

Statement by
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INTRODUCTION

Chairman Hunter, Ranking Member Skelton, distinguished members of this Committee: Thank you for inviting me here to address National Guard support to border security.

As noted by the President in his address to the Nation last week: “The United States must secure its borders. This is a basic responsibility of a sovereign nation. It is also an urgent requirement of our national security. Our objective is straightforward: The border should be open to trade and lawful immigration, and shut to illegal immigrants, as well as criminals, drug dealers, and terrorists.”

Under Section 202 of Title 6, U.S. Code, the Department of Homeland Security (DHS) is responsible for “[s]ecuring the borders, territorial waters, ports, terminals, waterways, and air, land, and sea transportation systems of the United States” and “[p]reventing the entry of terrorists and the instruments of terrorism into the United States.” The Department of Defense’s (DoD’s) role in the execution of these responsibilities is to provide support to DHS, when directed by the President or when requested by the Secretary of DHS and approved by the Secretary of Defense.

During his address last week, the President announced several initiatives to increase the security at our border, including an increase in the number of Border Patrol personnel and the application of advanced technologies at the border. These steps are critical--but they will take time to complete. In the interim, the President has asked the nation’s governors to deploy their National Guard personnel to serve, on a temporary basis, to fill the gaps until these border control

capabilities can be put in place. This increased support will be an immediate, short-term measure that will allow us to increase our security, while also allowing DHS to build its capabilities and fulfill our nation's commitment to reducing cross-border violence, preventing entry of possible terrorists, combating trafficking in persons and illegal narcotics, and stemming the flow of illegal immigrants.

The Concept

The initial military commitment to increase border security will be up to 6,000 National Guard personnel, on a rotational basis, for up to 12 months, with the possibility of another 12 months for up to 3,000 National Guard personnel. National Guard forces involved in this effort will be carrying out their annual training obligations. This limited, temporary deployment will not adversely affect operational readiness or DoD's ability to conduct the Global War on Terrorism, nor hinder the National Guard's ability or capacity to aid their States in the event of a natural disaster or other emergency. It will, however, provide Guard forces with realistic training opportunities, while also providing support to DHS.

Under this plan, each of the four Southwest Border States (California, Arizona, New Mexico, and Texas) will establish a joint task force that will be responsible, under the authority of the Governor and the Adjutant General of that State, for operational control of all National Guard personnel executing missions in support of border security within that state. Under this arrangement, National Guard personnel who may be armed, as appropriate for self-protection, will follow standardized Rules for the Use of Force (RUF).

Currently, there are no plans to deploy additional active duty personnel to the border. However, as we gain more information related to the mission, there may be some capabilities found in active duty units that can be employed to gain and maintain increased security along the border. If active duty personnel are used, their employment would be on a very limited and reimbursable basis, to provide specific skills and capabilities. These personnel will operate under the command and control authority of the Secretary of Defense, under section 162(b) of Title 10, U.S. Code. In addition, both DoD and DHS plan to use private contractors, where and when appropriate.

The Department of Defense is currently coordinating with DHS, State Governors, and Border State Adjutants General, to determine exactly how many National Guard personnel will be deployed to each State. While coordination is on going, we plan to have significant numbers of National Guard personnel on the ground in the Southwest border States before the end of June.

Military forces supporting DHS's Customs and Border Protection (CBP) will either be part of a "duration force" or a "rotational force." The "duration force" will provide operational control, conduct support operations that cannot or should not be performed by rotational forces, and coordinate training plans and operations to the Supported and Supporting States. The "rotational force" will serve for a 21-day cycle, with 16 days of "boots on-the-ground." We will rotate units so that there is a period of overlap, thereby ensuring there are no operational gaps.

National Guard personnel will support CBP, much as they have already done for two decades on a more limited basis, in execution of their statutory

counter-narcotics responsibilities. DHS has identified requirements in the following areas:

- Aerial surveillance and reconnaissance (e.g., use of unmanned aerial vehicles and land-based sensors, tunnel detection, and chemical, biological, radiological, nuclear, and high-yield explosives detection and monitoring);
- Engineering (e.g., construction of fences, roads, barriers, and temporary detention facilities);
- Vehicle dismantlement;
- Training;
- Language, other than Spanish;
- Command, control, and intelligence (e.g., multi-sensor fusion, intelligence analysis, and mapping and imagery support);
- Transportation (e.g., air and land transportation of border security personnel and detained persons); and,
- Logistics (e.g., medical, sanitation, food service, berthing, and seizure facility support).

Law enforcement along the border will remain in the hands of civilian authorities. National Guard personnel will not be directly involved in the apprehension, detention, custodial care, or security of those who are detained by civilian law enforcement authorities.

The missions that will be performed by our National Guard soldiers and airmen will be related directly to the military skills normally associated with their warfighting and disaster response missions. As noted earlier, these missions will

be substantially similar to the annual training missions executed along the Southwest border for the past two decades as part of the counter-drug program. The principal difference is the size of the force and the commitment of resources to conduct border security.

Some have expressed concern that National Guard units who are returning from operations in Iraq and Afghanistan may be redeployed immediately to support border security operations. I note that current DoD policy exempts these units from their annual training requirements for a period of six months. This exemption would also apply to annual training conducted in support of border security operations.

Much as we do for training exercises at the National Training Center, we will establish an “equipment set” that will be available to National Guard personnel as they rotate in to support this mission.

Military forces will be deployed on an interim basis until DHS has been able to recruit, train, and deploy the necessary personnel and capabilities to secure the Southwest border -- not to exceed the two-year limit set by the President.

CONCLUSION

The deployment of National Guard personnel along the Southwest border in support of DHS is an important but temporary measure to enable the Customs and Border Patrol to secure our border. We will draw-down deployed National Guard personnel if necessary to support on-going mission requirements. The men and

women of the military will work diligently and professionally to support DHS, improving our nation's land border security while receiving excellent training.

Mister Chairman, I commend you and the members of this Committee for your leadership, interest in, and support of, the Department's homeland defense and civil support missions, with a particular focus today on National Guard support to border security. I look forward to any questions you may have.