IF10400, *Trends in Mexican Opioid Trafficking and Implications for U.S.-Mexico Security Cooperation*; CRS Report R41576, *Mexico: Organized Crime and Drug Trafficking Organizations*; CRS In Focus IF10215, *Mexico's Immigration Control Efforts*.

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