

Army Support to the United States Border Patrol in the 21ST Century

**A Monograph
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"All The Way"

Abstract

THE UNITED STATES ARMY SUPPORT TO THE UNITED STATES BORDER PATROL (USBP) in the 21ST CENTURY by Major Chanda Ian Mofu, United States Army, 46 pages

The United States Army faces significant budget cuts as the national debt rises and combat operations in Iraq and Afghanistan end. Budgets cuts will decrease funding for training across the operational force as the Army moves to train for operations across the full spectrum of war.

This monograph recommends that the Active Component (AC) of the Army maximize training opportunities by supporting the United States Border Patrol (USBP) at the tactical, operational, and strategic levels of border security. USBP works in a complex operating environment where the agency remains undermanned securing the border of the United States and Mexico and the border of the United States and Canada. The AC supports USBP at the tactical level by providing intelligence surveillance and reconnaissance (ISR) and infrastructure support by building fences and walls along the border with Mexico. At the operational level, AC officers assigned to Joint Task Force North support USBP around the country by planning joint federal law enforcement operations. At the strategic level the Command and General Staff College sends one AC officer per year to USBP's Strategic Plans-Policy and Analysis Division in Washington D.C. to help in a myriad of tasks pertaining to national policy and planning.

Sustained support to USBP by the AC gives commanders opportunities to become more proficient in Core Mission Essential Tasks and Mission Essential Tasks using joint dollars. In 2005, a Stryker reconnaissance squadron supported USBP for 30 days prior to training at the Joint Readiness Training Center before the unit's deployment to Iraq. This invaluable training prepared the squadron for combat operations and increased USBP illegal immigrant interdictions near the Deming Station in Deming, New Mexico. If AC battalions fail to maximize training opportunities in complex environments on the borders of the United States, then we limit unique soldier and leader experience as operations in Iraq and Afghanistan come to a close.

The AC can choose to take advantage of unique training opportunities by providing support to USBP, or cling to the idea that support to border security is for the Army National Guard. The purpose of this study is to make the case for the USBP and the AC to understand each other's capabilities and what the AC can offer in the 21ST century.

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Introduction

This monograph recommends the AC increase support to the USBP in the 21ST century. Through Joint Task Force-North, units can provide tactical and operational support phased into the southwest Border and Northern Borders each fiscal year. USBP will provide the recommended months for deployments and AC formations can train and support border security. The Army's Training and Doctrine Command should continue sending officers to USBP and Department of Homeland Security (DHS) for broadening experiences, and to develop strategic leaders that are capable of working in the interagency.

The United States Army has supported border security since President James K. Polk ordered Soldiers to territories that became southern Texas in June of 1845.¹ The United States Border Patrol (USBP) has secured the United States borders since 1924 and has performed this arduous task as an undermanned agency for decades. The Army has historically supported USBP and recently has noted tactical lessons learned and met collective training objectives while taking on a supporting command relationship. United States presidents have increased border security since the late 1990s and have leaned heavily on the Department of Defense to support requests. The majority of border security requests for assistance submitted to the Department of Defense by the United States Customs and Border Protection (CBP) are filled by the Army National Guard (ARNG) rather than the Army's Active Component (AC). The AC of the United States Army should increase support the United States Border Patrol (USBP) with intelligence, reconnaissance, equipment, and personnel. The Army's tactical and operational training requirements can be met by supporting USBP and providing that support should be seriously considered during a time of decreased training budgets. There are many training opportunities

¹ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

that deploying platoon, companies, battalions, and Brigade Combat Teams (BCTs) can leverage when supporting border security. Heavy, Stryker, and light Army brigades can support USBP's mission at the tactical level by providing Army planning expertise at the USBP sector or headquarters level through fellowships, deploying mobile training team support to the field, and new surveillance/intelligence equipment training with patrol agents. Assistance from Joint Task Force North (JTF-N) will facilitate crucial interagency relationships that are in the interest of national security.² This monograph will address USBP's challenges securing the nation's borders, historic Army support to border security, USBP's operational and tactical deficiencies, how the AC can benefit by supporting USBP, how USBP will benefit from AC support, and why the Army should consider using the AC to support border security.

The USBP faces a challenging mission of increasing complexity. The USBP is responsible for preventing the smuggling of undocumented aliens into the United States, apprehending immigration law violators, supporting anti-terrorism efforts, and serving as the primary agency responsible for drug and contraband interdiction between/at the ports of entry.³ The Border Patrol's means to secure the borders is accomplished by five main objectives: establish substantial probability of apprehending terrorists and their weapons as they attempt to enter illegally between the ports of entry; deter illegal entries through improved enforcement; detect, apprehend, and deter smugglers of humans, drugs, and other contraband; leverage "Smart Border" technology to multiply the effect of enforcement personnel; and reduce crime in border communities (inside the US) and consequently improve the quality of life and economic vitality

² Joint Task Force North FACT Sheet. JTF North Public Affairs Office. <http://www.jtfn.northcom.mil>. Accessed 9/30/2010.

³ Turbiville, Graham H., *US-Mexican Border Security: Civil Military Cooperation*. Military Review. Fort Leavenworth, Kansas: 1999.

of targeted areas.⁴ USBP's means to implement strategy is hampered by a host of challenges to maintain the US borders under effective control. The USBP recognizes that coordinated border enforcement management requires strategic partnerships and coordinated enforcement operations in order to succeed in its mission. Strategic partnerships between the USBP and the AC can leverage military capabilities to mitigate border security challenges.

In 1911, President William Taft ordered the concentration of some 30,000 troops near the border for large scale maneuvers in order to stop possible spillover violence from Mexico into the US.⁵ He did this as precautionary measure after Mexican President; General Porfirio Diaz was overthrown, and Mexico faced endless civil war, had very little resemblance of law and order, and banditry was widespread that violence from Mexico often bled into the United States.⁶ The Army tried to keep bandits out of the United States in the past and President Taft used the Army to keep the lawlessness from spreading over the border. Army support to the border was not "formalized" until the formation of Joint Task Force-6 (JTF-6), the command established by Gen. Colin Powell in 1989, in response to President George H.W. Bush's declaration of the "War on Drugs." JTF-6's mission was to provide support to domestic agencies to combat terrorism.⁷ In 2004, JTF-6 was renamed JTF-North and its mission was expanded beyond the drug war to include providing homeland security support to the nation's federal law enforcement agencies.⁸

⁴ Office of the Border Patrol and the Office of Policy and Planning, *National Border Patrol Strategy*. Washington, DC: Government Printing Office, 2004.

⁵ Clendenen, Clarence C. *Blood on the Border: The United States Army and The Mexican Irregulars*. The Macmillan Company. London: 1969.

⁶ Ibid., 215.

⁷ White, Timothy L. *The Role of Joint Task Force Six in Homeland Security*. United States Army War College. Carlisle, Pennsylvania: 2004.

⁸ Corsi, Jerome R. "U.S. Military Fights Drug War on Mexican Border: Joint Task Force North Assists Federal Law Enforcement". [http:// www.wnd.com](http://www.wnd.com). Accessed 9/30/2010.

As the USBP's mission grew in complexity, the USBP asked for Department of Defense support in planning at the operational level. The USBP cannot operate unilaterally and requires interagency support to secure the nation's borders. In September 2010, the United States Customs and Border Protection (USCBP), USBP's higher law enforcement headquarters, initiated the Operation to Combat Transnational Threats (ACTT). ACTT is a multi-agency operation based in Arizona that includes over fifty federal, tribal, state, and local law enforcement and public safety organizations.⁹ JTF-N was instrumental in providing operational planning support that bridged operational and tactical law enforcement integration. The USBP has requested tactical support from across the Department of Defense. The Army has sent forces providing operational support in aviation reconnaissance, ground transportation, and listening post/observation posts for decades.¹⁰ These invaluable assets and expertise leveraged at the tactical and operational levels have led to increased success in border security.¹¹ An increase in AC support, if applied with planning and the development of a comprehensive security campaign, will diminish substantial domestic border security issues that the United States faces.

Michael Fisher, Chief of USBP, stated that small unit training with 5TH and 7TH Special Forces Group in the early 1990s helped shape small unit leaders in the Border Patrol Tactical Unit (BORTAC).¹² BORTAC provides a global response capability and provides an immediate

⁹ Testimony of Allen Gina, Assistant Commissioner, Office of Intelligence and Operations Coordination, U.S. Customs and Border Protection, Department of Homeland Security, before the House Homeland Security Committee, Subcommittee on Border, Maritime, and Global Terrorism and the House Foreign Affairs Committee, Subcommittee on Western Hemisphere. 5/27/2010. Accessed 10/5/2010.

¹⁰ Joint Task Force North Fact Sheet. 1 October 2009. Joint Task Force North Public Affairs Office. JTF North website: <http://www.jtfn.northcom.mil>.

¹¹ Hoffman, David, Chief of Strategic Plans and Policy Branch, Office of the Border Patrol. Interview with Major Chanda Ian Mofu on 3 SEP 2010.

¹² Fisher, Michael. Chief of Border Patrol. Interview with Major Chanda Ian Mofu on 3 SEP 2010.

response to emergency and high-risk incidents requiring specialized skills and tactics.¹³ At the operational level, JTF-N has provided Army officers to help in developing operational planning processes in ACTT. In 2009, the United States Army's Command and General Staff College (CGSC) sent an Army officer to USBP headquarters for the first time to assist in planning and to increase interagency partnership with the Department of Defense. CGSC sent another officer to fill the same role in 2010. There are benefits that the Army can take away from supporting the interagency: an officer corps that can successfully interact with other agencies, is capable of facilitating seamless planning and execution, training at the expense of joint dollars through JTF-N, and providing broadening experiences to Soldiers of all ranks in new operating environments. As an example of what the AC providing support to the USBP can do for both organizations, in 2006, 172ND Stryker Brigade deployed to Fort Bliss, Texas, to support border security and field new equipment prior to deploying to Iraq. The Brigade had never deployed the Stryker family of vehicles to Iraq and the commander of the reconnaissance squadron wanted his Soldiers trained on core mission essential training tasks. Through JTF-N, the Brigade trained on most of its Mission Essential Task List (METL) tasks, fielded new Strykers, and supported USBP. Funding came from JTF-N and not the deploying BCT. As overseas deployments to Iraq and Afghanistan decline, AC operational and tactical formations can use funding sources through JTF-N while supporting the USBP.

The active component provides the best flexibility to support the USBP. As deployments supporting the Global War on Terrorism (GWOT) decline, there is a pool of tactical and operational formations that will be available to support USBP. Operational units can work a supporting role while operating in a Joint Interagency Task Force. Officers and Non-

¹³ United States Customs and Border Protection. *BORTAC Fact Sheet*. United States Border Patrol Office of Public Affairs. http://www.cbp.gov/linkhandler/cgov/newsroom/fact_sheets/border/border_patrol/bortac.ctt/bortac.pdf. Accessed on February 2, 2011.

commissioned officers can be exposed to the interagency and understand how to operate in environments unfamiliar to most military personnel. The *2010 Quadrennial Defense Review* envisions support to interagency capabilities to address critical issues including control of illicit trafficking, detection and interdiction of weapons of mass destruction, border and coastal security, and humanitarian assistance and disaster relief.¹⁴ The AC can provide these capabilities as ARNG operational tempo rises to support state and federal missions.

Literature Review

Many professional military and civilian authors have written books and articles that address Department of Defense support to Civilian Law Enforcement Agencies (DSCLEA); very few of these authors have published material specially written for Army support to the USBP. Most authors have called for the National Guard to support DSCLEA, but none advocated for an increase in Active Component (AC) participation. One author argued that federal forces are not suitable to support Homeland Security; he argued that homeland security support tempers unit readiness in support of wartime missions.¹⁵ With many authors writing about AC Army support to USBP, this monograph draws a new dimension to DSCLEA.

The historic background of this monograph is provided by Clarence Clendenen's, *Blood on the Border: The United States Army and the Mexican Irregulars*. Clendenen's work provides the historic background of US Army support along the border of Mexico. *Blood on the Border* gives a detailed narrative about the wilderness borderland where law and order was difficult to enforce. Clendenen offers the beginning history of border security where platoons, troops, and companies, and occasionally battalions, fought Mexicans to support security in territories later

¹⁴ Department of Defense. *Quadrennial Defense Review*. Washington DC: Government Printing Office, February 2010.

¹⁵ Campbell, James S. "Current Obstacles to Fully Preparing Title 10 Forces for Homeland Defense and Civil Support,". Joint Force Staff College: Norfolk, Virginia, 2008.

known as Texas and Arizona. Clendenen's work is essential to understanding the operating environment that the Army has operated in since 1845.

The U.S. Army on the Mexican Border: A Historical Perspective, by Matt Matthews, provides another historic overview of the United States Army's role in securing the borders against Mexican irregulars from sacking Texas in the early 1840s. Matthews's work establishes that Army support to border security was required to keep American citizens safe from Mexican irregulars raiding and killing into the United States. Along with Clendenen's work, Matthews's book appreciates the long standing support the Army has contributed to border security.

More specifically about current border issues is *U.S. Military Fights Drug War on Mexican Border: Joint Task Force North Assists Federal Law Enforcement* by Jerome Corsi shows the transition of Joint Task Force 6 to Joint Task Force North. The transformation of Joint Task Force North (JTF-N) is a noteworthy move by the DoD to support law enforcement agencies. Corsi's work aims to recognize the role of the military supporting federal law enforcement along the border of Mexico. JTF-N's mission was expanded beyond the drug war to include providing homeland security support to the nation's law enforcement agencies.¹⁶ JTF-N is the principle Department of Defense (DoD) support agency to border security. Understanding JTF-N's history, its supporting transitions over the years, and what it brings to the border security fight illustrates the importance of this agency. Without JTF-N, synchronizing DoD assets to support border security would be difficult.

As military support to federal law enforcement gained positive support, Major Melvin G. Deaile's, "*Crossing the Line: A Study of the Legal Permissibility of Using Federalized Troops to Protect the Nation's Borders*" argues for military forces along the border because of threats posed by terrorists who take advantage of illegal immigration. Terrorist organizations could use

¹⁶ Corsi, Jerome. "U.S. Military fights Drug War on Mexican Border: Joint Task Force North Assists Federal Law Enforcement" [http:// www.wnd.com](http://www.wnd.com) (accessed September 30, 2010).

infiltration routes used by drug trafficking organizations into the United States to sneak a terrorist(s) in by hiding with other illegal immigrants. He advocates for a moderate use of military assets to address USBP's challenges securing the nation's borders.¹⁷ Legal considerations for the use of military on the borders is a common argument against what this monograph calls for. AC forces can support USBP within the law and in accordance with the Posse Comitatus Act (PCA). The Posse Comitatus Act (PCA) of 1879 limits the powers of the federal government to use the military for law enforcement.¹⁸ AC support to USBP includes infrastructure construction and providing ISR to facilitate agents interdicting illegal immigrants. The AC cannot and should not arrest or hold individuals interdicted by the USBP.

The AC Special Operations Forces (SOF) can participate in supporting USBP. "*Consideration for SOF in Domestic Homeland Security*" by Major Matthew K. Peaks argues for the use of SOF for Civil Support (CS). Major Peaks also contributes how SOF can improve their capabilities as well as supporting national first responders.¹⁹ Major Peaks's monograph adds depth and shows the wide capabilities that the AC can provide to supporting USBP. Special Forces have a working relationship with USBP's immediate response force through training

¹⁷ Deaile, Melvin G., "Crossing The Line: A Study of the Legal Permissibility of Using Federalized Troops to Protect the Nation's Borders." Command and General Staff College: Fort Leavenworth, Kansas. 2003.

¹⁸ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007. The Posse Comitatus Act, 18 U.S.C. Section 1385 states: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both" The Air Force was added to the original language in 1956. Black's Law Dictionary defines the term "posse comitatus" as the "power or force of the county. The entire population of a county above the age of fifteen, which a sheriff may summon to his assistance in certain cases as to aid him in keeping the peace, in pursuing and arresting felons, etc." The Navy and Marines are not included in the Act, but are made subject to it by DOD Regulation (32 C.F.R. Section 213.2, 1992). The Coast Guard is exempt during peacetime as are National Guard forces operating under the state authority of Title 32.

¹⁹ Peaks, Matthew K. *Consideration for SOF in Domestic Homeland Security*. Command and General Staff College: Fort Leavenworth, Kansas. 2008.

support over the last twenty years. SOF support to border security gives USBP a wider capability employing agents in special reconnaissance missions along the nation's borders.

Military support to federal law enforcement has critics from the military. Commander James Campbell's, "*Current Obstacles to Fully Preparing Title 10 Forces for Homeland Defense and Civil Support*" lists several limitations to Department of Defense Support to federal law enforcement. The issues he addresses include difficulty in coordination, the PCA, and the availability of trained forces to support federal law enforcement agencies. Commander Campbell's monograph is used in this monograph to analyze the feasibility of Army support to USBP. Commander Campbell's monograph will be used to appreciate the difficulty with employing Title X forces. In Thomas Lujan's, "*Legal Aspects of Domestic Employment of the Army*", he brings up two points for consideration in this monograph; 1. That Soldiers on the borders of Mexico and Canada violate the PCA; 2. Any violation of the law will compromise the relationship between America's Army and the American people. In 2005, a Stryker cavalry squadron flawlessly supported USBP for 30 days in the Deming, New Mexico without any incidents or difficulty coordinating support.

There are very few books available on the topic of Army support to USBP. The majority of the cited works are articles from professional journals and Department of Defense Senior Service Schools. The lack of published material strengthens the case to continue studying and writing about this National Security topic.

History of the USBP

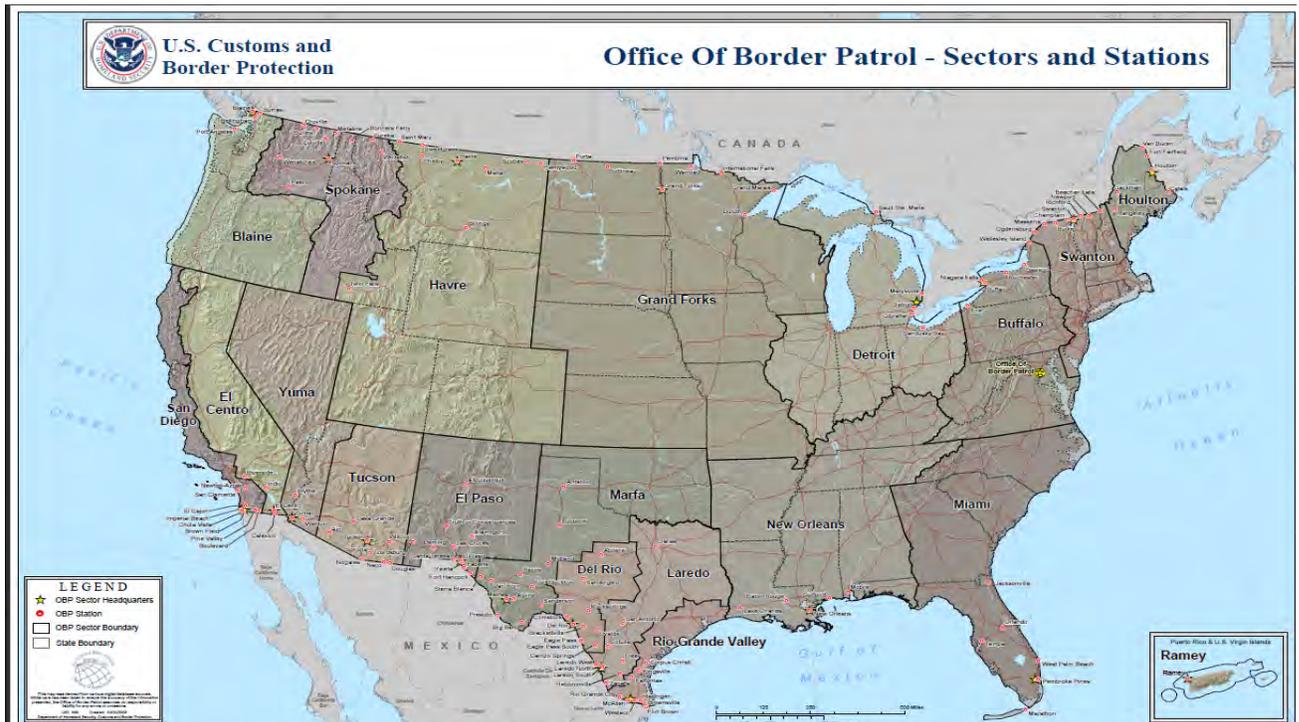
The USBP is the mobile law enforcement arm of the U.S. Customs and Border Protection (CBP) within the Department of Homeland Security (DHS).²⁰ The Border Patrol was founded on

²⁰ Who We Are and What We Do. 3 September 2008. United States Customs and Border Protection Press Office. United States Customs and Border Protection Website:

May 28, 1924 (as the Bureau of Immigration) in response to a rise in illegal immigration after the passing of strict immigration laws.²¹ The Border Patrol has grown from 450 agents to 22,000 and is responsible for patrolling the 6,000 miles of Mexican and Canadian international land borders.

The USBP has not always been constrained to border security. USBP agents have been used in domestic security related events and law enforcement duties. The 18TH Amendment of the Constitution prohibited the importation of alcohol into the United States. Due to manpower shortages, smugglers easily trafficked alcohol and soon illegal aliens from Mexico. As immigration laws limited the number of immigrants who could enter, alien smuggling became more popular. During World War II, the Border Patrol was assigned security duty in Texas and Missouri to secure enemy prisoners of war.²² In 1962, the Border Patrol protected Mr. James Meredith and secured the Registration Building at the University of Mississippi so that he could become the first black student enrolled at the university.²³ The three examples above demonstrate USBP's versatility; decades later their mission remains complex. Today the USBP commands and controls twenty sectors in the United States and operates those sectors with 22,000 agents (see figure 1). USBP's threat environment is divided into three borders; the Southern (U.S.-Mexico) Border, Northern Border (U.S.-Canada) Border, and the Coastal (Caribbean Borders).

Figure 1: USBP Sectors



The differing threat locations result from the geographical diversity of the border such as population centers, infiltration routes, and immigration patterns.²⁴

In fiscal year 2009, the USBP apprehended 556,041 illegal aliens using a wide variety of technology and tactics to secure the nation's borders.²⁵ To carry out its mission, the USBP's strategy consists of five main objectives. The first strategic objective (Establish substantial probability of apprehending terrorists and their weapons as they attempt to enter illegally between the ports of entry) is to apprehend terrorists and their weapons from entering the United States. To meet this objective, USBP must be proficient in targeting, partnering with its international counterparts in Mexico and Canada, and leverage detection technology as threats adapt to USBP tactical procedures. The second USBP objective (Deter illegal entries through improved enforcement) is to develop new technologies and discover new ingress corridors to apprehend smugglers and illegal aliens. The third USBP objective (Apprehend and deter smugglers of humans, drugs, and other contraband) leverages tactical and strategic intelligence in coordination with Immigration and Customs Enforcement (ICE) which is the investigating arm of the Department of Homeland Security. This crucial relationship enhances USBPs ability to target cross border smuggling operations. The fourth USBP strategic objective (Leverage "Smart Border" technology to multiply the effect of enforcement personnel) uses a combination of agents, technology, and information to manage the nation's borders. USBP needs more agents to patrol the borders but must use technology to mitigate challenges at the tactical level. USBP's fifth and final objective (Reduce crime in border communities and consequently improve the quality of life and economic vitality of regions) requires agents to deter illegal activity in and around border towns.

²⁴ Office of the Border Patrol and the Office of Policy and Planning. *National Border Patrol Strategy*. Washington, DC: Government Printing Office, 2004.

USBP is the largest law enforcement agency in USCBP and patrols the nation's borders using airplanes and helicopters from the Office of Air and Marine, all-terrain vehicles, horses, K-9 units, and an emergency response force called the Border Tactical Team (BORTAC). Despite USBP's strategy and tactical success in reducing illegal immigration, USBP agents still require support from the interagency, state, local, and tribal law enforcement agencies to carry out its overall mission to securing the nation's borders.

The History of US Army Support to Border Security

Matt Matthews describes five periods of US Army support to border security: 1845-1846; Army occupation on the Mexican border, 1850-61: US Army and Mexican border security, 1865-1910: US Army and border security at the turn of the century, 1911-17: US Army and border security during World War I, and 1919-the present: US Army border security in the 20th century.²⁶ On 28 May 1845, President James K. Polk ordered 4,000 Regular Army soldiers to Corpus Christi, Texas, to press the claim of Texas, and establish the southern border of the state.²⁷ President Polk was facing a Mexican president who was not willing to negotiate disputed borderland in and around Texas.²⁸ The early violence on the border and subsequent illegal immigration incursions, smuggling, and drug trafficking organization violence has had an impact leading to deploying federal forces on the border of Mexico throughout our nation's history.

Frontier protection was the main role of the US Army in the 1800s. The first historic period of US Army support to border security was a tenuous time for Brigadier General Zachary Taylor's US Army of Occupation. The Army faced securing isolated farms and ranches, tiny

²⁶ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

²⁷ *Ibid.*, 15.

²⁸ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

roads, and patrolling small-unimproved trails that were used by Native Americans and Mexican soldiers.²⁹ The Army also faced a sparse population that included smugglers and scoundrels from both the US and Mexico. American merchants were amassing immense fortunes through smuggling from the inability of the Mexican government to enforce its own revenue laws.³⁰ As Taylor marched to the north banks of the Rio Grande River, he faced angry Mexican troops who were prepared to resist his progress. On 25 April 1846, fourteen US troops were killed in an ambush. Taylor began an offensive, breaking the Mexican line and pushing Mexican forces across the Rio Grande.³¹ After 16 months, the Rio Grande became the explicit boundary between Texas and Mexico. The new border and subsequent expanded coverage led to additional security challenges to the Army.

In the second historic period of US Army support to border security, numerous forts were built in Texas and along the Mexican border. By 1855, Congress increased the size of the US Army and stationed 3,449 soldiers in Texas.³² Despite an increase in manning, soldiers found it difficult to catch Native Americans and Mexicans in the vastness of Texas. Law enforcement and US Army officers faced overzealous subordinates with unsanctioned raids into Mexico, extremisms against Mexican-American and Mexican populations, and Native American rebellions.³³ The US Government and the US Army were successful in maintaining a harmonious

²⁹ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

³⁰ *Ibid.*, 5.

³¹ *Ibid.*, 14.

³² *Ibid.*, 31.

³³ *Ibid.*, 38

relationship with Mexico despite border incursions and violations of international law. US Army forces remained in place protecting the border as the nation faced civil war.³⁴

The third historic period of Army support to border security was characterized by French troops landing in Mexico. In May 1864, the Mexican government could not pay its foreign debts to France and Napoleon III sought to expand his imperial domain and conspired to capture all of Mexico.³⁵ General Ulysses Grant ordered Major General Sheridan to command forces west of the Mississippi River with the intent of defeating Confederates attempting to cross into Mexico. The US Army on the border helped restore goodwill between the US and Mexico that was damaged prior to the Mexican War.³⁶ A show of force was used to encourage Napoleon to withdraw French troops from Mexico, which helped support the Monroe Doctrine and the US role in the western hemisphere. After the French departure, US Army forces deployed back to the Mexican border and continued to combat raids from bandits and hostile Native Americans looking to fight American citizens in the border area. Unfortunately, the Mexican government failed to recognize these border incursions as relevant and US forces began preemptive strikes into Mexican territory. These border incursions rekindled Mexican animosity toward the United States.

The fourth period of US Army support to border security was characterized with tactical success to border incursions. Between 1911 and 1917, racial tensions between Americans and Mexicans were on the rise. The best tactical response was to continue launching counter raids and pursuits across the border.³⁷ A maneuver division was deployed to Texas as Mexican Revolution violence spilled across the border into the United States. The situation deteriorated when the

³⁴ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

³⁵ *Ibid.*, 41.

³⁶ *Ibid.*, 38.

³⁷ *Ibid.*, 39.

Texas Rangers began a systematic manhunt and killed 102 Mexicans. Civilians and army officers who saw the bodies, however, estimated that at least 300 Mexicans were killed.³⁸ Major General Frederick Funston, commander of 2ND Infantry Division, requested reinforcements from the 25th Infantry Regiment to help prevent cross border violence. In 1916, Secretary of War Newton D. Baker ordered Army forces to pursue Mexican insurgents under Francisco “Pauncho” Villa who attacked Columbus, New Mexico.³⁹ Brigadier General John J. Pershing moved 12,000 soldiers into Mexico, pursuing raiders and returning hostages to the United States. Pershing was not able to capture Villa, but he managed to help prevent further attacks into the United States. After lengthy negotiations between the Mexican and US governments, Pershing’s expeditionary force was withdrawn from Mexico. US Forces were needed to support the war in Europe and operations on the border had ended. This suited Mexico as well to prevent an all out war with the United States. The US Army and US Government ultimately persuaded the Mexican President, Venustiano Carranza, to police his own border, thereby ending the proliferation of raids into the United States.⁴⁰

The fifth period of Army support to border security is characterized as a time of reduced strength on the border. By the 1920s, the US Army’s prominent role in combating armed raiders and revolutionaries from south of the border ended.⁴¹ New federal agencies stepped forward to help state and local law enforcement police the border, which diminished the dependency on the U.S. Army. After 1924, the United States Border Patrol was formed and took primacy in securing the borders. The environment on both sides of the border changed after 1930; populations

³⁸ Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

³⁹ *Ibid.*, 67.

⁴⁰ *Ibid.*, 70.

⁴¹ *Ibid.*, 72

increased, tourism boomed, economic plans developed, and illegal immigration was coupled with illegal drug smuggling. The Defense Authorization Act of 1982 recommitted US Army forces to the Mexican border and allowed the military to operate and maintain military equipment on loan to Federal law enforcement agencies, to train law enforcement officers, and to report and share information on criminal activity.⁴² In 1989, Joint Task Force-Six (JTF-6) was established to further assist in fighting President George H.W. Bush's War on Drugs.⁴³ Throughout the 1990s, the US Army continued to support the War on Drugs along the border. There were challenges to Army support at the border; criticism from the public (particularly after the disaster in Waco, Texas at the Koresh Compound) labeled the Army presence as "militarization" of the border, and in 1997 a soldier from 5TH Special Forces Group shot a Mexican drug smuggler after the smuggler fired on his observation post.⁴⁴ Following that event, Secretary of Defense William Cohen ordered an end to routine use of ground troops for anti-drug smuggling missions.⁴⁵ Two years later Cohen lifted his ban. Unfortunately, illegal immigration, drug trafficking spillover violence, and human trafficking still plague homeland security professionals. The next chapter will highlight successful active component support to the USBP.

Army Support to USBP and CBP Today

The United States Army has provided support to border security for over 150 years. Department of Defense support increased its focus when Joint Task Force-North (JTF-N) was created at Fort Bliss, Texas. JTF-N provides DoD capabilities to support federal and local law

⁴² Matthews, Matt. *The U.S. Army on the Mexican Border: A Historical Perspective*. Combat Studies Institute Press: Fort Leavenworth, Kansas. 2007.

⁴³ Joint Task Force North Fact Sheet. 1 October 2009. Joint Task Force North Public Affairs Office. JTF North website: <http://www.jtfn.northcom.mil>.

⁴⁴ Turbiville, Graham H. Jr. *US- Mexican Border Security: Civil Military Cooperation*. Military Review, July-August 1999.

⁴⁵ Holt, Douglas., "Pentagon Halts Routine Use of Troops for Anti-Drug Border Patrols," *Chicago Tribune*, January 28, 1999.

enforcement. Despite USBP's increase in manning and budget in the last nine years, there are operational and tactical resources that AC forces can provide.

Supporting USBP comes with important rules; rules that if broken can have critical political implications. Operations officers and commanders must understand that the only support CBP and USBP can legally receive is in Intelligence Surveillance, and Reconnaissance (ISR). Technology, resources, and Soldiers capable of executing ISR are all that are needed for border security. Commanders and operations officers need to brief their Soldiers on Rule of Use of Force (ROUF) and PCA before deploying in support of border security. The 4-14 CAV had no ROUF violations while they supported El Paso Sector in 2005.⁴⁶ If more of these operations are successfully, then they benefit both USBP and the Army.

In September 2009, the United States Customs and Border Protection (USCBP) began an operation called the Alliance to Combat Transnational Threats (ACTT). ACTT is a multi-agency operation in the Sonora-Arizona desert involving fifty federal, tribal, state, and local new law enforcement safety organizations.⁴⁷ The ACTT works collaboratively to deny, degrade, disrupt, and ultimately dismantle criminal organizations and their ability to operate; engage communities to reduce their tolerance of illegal activity; and establish a secure and safe border environment.⁴⁸ To command and control the operation, the Department of Homeland Security developed a Unified Command (UC) that provides guidelines to enable agencies with different legal,

⁴⁶ Interview with Lieutenant Colonel Richard R. Rouleau. 28 December 2010.

⁴⁷ Joint Task Force North. "Alliance To Combat Transnational Threats After Action Review" PowerPoint Presentation. El Paso Texas. 2010. This PowerPoint presentation was developed by the Plans Staff at Joint Task Force North and presented to Chief Michael Fisher in 2010. The presentation is still held at JTF-N For Official Use Only.

⁴⁸ United States District Court For the District of Arizona. *Declaration of David Aguilar*. <http://www.justice.gov/opa/documents/declaration-of-david-aguilar.pdf>. 27 June 2010. Accessed 20 December 2010.

geographic, and functional responsibilities, to coordinate, plan, and interact effectively.⁴⁹ The UC is closely related to a military joint command where different agencies work collaboratively to ensure unity of effort. USCBP requested JTF-N to support operations that included operational planning support, intelligence preparation of the environment with an accompanying collection plan, and instruction on Measures of Effectiveness and Measures of Performance.⁵⁰ During the first four months of the operation, JTF-N officers provided intelligence and operational planning support. After four months, JTF-N provided an assessment and way forward. The assessment focused on correcting command and control, information sharing, and operating within a higher headquarters' intent. The experience of AC officers helped overcome operational challenges that ACTT encountered at its genesis.

Lieutenant Colonel Tony Hammes and Lieutenant Colonel (Retired) Christopher Courtney, two staff officers at JTF-N, were responsible for supporting ACTT. After four months, both officers provided Chief Michael Fisher an assessment of the operation. The assessment introduced an operational approach to the operation. ACTT was primarily focused on the Arizona corridor; JTF-N planners recommended not only integrated operations in Arizona but across the Southwest Border.⁵¹ ACTT began without guidance from the Department of Homeland Security, which provides the strategy that guides employment of the military (in this case law enforcement) instrument of national power.⁵² JTF-N recommended that DHS and CBP conduct formal planning

⁴⁹ Joint Task Force North. "Alliance To Combat Transnational Threats After Action Review" PowerPoint Presentation. El Paso Texas. 2010.

⁵⁰ Email Correspondence with Lieutenant Colonel Tony Hammes. Dated 25 October 2010.

⁵¹ Joint Task Force North. "Alliance To Combat Transnational Threats After Action Review". PowerPoint Presentation. El Paso Texas. 2010.

⁵² U.S. Department of Defense., JP 3-0. *Joint Operations*. Government Printing Officer: Washington, DC: 22 March 2010.

utilizing their Integrated Planning System (IPS) before initiating further operations.⁵³ One of the most important challenges was command and control (C2). Once ACTT established a Unified Command with a formal structure they were continually challenged due to a lack of an integrated headquarters and a lack of any formal unity of effort at higher levels. This led to different reporting formats back to USBP HQs, competing chains of command, and unknown roles and responsibilities for key planners in the Unified Command. JTF-N planners recommended operations orders type directives to formalize an operation and establish an operational capability at headquarters in Washington that will help facilitate these joint operations.

Initially, ACTT experienced challenges in managing operational cycles. The initial two week cycle was based off of a best practice in the San Diego Maritime Unified Command, in time planners realized that the cycle was cumbersome and was not nesting with other agencies. JTF-N planners recommended implementing standard tactical operations planning throughout CBP and DHS to allow key planners to be synched throughout the unified command. The unified command was made up different agencies trying to accomplish the same mission; all of these agencies had multiple databases to use to collect information. The unified command utilized a High Intensity Drug Trafficking Agency (HIDTA) program that was too slow and does not allow for classified storage. JTF-N planners recommended migrating all DHS enforcement agencies to one common enforcement system in order to display a common operating picture for all participating agencies. While ACTT is the first operational planning and execution effort, AC officers provided an assessment for Chief Fisher to implement at USBP. AC support to USBP and CBP does not end in the field; the Army's generating force contributes to this effort too.

⁵³ Joint Task Force North. "Alliance To Combat Transnational Threats After Action Review" PowerPoint Presentation. El Paso Texas. 2010.

From 2009-2010 the Command and General Staff College at Fort Leavenworth, Kansas, sent three AC officers to CBP as part of an interagency fellowship in Washington, D.C. Throughout the year, the officers were asked to support CBP's USBP, Office of Air and Marine, and Office of Integration and Operational Coordination. The officers were asked to provide their tactical and operational experience in the Army where applicable in CBP. Two officers worked on operational planning at CBP headquarters and helped to implement long range planning. Their duties included working with JTF-N to help develop USBP and CBP wide doctrine and work in conjunction with the Joint Forces Staff College, resourcing a planning mobile training team to train USBP planners. These initial efforts to support USBP and CBP may not affect both the Army and the interagency now, but it has begun developing a bench of officers who are capable of working at service component or combatant commander levels with the interagency.

From January to March 2005, 4TH Squadron, 14TH Cavalry (4-14 CAV) of the 172nd Stryker Brigade Combat Team, supported the USBP El Paso Sector by conducting UAS reconnaissance, emplacing unattended ground sensors, and providing ground surveillance radar. The unit deployed to Biggs Army Airfield at Fort Bliss, Texas and conducted operations from Forward Operating Bases in Deming and Playas, New Mexico. The 4-14 CAV was preparing for its deployment to the Joint Readiness Training Center (JRTC) at Fort Polk, Louisiana and for its eventual combat deployment to Iraq.

The commander visualized proficiency in training tasks, but also supported USBP's mission along the border with Mexico. The troops executed METL training while conducting a screen along the border in support of USBP. When the troops finished supporting USBP, they moved to a multi-purpose range complex to train urban reconnaissance near Fort Bliss. While reconnaissance troops were training the squadron headquarters was commanding and controlling units under its tactical control, sustaining the subordinate units, and establishing Forward Operating Bases (FOBs). This type of multi-echelon training is invaluable to lower level leaders

who have to adhere to an adaptive threat, coordinate with the interagency, and adhering to the use of force all while training their assigned tasks.

Soldiers assigned to the squadron received extensive training on the Rules of the Use of Force (ROUF) prior to deployment. The use of ground troops was sensitive because of the fatal shooting incident in 1997 where Marine Corps Corporal Manuel Banuelos shot and killed Texas high school student Esequiel Hernandez with his service rifle. Subsequent investigations of the incident determined that Banuelos and the three other Marines with him on his observations post had been poorly briefed on the use of force, were not trained for law enforcement tasks, and lacked law enforcement oversight.⁵⁴ The 4-14 CAV's deployment was the first AC ground support to USBP since the fatal incident. The squadron produced a comprehensive ROUF appendix to the order that directed the use of force by Soldiers when threatened, introduced zip strips on magazines to control the use of ammunition, and were ensured Soldiers were briefed by JTF-N on policy and procedures when working with federal law enforcement. The METL training and support were executed without incident, and should be continued as dwell time increases between deployments.

The 4-14 CAV support to USBP paid immeasurable dividends to border security. While deployed to El Paso sector, 4-14 CAV support was responsible for supporting 748 surveillance acquisitions and 121 apprehensions.⁵⁵ Training and support like 4-14 CAV produced provide benefits to USBP and the Army's operating force.

⁵⁴ Reid, Eric A. *Reconsidering Military Support to Counter Drug Operations Along the U.S. -Mexico Border*. United States Army Command and General Staff College. Fort Leavenworth, Kansas: 2009.

⁵⁵ Rouleau, Richard. "Joint Task Force North and 4-14 CAV Command Brief". Fort Bliss, Texas. February 2005.

Why Support USBP?

Supporting USBP through JTF-N is not difficult. JTF-N requires units to volunteer their capabilities throughout the Department of Defense to support CBP. Army unit (Division, Brigade, and Battalion) headquarters can request to support USBP and request dates to support. The AC of the Army has an abundant amount of resources in the form of technology, tactics, and technique available personnel for deployment, and units available to support USBP. The Army can curb expenditures by using JTF-N funds to support METL training. These reasons are not in order of importance, but demonstrate why the AC is best suited to support USBP.

The AC of the United States has an operating and maintenance budget for Fiscal Year 2011 of \$43 billion.⁵⁶ The funding includes increases for the AC ground and flying units to maintain their proficiency when not deployed. Funding increases are targeted to achieve an operational balance as the Army moves from a counterinsurgency focus to full spectrum operations in modularized units.⁵⁷ While funding has not decreased yet, the Army can leverage JTF-N funds to deploy to the borders of the United States and support USBP. Using JTF-N funds rather than unit training funds can maximize opportunities such as mobile training teams to home stations, improve home station training quality, and avail training opportunities with foreign or sister services. Prudent training opportunities with low cost should be encouraged as defense budgets shrink.⁵⁸

The relationship between Army SOF and USBP comes with challenges. Since September 11, 2001, SOF has had to increase its cooperation with the interagency overseas and operating

⁵⁶ The Army Budget Request- Fiscal Year 2011.
<http://asafm.army.mil/Documents/OfficeDocuments/Budget/BudgetMaterials/FY11//abr.pdf>.
Accessed 12/27/2010.

⁵⁷ Ibid., 4.

⁵⁸ Paul Light. "Budget Cuts at DoD: Gates to the Rescue", The Washington Post, August 11, 2010, Federal Government and Leadership, Final Edition.

within the continental United States with other agencies will bring its own challenges as well. The AC Special Operations Forces (SOF) has supported USBP in the past and should not be overlooked as a capability to secure US borders. SOF training with USBP provided USBP BORTAC with invaluable small unit instruction USBP training with SOF provided invaluable small unit instruction.⁵⁹ SOF can provide specialized skills such as special reconnaissance that the conventional Army does not provide. BORTAC can be supported with SOF and the SOF community will gain training value as well. The border security mission mirrors foreign internal defense and the unconventional warfare mission, both of which maximizes SOF's cross cultural communication skills, regional orientation and ability to focus training on small unit operations.⁶⁰ Like the Army, special law enforcement tactics, techniques, and procedures can be passed onto the general law enforcement community as they gain their effectiveness in interdicting illegal activity.

The AC can build infrastructure support to focus on priority areas recommended by JTF-N and USBP. Engineer support missions include road construction and improvement, border perimeter lighting installation, border fence construction, vehicle barrier construction, and mobility construction. When engineer units are deployed, construction units are building infrastructure abroad. With fewer deployments on the horizon, construction expertise will atrophy with time. JTF-N engineering missions are challenging and provide the unit leadership with some of the best real world construction training opportunities within the continental United States.⁶¹ From 1989-2007, JTF-N engineer support missions along the southwest border included

⁵⁹ Fisher, Michael. Chief of Border Patrol. Interview with Major Chanda Ian Mofu on 3 SEP 2010.

⁶⁰ Ryan, Thomas M. *Role of U.S. Special Operating Forces in Counter Drug Activities*. United States Army War College: Carlisle Barracks, Pennsylvania. 1997.

⁶¹ Joint Task Force North. *Joint Task Force North Fact Sheet: Military Southwest Border Engineering Support Missions*. JTF-North Public Affairs Office: Fort Bliss, Texas: April 2009.

approximately 622.6 miles of road construction and improvement, 20.3 miles of border perimeter lighting installation, 51.6 miles of border fence construction, 35.5 miles of vehicle barrier construction, and various mobility construction projects.⁶² Building infrastructure to support USBP can help them use technology to overwatch successful threat approach corridors, and increase AC engineer construction abilities.

The AC of the Army provides flexibility to support USBP. Every division, brigade combat team, and battalion has a unit available for a training cycle where collective to individual tasks are evaluated. If properly coordinated, division commanders can provide battalions throughout the year to support USBP and increase valuable training time. This monograph does not advocate large numbers of soldiers deploying to the US borders. Multiple battalions employed by the New Mexico and Arizona National Guard in early 2006 led to impressive short term results in terms of acquisitions and interdictions. Surveys of aliens crossing from Mexico during the period of ARNG assignment and the current massive Border Patrol build-up indicate little impact of these enormous deployments on unauthorized border entry.⁶³ To be effective in the long-term the AC needs to provide sustained support to USBP by placing the right AC capability at the right location in support of USBP campaigns. Commanders will have to work with JTF-N to ensure that training objectives can be met while providing support. The ARNG can provide the same capabilities to USBP, but is constrained to mobilization timelines and governor priorities. These constraints will result in shortened deployment timelines and diminished training time. The AC provides a flexible capability that JTF-N and tactical commanders can provide to maximize unit training and sustained USBP support.

⁶² Joint Task Force North. *Joint Task Force North Fact Sheet: Military Southwest Border Engineering Support Missions*. JTF-North Public Affairs Office: Fort Bliss, Texas: April 2009.

⁶³ Sundberg, Kelly W., and Winterdyk, John A. *Border Security in the Al-Qaeda Era*. CRC Press: Boca Raton, Florida. 2010.

Don't Do It

There are opinions from military professionals that do not support military support to federal law enforcement. Some critics argue that Soldiers on the borders of Mexico and Canada violate the PCA; that any violation of the law will compromise the relationship between America's Army and the American people.⁶⁴ Nolon Benson, a Army Colonel, argues that this blurs the lines between military and civilian roles, support to federal agencies undermines readiness, and the military does not have the funding for these kinds of missions.⁶⁵ While these concerns are valid, the United States Government is faced with challenges that require a whole-of-nation approach to solve them. Border Security in the 21st century and its complex components require a whole-of-nation approach as well.

JTF-N lawyers reference PCA when units come to support federal law enforcement on the U.S. borders. The PCA and Department of Defense Directive 5525.5 make it a crime for federal troops (except for the Coast Guard) to participate directly, on behalf of civilian law enforcement authorities, in searches, seizures, surveillance, pursuits, arrests, apprehensions, stop and frisks, vehicle/vessel/aircraft interdictions, or similar activities, or act as undercover agents, informants, or investigators, or interrogators. Typically, JTF-N receives over 60 requests from CBP and USBP for operational, tactical, and infrastructure support requests. These efforts have been mostly successful. Units TACON to JTF-N are fully briefed on the ROUF and have been

⁶⁴ Lujan, Thomas R. *Legal Aspects of Domestic Employment of the Army*. Strategy Research Project. United States Army War College, Carlisle Barracks, Pennsylvania: 1996.

⁶⁵ Benson, Nolon J. *The Posse Comitatus Act: Is there A Need For Change?* United States Army War College, Carlisle Barracks: U.S. Army War College, 1998.

successful in making sure that units follow the rule of law. No service member has ever been charged with a PCA violation.⁶⁶

The lines of authority are clear when units deploy to support USBP. Military and civilian roles are clearly defined. AC forces would be OPCON to JTF-N and providing a supporting role to USBP. Reconnaissance and surveillance missions are conducted under the authority of USBP. All reporting information, arresting authority, and detention are the sole responsibility of USBP.

In June 1988, Secretary of Defense Frank Carlucci expressed concerns about interdiction missions degrading overall awareness for combat⁶⁷; support to USBP will not compromise unit readiness. Support to USBP fits within the Army's Force Generation (ARFORGEN) cycle as a unit resets from a deployment and enters into the train/ready pool. An Army Division can manage battalions or BCTs to support USBP through JTF-N at the nine to twelve month mark of a training cycle. Funding for this mission is the critical component of this issue. With diminished budgets looming on the horizon, the AC's ability to fund large-scale training exercises will go away as well. Title X U.S.C. Section 377 requires civilian law enforcement agencies to reimburse DoD for support provided as required by the Economy Act of other applicable law.⁶⁸ Civilian law enforcement agencies do not have to provide reimbursement for this statute if the support: (1) is provided in the normal course of military training operations, or (2) results in a benefit to DoD that is substantially equivalent to that which would otherwise be

⁶⁶ Benson, Nolon J. *The Posse Comitatus Act: Is there A Need For Change?* Carlisle Barracks: U.S. Army War College, 1998.

⁶⁷ Reid, Eric A. *Reconsidering Military Support to Counterdrug Operations Along the U.S.-Mexico Border*. Fort Leavenworth, Kansas: Command and General Staff College. 2009.

⁶⁸ Center for Army Lessons Learned. *Index to Disaster Response Staff Officer's Handbook*. Handbook 11-07. December 2010.

obtained through military training or operations.⁶⁹ JTF-N normally provides the funding for USBP support if it results as a benefit to training. Large-scale operations (Operation Jumpstart) or support requests to the Southwest Border (SWB) and Northern Border (NB) that require approval from the Secretary of Defense are normally paid by CBP or DHS. Funding is not an issue to support USBP, commanders must be creative and consult JTF-N to facilitate mission planning.

Clearly there are benefits to the AC supporting USBP. The mission set provides valuable training opportunities to our engineers, sustainment, aviators, cavalry, infantry, and motorized formations. Support to border security is a feasible and acceptable training course of action to the AC when operating within the law, commanders making ROUF a priority, and creating obtainable training opportunities. Paradigm changes like these make for better opportunities for Soldiers and most importantly flexibility to decision makers.

USBP, Complexity, and Design

The AC faces challenging operating environments every day, and USBP does too. The dynamic nature of the US borders requires broader planning techniques that the AC needs to provide USBP. Army doctrine has called conceptual planning “design” and it is referenced throughout this monograph as such. Design is used to develop ambiguous operational challenges into a comprehensive problem statement that facilitates detailed planning. Design takes complex or nebulous problems and helps defines the problem, describes the environment that requires change, and a solution to the problem. Results from design are used to bridge concepts into detailed planning in the Military Decision Making Process (MDMP) and the Joint Operational Planning Process (JOPP). Detailed planning translates the broad operational approach into a

⁶⁹ Center for Army Lessons Learned. *Index to Disaster Response Staff Officer's Handbook*. Handbook 11-07. December 2010.

complete and practical plan.⁷⁰ USBP faces difficult operating environments on the SWB and NB and design can help define problems as key planners begin detailed planning procedures such as the National Incident Management System (NIMS) and the Federal Plan Development Process (FPDP). This section explores USBP's challenging environment and with AC MTT mentorship, the USBP can learn can learn design and use it to enhance border security.

USBP agents face multiple challenges each day. These challenges come from humans who conduct illegal activity when they cross into the United States. The agent has to face potentially lethal Drug Trafficking Organization (DTOs) who cross into the US to conduct illegal activity. In December 2010, Border Patrol Agent Brian Terry was killed by bandits as he pursued them in Peck Canyon, west of Rio Rico, Arizona.⁷¹ Agents sometimes have to save the lives of illegal migrants seeking entry into the US and then process them to go back to their country of origin. Some agents coordinate with the Mexican Army (SEDENA) and face the same challenges that the AC does when its formations deploy in support of overseas operations. Despite increased USBP manpower over the last 10 years, agents in some areas execute a wide area security mission that requires more agents than are available. The smugglers, DTOs, and illegal immigrants are adapting to USBP's successful Tactics, Techniques, and Procedures (TTPs) and when the challenge adapts, USBP must adapt by revising their tactics as well.

The NB has seen increased alien apprehension and DTO activity over the last decade. Special Interest Aliens (SIAs) have chosen to use the NB as infiltration routes into the US. SIA apprehensions have risen because of border security success on the SWB and SIAs have chosen the path of least resistance. NB mileage (3987) is significantly larger than the SWB (1993) and

⁷⁰ U.S. Department of the Army, FM 5-0, *The Operations Process*. Washington DC: Government Printing Office, 2010.

⁷¹ Holub, Hugh. "More Rumors and Few Facts Regarding the Death of Border Patrol Agent Brian Terry," *Tucson Citizen*, December 29, 2010, under "The View," <http://tucsoncitizen.com/view-from-baja-arizona/2010/12/29/more-rumors-and-few-facts-regarding-the-death-of-border-patrol-agent-brian-terry/> (accessed January 26, 2010).

has fewer agents than the SB. What makes the NB so much different from the SWB is the absence of a border fence like there is on some parts of the SWB. Within the last 5 years, DTOs have used Ultra-Light airplanes to smuggle within uncontested areas along the NB. With manning issues and the vast terrain, interdiction is difficult. These issues make securing the border of Canada and the US incredibly challenging. The SWB has been the center of gravity of US border security. Despite the vast infrastructure and technology devoted to preventing illegal activity across the US borders, it still happens every day. USBP agents face challenges in all nine USBP sectors along the SWB. Unlike the NB, the SWB is heavily trafficked at the port of entry (POE) and in between ports of entry. The terrain along the SWB includes desert, sparsely populated towns, and the busiest land POE, San Diego. Border security is asymmetric and requires a comprehensive approach to make it manageable.

Any homeland security planning process must gain consensus across the full range of affected stakeholders in terms of three critical frames of reference: the environment, the problem and the approach.⁷² These three frames are used in the Army's design methodology. The environmental frame is a narrative and graphic description that captures the history, culture, current state, and future goals of relevant actors in the operational environment.⁷³ Conceptual planning can help the USBP manage border security. Understanding the operational environment and the problem, determining the operation's end state, establishing objectives, and sequencing the operation in broad terms all illustrate conceptual planning.⁷⁴ Key planners and lead federal officials review existing guidance, articulate existing conditions, determine the desired end state

⁷² Greer, James K., "Design and Homeland Security Planning". *Military Review*. This document is with the editor of *Military Review* for publication. Mr. Greer writes to support the use of Design at the Department of Homeland Security and in its subordinate agencies. The date of release is unknown.

⁷³ U.S. Department of the Army, FM 5-0, *The Operation's Process*. Washington DC: Government Printing Office, 2010.

⁷⁴ *Ibid.*, 3-9.

and supporting conditions and identify relationships and interactions among relevant actors.⁷⁵ The problem frame involves understanding and isolating the root cause of conflict.⁷⁶ As the problem is being determined, key planners need to identify the operational approach. The operational approach is a broad conceptualization of the general actions that will produce the conditions that define the desired end state.⁷⁷ The conceptual approach allows planners and leaders the ability to see the operation and through discourse, identify how they will change the environment that agents will operate in. Operations like ACTT require detailed planning, but detailed planning alone will not provide the depth needed to combine multiple law enforcement agencies and other elements of national power and solve problems like border security.

The FPDP is comprised of a Strategic Guidance Statement (SGS), a Strategic Plan, the development of a CONPLAN, development of an OPLAN, and the issue of Tactical Plans. The SGS outlines broad strategic priorities, national strategic objectives, and basic assumptions.⁷⁸ The SGS is the equivalent to DoD's Strategic guidance which provides a clear understanding of purpose, but could require interpretation and clarification as planning progresses.⁷⁹ Key planners develop the strategic plan that defines the federal mission, identifies authorities, delineates roles and responsibilities, establishes mission essential tasks, determines required capabilities, and develops performance and effective measures to meet the SGS intent.⁸⁰ A CONPLAN describes the concept of operations for integrating and synchronizing existing federal capabilities to

⁷⁵ U.S. Department of the Army, FM 5-0, *The Operation's Process*. Washington DC: Government Printing Office, 2010.

⁷⁶ *Ibid.*, 3-10.

⁷⁷ *Ibid.*, 3-11.

⁷⁸ U.S. Department of Homeland Security. *The Integrated Planning System*. Washington DC: Government Printing Office, 2009.

⁷⁹ U.S. Department of Defense, JP 5-0, *Joint Operating Planning*. Washington DC: Government Printing Office, 2006.

⁸⁰ U.S. Department of Homeland Security. *The Integrated Planning System*. Washington DC: Government Printing Office, 2009.

accomplish the mission-essential tasks, and describes how Federal capabilities will be integrated into and support regional, state, local, and tribal plans.⁸¹ The OPLAN contains a full description of the concept of operations, including specific roles and responsibilities, tasks, integration, and actions required, with support function annexes, as appropriate.⁸² Tactical plans identify and develop individual tasks, actions, and objectives tailored to specific situations and fact patterns at an operational level.⁸³

Design is applicable when developing the SGS, the strategic plan, developing the CONPLAN, OPLAN, and tactical plans. For USBP key planners who support the Unified Commands, USBP HQ, and sectors, design begins when developing the strategic plan, the CONPLAN, OPLAN, and the tactical plan. In ACTT, key planners could have used design prior to developing the strategic plan to reduce closely related law enforcement jurisdictions between federal, local, and tribal law enforcement leaders. Key planners could have conceptualized the operation and developed an operational approach that identified key command and control structures that were lacking at the beginning of the operation.⁸⁴ When key planners developed the CONPLAN, conceptual planning would have identified roles and responsibilities of intelligence centers that supported the ACTT.⁸⁵ In the environmental frame, key planners would have recognized the various law enforcement intelligence agencies to support their operations. The El Paso Intelligence Center (EPIC), the Intelligence Operations Coordination Center (IOCC), and the Border Enforcement Coordination Center in Washington, D.C. and El Paso, Texas provide

⁸¹ U.S. Department of Homeland Security. *The Integrated Planning System*. Washington DC: Government Printing Office, 2009.

⁸² *Ibid.*, 5-1.

⁸³ *Ibid.*, 5-1.

⁸⁴ Joint Task Force North. Alliance to Combat Trans-National Threats Command and Control Review. Joint Task Forth North Plans: 2010.

⁸⁵ *Ibid.*, 18.

information to various law enforcement agencies. Key planners should identify the formal structure to identify a place to facilitate collection, analysis and distribution of intelligence between law enforcement agencies across the state of Arizona.⁸⁶ Prior to developing the OPLAN, the operational approach could have given senior leaders a conceptual idea of how the operation could be executed. The conceptualization of the operation would have given planners the ability to anticipate reporting and resource requirements needed for the campaign.

Border security and the US borders should be considered a complex system. Complex systems is a scientific approach, which studies how relationships between parts give rise to the collective behaviors of a system and how the system interacts and forms relationships with its environment.⁸⁷ The border environment that USBP operates in is effected by challenging terrain, humans with various reasons for immigrating illegally into the US, and other external forces. The approaches that USBP has used in the past have yielded a decrease in apprehensions over the last 10 years, but a steady increase in violence. This monograph asks why this happened.

In 2006, President George W. Bush announced a plan to aid CBP in Operation Jump Start (OJS) under which the Army National Guard helped bolster the Border Patrol in anticipation of CBP hiring and training additional Federal agents from 2006 to 2008.⁸⁸ The operation was successful in the short term: fifty states supported this operation as nearly 18,000 Guardsmen rotated through Arizona, thousands of illegal immigrants were apprehended, thousands of pounds of illegal narcotics were confiscated, and miles of border fencing were built to help USBP enforce

⁸⁶ Joint Task Force North. Alliance to Combat Trans-National Threats Command and Control Review. Joint Task Forth North Plans: 2010.

⁸⁷ Bar-Yam, Yaneeer. Making Things Work: Solving Complex Problems in a Complex World. Knowledge Press, New York: 2004.

⁸⁸ Church, David M. "Looking Back on Operation Jumpstart. " *Joint Force Quarterly* Issue 53, 2nd Quarter 2009: 104-109.

border security.⁸⁹ While OJS was an immediate success, from 2006-2010, border violence has increased and the number of apprehensions have decreased.⁹⁰ This inverse trend can be analyzed by understanding the whole system (border security) and understanding its interrelated parts (DTOs, human trafficking, illegal immigrants, and concerned citizens on the US side of the border).

When the USBP and CBP began OJS, threats and actors were apprehended at a high rate because the system in Arizona had changed: infrastructure was being built, more surveillance was emplaced, and more agents were able to patrol the border as the ARNG was able to provide support. The threats and actors failed to adapt to the change in the environment and their behavior had to modify in order to survive. A reason why apprehensions decreased and violence increased after 2008 can be attributed to Murray Gell Mann's theory of schemata in complex adaptive systems. Mann believes that adaptive systems acquire information about its environment and its own interaction with that environment; it identifies regularities in that information, condenses those regularities into a model, and then acts on the basis of that model.⁹¹ When OJS started, the threats and actors had to change so that they could continue operating in and around Arizona. The change came in the form of actors taking new infiltration routes into the US, more sophisticated tunneling systems into the US were discovered, an increase in new smuggling techniques, and possibly out of frustration, an increase in violence inside US and Mexican border towns. The feedback into the system by CBP, USBP, and the ARNG changed the environment. So threats

⁸⁹ Church, David M. "Looking Back on Operation Jumpstart." *Joint Force Quarterly* Issue 53, 2nd Quarter 2009: 104-109.

⁹⁰ United States Border Patrol. *Alien Apprehensions By Year: 2000-2010*. Washington DC: 2010. The numbers of alien apprehensions from 2006: 1,089,092, 2007: 876,704, 2008: 723,825, and 2009: 556,041.

⁹¹ Bousquet, Antoine. *The Scientific Way of Warfare: Order and Chaos on the Battlefields of Modernity*. Columbia University Press, New York: 2009.

and actors can survive, they had to provide feedback back into the system to provide them their desired state.

Human beings are purposeful systems. A purposeful system can produce not only the same outcomes in different ways in the same environment but also different outcomes in both the same and different environments.⁹² Humans who cross illegally into the United States smuggle drugs, smuggle other humans, or kill American citizens all have their reasons for conducting illegal activity in the United States. As the USBP tries to stop illegal immigrants crossing the borders, prevent drug trafficking into the United States, and stop human trafficking these actors will change to achieve its goals react in order to maintain its state under different environmental conditions.⁹³ Unfortunately, while the USBP has been able to influence actor behavior, it has not been able to control them. To influence activity on the borders means that USBP has to consider other means to help secure the United States. History has not been too kind to those who have capitalized so extensively on a single winning strategy.⁹⁴ USBP needs to change the way it plans and executes operations; looking at border security as a whole instead of in parts could help them see better ways to control border security.

USBP needs the AC to train design as their operating environments become more challenging and the need for collaboration with other agencies and United States departments increases. Operations along the SWB are vastly different from operations on the NB, and a holistic approach must be taken when trying to develop plans for these types of operations. There are too many variables USBP key planners need to consider in the operating environment,

⁹² Gharajedaghi, Jamshid, *Systems Thinking. Managing Chaos and Complexity: A Platform for Designing Business Architecture*. Elsevier Press. New York: 2006.

⁹³ *Ibid.*, 23.

⁹⁴ *Ibid.*, 26.

amongst law enforcement professionals, and a host of dynamic human beings that try to enter or smuggle illegally into the United States.

Conclusion

This monograph recommends the AC taking more of an active role in supporting USBP and CBP. The AC should support USBP by continuing interagency assignments for officers at USBP, FORSCOM, through Division headquarters, should begin managing BCTs or battalions to support USBP on the SB and NBs, and begin using MTTs at the Joint Forces Staff College to train conceptual and detailed planning to USBP key planners. The AC faces budget cuts that will affect training and its ability to serve the nation when called. Supporting USBP, the land component command of border security, will enable the AC to keep its superior edge in executing operations throughout the full spectrum of war.

Army officers must be agile to plan, command, and control in complex environments. This monograph recommends continuing interagency assignments from the Command and General Staff College. Assignments to various departments and agencies in the National Capitol Region broaden officer experience to the whole of nation approach that the Presidents Bush and Obama have asked. Officers assigned to USBP for one year provide years of planning experience to USBP sectors and to the HQs in Washington. These broadening experiences provide the AC a bench of practitioners to aid staffs and commanders in future operations in the homeland and abroad. Officers and NCOs with experience working with USBP can be used in the future to developed lessons learned from the field and to commanders thinking of training on the US borders.

Tactical units form the basis of support to USBP. FORSCOM and NORTHCOM will need to help manage AC support to USBP on a quarterly basis. Through JTF-N and CBP, FORSCOM can allocate forces not deploying to support USBP. AC battalions can provide tactical and infrastructure support to border security as outlined throughout this monograph. AC

battalions have the opportunity to train METL tasks especially since the Army all but stopped training tasks supporting Major Combat Operations (MCO) several years ago, and we are now clearly seeing the effects of this shift in focus at recent Army CTC rotations at Fort Polk, Louisiana.⁹⁵ Commanders and soldiers after a rotation at the Joint Readiness Training Center at Fort Polk, Louisiana, believed that soldier knowledge of common tasks, managing dismounts/mounted troops, moving over land, tactical resupply of forward positions, and synchronization were tasks and skills that need to be trained as our focus swings from counterinsurgency centric training.⁹⁶ At the tactical level, the Army can rebuild the lost art of maneuver by conducting reconnaissance and movement in support of USBP. Training on the SB and NB gives the Army the chance to test ISR platforms so that USBP agents can use them in detecting illegal border activity. 4-14 CAV did this when fielding its Strykers before deployment to a Combat Training Center and deployment to Iraq. There are many ways to train tactical tasks; but supporting federal law enforcement through JTF-N offers additional funding and a unique training environment for soldiers.

Chief of Border Patrol Michael Fisher identified the development and use of a formal planning doctrine as a deficiency for USBP. The Army uses the Military Decision Making Process (MDMP) and Design as detailed and conceptual planning methods. The MDMP gives commanders information to make decisions with respect to problems he faces in combat or in garrison. Because of COIN centric operations for almost ten years, operations have allowed the Army to become less dependent on looking at problems from scratch using an organized

⁹⁵ Landes, Mark. *H-Minus Ready For War: The Panther Brigade in Full Spectrum Operations at JRTC*. JRTC Operations Group: October 2010. This after action review can be found at the Joint Readiness Training Center Operations Group Headquarters Fort Polk, Louisiana.

⁹⁶ *Ibid.*,5.

system.⁹⁷ The atrophy in using the MDMP has made identifying decisions difficult for commanders.⁹⁸ Studying and teaching planning can help bridge the gap of practicing planning and how staffs should plan operations. Tactical and operational staffs from the AC should deploy Mobile Training Teams (MTTs) to train conceptual and detailed planning to USBP key planners as UC are stood up across the country. AC staffs teaching planning forces staffs to reacquaint themselves with the art and science of planning and bolster their confidence as a CTC or a combat deployment looms on the horizon.

The USBP must change its operational planning process and agent professional development model. Lessons learned from ACTT show that there has to be a link from the strategic objectives from Washington D.C. to the UC. Key planners at the UC must turn the objectives into language that station chiefs can use to send their agents out to secure the US borders. To do this, USBP needs to develop a comprehensive planning process for the sectors and Unified Commands that includes conceptual and detailed planning. Operations that include different agencies and law enforcement officers present unique challenges and capabilities to develop a comprehensive approach. Appreciating the broad concepts of border security problems can bring all the key planners regardless of experience on the same level of understanding and synchronizing assets. While the planning doctrine is being written, USBP needs to develop a professional tract for key planners and agents that understand intelligence preparation of the operational environment. These agents can be trained and then tracked with a unique identifier throughout their careers.

To do this USBP should consider using military MTTs to train their agents or send more promising agents to DoD's Field Grade Officer Professional Military Education (ILE) at Fort

⁹⁷ Landes, Mark. H-Minus Ready For War: The Panther Brigade in Full Spectrum Operations at JRTC. JRTC Operations Group: October 2010.

⁹⁸ Ibid., 7.

Leavenworth, Kansas (Command and General Staff College), Quantico, Virginia (Marine Corps University), Newport, Rhode Island (College of Naval Command and Staff) or Montgomery, Alabama (Air Command and General Staff College). The agents educated at the DoD ILE can serve at USBP HQs, at the sector level, and in UCs as key planners. The USBP should stop sending their mid-grade agents to War Colleges and should reserve those opportunities for agents who will be working at DHS or USBP HQs who will write strategic policy. Once a suitable bench of key planners comes back to USBP, they can travel throughout the UCs and train other agents across the 20 sectors.

Embracing change in training and support to outside agencies does not change the mission of the Army. The Army's contribution to joint operations is landpower.⁹⁹ Supporting federal law enforcement is still within the mission set of the Army and supporting the land component of the border security fight is USBP. The Army must consider alternative funding sources to train the force and continue to expose soldiers to different environments as the world and border security become more complex.

⁹⁹ U.S. Department of the Army, FM-1, *Field Manual 1: The Army*. Washington DC: US Government Printing Office, 2005.

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