



Designating The Cartels as Terrorists Could Worsen Illegal Immigration, Experts Say

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- **Designating the drug cartels as terrorist organizations would likely complicate illegal immigration, experts told the Daily Caller News Foundation.**
- **The topic has been mullied on both the federal and state levels, during former President Donald Trump’s administration and most recently by Republican Texas Gov. Greg Abbott.**
- **“The immigration crisis could be exacerbated with asylum claims for fleeing violence from terrorist organizations,” former Drug Enforcement Administration (DEA) Special Agent in Charge of the El Paso division Kyle Williamson told the DCNF.**

Designating the drug cartels as foreign terrorists would likely complicate the illegal immigration crisis, several experts told the Daily Caller News Foundation.

More migrants would attempt to use threats from the cartels as their ticket into the country, former Drug Enforcement Administration (DEA) Special Agent in Charge for El Paso Kyle Williamson and former Border Patrol Chief Rodney Scott told the DCNF. U.S. Customs and Border Protection (CBP) encountered a record of over 2.3 million migrants at the southern border in fiscal year 2022 and a surge of over 230,000 in the start of fiscal year 2023.

Scott and Williamson both believe that the designation is still needed due to the cartels’ threats on both sides of the U.S.-Mexico border. Over 100,000 people died in the U.S. in 2021 largely due to fentanyl, which comes from cartels in Mexico, according to the DEA.

“The immigration crisis could be exacerbated with asylum claims for fleeing violence from terrorist organizations,” Williamson told the DCNF.

“There are implications to designating drug cartels as terrorist organizations that could be negative. . . . It’s not that people would flee more, it’s that they would have a better argument in asylum hearings,” Scott told the DCNF, adding, “We have over 200,000 a month right now. The Border Patrol is completely overwhelmed. This administration has ignored all that anyway, so I don’t really see that per se as a threat.”

The decision carries a lot of weight, but it should be taken seriously due to the current drug crisis, Williamson said.

“An FTO designation should not be taken lightly because it could exacerbate our current immigration crisis and impact foreign trade. However, with the continued threat of Fentanyl and the the resulting overdose deaths in our communities, we must start to weigh benefits and costs. I believe that we have arrived at a point where designating the cartels as foreign terrorists organizations would be an effective strategy in the fight against Fentanyl and in the best interest of US national security,” Williamson said.

However, David Bier, associate director of immigration studies at the Cato Institute, a libertarian think tank, says that being a victim of a terrorist organization won’t qualify illegal migrants “for anything under immigration law.” In Bier’s eyes, the designation is “almost purely symbolic.”

“It is almost purely symbolic, and it would change nothing about migration. I don’t think the sale of fentanyl meets the legal definition either since the cartels aren’t ‘using’ fentanyl. They are selling it. The users are the ones using it, but this question is pretty much irrelevant since drug trafficking is already by itself a permanent bar to legal admission. It would just create confusion between these two types of inadmissibility categories for no foreseeable benefit,” Bier told the DCNF.

When former President Donald Trump was in office, he indicated he was inching toward making the designation at the federal level, but never actually did. But the Biden administration isn’t likely to seriously consider the move, Scott said, adding that he has little faith the current president would do it.

“If the administration was going to be serious about it, and make decisions about OK, this is how far we’re gonna go. And we’re literally willing to hold corporate America or government officials accountable if we can prove that they’re associated in any way, shape or form with these individuals,” Scott said.

“I think it would have a lot of value, and I haven’t always said that. Traditionally, I don’t like changing definitions just to meet the need of the day. I like looking at the definition and then if it meets the definition of a terrorist organization, fine. If it doesn’t, it doesn’t. Traditionally, I’ve not believed that the cartels met that definition because they’re just criminal enterprises. There hasn’t been like a political agenda, but we’ve seen dramatic shift in the last few years,” he added.

Republican Texas Gov. Greg Abbott recently indicated he would make the designation at the state level after declaring an “invasion” at his state’s border with Mexico due to the surge in illegal immigration. But the question remains as to how Abbott will press charges against individuals and groups tied to the cartels under the designation at the state level.

Neither Abbott nor Texas Attorney General Ken Paxton’s office responded to requests for comment about the designation and the penalties it could impose.

At the federal level, designating the cartels as terrorists would mean that any person in the U.S. found to be providing “any material support or resources whatsoever” would face prosecution, according to Scott.

“Anybody that provides any kind of assistance to that organization is then subject to criminal prosecution at the federal level, a lot on immigration. So if any alien does it, then they’ll submit inadmissible or deportable. But again, the state doesn’t have immigration authority,” Scott said.

The state, however, wouldn’t be able to step in and take such actions, Kinney County Attorney Brent Smith, who presides over an area of the Texas border, told the DCNF, adding that Abbott’s designation would be more of a “[PR] thing.”

“Federally, it does have a huge impact if they were labeled terrorists or categorized as terrorists because it opens up certain military action that can be taken, I believe. With Abbott doing it, I don’t believe it does really anything more or opens up any other avenues of authority. I think he did that in anticipation of declaring an invasion because he has to name a party that is facilitating the invasion, which is the cartels,” Smith said.

“So I think that was more of a setup on him declaring an invasion more than anything, because legally, the state declaring them as terrorists doesn’t profoundly impact the current authority that law enforcement has before versus after, if that makes sense,” Smith said.

The White House didn’t respond to a request for comment from the DCNF.