

# Intimidation is spilling over border with Mexico

■ Criminal organizations infiltrate cities in the U.S.

By JOAN NEUHAUS SCHAAN

RECENT legislation introduced in Congress focuses on the violent criminal organizations operating in the U.S.-Mexico borderlands and the porous border through which they travel. A bill proposed by U.S. Rep. Michael McCaul, R-Texas, would classify six Mexican drug cartels as terrorist organizations and allow the United States to more harshly punish those who provide the cartels with material support. U.S. Rep. Ed Royce, R-Calif., introduced a bill that prohibits the secretaries of the Interior and Agriculture from interfering with Border Patrol enforcement activities on federal lands. Together, these two bills are a step in the right direction as the United States deals with the grim realities of an often lawless border region.

Until now, much of the public debate has focused on whether the problems facing Mexico have spilled over into the United States. The focus of the debate must change. Of course there has been spillover — spillover of criminal organizations, spillover of intimidation and spillover of violence. The Mexican organizations are estimated to be well established in more than 270 American cities.

The greatest impact on the U.S. side of the border, however, has not been publicized drug battles and dead bodies in the streets. It has been coercion, intimidation and *plata o plomo*, the dreaded choice offered by Mexican drug traffickers — silver or lead, the bribe or the bullet. Some suspect these same factors have kept violence in U.S. border communities from becoming more public.

Why has there not been a greater outcry from some border communities? As an analogy, think of a person in an abusive situation. If the individual is fearful of the abusive force and feels there is nowhere to turn for safety, he or she remains silent — fearful of retribution that might come with the slightest revelation of the abuse.

The overpowering force of Mexican organized crime and its partners has left U.S. border communities feeling overwhelmed and vulnerable. U.S. law enforcement agents do their best to keep their communities safe, but on daily patrols these same brave people know they are sitting ducks for cartel members who hide among the population and may shoot to kill at any time.

Law enforcement is outmanned, outgunned and under regular surveillance from the criminal organizations. Communities turn a blind eye in hopes the trouble will just pass through and not come home to roost.

Ultimately, this strategy will prove disastrous, as the northern Mexico city of Monterrey is learning. Long thought by its residents to be immune from the violence, Monterrey

now finds itself immersed in it. The war between the drug-trafficking Gulf Cartel and the Zetas, the gunmen who once worked for it, has spread there from the cities bordering South Texas.

Last year, U.S. Secretary of State Hillary Clinton compared Mexico's drug trafficking to an "insurgency" in which narco-traffickers control certain parts of the country. The threat has already established itself in U.S. border communities and could come to a community near you if not stopped.

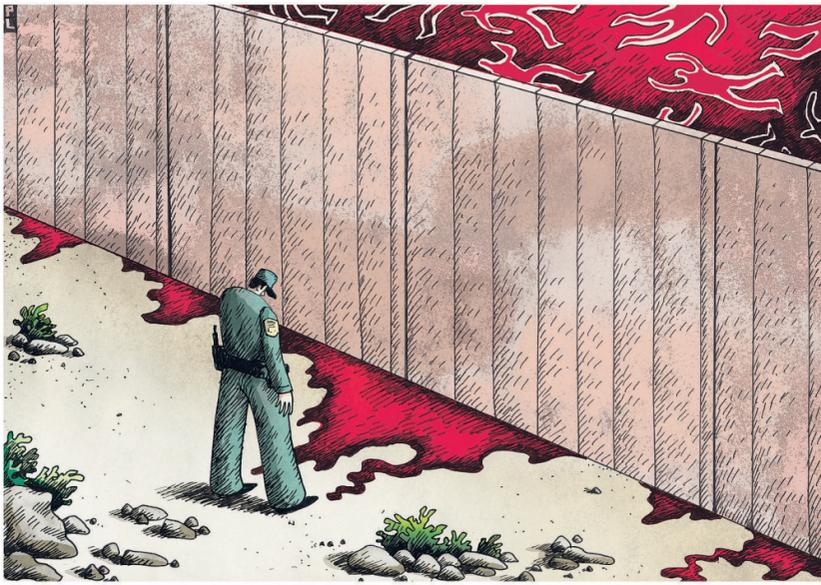
Currently, our justice system treats the Mexican cartels as mere criminals rather than a well-organized, well-funded insurgent force. We cannot expect uniformed officers traveling alone or in pairs in marked vehicles and carrying service weapons to stand up to well-established and massive organizations armed with military munitions, such as rocket-propelled grenades, .50 caliber machine guns, anti-tank weapons, remote-controlled bombs and assault rifles. Countermeasures may well require blanketing our border with American personnel with counterinsurgency training and experience. Designating the Mexican organizations as terrorist organizations may provide the legal framework necessary to confront the threat.

As a nation, we also must be serious about closing gaps in our porous border. Currently, vehicles are prohibited in vast, federally protected wilderness areas on the southern U.S. border. As a result, drug smugglers, human traffickers and others have created contraband highways through the remote and less frequently patrolled regions.

In addition, tens of thousands of persons traveling illegally have used the region as their personal landfills, negating a federal prohibition meant to protect the environment. The remote federal lands have also become some of the most dangerous and violent areas along the border. Royce's legislation will once again allow the Department of Homeland Security to patrol in all federally administered lands.

The residents of Southwest border states are painfully aware of the brutal realities they face. Rural U.S. landowners are even forbidding family members from visiting their property for fear of injury or worse. We must act to protect American citizens now. As soon as possible, a multistage strategy must be put in place to counter and dismantle these crime organizations. The legislation introduced by Reps. McCaul and Royce is a welcome first step.

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# Texas must enact reforms to protect property owners

■ Give them the option of buying back their land

By KIM M. KOBRIGER

TEXANS fiercely love their land, their homes and their independence. So it should come as no surprise that Texans have been up in arms about governmental entities using — and misusing — the power of eminent domain to take their lands.

Land takings always sting. It's rare that property owners are overjoyed to give up their real estate to the government, even if they are paid a fair price. But most reasonable Texans see the need for government to use eminent domain to buy property for expanding roadways or building new schools or projects that definitely benefit the public good.

However, due to the frequent misuse of eminent domain, allowing property to be taken under unfair or inappropriate circumstances must be corrected immediately.

The Texas Legislature and Gov. Rick Perry must take bold steps to shore up protection for Texas property owners with new legislation. Our elected leaders must make sure that proposed new eminent domain reform legislation, currently called Senate Bill 18, is enacted without being weakened by the addition of loopholes or exceptions.

The good news is the so-called "buy-back" provision in the proposed new law. This key feature of the reform legislation would allow property owners to buy back their property if nothing occurs there for 10 years after the land is seized.

There have been numerous examples throughout Texas history in which landowners have had their property taken via eminent domain proceedings, only to have the project stall because of lack of funding. Private landowners did not ask to have their land taken from them, and they should have the recourse of buying it back if the government project is taken off the books or if the delays are excessive.

Government should not be allowed to acquire land through eminent domain and simply hold the property in its land bank. If the governmental entity is not prepared to use the property within 10 years, then the land taking should not have occurred in the first place.

The new legislation also strengthens the prohibition against using eminent domain for anything but public use of the property.

Two years ago, Texas voters approved a constitutional amendment that prevents an agency from taking property and turning it over to private developers. Some city planners and government leaders had believed that it was sound public policy to seize blighted properties for private redevelopment efforts that would improve the city's economy and increase the tax base.

The issue boiled over in 2005 when the Kelo v. New London case was heard by the U.S. Supreme Court. In that case, Susette Kelo's home was seized to make way for a new real estate development, a so-called "urban village" that was supposed to generate economic growth in the town of New London, Conn. The court held, in a 5-4 decision, that taking land to stimulate economic development was a public use even though the new development was being undertaken by a private developer.

A number of states responded to the Kelo ruling by creating legislation that prevents seized property from being transferred to a private concern for general economic development purposes. That was the positive result from the Kelo case. The sad footnote is the redevelopment that was planned in New London never materialized and the Kelo homesite is just a vacant lot today.

The new legislation in Texas is not a cure-all for the problems surrounding eminent domain. The power to seize property is an awesome power and elected officials and public watchdogs should be always vigilant for abuse or inequity.

The eminent domain process must be accompanied by complete transparency on the part of the governmental agencies involved. Taking a Texan's home or business property is a serious matter and there is no place for gamesmanship, bluffing and unfair negotiations on the part of the government representatives.

Governmental agencies must be fair in paying for the properties they take. All avenues of appeals and legal remedies must be available to the property owners.

The proposed new legislation should improve the fate of Texas property owners. Enacting the new law is the first step. Then, all Texans, for years to come, need to keep a watchful eye on all governmental agencies, making sure property owners get a fair shake when private property is seized.

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# Ron Paul and the inflationistas are bullying Bernanke

**PAUL KRUGMAN** says the Fed chairman has the ability to do more to fight unemployment, but he's afraid to do more for fear of igniting higher inflation.

LAST month, more than 14 million Americans were unemployed by the official definition — that is, seeking work but unable to find it. Millions more were stuck in part-time work because they couldn't find full-time jobs. And we're not talking about temporary hardship. Long-term unemployment, once rare in this country, has become all too normal: More than 4 million Americans have been out of work for a year or more.

Given this dismal picture, you might have expected unemployment, and what to do about it, to have been a major focus of Wednesday's press conference with Ben Bernanke, the chairman of the Federal Reserve. And it should have been. But it wasn't.

After the conference, Reuters put together a "word cloud" of Bernanke's remarks, a visual representation of the frequency with which he used various words. The cloud is dominated by the word "inflation." "Unemployment," in much smaller type, is tucked in the background.

This misplaced emphasis wasn't entirely

Bernanke's fault, since he was responding to questions — and those questions focused much more on inflation than on unemployment. But that focus was, in itself, a symptom of the extent to which Washington has lost interest in the plight of the unemployed. And the Bernanke Fed, which should be taking a firm stand against these skewed priorities, is instead letting itself be bullied into following the herd.

Some background: The Fed normally takes primary responsibility for short-term economic management, using its influence over interest rates to cool the economy when it's running too hot, which raises the threat of inflation, and to heat it up when it's running too cold, leading to high unemployment. And the Fed has more or less explicitly indicated what it considers a Goldilocks outcome, neither too hot nor too cold: inflation at 2 percent or a bit lower, unemployment at 5 percent or a bit higher.

But Goldilocks has left the building and shows no sign of returning soon. The Fed's latest forecasts, unveiled at that press confer-

ence, show low inflation and high unemployment for the foreseeable future.

True, the Fed expects inflation this year to run a bit above target, but Bernanke declared (and I agree) that we're looking at a temporary bulge from higher raw material prices; measures of underlying inflation remain well below target, and the forecast sees inflation falling sharply next year and remaining low at least through 2013.

Meanwhile, as I've already pointed out, unemployment — although down from its 2009 peak — remains devastatingly high. And the Fed expects only slow improvement, with unemployment at the end of 2013 expected to still be around 7 percent.

It all adds up to a clear case for more action. Yet Bernanke indicated that he has done all he's likely to do. Why?

He could have argued that he lacks the ability to do more, that he and his colleagues no longer have much traction over the economy. But he didn't. On the contrary, he argued that the Fed's recent policy of buying long-term bonds, generally referred to as "quantitative easing," has been effective. So why not do more? Bernanke's answer was deeply disheartening. He declared that further expansion might lead to higher inflation.

What you need to bear in mind here is that the Fed's own forecasts say inflation will be below target over the next few years, so that some rise in inflation would actually be a good thing, not a reason to avoid tackling unemployment. Those forecasts could, of course,

be wrong, but they could be too high as well as too low.

The only way to make sense of Bernanke's aversion to further action is to say that he's deathly afraid of overshooting the inflation target, while being far less worried about undershooting — even though doing too little means condemning millions of Americans to the nightmare of long-term unemployment.

What's going on here? My interpretation is that Bernanke is allowing himself to be bullied by the inflationistas: the people who keep seeing runaway inflation just around the corner and are undeterred by the fact that they keep on being wrong.

Lately the inflationistas have seized on rising oil prices as evidence in their favor, even though — as Bernanke himself pointed out — these prices have nothing to do with Fed policy. The way oil prices are coloring the discussion led the economist Tim Duy to suggest, sarcastically, that basic Fed policy is now to do nothing about unemployment "because some people in the Middle East are seeking democracy."

But I'd put it differently. I'd say that the Fed's policy is to do nothing about unemployment because Ron Paul is now the chairman of the House subcommittee on monetary policy.

So much for the Fed's independence. And so much for the future of America's increasingly desperate jobless.

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