

As Introduced

**135th General Assembly
Regular Session
2023-2024**

S. R. No. 242

Senator Johnson

**Cosponsors: Senators Brenner, Cirino, Dolan, Lang, Reynolds, Romanchuk,
Schaffer, Schuring**

A R E S O L U T I O N

To urge the United States Congress to designate the 1
Sinaloa Cartel and the Jalisco Cartel New 2
Generation, as well as similar drug cartels like 3
the Zheng Cartel, as foreign terrorist 4
organizations and to recognize the threats those 5
organizations pose to the people of the United 6
States as terrorism. 7

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO:

WHEREAS, The 118th Congress of the United States has found 8
that the national security of the United States, along with the 9
health and safety of the citizens of the United States, is under 10
attack by Mexican cartels and other transnational criminal 11
organizations, such as the Zheng Cartel of China and its 12
storefront Global United Biotechnology Inc., that engage in acts 13
of terrorism to exploit the borders of the United States and 14
further their unlawful business of producing and importing 15
illicitly manufactured fentanyl, a substance that kills hundreds 16
of thousands of people in the United States each year, as well 17
as methamphetamine and other controlled substances; and 18

WHEREAS, Fentanyl is a synthetic opioid that is up to 50 19
times stronger than heroin and 100 times stronger than morphine, 20

and some fentanyl-related substances can have even greater 21
potency; and 22

WHEREAS, Although pharmaceutical fentanyl is prescribed by 23
doctors to treat severe pain, illicitly manufactured fentanyl 24
and fentanyl-related substances are created using precursor 25
chemicals that are predominantly imported from China and 26
distributed through illegal drug markets, most commonly by 27
Mexican cartels across the United States' southern border; and 28

WHEREAS, According to the Centers for Disease Control and 29
Prevention, nearly 110,000 people in the United States died 30
during fiscal year 2022 from drug overdoses; and 31

WHEREAS, Approximately 66 per cent of those deaths in 32
fiscal year 2022 were related to illicitly manufactured 33
fentanyl; and 34

WHEREAS, In December 2022, the Washington Post reported 35
that, from 2019 to 2021, fatal fentanyl overdoses surged 94 per 36
cent and an estimated 196 people in the United States are now 37
dying each day from the drug, which is the equivalent of a fully 38
loaded Boeing 757-200 crashing and killing everyone on board 39
every day; and 40

WHEREAS, The single largest loss of life resulting from a 41
foreign attack on United States soil was the September 11th 42
terrorist attacks, which killed 2,977 people, and fentanyl 43
overdoses cause the equivalent of a new September 11th nearly 44
every two weeks; and 45

WHEREAS, In fiscal year 2022, the United States suffered 46
more fentanyl-related deaths than gun- and automobile-related 47
deaths combined; and 48

WHEREAS, Illicit fentanyl is now the number one cause of 49
death among people in the United States between the ages of 18 50
and 45; and 51

WHEREAS, Due to the fact that many nonfatal opioid overdoses are not reported, it is not possible to know exactly how many fentanyl overdoses occur in Ohio or nationwide, nor is it possible to know the rate at which fentanyl overdoses are fatal or nonfatal; and

WHEREAS, According to the National Institutes of Health, the overdose fatality rate in Ohio is significantly higher than the national average, and this is due, in part, to a sharp increase in illicitly manufactured fentanyl-adulterated heroin overdose deaths since 2016; and

WHEREAS, According to the Centers for Disease Control, the drug overdose death rate in Ohio in 2021 was 48.1 per 100,000, higher than the national average of 32.4 per 100,000; and

WHEREAS, According to the Ohio Department of Health, fentanyl was involved in 81 per cent of overdose deaths in 2020, often in combination with other drugs. That percentage was up from 76 per cent in 2019, 73 per cent in 2018, and 71 per cent in 2017; and

WHEREAS, A 2017 analysis, accounting for the costs of health care, criminal justice, lost productivity, and social and family services, estimated that the total cost of the drug epidemic of the United States facilitated by Mexican cartels and other transnational criminal organizations was more than \$1,000,000,000,000 annually, or five per cent of gross domestic product; and

WHEREAS, Law enforcement and immigration officers report that smugglers evade apprehension and successfully bring large quantities of fentanyl, methamphetamine, and other illicit drugs into the United States; and

WHEREAS, Despite seizures both at and between ports of entry, like the recent seizure by U.S. Customs and Border

Protection of nearly 54 pounds of fentanyl pills and 32 pounds 83
of methamphetamine at the Andrade Port of Entry, domestic supply 84
of these controlled substances indicate that a massive amount of 85
controlled substances are still pouring across our border; and 86

WHEREAS, The federal government possesses unutilized 87
resources and lawful measures to combat the cartels through the 88
designation of those groups as foreign terrorist organizations; 89
and 90

WHEREAS, Foreign terrorist organizations are foreign 91
organizations that are designated by the Secretary of State in 92
accordance with section 219 of the "Immigration and Nationality 93
Act," 8 U.S.C. 1189; and 94

WHEREAS, The designation of organizations as foreign 95
terrorist organizations plays a critical role in the fight 96
against terrorism and is an effective means of curtailing 97
support for terrorist activities and pressuring groups to get 98
out of the terrorism business because such a designation gives 99
law enforcement agencies and prosecutors greater powers to 100
freeze the assets of an organization, to deny members of the 101
organization entry into the United States, and to seek tougher 102
punishments against those who provide material support to the 103
organization; and 104

WHEREAS, Under section 219 of the "Immigration and 105
Nationality Act," 8 U.S.C. 1189, the U.S. Secretary of State may 106
designate an organization as a foreign terrorist organization if 107
the organization is a foreign organization, and if the 108
organization engages in terrorist activity or terrorism, or 109
retains the capability and intent to engage in terrorist 110
activity or terrorism, and if the terrorist activity or 111
terrorism of the organization threatens the security of United 112
States nationals or the national security of the United States; 113
and 114

WHEREAS, "Terrorism," as used in the "Immigration and Nationality Act," is defined as "premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents" (22 U.S.C. 2656f(d)); and

WHEREAS, Transnational criminal organizations, such as Mexican and Chinese cartels, satisfy each of those three criteria, as they are foreign organizations based outside the United States, they engage in "terrorist activity" such as assassinations, kidnapping, or use of explosives and firearms, and their terrorist activities threaten the security of the United States and the people of the United States; and

WHEREAS, For instance, four United States citizens, including three people from South Carolina, were recently kidnapped by Mexican drug cartels in Matamoros, Mexico, where at least two were tragically killed in cartel violence; and

WHEREAS, Mexican cartels and other transnational criminal organizations, as foreign organizations, make billions of dollars each year importing deadly drugs into the United States, especially fentanyl and methamphetamine, which results in the deaths of hundreds of thousands of people in the United States each year; and

WHEREAS, United States Southern Command reports that criminal organizations, including drug cartels, in their "Area of Responsibility" generate an estimated annual revenue of approximately \$300,000,000,000, more than five times the combined defense budget for the region, including Mexico; and

WHEREAS, The death and destruction caused by the illicit drug trade is not limited to overdoses and gang violence, rather, it extends to a significant proportion of nearly all other criminal activity in the United States, including burglary, carjacking, robbery, aggravated assault, domestic

violence, felony traffic violations, and much more, and it also 147
extends to drug addictions that often result in homelessness, 148
suicide, human trafficking, child sex trafficking, broken 149
families, birth defects, and other maladies that are devastating 150
communities across the United States; and 151

WHEREAS, The national security threat posed by Mexican 152
cartels and other transnational criminal organizations like the 153
14K, Wo Shing Wo, and Sun Yee On triads extends beyond the sale 154
of fentanyl and other drugs, as these organizations have also 155
shown a lethal willingness to protect their businesses by any 156
means necessary, including organizing armed forces to fight both 157
their rivals and the government of Mexico, creating a dangerous 158
and unstable situation on the southern border of the United 159
States with innocent people of the United States caught in the 160
crossfire; and 161

WHEREAS, The chaos and calamity caused by Mexican cartels 162
and other transnational criminal organizations at the southern 163
border teeters on all-out war, with the government of Mexico 164
deploying more than 200,000 federal troops to fight the cartels, 165
and even with that military presence, the kidnapping, 166
decapitations, and terror continues, including on and near 167
United States soil; and 168

WHEREAS, According to statistics of the United Nations, the 169
homicide rate in the United States Southern Command's "Area of 170
Responsibility" was a staggering 15.7 per 100,000 in 2020, out 171
of a global average of 5.6 per 100,000, no doubt due to the 172
violence of transnational criminal organizations in the region; 173
and 174

WHEREAS, The U.S. Department of State has already 175
recognized the reality of the terror caused by Mexican cartels, 176
issuing its highest level of travel warning for all but two of 177
Mexico's 32 states due to increased threats of crime and 178

kidnapping and having already named Colombia-based groups like 179
the Revolutionary Armed Forces of Colombia-People's Army (FARC- 180
EP), Revolutionary Armed Forces of Colombia-Segunda Marquetalia 181
(FARC-SM), and the National Liberation Army (ELN) as foreign 182
terrorist organizations; and 183

WHEREAS, There are already known links between 184
transnational criminal organizations and designated foreign 185
terrorist organizations, such as Hezbollah, al-Qaeda, Hamas, and 186
the Islamic State; and 187

WHEREAS, Existing counter-narcotics efforts under the 188
"Foreign Narcotics Kingpin Designation Act," 21 U.S.C. 1901, et 189
seq., focusing on financial sanctions, and designating these 190
organizations as foreign terrorist organizations are better 191
methods for addressing the increasing violence and supply of 192
deadly fentanyl and other drugs being shipped across the border; 193
now therefore be it 194

RESOLVED, That we, the members of the Senate of the 135th 195
General Assembly of the State of Ohio, urge the members of the 196
118th Congress of the United States to pass S. 1048 to designate 197
the Sinaloa and Jalisco New Generation Cartels, as well as other 198
transnational criminal organizations based in China and 199
elsewhere that meet the criteria of a foreign terrorist 200
organization and participate in the illicit global drug trade, 201
as foreign terrorist organizations pursuant to section 219 of 202
the "Immigration and Nationality Act," 8 U.S.C. 1189; and be it 203
further 204

RESOLVED, That the Clerk of the Senate transmit duly 205
authenticated copies of this resolution to the Congressional 206
delegation from Ohio and the news media of Ohio. 207