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AIR AMERICA

It Was Supposed to Be a Sting Operation. Did ICE Traffic Drugs Instead?

Operation Mayan Jaguar had plans to roll up cocaine networks in the mid-2000s by secretly unleashing some two-dozen private planes — but it went haywire

BY PENN BULLOCK

SEP 25, 2024 9:00 AM

JUST BEFORE DAWN on Sept. 24, 2007, a red, white, and blue Gulfstream II fell from the sky over the Yucatán Peninsula.

The private jet had taken off without passengers from Rio Negro, Colombia, for Cancún, Mexico, more than 1,200 miles north, but crossed radar as a suspicious flight, tried to outrun scrambled Mexican military aircraft, and crash-landed.

The fuselage skidded into the jungle and split into three neat segments, and the cockpit rolled upside down, somehow sparing the two pilots, who fled on foot. Mexican commandos captured and

arrested them, and from the wreckage, removed 132 industrial trash bags, weighing around 4 tons. The bags were filled with cocaine. But the cocaine was the least interesting thing about the Gulfstream.

Under its prior owner, this plush ride had flown for the CIA's rendition program, a network of planes in corporate camouflage that shuttled terrorism suspects to black sites or Guantanamo Bay. When it went down, it belonged to a newly-formed company near Boca Raton, Florida, called Donna Blue Aircraft. Googling it at the time, you'd find a half-finished website, listing a 555 phone number and a testimonial from satisfied customer "John Doe." Visiting its headquarters, you'd find an unmarked door in an office park. And its acronym? The

legal term for “doing business as.” Donna Blue Aircraft looked, in other words, like a crudely imagined front, and that’s exactly what it was. According to government documents, it was an “undercover company” of Immigration and Customs Enforcement.

The coke jet was doing business as ICE.

Five years after the crash, the proprietor of Donna Blue, Joao Luiz Malago, a stout, balding Brazilian national in his early fifties, appeared at a bond hearing in Miami, though not specifically because of the Gulfstream. Until his arrest, Malago had been an obscure aircraft broker in an upscale suburb. Now, he was in federal custody, charged with breaking the law preventing noncitizens from owning American-registered planes.

When his lawyer, Mycki Ratzan, addressed the court, she began unspooling a tale of international intrigue that, she said, staggered her. With its Gulfstream totaled, ICE, she claimed, had urged Malago to emigrate. “They tell him to come to the United States because his life is in danger,” Ratzan said, according to a transcript reviewed by *Rolling Stone*. Her client had been a confidential informant for a covert ICE operation in the mid-2000s, she explained, and coverage of the crash in America and Mexico blew his cover. “New Document Provides Further Evidence That Owner of Crashed Cocaine Jet Was a U.S. Operative,” read one headline. *El Ágora* was terse: “‘El Chapo’ Used Jet Linked to CIA.”

Now, Ratzan said, the United States suspected the shuttered ICE operation was corrupt the entire time, and was demanding his cooperation. “The government believed that he was dirty with their ICE agents, and they couldn’t get him to say that,” she told the judge. So, as she put it, the feds charged Malago in order to flip him against other feds, so the Justice Department could build a criminal case against ICE. But the prosecutor, who declines to comment, countered that the ICE operation was both irrelevant and a failure.

A Rolling Stone investigation into thousands of pages of government documents, flight logs, court filings, and local news reports across the Western Hemisphere confirmed there was a secret ICE operation. It was called Mayan Jaguar.

According to classified reports, ICE bought private planes from 2004 to 2007, intending to tag them with hidden tracking beacons and, through front companies like Donna Blue, sell them to drug traffickers. The beacons were supposed to lead ICE to wherever in the world the planes might land, and ICE was supposed to work rapidly, presumably with local authorities, to arrest traffickers and seize drugs before they hit the streets. If all went according to plan, Operation Mayan Jaguar would be a vast, synchronized sting across the drug war's hottest hot-spots.

It didn't work out that way.

After the crash, the Department of Homeland Security's Office of Inspector General began to investigate allegations of "narcotics smuggling operations under the

auspices of 'Operation Mayan Jaguar,'" according to IG reports obtained by *Rolling Stone*. The alleged government smuggling took place "with the consent of special agents from the ICE office in Tampa [Florida]."

The reports show that ICE agents would draw "approximately 20 planes" into Operation Mayan Jaguar, including a Boeing 727. And according to testimony in the reports and the prosecutor in Malago's case, ICE stopped none of them, while other governments thwarted some, without ICE — meaning the operation may have morphed into a FedEx for cartels. The Drug Enforcement Administration, convinced that traffickers controlled Mayan Jaguar, ordered ICE to shut it down, an ICE agent told the IG. ICE refused. "ICE Headquarters advised the agents ... to

continue working,” according to another agent’s IG testimony.

In court, Malago’s representatives would say that ICE trapped an innocent man in a turf war with the DEA. “Mr. Malago is stuck in the middle between the United States Government and alleged rogue governmental agents turned criminals,” Ratzan, his lawyer, wrote in court filings. The charges against Malago would eventually be dismissed, and no one else has been charged. ICE declined to comment.

But IG investigators gathered unsettling testimony that allows the full story of Mayan Jaguar to be told for the first time. Even inside ICE, they found disquiet. ICE’s own auditors had “identified significant control weaknesses which included

‘serious’ deficiencies in recording transactions,” according to an IG memo. “The operation was missing receipts or invoices for over \$3 million in expenses related to the purchase and sale of airplanes.” An ICE agent under interrogation assured the IG that the audit for the final year, 2007, was “clean.” But why were ICE auditors “not provided information” about Donna Blue and its Gulfstream II for that “clean” audit? The agent “said he didn’t know.” ICE, it seems, hid the Gulfstream from itself.

“A coordinated interagency task force”

In the summer of 2004, according to an ICE agent’s account to the DHS inspector general, Tampa ICE began holding

meetings to hatch Mayan Jaguar. They planned to “find foreign clandestine labs, identify smuggling routes, and intercept smuggled narcotics” in the U.S. and other countries. ICE was only a year old, a merger of U.S. Customs with the Immigration and Naturalization Service, under the newly established Department of Homeland Security. And Operation Mayan Jaguar would be “a coordinated interagency task force developed by the intelligence community,” according to an internal ICE memo, indicating other players were involved.

Always seamy, the narcotics trade was largely legal until global prohibition began in the early 20th century. Waves of drug planes and state-sponsored trafficking weren't far behind. From the 1950s to the 1970s, CIA proprietary airlines flew arms

into the Golden Triangle for anti-communist guerillas, and were suspected of flying out with the guerillas' opium. It was allegedly the same deal in the Eighties, but in Central America, with cocaine (which the CIA has strongly denied), while in Asia, the CIA paid Afghan heroin lords to fight the Soviets, and later to fight the Taliban. In 1998, the CIA's marquee aviation front, Southern Air Transport, declared bankruptcy a week before the CIA's inspector general implicated the company in cocaine trafficking. But CIA aviation simply fractalized and reformed, becoming P.O. boxes, fictitious owners, and fly-by-night firms. Cartels likewise evolved. More than a half-century after President Richard Nixon declared a War on Drugs and formed the DEA, the human costs are endless and the results doubtful, with the

U.S. awash in fentanyl from cartels so rich and powerful that they can almost say, like Louis XIV did apocryphally, “*L’état, c’est moi.*”

Still, the war goes on, and one way is by moving illegal drugs in a sting like Mayan Jaguar. Called “controlled delivery,” the practice is secretive and under scrutiny as overbroad. In theory, shipments have to be under surveillance at all times and intercepted. Their use has backing in a 1988 convention that virtually every country has signed, according to Melvyn Levitsky, a former assistant secretary of state for international narcotics matters. “Each government along the way has to agree,” he says. “Otherwise, you’d be breaking their law.”

There are inherent risks to controlled

deliveries, like cartels sweeping for trackers. Shortly after Mayan Jaguar, during Operation Fast and Furious, the Bureau of Alcohol, Tobacco, and Firearms sold off nearly 2,000 guns and lost many of them, one time because GPS tags ran out of battery.

Controlled deliveries have a history of slipping away and blowing back on three-letter agencies. “Uncontrolled controlled deliveries” is what Levitsky calls them, citing a CIA operation that pushed at least a ton of cocaine into Miami in 1990.

“Officials say the cocaine wound up being sold on the streets,” *The New York*

Times reported on its front page in 1993.

There are striking parallels to Mayan Jaguar. Like the ICE operation, this CIA operation zeroed in on Venezuela. There, the CIA pitched the DEA on “uncontrolled”

shipments, ostensibly to win cartels' trust and reap intelligence, the *Times* reported. As with the ICE operation, the DEA said the CIA operation "should be called off." Like ICE, the CIA "had gone ahead anyway." But the DEA blew the whistle after the CIA IG investigated, setting off a national scandal, the federal indictment of a Venezuelan general, and a CIA officer's resignation over what the agency called "a most regrettable incident." The "uncontrolled" shipments, as it turned out, may have totaled 22 tons of cocaine.

Secrecy and competing claims still shroud Mayan Jaguar, although there's agreement that it was out of control. Ratzan, Malago's lawyer, would say the campaign swept up drugs and traffickers, while her replacement on the case, Frank Quintero, acknowledged that ICE — not his client —

broke rules. But the worst-case scenario is ICE-as-cartel. Mayan Jaguar “was and is a black eye,” says a former federal official whose work has intersected with elements of Mayan Jaguar. “The agents did something they shouldn’t have done. The government did not do what it was supposed to do. There were allegations the agents were running the dope themselves, literally getting paid for bricks that they were moving themselves,” likely by the ton.

Allegations of “narcotics smuggling”

“Mayan Jaguar was a part of a broader ICE undercover operation named ‘Beachhead,’ launched April 19, 1989, under U.S. Customs, according to one of the DHS IG

reports, quoting John V. Montaldo, an ICE agent and “co-author of the initial undercover proposal” for Beachhead. “Montaldo was assigned as the Program Manager for Beachhead” on Sept. 10, 2001. The terrorist attacks the next day would prompt the formation of the DHS and its adjunct ICE. “I’m no longer with the agency,” Montaldo says by phone, adding, “I would have to consult with them” before commenting. He did not respond to voice messages. One agent hung up. Another professed to recall nothing except “an air operation.” The roughly dozen other officials identified as participants in Mayan Jaguar did not respond to voicemails or could not be reached for comment. Mayan Jaguar would last at least three years under President George W. Bush. “According to Montaldo,” the IG wrote, “ICE Tampa agents began to make

plans to purchase the first airplane in July 2004.”

In “approximately June” of that year, according to court filings by the U.S. government, Joao Malago became a confidential informant for Mayan Jaguar. Customs agents had apprehended him with \$246,000 in hard cash, he would tell investigators in his later court case. The prosecutor in that case would claim that the cash was “seized” because it had “no proper documentation” and “could not be explained or justified at the time,” and that Malago was facing “criminal investigation” when he turned to helping ICE for commissions. According to an IG memo, some commissions “weren’t documented,” and an ICE agent “could not recall why.” According to testimony to the IG, Malago became the “primary source,” brokering the

“majority of aircraft.”

Malago worked with several front companies involved in Mayan Jaguar. According to the IG reports and his former lawyers, one was Sky Way Aircraft, run out of a hangar in St. Petersburg, Florida. Sky Way bought planes and then sold them to drug traffickers, and during the operation, all or nearly all of its planes entered the ICE stream.

Following the ICE planes brings the operation into focus. From June 2004 to September 2007 — Mayan Jaguar’s minimum-known span, per IG and ICE reports — Sky Way sold or flew at least 15 planes into Latin America, according to FAA records. A source with direct knowledge tells *Rolling Stone* that ICE used Sky Way to transfer “11 to 12” planes

to drug traffickers. Mexico would chase down a twin-engine turboprop, according to *Scramble*, an aviation newsletter. Venezuelan authorities “touring an air terminal” would “discover” another, according to *El Sol*. Brazil would sequester a Gulfstream II — but according to Brazilian reporting and court records, that happened in 2009, after Mayan Jaguar came to an end. A drug trafficker bought a twin-turboprop, per FBI documents, and Venezuela appears to list it as abandoned. Six twin-turboprops and two private jets appear to be untraceable. There don’t seem to be arrests or drug seizures in public records, except an ambiguous case in Africa, late in the operation. Given limited information, successes can’t be totally ruled out. Given the official allegations that ICE “engaged in narcotics smuggling,” planeloads of drugs hitting the

streets can't be ruled out, either. (ICE declined to comment on whether Mayan Jaguar produced any results.)

Public records of two planes raise the possibility that Mayan Jaguar brought cocaine to market. In September 2004, Sky Way sold a twin-turboprop into Venezuela that, according to a report from Colombia's National Directorate of Narcotics, touched down two months later on a cotton farm in Nicaragua, where it was ditched. (The plane drew online fascination because a picture showed it with the tail number of a suspected CIA rendition plane.) The Nicaraguan army told *La Prensa* that armed men had unloaded "packages" into "seven vans," leaving "cocaine residues" in the hull. A semitruck with a ton of cocaine, caught days later at a checkpoint, may or may not have been

involved, with police accounts differing. It seems unclear whether the cocaine was recovered. With the seizure coming down to police pulling over a truck, neither is it clear ICE would have had anything to do with it.

What we know is that the remaining plane, a King Air 200, *officially* delivered a lot of cocaine.

In February 2005, this twin-turboprop “transported 2.5 tons of cocaine” — worth as much as \$200 million — “from Colombia to Mexico, which was subsequently successfully imported and distributed in the United States,” according to U.S. government filings to the Supreme Court of Colombia obtained by *Rolling Stone*. Malago’s former lawyer Brittney Horstman, in his later case, would write

that the plane came “under the auspices of Operation Mayan Jaguar.”

Sky Way owned the plane when it allegedly delivered the cocaine, according to FAA records. Sky Way’s owner was an ICE informant, according to testimony to the IG. And eight months before the alleged drug run, ICE started selling planes through Sky Way, according to ICE agents’ reports obtained through the Freedom of Information Act. So Sky Way was already seemingly an ICE front when its turboprop shipped the cocaine in early 2005. (The owner did not respond to requests for comment, and is not accused of wrongdoing.)

According to the U.S. filings, the turboprop took off a few months later, in June 2005, to collect a further 2.2 tons of cocaine in

Colombia, but suddenly turned back to Venezuela, where the pilots were arrested and then freed by “bribes.” The cocaine awaiting pickup, rather than being seized by ICE, was “stolen” by far-right narco-terrorists.

“There’s always a big problem — when you’re doing these types of things, you’re facilitating criminal activity,” says Robert Mazur, a former DEA operative. “You would think you would want to make sure something like that was being coordinated with trusted counterparts in other countries.”

Sky Way would finally sell the plane in early 2008, after Mayan Jaguar’s purported end. According to Aero Flight, a database compiled by so-called planespotters, it would be “impounded” the next year by

Venezuela. As of late 2020, it was still reportedly in their possession.

“I had no idea what I was doing”

In July 2005, a month after the cocaine theft in Colombia, a new corporate entity materialized in Florida called Tropical Air Trading Co. Like Donna Blue and Sky Way, it was an ICE front, according to the DHS IG memos. And Malago worked with it, too, he and prosecutors would say in his later case.

Tropical Air installed itself in a two-storied, whitewashed strip mall on Tierra Verde, a white-sand island in Tampa Bay. It rented a small, inconspicuous office, a floor up from Smugglers Tavern — a bar whose logo is, fittingly, a DEA helicopter chasing a speedboat.

That month, Venezuela accused the U.S. of drug trafficking and expelled the DEA. And, absent Venezuelan approval, sending drug planes there would have almost certainly violated international law, making arrests and ground coordination impossible, says Levitsky, the former State Department official, stressing he has no direct knowledge of Mayan Jaguar. None of this would stop ICE.

ICE assigned an agent, whose name *Rolling Stone* has chosen to withhold, to work at Tropical Air and follow cartels' payments for planes back to their bank accounts, in order to uncover illicit financial networks — but he hadn't been trained for that. "I had no idea what I was doing," he admitted to the IG. And he was "unable to recall any direction from anyone

regarding documentation of the wires.” Besides a stakeout that he told the IG apparently went nowhere, he couldn’t recall there having been “any other investigation into the funds received for the purchase of the planes.” (And “the bookkeeper,” he said, “did not know how to keep good books.”) So, it seems, ICE didn’t track the money, inspiring little confidence about the planes.

In the available IG reports, the agent would be the only person asked whether Mayan Jaguar confiscated drugs or made arrests. His answer: No.

“Over time he heard that a plane or two had been seized or shot down in South America,” the IG wrote. “[The agent] was unable to recall any details and was unable to explain why he was not aware if Mayan

Jaguar had received credit for the seizures. [The agent] said to his knowledge, no arrests or narcotics were seized by any work done by agents in Mayan Jaguar.”

Tropical Air had at least seven planes. All would emerge in drug investigations in Latin America, according to foreign court cases and news reports, several while they were owned by Tropical Air — which is to say, owned by ICE. No arrests or seized narcotics were found in public records, although details are sparse about a Gulfstream I that Venezuela linked to the drug trade, and declared abandoned.

The night of June 3, 2006, Colombian reconnaissance intercepted another Gulfstream I, property of Tropical Air, because it had veered from its flight

plan, according to a Colombian air force press release. The crew landed at an airfield and escaped, *El Mundo* reported. Inside, Colombian authorities detected “traces of narcotic elements,” according to a report by Radio Santa Fe, a news agency in Bogotá. Residue would mean the plane had offloaded drugs at least once, says Levitsky. Since cocaine particles dissipate, any wisps in ICE’s Gulfstream could have easily been from the nearly five months Tropical Air owned it. Colombia announced that it could have carried up to



4 tons of cargo.

Colombian reconnaissance aircraft intercepting a Gulfstream I of an ICE front company in June 2006. *COLOMBIAN AIR FORCE*

Around then, Panama impounded a parked, Tropical-owned twin-turboprop that “tested positive” for marijuana and cocaine, according to *Panamá América*. It had a 2-ton capacity, and a hazy past. “The route of this aircraft was the United States, the Dominican Republic, Aruba, Panama, but investigators are not so sure that this is true,” the paper reported.

On Aug. 12, 2006, a Gulfstream II that Tropical Air had flown to Panama three months earlier beyond FAA coverage,

making its movements, if any, inscrutable, set off alarms by entering Colombian airspace without a flight plan, and was chased to a remote hideout, according to the Colombian air force. The government's triumphal press release didn't mention any arrests or seized drugs. Radio Santa Fe reported "cocaine in the interior," without offering specifics.

Then there's the Boeing 727.

It was Mayan Jaguar's largest purchase, a TWA passenger turned cargo jet with an eerie air. Tropical Air bought it in late 2005 and flew it to Isla Margarita, a Venezuelan island in the Caribbean. Nine months later, an anonymous source for a local newspaper denied rumors that the Venezuelan authorities were investigating the 727. Instead, it was "for sale" on the

island “by Transporte Aéreo Corporativo C.A.” A DEA memo notes that the DEA “identified” the 727 “in an investigation.” (Venezuela seized a drug plane on the island from a “Transporte Aéreo Corporativo *2006* C.A.”) A year later, in September 2007, Venezuela would announce that it had confiscated the 727 the previous year at the island’s airport for “involvement” in narco-trafficking, and was “awarding” it to the national airline (which is now under American sanctions).

More than a year after that, something strange happened. According to FAA logs, air-traffic control tracked the 727 over Florida for a few minutes — and then the pings ceased. “A 727 that just appears from nowhere and then five to six minutes later disappears” would be cause for

“immediate concern,” Robert W. Mann, an aviation expert, says.

ICE, in its only comment, calls the data “invalid.” The FAA says it “cannot confirm” the data’s wrong, but mostly dismisses it: “The record indicates that the flight occurred at altitudes at and below 6,900 feet and at 126 knots [145 mph] groundspeed. A Boeing 727 could not fly that slow and would not fly at low altitudes.” They posit that an incorrect “n-number” could have been entered, but there’s no way to know for sure. When ICE abandoned the plane in Venezuela, sketchy Boeing 727s in Venezuela were moving cocaine to Al Qaeda in Africa. *If* it was flying that day in 2009, the same year another 727 landed in Mali with as much as 10 tons of cocaine, whatever it was doing was probably illegal. And not just

because of any illicit cargo. Its last registered owner, Tropical Air, had been



dissolved. It was a ghost plane.

The Boeing 727 that had been owned by ICE front company Tropical Air. *NATIONAL ANTI-DRUG OFFICE OF VENEZUELA*

Tropical Air's last two planes surfaced in investigations only to get away. According to Aviation International News and *El Carabobeño*, suspected drug smugglers

separately commandeered them from the airport tarmac in Valencia, Venezuela. A King Air 200 “took off without proper authorization” in 2006 and “went missing.” And an impounded Gulfstream I “took off without authorization” in 2010, when Mayan Jaguar no longer existed. It had arrived in Venezuela in August 2006, coming under drug investigation the next year. “Sources linked to the National Guard denied the theft,” according to *El Carabobeño*. “Preliminary reports indicate that the Aeronautical Prosecutor’s Office had already released it and that it would have been returned to its owners as no elements were found to keep it detained for longer.... Those who work at the [airport] believe that the plane was ‘stolen’ to possibly be used in illegal activities.” Hijackers apparently absconded with a

combined cargo capacity of another 6 tons.

Levitsky, the former assistant secretary of state for narcotics matters, worries ICE enabled the sale of massive quantities of narcotics. “It sounds like hundreds of millions [of dollars’ worth],” he says. “And by the time it gets to the streets, it could be billions.”

ICE begins to go rogue

In late 2006, Tropical Air closed because of “problems” with the DEA, which “disagreed with the way ICE Tampa was running the operation and refused to authorize the continuation of airplane purchases,” the DHS inspector general wrote in a report.

ICE “received information from the DEA that Malago was double-dipping” — playing both sides — “and working with the drug traffickers,” according to testimony to the DHS IG from the former ICE agent.

The DEA declined to comment, but Frank Quintero, former lawyer for Malago, denies any wrongdoing on behalf of his client in discussions of this operation, and would claim in court that “the DEA got wind of what ICE was doing” from a Brazilian government drug agent who was Malago’s supervisor for ICE while also “working for the DEA.... He wanted to score some points with the DEA, so he created all of these reports that showed or pretended to show that Mr. Malago was ‘A target of his investigation.’” But ICE itself moved to “limit” Malago’s involvement late in the operation, after “numerous issues” arose

around his plane sales, according to another ICE agent's IG testimony.

Allegations of this scale against the American government are rare. Now they were coming from the American government.

What's clear is that the DEA saw a conspiracy, and that a "memo came out to close the Mayan Jaguar operation," according to an IG report. And yet, despite the DEA order to halt, ICE agents pressed on, the IG wrote, "even with their authority in question."

Essentially, the government's own records suggest that ICE went rogue.

Sky Way apparently kept at it. According to aviation records, and the prosecutor in

Malago's case, it sold a Cessna into Venezuela on Feb. 2, 2007 that crossed the Atlantic on May 1, for Mauritania, on Africa's west coast, where police seized around 1,300 pounds of cocaine. The two alleged Belgian pilots took off again, landed in the desert, and apparently vanished.

Malago's former lawyer Brittney Horstman told a judge that ICE ordered Malago to forge ahead: "When D.C. told ICE that they were not operating appropriately with the money and tracking the money, they said, 'You have to shut down that company [Tropical Air].' ICE said, 'Okay. We are going to do it a different way. Mr. Malago, open up your company and we are going to do the operation, but we are going to do it through your company.'"

So Malago incorporated Donna Blue Aircraft as a new ICE front, and bought at least one plane, the Gulfstream II doomed to crash in the Yucatán. Agents were told “that no more money could go through government accounts, but that they were allowed to continue” through Malago’s accounts, according to the agent’s testimony. Another ICE agent testified that this didn’t follow standard protocol.

The Gulfstream had beige leather seats and a Langley pedigree. Under the previous owner, it had visited Guantanamo Bay and flew for the CIA’s rendition program, according to flight logs and the CIA rendition contractor, Richmor Aviation, that chartered it.

ICE apparently bought a second jet from New World Aviation, a suspected CIA

rendition contractor in Allentown, Pennsylvania. (New World says that it “wants to emphasize that it always supports government activities, but also that it is under new ownership.”) In June 2007, Venezuelan authorities seized the jet on a runway with around 2.5 tons of cocaine, according to the prosecutor in Malago’s case.

Right after the Gulfstream II’s crash in September 2007, Malago told reporters that he had just sold the Gulfstream to two men, including a small-time aviation entrepreneur who had loaned a plane to the CIA, according to DEA documents. (When reached for comment, that entrepreneur denied any knowledge before hanging up.)

Meanwhile, Mayan Jaguar agents wrote in

a memo that their operation was an “interagency” collaboration “developed by the intelligence community.”

When asked if they were involved, the CIA declined to comment on specific operations, but issued a statement: “The suggestion that CIA somehow engaged in unlawful drug trafficking activities is false. CIA is committed to U.S. law.” When first contacted in 2022, the CIA suggested that the Director of National Intelligence might be able to clarify the reference to “the intelligence community.” The DNI supervises what it calls “the Intelligence Community,” including the CIA. “I will see what I can find,” the DNI told *Rolling Stone*, but stopped responding to requests for comment.

News that the Mexican government had

forced down the Gulfstream and confiscated its 4 tons of cocaine landed with a thud at ICE. The agent was told he “could not write a seizure report” to take credit, according to his testimony to the DHS IG. “He did not know why.”

After the crash, the DEA wrote a letter to ICE and complained — again — “about ICE brokering the airplanes,” according to the testimony. The DEA’s intervention “resulted in the end of the operation,” he said.

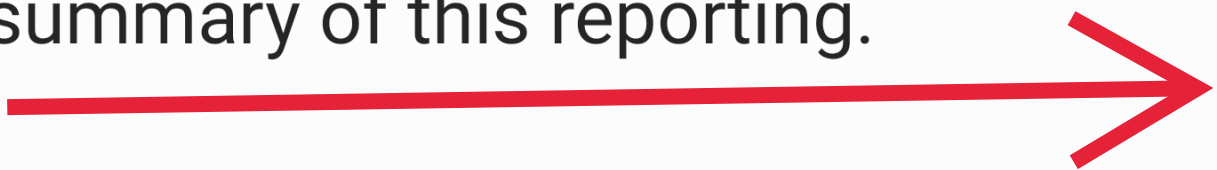



A soldier stands next to bags filled with cocaine that were found in the Gulfstream II that crashed in Tixkokob, in Mexico's Yucatán state, Sept. 24, 2007 *RUSSEL CHAN/AP*

For Malago's own safety, ICE instructed him to settle his family in south Florida, so he did, counting on ICE agents' promise that "we, the United States government, are going to handle your visas," Ratzan, the lawyer in his later case, would claim. "Once those agents came under investigation, those promises seemed to, of course, disappear." ICE later put Malago on an "immigration detainer," threatening him with deportation. All the while he posed as an unwitting businessman.

ICE would eventually confirm Mayan

Jaguar's existence to *Narco News*, which asked an ICE spokesperson whether the operation succeeded. The quoted answer: "I don't think anything came out of it." The now-former spokesperson defers to ICE, which would not comment on a detailed summary of this reporting.



"You shouldn't be doing any of this shit — shut Mayan Jaguar down"

Around June 2008, ICE officially stopped employing Joao Malago, according to the prosecution in his case, while the DHS inspector general "seized all his office documents and computers," according to one of his former lawyers. He kept busy. That month, he rebranded Donna Blue Aircraft as "North Atlantic Aircraft

Services,” and went on to sell at least 33 planes through the company, mostly into Brazil. He’d later tell the DEA that ICE agents had urged him to “stay in touch when you sell planes to Brazil.” He’d “fidget and appear nervous” before admitting they still talked, according to DEA interrogation notes. In 2012, he was indicted.

Andrea Hoffman, an assistant U.S. attorney for the Southern District of Florida, has alleged that Malago illegally sold the 30-plus planes as a foreign national, and that he knowingly passed at least one to drug smugglers.

Hoffman limited the indictment to events that took place after Mayan Jaguar’s putative end. Even so, she said, Mayan Jaguar achieved nothing.

“There are to my knowledge no seizures in the United States nor prosecutions out of Mayan Jaguar,” she told Judge Jonathan Goodman. “There are ... seizures and captures that happened largely from crashes or foreign national activity, with after-the-fact reporting to U.S. authorities, not the other way around. It wasn’t American-instigated investigations that drew in foreign nationals.”

A federal prosecutor was saying ICE stopped none of its drug planes, an upsetting claim, given ICE’s approximately 20 drug planes. (Her office has “nothing to add.”)

Malago’s former lawyer Frank Quintero tells *Rolling Stone* that he isn’t sure either way whether the prosecutor was right about Mayan Jaguar. “I can’t deny it. But

what I can tell you is that Malago had no obligation” to keep track of the planes. “ICE is the one that has to document those things ... not Malago.”

Malago became collateral damage in a federal turf war, Quintero says. “The war starts because ICE Tampa violated the memorandum of understanding” regulating DEA-ICE relations. “They got into [foreign] narcotics and money-laundering activities,” which ICE had no jurisdiction over, he says. So the Justice Department’s Office of Professional Responsibility, formed after Watergate, said, “‘You shouldn’t be doing any of this shit — shut Mayan Jaguar down.’ ... They don’t.” And ICE didn’t communicate to the Mexican government about the Gulfstream, causing things to “hit the fan” in Washington when it crashed, while ICE

agents wrote reports “to cover up certain improper activities,” he told a judge.

“They shut down Operation Mayan Jaguar after the OIG began to investigate and determine that they had not only violated the memo of understanding, but also the internal protocols,” he said in court.

On March 19, 2014, a few days before the trial date for *United States v. Joao Luiz Malago*, the government, having already dismissed the drug charges, dismissed the counts of FAA violations. Malago was a free man.

Quintero says he caught witnesses “lying” and other prosecutorial mistakes. “This was all a bullshit case with bullshit evidence designed to get Malago to cooperate against ICE agents, which he

knew nothing about,” Quintero says. “Were transponders put on planes by Malago? Yes. Were the planes tracked by ICE? I have no fucking idea. If a transponder was put in, I assume they were being tracked.” In court, Hoffman, the prosecutor, agreed there were trackers on planes — but only on the planes not carrying drugs. “It was all the planes that didn’t have transponders on them that had drugs on them,” she told the judge. So did cartels know to remove the ICE trackers?

Malago’s former lawyer Ratzan claimed in court that Mayan Jaguar had rounded up traffickers and “tons and tons and tons” of cocaine. The one example given, in a court filing by Quintero, was a drug trafficker “convicted in large part because of the transponder placed on plane N192SA.” But that’s the same plane that “successfully

imported and distributed” 2.5 tons of cocaine into the United States, according to the U.S. filings to the Supreme Court of Colombia. Quintero reasserts that ICE, not Malago, was the authority over the planes. As if to underscore the point, the U.S. filings in Colombia cite ICE for “the facts” about the huge cocaine shipment — but omit that an ICE front shipped it.

Today, Malago is back in business, selling planes through a company bearing his initials, JLM Aviation Services, in Boca Raton. Its website marks a major improvement on Donna Blue’s slapdash effort. Malago declined to comment on the record. As with any immigrant, even perhaps the rare one invited to emigrate to the U.S. by ICE, the final boss remains ICE, his former employer.

Whether the IG concluded ICE trafficked drugs is unknown. The IG is silent on the point. Its reports, obtained from a court docket, are strewn with repeating barbed-wire fine print: “Unauthorized disclosure of this report may result in criminal, civil, or administrative penalties.”

In 2009, the umbrella program of Mayan Jaguar, Operation Beachhead, was “recertified” for action.

Malago’s Gulfstream II is no more than scrap metal, but another may live on. In testimony to the IG, an ICE informant recounted selling a Gulfstream II through Mayan Jaguar to drug traffickers south of the border. Homeland Security ultimately “seized” \$350,000 from the informant, the IG wrote, while the jet, with a 4-ton cargo capacity, slipped away. The FAA last

tracked it in 2006, from Florida en route to Venezuela, and the trail goes cold over the Caribbean. For all anyone knows, it's still out there.

