



TEXAS PUBLIC POLICY FOUNDATION

A TEXAS LIST OF CORRUPT MEXICAN ACTORS

THE FEDERAL “ENGEL LIST”

The Northern Triangle Enhanced Engagement Act of 2020, commonly known as the Engel list, requires the president to release an annual report of corrupt and undemocratic actors in the Northern Triangle countries of El Salvador, Guatemala, and Honduras. Named after U.S. Rep. Eliot L. Engel, chairman of the House Committee on Foreign Affairs and author of the original bill, this legislation serves as precedent in U.S. law.

The Engel List provides annual progress updates and is submitted by the Department of State to the House Committee on Foreign Affairs, Senate Foreign Relations Committee, House Committee on the Judiciary, and the Senate Committee on the Judiciary. Existing federal authority allows punitive actions to hold corrupt actors in the Northern Triangle countries accountable using targeted economic and trade sanctions such as asset freezing and the blocking of all property, and denied visas and admission to the United States for those included on the list.

WHAT TEXAS CAN DO

Texas can and should create its own version of the Engel list, one focused on tracking and monitoring corrupt and dangerous Mexican actors doing business in the state of Texas. Texas is in the best position, and under the strongest incentives, to hold those who take the path of corruption accountable and shine a light on them if they are undermining the rule of the law.

There is limited precedent to what states can do, since protecting Americans from threats that come in through the border is the federal government’s constitutionally assigned responsibility, and Texas is unable to deny entry to any foreign national. However, what Texas can and should do is collect credible information on Mexican businesses and political elites suspected of corruption or cartel ties and impose penalties on those added to the list.

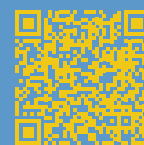
One of the most common offenses for which individuals are added to the Engel list includes misappropriation of public funds. One example of a Mexican official who could have been added to the Engel list but wasn’t due to his nationality is César Horacio Duarte Jáquez, former governor of Chihuahua, who fled to El Paso after a corruption investigation into his administration revealed his multi-million-dollar embezzlement of public funds. He was a fugitive in the U.S. for three years until his arrest. A customized Engel list for Texas would help target such corrupt actors, and make it more difficult for them to fly under the radar.

People are included on the “Engel list” for:

- Corruption related to government contracts.
- Bribery and extortion.
- The facilitation or transfer of the proceeds of corruption, including through money laundering.
- Acts of violence, harassment, or intimidation directed at governmental and nongovernmental corruption investigators.

Texas should act in three ways to hold those suspected of significant corruption:

- Sanction them financially.
- Limit their access to Texas state universities.
- Prevent Texas government from contracting with businesses linked to people on the list and prevent state pension funds from investing in those businesses.



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