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# **JIATF-SWB: Building an Operational Bridge for the Southwest Border**

**by**

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

Signature: \_\_\_\_\_

12 April 2011

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## **Abstract**

The political, military, economic, criminal, and social difficulties brought on by the transnational nature of the illegitimate trade along the Southwest Border Area (SWBA) require a wide variety of solutions. Unfortunately, no single federal, state, local, or tribal agency has the jurisdiction or resources necessary to develop and sustain effective solutions on its own. To date, the United States' coordinated efforts to combat this problem have experienced only modest results while accruing some harsh public criticism in the process. Significant improvements in interagency and international cooperation must be implemented before long-term, strategic solutions can be realized. Moreover, an operational level interagency coordination center is desperately needed to integrate the actions of the wide range of intelligence and law enforcement agencies along the SWBA. USNORTHCOM, as a supporting agency to the Department of Homeland Security (DHS), maintains the military expertise sufficient to establish and administer an operational level Joint Interagency Task Force – Southwest Border (JIATF-SWB). This institution will facilitate intelligence sharing and coordinate international, federal, state, local, and tribal activities along the entire SWBA. In this endeavor, USNORTHCOM would provide essential staffing, basing, technical, intelligence, and training support to JIATF-SWB.

## **INTRODUCTION**

*The real culprit is the rivalry within U.S. intelligence agencies. In unusually critical remarks given strong U.S. support for Mexico's drug war, [President] Calderon told El Universal newspaper... [that] the Drug Enforcement Administration (DEA), the CIA and Immigration and Customs Enforcement (ICE) were constantly trying to outdo each other while evading responsibility. "The reality is that they don't coordinate with each other, they're rivals," Calderon told the newspaper, saying they had a policy of passing the buck without getting results.... "[U.S. institutional cooperation] ends up being notoriously deficient," [Mr. Calderón said. He also lambasted what he said was the disarray in U.S. interagency cooperation.]*

Felipe Calderon, President of Mexico  
Interview for El Universal

The 1,969 mile land border between Mexico and Texas, New Mexico, Arizona, and California, is ground zero for America's current war on drugs. This porous land border represents a multi-billion dollar black market consisting of illicit drugs and illegal aliens flowing north and guns and cash flowing south. This intricate network is "regulated" by a handful of Transnational Criminal Organizations (TCOs) who protect their territory and their profits with savage disregard for human life. The five Mexican TCOs regularly and violently battle with each other and the Mexican authorities for control of the criminal drug trade within Mexico. In the United States, the TCOs maintain well-established distribution and sales networks in over 230 cities and account for the majority of the methamphetamine, cocaine, and heroin wholesale supply.<sup>1</sup>

The political, military, economic, criminal, and social difficulties brought on by the transnational nature of the illegitimate trade along the Southwest Border Area (SWBA) require a wide variety of solutions. Unfortunately, no single federal, state, local, or tribal agency has the jurisdiction or resources necessary to develop and sustain effective solutions on its own. To

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<sup>1</sup> Office of National Drug Control Policy, *National Southwest Border Counternarcotics Strategy*, (Washington, DC: Executive Office of the President, June 2009), 1.

date, the United States' coordinated efforts to combat this problem have experienced only modest results while accruing some harsh public criticism in the process. As noted in President Calderon's comments, effectively implementing a whole of government (WoG) concept proves to be much easier said than done. Significant improvements in interagency and international cooperation must be made before long-term, strategic solutions can be realized. Moreover, an operational level interagency coordination center is desperately needed to integrate actions of the wide range of intelligence and law enforcement agencies along the Southwest Border Area (SWBA). USNORTHCOM, as a supporting agency to the Department of Homeland Security (DHS), maintains the military expertise sufficient to establish and administer an operational level Joint Interagency Task Force – Southwest Border (JIATF-SWB). This institution will facilitate intelligence sharing and coordinate interagency activities along the entire SWBA. In this endeavor, USNORTHCOM would provide essential staffing, basing, technical, intelligence, and training support to JIATF-SWB.

## **BACKGROUND**

Favorable market conditions for sustaining illicit activities are at the root of the complex southwest border situation. An \$18-39 billion dollar illicit drug trade combined with black market guns, money, and human trafficking networks thrive in the current socioeconomic conditions.<sup>2</sup> In the 1980s, USSOUTHCOM, through JIATF-South instituted aggressive air and sea interdiction operations on Columbian drug smuggling through the Caribbean Basin. In 1990, JIATF-South's hard work and close cooperation with international and interagency partners began to produce a dramatic decrease in the amount of drugs smuggled by air and sea from

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<sup>2</sup> Ibid, 25.

Columbia to U.S. shores. JIATF-South's actions forced the Colombian Cartels, who were weary of reduced profits due to increased seizures, to seek new drug trafficking land routes through Central America and Mexico.<sup>3</sup> This move gave rise to the Mexican TCOs, whose initial participation in the drug trade consisted mainly of transporting Columbian drugs through Mexico to the U.S. markets.

Throughout the 1990s, the Mexican TCOs' power and influence continued to expand. A pivotal element of this expansion was securing and maintaining freedom of movement within their respective trafficking corridors. Empowered by increasing cash flows, the Mexican TCOs set about to retain continued freedom of movement by instituting a wide-spread campaign to influence and corrupt public officials at every level and across all branches of the Mexican government. In the election year of 2005, with corruption levels reaching pandemic proportions, the President of Mexico, Vincente Fox, initiated a federal anti-corruption campaign. In 2006, newly elected President, Felipe Calderon intensified this campaign by employing, for the first time in Mexican history, significant numbers of the Mexican Army to neutralize the primary source of corruption, the Mexican TCOs.

With increasing pressure from Calderon's anti-drug, anti-corruption initiatives and furious inter-cartel fighting, the number of murders in Mexico has steadily climbed since 2006. In fact, between December 2006 and December 2010 there have been over 34,600 recorded murders in Mexico, with 15,273 in 2010 alone.<sup>4</sup> The mounting violence just across the southern border has caused United States' fear of spillover violence to spread rapidly. Individual incidents of perceived or real spillover violence garner local and national news headlines and

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<sup>3</sup> Chris Eskridge, *Mexican Cartels and Their Integration into Mexico Socio-Political Culture*. University of Nebraska. [http://www.customscorruption.com/mexican\\_cartels\\_integr.htm](http://www.customscorruption.com/mexican_cartels_integr.htm). (accessed 20 March 2011).

<sup>4</sup> Office of the President. "Obtener la base de datos de Fallecimientos ocurridos por presunta rivalidad delincuencia en el periodo diciembre 2006 a diciembre 2010." Government of Mexico. <http://www.presidencia.gob.mx/?DNA=119> (accessed 05 April 2011).



serve to heighten the collective national consciousness to the troubles along the Southwest Border (SWB). Various political and private entities, seizing upon the increased media coverage, use spillover violence debate as a platform to forward their own agendas, which places greater pressure on political institutions. Ultimately, this pressure filters down to law enforcement agencies, who are tasked to “solve the problem.”

The problem, however, consists of a 1,969 mile land border containing 33 legal ports of entry (POE), hundreds of miles of open desert, rugged mountains, and the Rio Grande River. Accordingly, individual law enforcement agencies in their efforts to combat illegal drugs are presented with a seemingly insurmountable force-space inequality.<sup>5</sup> In an attempt to overcome this inequality, law enforcement agencies at all levels are institutionalizing the use of interagency partnerships as a method to more effectively implement their own law enforcement activities into the bigger war on drugs. For example, the Customs and Border Patrol (CBP) agency, the lead federal border law enforcement agency, in its strategic plan for 2009-2014 stated that, “Gaining and maintaining effective control of the Nation’s border .... requires useful intelligence and strong partnerships with Federal, State, local, tribal, and foreign governments, as well as international partners.”<sup>6</sup> At the local level, the San Diego Police Department reaffirms this concept in its vision statement: “We are committed to working together, within the Department, in a problem solving partnership with communities, government agencies, private groups and individuals to fight crime ....”<sup>7</sup> However, the recent trend towards interagency

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<sup>5</sup> U.S. Customs and Border Protection, *Secure Borders, Safe Travel, Legal Trade: U. S. Customs and Border Protection Fiscal Year 2009–2014 Strategic Plan* (Washington, DC: Office of Policy and Planning, July 2009), 10.

<sup>6</sup> Ibid. 6.

<sup>7</sup> San Diego Police Department, “Police Department Mission Statement: Vision.” City of San Diego. <http://www.sandiego.gov/police/about/mission.shtml> (accessed 21 March 2011).

cooperation has produced only partial success and a more dedicated operational effort must be enacted to bring about a truly unified WoG solution.

### **CURRENT INTERAGENCY ACTIVITIES**

At the state level, respondents to the National Governor's Association surveys, conducted from 2005-2007, stressed the importance of developing state-level intelligence fusion centers. As of January 2008, there were 41 existing or planned state fusion centers in 35 states (Figure 1). A majority of these state fusion centers, while receiving some funding by the Homeland Security Grant Program and other similar federal programs, did not use federal guidelines to establish new centers opting to merely expanded their current state law enforcement's intelligence divisions instead.<sup>8</sup> This individualistic method of establishing state fusion centers resulted in a lack of organizational standards, which greatly inhibits inter-state fusion center coordination. Also, given the law enforcement roots of many of these centers, there exists a lack of a formalized operational intelligence process.<sup>9</sup> Furthermore, problems ranging from information sharing and security clearance issues to duplication of effort arise from the lack of states' authority to mandate federal participation in state-run fusion centers.

In parallel with state-operated fusion centers, the Office of National Drug Control Policy (ONDCP) continues to fund the High Intensity Drug Trafficking Areas (HIDTA) program, which encourages activities coordination and enhanced intelligence sharing among law enforcement agencies at all levels to reduce drug trafficking and production in the United States.<sup>10</sup> Initiatives within each HIDTA region (Figure 2) are directed by an executive board

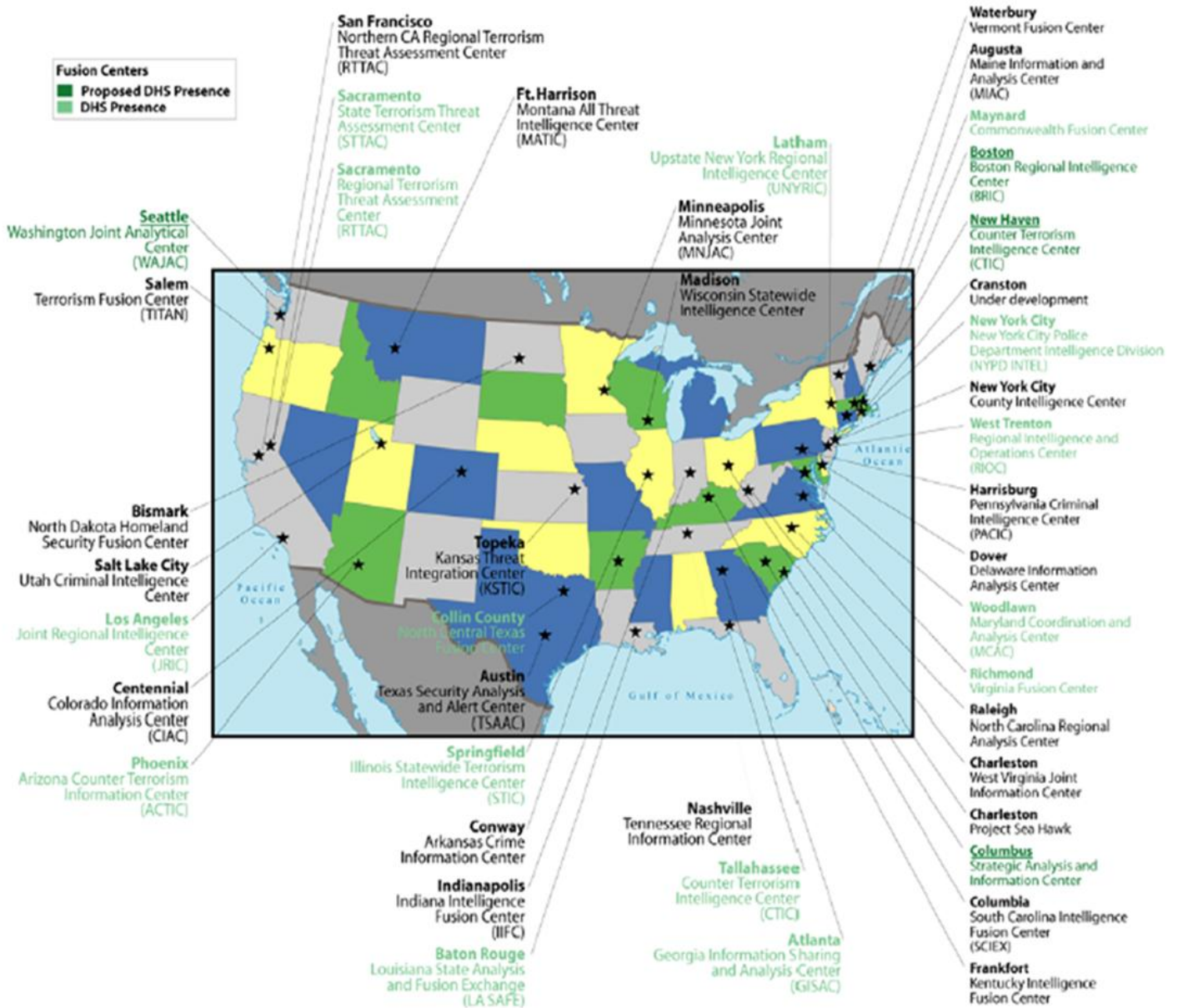
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<sup>8</sup> John Rollins, *Fusion Centers: Issues and Options for Congress*, (Washington, DC: Congressional Research Service. Updated 18 January 2008), 33-34.

<sup>9</sup> Ibid, unmarked ("Summary," first page of report).

<sup>10</sup> Office of National Drug Control Policy, *Fact Sheet: High Intensity Drug Trafficking (HIDTA) Program*. (Washington, DC: Executive Office of the President. December 2010).

comprised of equal parts federal and non-federal representatives. This board composition allows its members to maintain responsiveness to the local needs and trends within its given region.



**FIGURE 1: MAP OF CURRENT AND FUTURE STATE FUSION CENTERS (as of 18 January 2008)<sup>11</sup>**



- ◆ HIDTA Headquarters
- Southwest Border Regions

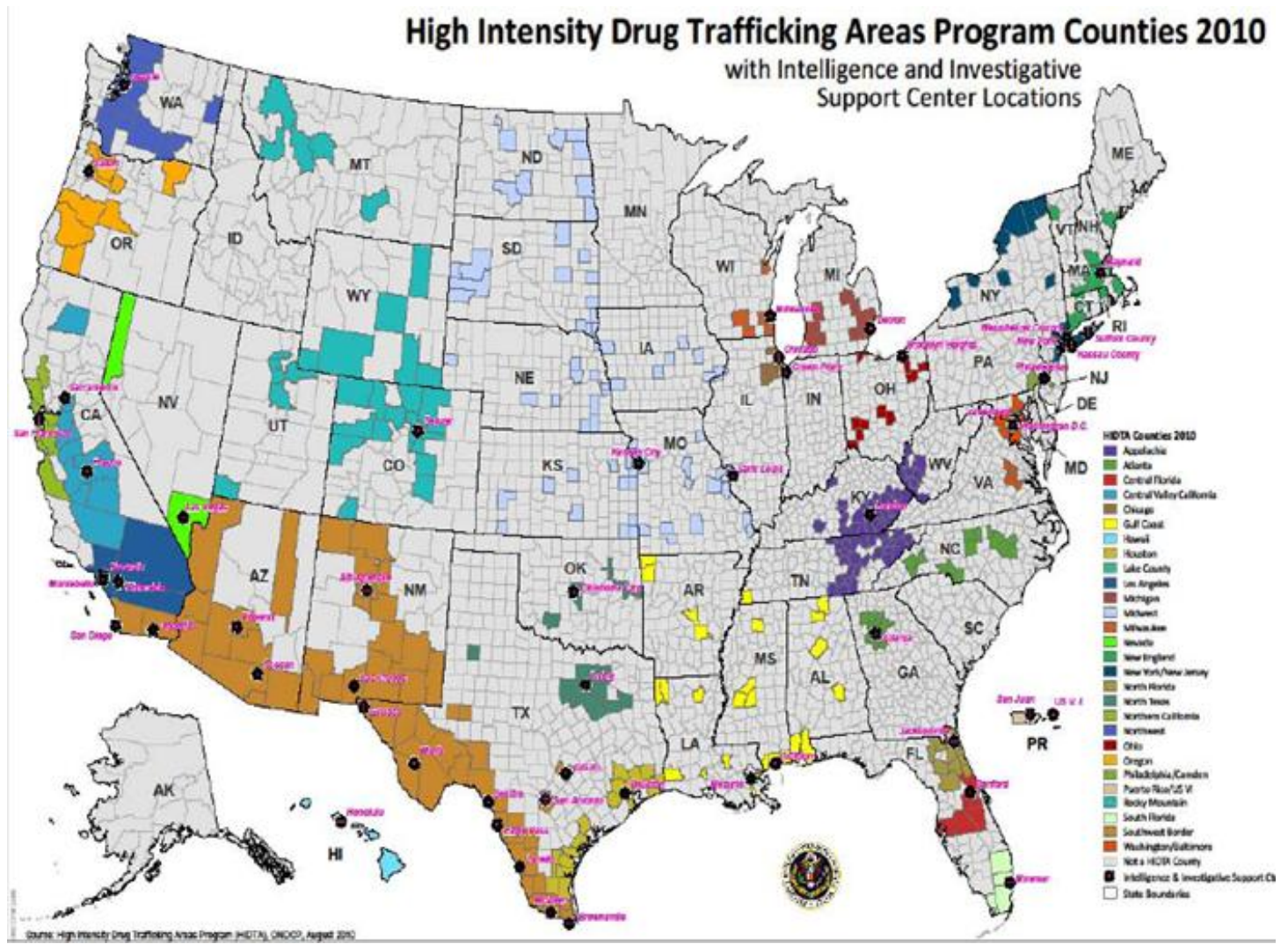
**FIGURE 2: High Intensity Drug Trafficking Area Regions<sup>12</sup>**

Specific to the issue at hand, 57 separate Intelligence and Investigative Support Centers (Figure 3) exist within the 28 HIDTA regions. (Fourteen of 57 HIDTA intelligence centers are located in the SWBA.) These support centers are charged with accurately assessing and eliminating drug trafficking activities within their defined areas. These Intelligence and Investigative Support Centers perform this function by acting as focal points to assist in

<sup>11</sup> John Rollins, *Fusion Centers: Issues and Options for Congress*, (Washington, DC: Congressional Research Service. Updated 18 January 2008), Annex B, Figure 3. Due to the type of information and functions performed at these centers, accurate and up-to-date information on the location and operational status of various fusions centers is closely guarded.

<sup>12</sup> Image copied from Office of National Drug Control Policy. “High Intensity Drug Trafficking Areas.” <http://www.whitehousedrugpolicy.gov/hidta/index.html> (accessed 06 April 2011).

information collection, analysis, and dissemination to their respective HIDTA region's local, state, and federal law enforcement agencies.<sup>13</sup>



**FIGURE 3: HIDTA Intelligence and Investigative Support Centers<sup>14</sup>**

<sup>13</sup> Office of National Drug Control Policy, *Fact Sheet: High Intensity Drug Trafficking (HIDTA) Program*, (Washington, DC: Executive Office of the President, December 2010.)

<sup>14</sup> Image copied from Office of National Drug Control Policy. "High intensity Drug Trafficking Areas." <http://www.whitehousedrugpolicy.gov/hidta/index.html> (accessed 06 April 2011).

At the federal level, the Customs and Border Patrol (CBP) and the Immigration and Customs Enforcement (ICE) agencies of DHS are the lead entities for efforts along the north side of United States-Mexico border. Although both CBP and ICE have their own imbedded information gathering divisions, these units perform primarily law enforcement support functions by collecting data for future legal prosecution and by providing localized investigations analysis to ongoing tactical operations; the CBP and ICE intelligence units do not act in a larger interagency capacity. True information integration is performed at the DHS Office of Intelligence and Analysis (I&A). As DHS's only fusion center and as a member of the national Intelligence Community, it blends information from internal and external sources for use by DHS's seven principal agencies.<sup>15</sup> Moreover, various DHS liaisons, limited information sharing, and technical connectivity link DHS I&A to state and regional fusion centers. However, DHS, with its national level I&A and its tactically focused CBP and ICE intelligence units, lacks a true operational level intelligence center.<sup>16</sup>

Beyond DHS initiatives, the DEA,<sup>17</sup> in 1974, established the El Paso Intelligence Center (EPIC), which as one of the oldest and best organized fusions centers in the country, strives to be the hub for the HIDTAs.<sup>18</sup> In a June 2010 internal review, the DOJ stated that although EPIC is highly valued by its various local, state, and federal users, six operational level weaknesses pertaining specifically to its inability to effectively coordinate interagency actions and information sharing plagued its operations. The two most damning criticisms of EPIC's ability to act like an operational intelligence center were its inconsistency in integrating federal and

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<sup>15</sup> DHS principal agencies: CBP, ICE, Transportation Security Administration, U.S. Citizenship and Immigrations Services, U.S. Secret Service, Federal Emergency Management Agency, U.S. Coast Guard.

<sup>16</sup> U.S. Department of Homeland Security, "Office of Intelligence and Analysis." [http://www.dhs.gov/xabout/structure/gc\\_1220886590914.shtm](http://www.dhs.gov/xabout/structure/gc_1220886590914.shtm). (Accessed 24 March 2011).

<sup>17</sup> The DEA along with the FBI, ATF, U.S. Marshals Service, and Bureau of Prisons are the law enforcement agencies within the Department of Justice.

<sup>18</sup> U.S. Department of Justice, *Review of the Drug Enforcement Administration's El Paso Intelligence Center*. (Washington, DC: Office of the Inspector General, Evaluation and Inspections Division, June 2010), ii.

state organizations across the nation and its lack of liaison officers with other intelligence centers. The report went on to make 11 distinct operational level (although not explicitly stated as such in the report) recommendations which centered on reduction of intra- and interagency redundancy and improving interagency communication, coordination, and information sharing. Ultimately, DOJ's own report concedes that EPIC does not exercise the necessary control to standardize the exchange of information among various fusion centers, and therefore falls short of EPIC's "hub of HIDTAs" billing.<sup>19</sup>

At the unclassified level, the DOD through USNORTHCOM, contributes to the interagency and international efforts along the SWBA mainly through its Joint Task Force – North (JTF-N) based in Fort Bliss, Texas.<sup>20</sup> Under the operational control of U.S. Army North (ARNORTH), JTF-N supports federal law enforcement (primarily CBP) by denying TCOs freedom of action thereby safeguarding America from threats within and along the approaches to the continental United States.<sup>21</sup> A large portion of JTF-N's support to CBP comes in the form of tactical planning, intelligence processing, and providing liaisons with various intelligence organizations to include EPIC. Beyond strictly staff work, JTF-N coordinates with inorganic military units to garner unique field support for CBP activities. Although specifically organized as if it were an operational level organization, JTF-N chiefly provides military expertise and capabilities at the tactical level.<sup>22</sup>

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<sup>19</sup> Ibid. v.

<sup>20</sup> Mike R. Tavik, CIV, USA NORAD USNORTHCOM HQs J24, e-mail message to author, 13 March 2011. USNORTHCOM has a Joint Intelligence Operations Center which supports its five core missions and coordinates at the strategic level with DHS's Office of Intelligence and Analysis.

<sup>21</sup> Joint Task Force-North. "Joint Task Force North: Commander's Intent." [http://www.jtfn.northcom.mil/subpages/commanders\\_intent.html](http://www.jtfn.northcom.mil/subpages/commanders_intent.html). (Accessed 15 February 2011).

<sup>22</sup> Brett Bartholomaus, Col USMC, JTF-N Deputy Commander, phone interview with author, 02 March 2011.

## **CHALLENGES TO ESTABLISHING AN OPERATIONAL LEVEL**

### **FUSION CENTER**

Several significant challenges face the transformation of either a HIDTA or a state run fusion center into an operational level, interagency coordination center. Financial and ideological issues are two over-arching concerns surrounding the move of these tactical level organizations to the operational level. Both HIDTA and state-run centers are focused on local issues and priorities; therefore, the manner in which these institutions are structured and function vary widely. Overcoming these systematic differences to ensure SWB-wide interoperability would, in most cases, mandate a heavy investment in manpower, infrastructure, and money. If a tactical to operational transformation were to occur, the ability of this broader-spectrum fusion center to maintain its responsiveness to the specific, local issues within its state or region for which it was first established is unclear.

To produce an all-encompassing SWBA fusion center, several technology based problems must be resolved. At the state and regional level, many fusion centers<sup>23</sup> purchase proprietary systems, which are incompatible with other regional or federal data systems, resulting in several inter-related problems.<sup>24</sup> First, in order to gain access to all available information, fusions centers need to have the correct hardware and the appropriate software licenses for the various individual networks. Therefore, substantial and reoccurring financial and technical issues arise for individual centers attempting to maintain connectivity among many disparate computer systems. Second, assuming that the external user has access to all

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<sup>23</sup> As example, the three Texas state fusion centers were noted to have this technology issue in an internal review of the Texas Department of Public Safety, which includes recommendations for improving state fusion centers. See Deloitte Consulting LLP. *Texas Department of Public Safety: Management and Organizational Structure Study*. (Austin, TX, 28 October 2008), 7-8.

<sup>24</sup> These proprietary systems are purchased for a variety of reasons to include cost, existing contracts, politics, and so forth. For more information see John Rollins' *Fusion centers: Issues and Options for Congress*, Congressional Research Service, updated 18 January 2008.



available systems, the current trend in intelligence information sharing is a “self-serve” method. A common criticism of web-based or portal access is that state or regional fusions centers could have staff spend the entire work day reviewing available databases and still not be 100 percent certain that all relevant material has been gleaned.<sup>25</sup>

In an attempt to mitigate some noted interagency coordination issues, DHS, in cooperation with the Department of Justice (DOJ) in 2006, co-authored a document titled “Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era.” This document’s stated intent is to “ensure [that] fusion centers are established and operated consistently, resulting in enhanced coordination efforts, strengthened partnerships, and improved crime-fighting and anti-terrorism capabilities.”<sup>26</sup> Although, standard procedures for creating and operating fusion centers are outlined, federally funded state or regional fusion centers compliance to these guidelines remains voluntary. Furthermore, DHS in 2010 attempted to mitigate known coordination issues by installing 47 information sharing terminals at various regional fusion centers. Also, DHS conducted its first in-depth evaluation of state and regional fusion centers’ capabilities and limitations so as to set future federal support priorities.<sup>27</sup>

Beyond hardware and software issues, the end-users themselves often are confronted with two serious information sharing issues. First, many federal agencies (FBI, ATF, DHS, CIA, NSA, and NRO) have their own intelligence databases, which allow at least partial access to authorized external users. However, many state and regional fusion centers lack the required security clearances to use these federal databases effectively.<sup>28</sup> Second, certain federal agencies,

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<sup>25</sup> John Rollins, 30.

<sup>26</sup> U.S. Department of Justice, *Fusion Center Guidelines: Developing and Sharing Information and Intelligence in a New Era*. (Washington, DC: Bureau of Justice Assistance, Office of Justice Programs, August 2006), 2.

<sup>27</sup> U.S. Department of Homeland Security, “State and Major Urban Area Fusion Centers. The Path Ahead,” [http://www.dhs.gov/files/programs/gc\\_1156877184684.shtm](http://www.dhs.gov/files/programs/gc_1156877184684.shtm). (accessed 24 March 2011).

<sup>28</sup> John Rollins, 26-27

depending on the organization and type of information passed, are legally prohibited from various aspects of information sharing. Therefore, the current trend of information and intelligence sharing based solely on web-based access is insufficient to achieve a coherent operational fusion center.

Additionally, many law enforcement derived fusion centers lack the training or manning to properly incorporate a formalized planning and intelligence process. The information that is collected by these units is processed for use in future legal proceedings vice being added into a comprehensive trend analysis. State and regional centers, lacking an intelligence cycle that identifies and eliminate intelligence gaps, produces little true fusion.<sup>29</sup> For example, in California and Arizona, 108 different illegal cross border tunnels have been discovered; but in Texas and New Mexico, only one tunnel has been found.<sup>30</sup> While many possible explanations (i.e., terrain, urbanization levels, differing tunnel detection methods, different Mexican TCOs, necessity of TCOs to use tunnels) for the disparity exist, the true reason(s) is and will remain a mystery until a thorough operational level intelligence process has been applied.

At the federal level, interagency operations are hindered by a lack of operational level coordination. For a specific example, one needs to only examine operations of DHS, the SWB's lead federal agency. Essentially, the DHS splits its affairs into either national or individual agency categories. As previously evidenced, DHS intelligence activities (I&A at the strategic, CBP and ICE at the tactical) and the DHS fusion initiatives fail to adequately address the fundamental issue of linking the tactical level (i.e., maintaining local responsiveness) to the strategic level (i.e., the ONDCP's *Southwest Border Counternarcotics Strategy*). Notably absent

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<sup>29</sup> Ibid, unmarked ("Summary", first page of report).

<sup>30</sup> Brett Bartholomaus, Col USMC, JTF-N Deputy Commander, interview with author, 10 March 2011.

within DHS and the federal government at large, is an entity capable of closely coordinating SWBA activities of presidential cabinet level departments and individual agencies.<sup>31</sup>

Beyond individual agency and department limitations, the elimination of current interagency duplication of effort is critical to employing all available assets effectively. However, shrinking state and federal budgets force individual agencies to justify their current resource levels by maintaining a vast database of unit specific statistics. The byproduct of this fiscal reality combined with a lack of a unifying organization is natural interagency competition as state and national institutions vie for credit of drug related victories.

A complete solution to the southwest border's quagmire must also incorporate integration with various agencies and departments within the Government of Mexico. Only a few federal agencies, one of which USNORTHCOM,<sup>32</sup> have the competencies and authorities to engage in international partnerships capable of fostering enduring operational level cooperation. Although, the FBI, ATF, DEA, and ICE regularly work with their Mexican counterparts, these interactions typically center on tactical missions. However, the DOS, the lead agency for international affairs, has through its "Merida Initiative," agreed to provide to the Government of Mexico legal and law enforcement training, non-intrusive inspection equipment, 11 helicopters, and civil affairs liaisons. While well intentioned, many of these efforts are compartmentalized at

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<sup>31</sup> An additional federal initiative is the DOJ's National Drug Intelligence Center (NDIC). The NDIC's mission is to provide strategic drug-related intelligence, exploitation, and training to reduce the adverse effects of drug abuse and drug-related criminal activity. While having the potential to act as operational fusion center, the NDIC operates at the national level, preparing strategic studies on all aspects of drug activities for the Office of National Drug Control Policy. The NDIC does share critical intelligence with the DHS for the specified purpose of disrupting the link between drug trafficking and terrorism and does provide analytical support to HIDTAs to aid in regional drug threat assessments. However, the largest inhibitor for the NDIC as an operational level fusion center is its workforce; the NDIC is a small, academic centered workforce, not staffed to affect day-to-day interagency coordination. For more information see "About NDIC. Missions." <http://www.justice.gov/ndic/about.htm>.

<sup>32</sup> USSOCOM, U.S. Coast Guard, U.S AID and the DOS Embassy team are other organizations with similar capabilities and authorities

the national level lacking any formal method through which Merida Initiative efforts can be coordinated among various other U.S. agencies' efforts.<sup>33</sup>

### **JOINT INTERAGENCY TASK FORCE – SOUTH WEST BORDER (JIATF-SWB)**

To overcome the complex interagency coordination problem along the SWB effectively, a new operational level organization is required. This agency must have the ability and aptitude to drastically improve coordination between numerous law enforcement agencies, established regional fusion centers, the National Intelligence Community, and various federal and Mexican agencies.<sup>34</sup> USNORTHCOM, through the establishment of JIATF-SWB, can become this “great facilitator.” More than just providing a law enforcement coordination and deconfliction hub, JIATF-SWB would facilitate greater DHS and DOS operational level collaboration. Additionally, JIATF-SWB would provide regional and state fusion centers and law enforcement entities with a single source for intelligence sharing. Unity of effort would be maximized based on trust fostered through JIATF-SWB relationships. All of this can be accomplished through the incorporation of three fundamental JIATF-SWB initiatives: a robust and continuous interagency liaison program; communications via a high bandwidth, secure, common access network; and through an active and effective training continuum. Currently, the DOD is the only institution that possesses the aptitude and resources to establish, organize, staff, and administer such an institution.

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<sup>33</sup> Additionally, the DOS could be more energetic in its efforts to leverage opportunities created by the Merida initiative to produce more habitual relationships between various U.S. and Mexican agencies. For example, in an 10 March 2011 interview with Brett Bartholomaus, Col USMC, JTF-N Deputy Commander, he reported that as of 28 February 2011, zero U.S. personnel were enrolled in the Personnel Exchange Program (PEP) with Mexico.

<sup>34</sup> Office of National Drug Control Policy, *National Southwest Border Counternarcotics Strategy*, (Washington, DC: Executive Office of the President, June 2009), 7.

Of the three key points listed above, the robust and continuous interagency liaison program is hardest but most vital ingredient to a successful JIATF-SWB. Given that no federal agency can mandate staffing of its organization by another agency's personnel, achieving unity of effort requires significant and continual determination by all involved. For a JIATF-SWB to overcome such challenges, each participating agency must see tangible benefits proportional to its time and resource investments. A realistic near-term assessment of the current interagency landscape would necessitate that initial results must come quickly and must equally benefit the individual agency and the broader goal of the JIATF-SWB. A key enabler would be to devise a method to determine immediately how each agency within JIATF-SWB receives credit of drug prevention and enforcement related statistics -- the mechanics of which are beyond the scope of this paper but would undoubtedly resemble procedures used in JIATF-South.

The ultimate goal would be to emulate the organizational and operational successes of USSOUTHCOM's JIATF-South. The agency's 17 years of close coordination in detecting and intercepting illegal drug activities within the Caribbean Basin has fostered a "one team" culture among its interagency and international representatives. In fact, JIATF-South takes the integration concept beyond simply providing interagency liaison officers; DOD, DHS, DOJ, U.S. Intelligence Community, and international agencies personnel are integrated into the actual command structure holding key leadership positions within JIATF-South. This high level of integration promotes trust and expedites the sharing of law enforcement and intelligence information.<sup>35</sup> This extraordinary level of cooperation, however, can only arise when interagency liaisons are physically located within the organization. DOJ's review of EPIC reinforced this assertion noting a major organizational deficiency when it stated, "a lack of an up-to-date agreement between EPIC and its participating members has contributed to

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<sup>35</sup> Richard M. Yeatman, "JIATF-South: Blueprint for Success." *Joint Force Quarterly* 42 (3<sup>rd</sup> Quarter 2006): 26-27.

coordination problems, such as member agencies not sustaining programs, sharing information, or contributing resources to EPIC.”<sup>36</sup>

Currently, the DOD possesses two key attributes that uniquely suit it in supporting the upkeep of the liaison program within JIATF-SWB. First, within the United States Government, the military is unparalleled in its knowledge of the day-to-day administration of a combined and/or joint staff. Therefore, the DOD can develop and staff processes to maintain, update, and train liaisons regarding the current interagency agreements within JIATF-SWB. Second, the military, due its comparatively larger volume and higher frequency of personnel turnover and its penchant for meticulous record keeping, is institutionally better suited to adapt to the temporary gapping of liaison billets. Furthermore, military staffing could temporarily fill, not permanently replace, any shortages in interagency liaison officers, maintaining vital interagency coordination during times when specific agencies may be unable to fill their liaison billet(s).

The second key enabler to a successful JIATF-SWB is communications, especially in the form of intelligence sharing. However, beyond mere intelligence sharing, JIATF-SWB would be a full-spectrum knowledge management center. To realize this goal, the joint interagency task force must move beyond mere web-based data access to become the hub of an active “push-pull” information and intelligence sharing center. To accomplish this “push-pull” effect, JIATF-SWB staffers assigned to specific regions would be responsible to solicit (“pull”) information at regular intervals from their region’s various fusion and law enforcement entities and feed this information into current national databases. Additionally, these staffers would relay (“push”) intelligence at regular intervals or as needed back to the appropriate agencies in their assigned regions.

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<sup>36</sup> U.S. Department of Justice, *Review of the Drug Enforcement Administration’s El Paso Intelligence Center*. (Washington, DC: Office of the Inspector General, Evaluation and Inspections Division, June 2010), ii.

To realize this goal, disparate networks from across the SWB must be connected together. In this domain, DHS, as the lead agency, does not have the technical support to adequately interconnect the many differing fusion centers and associated computer systems. However, DHS, augmented by DOD manpower and technical resources, can rapidly overcome the current inter-fusion center connectivity issues. Additionally, DOD personnel have a substantial amount of experience in administering combined and joint networks. This expertise can provide assistance in related matters such as security clearances, classification issues, and general system upkeep. All this is in an effort to produce rapid and sustained network interconnectivity, which is critically important to the “push” aspect. The faster that state and regional organizations experience benefits from being pushed intelligence, the more likely they will be to use the system. As the push interaction increases, the JIATF-SWB will have more opportunities to pull information from these same agencies, thus making the WoG solution stronger.

The last major issue revolves around training. Internally, training must go beyond initial orientation of the JIATF staff and liaison officers regarding the nature of their responsibilities. The syllabus must include training into the upkeep and update of interagency memorandums of understanding and memorandums of agreements. As updates occur, additional training must be performed. Within the institution, a feedback loop must be available to allow for improvements to existing interagency agreements so that the organization and, more importantly, the WoG solution can evolve. Externally, outside agencies must be made aware on a regular basis of the support JIATF-SWB can supply independently or through its partner agencies. External entities also need a forum to provide feedback on current support or gaps in support. Finally, the training continuum must include international exchanges opportunities. JIATF-SWB would

provide a location where these operational or training opportunities can be fostered and coordinated among all agencies. Additionally, the JIATF-SWB would act as the center of excellence for the collation of after action reports and lessons learned for any agency performing combined operations or training, and provide improvements to future combined events.

## **COUNTER ARGUMENTS**

The counter arguments to USNORTHCOM acting in the role of great facilitator revolve around three fundamental issues: 1) how to overcome the considerable legal considerations to DOD involvement in domestic activities, 2) should USNORTHCOM be the administrator to a DHS led organization, and 3) is there a need for an operational interagency coordination center. As for the legal issues, these are many and complex. The greatest obstacle to sharing various types of intelligence among various agencies is the handling and protection of information pertaining to U.S. citizens.<sup>37</sup> While law enforcement agencies are permitted to maintain records on U.S. persons, numerous intelligence agencies are restricted in their ability to collect, retain, or share records affecting U.S. citizens, but may maintain records on non-citizens.<sup>38</sup> While DOD personnel operating within JIATF-SWB may be slightly more restricted than other federal agency employees,<sup>39</sup> any interagency organization at the operational level is going to be constrained in its intelligence fusion capacity until these legal impediments have been resolved. To simply disqualify USNORTHCOM from becoming the great facilitator based on this

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<sup>37</sup> James Clapper, Director of National Intelligence. (Remarks and Questions and Answers, 2010 Geospatial Intelligence Symposium, New Orleans, LA, 2 November 2010.)

<sup>38</sup> Richard A. Best, Jr, *Securing America's Borders: The Role of the Intelligence Community*. (Washington, DC: Congressional Research Service, 07 December 2010), 5.

<sup>39</sup> The appendixes to this paper are dedicated to outlining the intelligence sharing problem in greater detail.



argument alone belies the complexities involved in intelligence fusion and ignores the wide-array of other capabilities that USNORTHCOM could employ in support of JIATF-SWB.

The critique that an agency other than USNORTHCOM should be responsible for supporting JIATF-SWB is rooted in the supporting-supported relationships of various agencies. Critics will argue that DHS, as the lead agency, should be responsible for not only the lead but also the administration of JIATF-SWB. While there is merit to this line of reasoning, it does not account for the realities of resource availability and expertise among the agencies. While no one agency, either currently or projected, has the manpower to staff a JIATF-SWB completely, the DOD certainly has more excess capacity than the others. Even though USNORTHCOM has minimal forces assigned to it, it has the potential to use portions of its own (including the standing joint force headquarters – core element), ARNORTH's, and/or JTF-N's personnel as the initial staffing. Externally, USNORTHCOM's ties to and potential resources from the DOD at large, provide it with an even greater potential to accomplish the initial establishment of JIATF-SWB than it would have alone. Additionally, the unique situation provided by the dissolution of Joint Forces Command (JFCOM) offers a fleeting opportunity for USNORTHCOM to request the permanent transfer of the manning and expertise of JFCOM's Joint Communications Support Element (JCSE) and Joint Deployable Team (JDT) to augment the JIATF-SWB staff.

Ultimately, DOD personnel populating a majority of the support and a share of the staff billets, provides three key aspects to a successful JIATF-SWB stand-up. First, DOD's expertise in headquarters establishment frees DHS, DOS, and DOJ to develop a common vision, specific goals, and achievable intermediate objectives for JIATF-SWB. During the initial stand-up, DHS and other partner agencies can receive training from DOD experts on operational staff roles and

responsibilities. Finally, the continued use of USNORTCOM, as support staff, will allow other agencies' limited manpower to work as liaisons in other fusion centers or for duty on the "front-line."

The final major critique to the establishment of JIATF-SWB is the question about the need for this operational organization. This argument centers around the fact that current fusion and intelligence centers are adequate. Specifically that state and regional organizations such as the DHS's National Operational Center, the Counter Drug Intelligence Center, EPIC, and JTF-N currently satisfy the requirement at the operational and strategic level. This argument, while ignoring the potential benefits of a truly operational level center, does gain a certain level of credibility given the current and projected austere fiscal environment. However, much of the analysis section of this paper outlines the reasons that these individual organizations are incomplete at best. Currently, no one organization ties together the hundreds of agencies that all share in the fight. The centers that come the closest to fulfilling the operational role are either limited in scope or have maximized their authorities while achieving only partial success.

## **CONCLUSION**

USNORTHCOM should act as the great facilitator in support of the establishment of JIATF-SWB. Using DOD's unique abilities in the formation and maintenance of a combined/joint operational level headquarters, USNORTHCOM can provide this DHS lead agency with essential staffing, required technical abilities, and necessary training support. For the DOD and USNORTHCOM, JIATF-SWB provides an operational level HQ that has established ties to state, local, tribal, and federal entities whose cooperation will be essential during a homeland defense event along the SWB. For the country as a whole, DOD's support to

JIATF-SWB should produce concrete impacts in less than one year of implementation, a method to increase unity of effort, and a means to improve U.S. citizens' security along the SWB.<sup>40</sup>

Current United States programs on both sides of the border, while producing marginal success, have not achieved maximum effectiveness. To properly counter the sophisticated and adaptive socioeconomic threat posed by TCOs, every agency must work in harmony with one another to eliminate redundancy, to overcome capability gaps, and to remove interagency rivalries. To this end, an intermediate level organization needs to be established to coordinate the tactical actions of specific agencies with the broader national strategic goals. A DOD supported JIATF-SWB as proposed in this paper is just such an organization.

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<sup>40</sup> Joint Task Force-North, "Design Practicum: Design Transition Briefing (Sterile)," Powerpoint, 09 November 2010, Colorado Springs, CO: USNORTHCOM.

## List of Acronyms and Abbreviations

ARNORTH	United States Army North Command
ATF	Bureau of Alcohol, Tobacco, Firearms, and Explosives
CBP	Customs and Border Patrol
CIA	Central intelligence Agency
DEA	Drug Enforcement Administration
DHS	Department of Homeland Security
DLEA	Drug Law Enforcement Agency
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
EPIC	El Paso Intelligence Center
FBI	Federal Bureau of Investigations
HIDTA	High Intensity Drug Trafficking Area
HQ	Headquarters
I&A	Office of Intelligence and Analysis
ICE	Immigration and Customs Enforcement
JCSE	Joint Communications Support Element
JDT	Joint Deployable Team
JIATF	Joint Interagency Task Force
JTF	Joint Task Force
LEA	Law Enforcement Agency
NDIC	National Drug Intelligence Center
NRO	National Reconnaissance Office
NSA	National Security Agency
ONDCP	Office of National Drug Control Policy
POE	Port of Entry
SWB / SWBA	Southwest Border / Southwest Border Area
TCO	Transnational Criminal Organization
WoG	Whole of Government

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## **Appendix A: Legal Issues Associated with DOD Participation in Domestic Intelligence Sharing**

Posse Comitatus, Title 10, DoDD 5200.27 and Memo from the Director, Joint Staff Principal Deputy Assistant Secretary of the Army (DTD 17Mar1995) seemingly stand in the way of a DOD ability to completely aid in the intelligence processing and sharing in an interagency organization. The following is an explanation of the implications of the DoDD 5200.27 and the Memo DTD 17Mar1995 on DOD intelligence efforts as provided via email by LtCol Phil Sanchez, Senior Judge Advocate, Joint Task Force-North.

**Note:** The following is a verbatim copy of LtCol Sanchez's email and is *not* the work of the author of this paper. This was done purposely to avoid any inadvertent misrepresentation of this extremely important legal issue. Author's comments are noted in [] and are for clarification purposes only.

DoDD 5200.27 "Acquisition of Information Concerning Persons . . . not affiliated with DoD."

For Civil Support folks - the DODD has significant implications. If conducting CS operations, they would be VERY limited in their ability to collect, process, or retain information of non-DoD folks. They could not have their intelligence elements conduct OSINT analysis (i.e., that is read newspapers and watch tv and provide their assessment). Instead, MPs or Investigators would have to provide FORCEPRO assessments.

As a practical matter, this DODD has little impact on JTF-N. Any information collected during the course of our missions is passed on to LEA [Law enforcement agencies] immediately for interdiction or investigation.

- DoD policy PROHIBITS collecting, reporting, storing information on individuals NOT affiliated with DoD, unless authorized by the SECDEF.
- This Directive does NOT apply to DoD Intelligence Components (they are governed under DoDD 5240.1-R; this governs Intel Oversight)
- DoD Components, however, are authorized to gather information ESSENTIAL to the accomplishment the following defense msns [missions]:

- \* Protection of Function and Property (FORCE PROTECTION: May collect info on individuals that encourage violations of law that affect DoD mbrs [members] loyalty, discipline, or morale, commit crimes on base, conduct unauthorized demonstrations, etc )

- \* Personnel Security (Investigations may be conducted on: Mbrs [members] of the armed forces, applicants, retirees, civilian employees, contractors, etc)

- \* Operations Related to Civilian Disturbances (As authorized by the SECDEF, info may be conducted that will assist civil authorities when dealing with civil disturbances.

Break/break

## DAS-DEP&S 1995 Memo

BLUF [Bottom Line Up Front]: The 1995 memo [included in Appendix B] means JTF-N can neither be a part of a full-fledged intelligence center or intelligence fusion center, nor support any such entity. Further, two sentences in the memo state the focus of JTF-N's intelligence support should be limited to IPB/JIPOE and to "provide operational awareness for DoD personnel" on the border (aka [also known as] Force Protection info). The language cited prevents JTF-N from providing of all-source fused intelligence to EPIC/BIFS w/o a CONOP/EXORD.

If rescinded, JTF-N would not have to tie IA support to IPB/JIPOE. Instead, it could assist any analytical effort satisfying Procedure 2 (of DODD 5240.1-R), which requires that the DoD IA is assessing FOREIGN INTELLIGENCE and the individual assessed be involved in international illicit narcotics trafficking.

here are JTFN's authorities during the different phases of the EPIC/BIFS CONOP.

### **Phase Zero:** Pre-ARNORTH EXORD

- Pre-existing DOD information/intelligence products may be shared with EPIC/BIFS (under 10 USC 371(c))
- Analytic products directed by the CDR and can be shared, once they have been reviewed and approved for release by the DCO/CoS [of JTF-North].
- JTFN analytic comments to EPIC products, if requested, must be reviewed and approved for release by the DCO/CoS [of JTF-North], prior to sharing.
- Professional analytic discussions are permitted, but we may not provide analytical support.

### **Phase One:** Post-ARNORTH EXORD [Example EXORD included in Appendix C]

- May provide training on all phases of the intelligence process.
- Intel analytical support may NOW be provided to EPIC/BIFS, however . . .
- Subject to limitations imposed by DAS-DEP&S 1995 Memo, J2 may only develop IBP/JIPOE "material [which] is essential for successful, effective (JTFN) force deployment", and information packages required to ensure the safety and operational awareness of DoD personnel deployed in support roles."
- Intel analysis under Phase One is only permitted for 179 days, unless SECDEF approves Phase Two.

### **Phase Two:** Post-SECDEF Approval

- Rescinds DAS-DEP&S 1995 Memo [provided in Appendix B]
- May provide all-source Intel Analysis on a continuous on-going basis to EPIC/BIFS.
- May provide Intelligence liaison, information, and knowledge management planning, and training.



**Appendix B: Memorandum for Director, Joint Staff Principal Deputy  
Assistant Secretary of the Army (IL&E) DTD 17Mar1995**

**NOTE:** At the time of this memo, JTF-N was known as JTF-6. Therefore, JTF-N currently operates under this guidance. The body has been retyped due to poor image resolution. Images of the original memorandum are included at the end.

MEMORADUM FOR DIRECTOR, JOINT STAFF  
PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE ARMY  
(IL&E)

SUBJECT: Funding for the Joint Task Force Six (JTF-6) Counterdrug  
(CD) Intelligence Project Code 2429

This memorandum responds to two Department of Army (IL&E) memorandums dated August 12, 1994, subject: FY 1996/1997 Counterdrug Budget Review; and December 2, 1994, subject: FY 1996-97 Joint Military Intelligence Program (JMIP) Congressional Justification Book (CJB). In Addition, it confirms conversations in Marc, 1995 between LTC Chronis (Joint Staff, CNOD) and DEP&S personnel about ACOM's request to reinstate funding for project code 2429.

During preparation of POM 96-01 last year, a concentrated effort was made to review project code content, consolidate similar efforts under central project codes wherever appropriate, and make funding reductions as a result of overall CD budget cuts. To that end, funding for project code 2429 was zeroed, with the effort previously executed under that project code being transferred to and included within approved Army funding for DLEA support (essentially project codes 2105 and 2435) specifically for this effort was to be recommended by JTF-6 and FORSCOM for approval by DEP&S. This decision remains unchanged. Given the recent Army restructuring and the upcoming POM 97-01, now is an appropriate time to review the funding status for this effort.

Clearly, JTF-6 provides significant value in supporting the Southwest Border High Intensity Drug Trafficking Area's (HIDTA) requests for countering the flow of drugs into the U.S. from Mexico. In the future, with increased attention and National level intelligence supporting the Mexican border drug problem, JTF-6's support role to the DLEA will be further highlighted.

In this regard, it is considered appropriate that JTF-6 assemble information packages required to ensure the safety and operational awareness of DOD personnel deployed in support roles. Production of Intelligence Preparation of the Battlefield (IPB) material is essential for successful, effective force deployment. What is not desirable is for JTF-6 to expand its intelligence function beyond this focused responsibility, or to accomplish this function in such an expanded manner so as to become a full-fledged intelligence fusion center. We have been

actively reducing and streamlining such capabilities, and similarly, do not want to establish or promote the growth of another such capability at JTF-6.

Accordingly, ensure that the Army POM 997-01 submission incorporates the resources required for JTF-6 IPB material under Project Code 2105. Any proposed restructuring among Army programs to accommodate this function under PC 2105 must be accomplished with existing Army funds for DLEA support. The issue of Joint Military Intelligence Program (JMIP) designation will be addressed during the POM 97-01 review to ensure proper execution in FY 96 and later years.

If you have further questions, contact LTC Nuxoll, Budget Officer, at X3-1919/8, or LTC Borchini, Plans and Support Officer, at X3-5656/7.

[signed]  
Brian E. Sheridan  
Deputy Assistant Secretary for  
Drug Enforcement Policy and Support.



OFFICE OF THE DEPARTMENT OF DEFENSE COORDINATOR  
FOR DRUG ENFORCEMENT POLICY AND SUPPORT

1510 DEFENSE PENTAGON  
WASHINGTON DC 20301-1510



17 MAR 1995

MEMORANDUM FOR DIRECTOR, JOINT STAFF  
PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE ARMY  
(IL&E)

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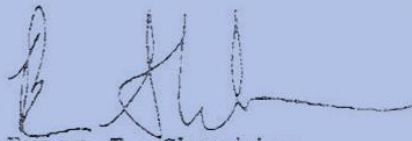
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and clearly, do not want to establish or promote the growth of another such capability at JTF-6.

Additionally, ensure that the Army POM 97-01 submission incorporates the resources required for JTF-6 IPB material under Project Code 2105. Any proposed restructuring among Army programs to accommodate this function under PC 2105 must be accomplished with existing Army funds for DLEA Support. The issue of Joint Military Intelligence Program (JMIP) designation will be addressed during the POM 97-01 review to ensure proper execution in FY 96 and later years.

If you have further questions, contact LTC Nuxoll, Budget Officer, at X3-1919/8, or LTC Borchini, Plans and Support Officer, at X7-5656/7.



Brian E. Sheridan  
Deputy Assistant Secretary for  
Drug Enforcement Policy and Support

CE:  
J-3 CNOB  
DA DCSOPS (DAVC-CDB)

## Appendix C: Example EXORD

AMPN/SUBJ: JTF-N AUTHORITY TO EXECUTE COUNTERDRUG MISSION XX-XX IN SUPPORT OF COUNTERDRUG AND ASSOCIATED COUNTERNARCOTERRORIST THREAT OPERATIONS//

REF/A/DOC/CJCSI 3710.01B/26JAN07//

AMPN/SUBJ: DOD COUNTERDRUG SUPPORT//

REF/B/MSG/CJCS/012020ZOCT07//

AMPN/SUBJ: CJCS CD/CNT EXORD//

REF/C/MSG/USNORTHCOM/091845ZMAR09//

AMPN/SUBJ: USNORTHCOM CD/CNT EXORD//

REF/D/MEMO/JFLCC/2NOV09//

AMPN/SUBJ: DELEGATION OF AUTHORITY FOR APPROVING COUNTERDRUG (CD) OPERATIONAL SUPPORT TO CDR JTF-N//

REF/E/LTR/EPIC/XXSEPXX//

AMPN/SUBJ: SUPPORT REQUEST FROM DRUG ENFORCEMENT ADMINISTRATION FOR DOD TO SUPPORT THE EL PASO INTELLIGENCE CENTER, SR XXX, XXSEPXX//

REF/F/SUBJECT: JTF-N CONCEPT OF OPERATIONS FOR COUNTERDRUG MISSION INTELLIGENCE SUPPORT TO EL PASO INTELLIGENCE CENTER IN SUPPORT OF COUNTERDRUG, COUNTER-NARCOTERRORIST AND ASSOCIATED THREAT OPERATIONS//

REF/G/EMAIL/AIR FORCE GENERAL COUNSEL/XXDECXX//

REF/H/EMAIL/ARMY GENERAL COUNSEL/XXDECXX//

REF/I/EMAIL/NAVY GENERAL COUNSEL/XXDECXX//

REF/J/MEMO/DASD-DEP&S/17MAR95//

ORDTYP/EXORD/JTF-N XX-XX//

NARR/REFERENCES A, B, C, AND D ARE CURRENT DELEGATION OF APPROVAL AUTHORITIES. REF E IS THE SUPPORT REQUEST FROM DRUG ENFORCEMENT ADMINISTRATION FOR INTELLIGENCE SUPPORT FOR THE EL PASO INTELLIGENCE CENTER. REF F IS THE JTF-N CONCEPT OF OPERATIONS FOR MISSION XX-XX. REFS G, H AND I ARE SERVICE GENERAL COUNSEL CONCURRENCES FOR CONCEPT FOR MISSION XX-XX. REF J LIMITS JTFN J2 INTEL ANALYTICAL SUPPORT TO IPB/JIPOE.

RMKS/1. XX-XX IS A MISSION REQUESTED BY THE DRUG ENFORCEMENT ADMINISTRATION, MR JOHN SMITH, DIRECTOR, EL PASO INTELLIGENCE CENTER (EPIC) IN SUPPORT OF THE EL PASO INTELLIGENCE CENTER IN EL PASO, TX. EPIC IS LOCATED ON FORT BLISS, TX. MISSION XX-XX WILL HAVE APPROXIMATELY X JTF-N J2 PERMANENT PARTY PERSONNEL OPERATING DAILY IN EPIC. PHASE ZERO IS CURRENTLY ONGOING UNDER THE AUTHORITY OF 10 USC SECTION 371(C). PHASE ONE OF THIS MISSION DOES NOT REQUIRE USD(P) APPROVAL IAW

PARA 4 OF ENCL A TO REF A. PHASE ONE INTEL ANALYST AND TRAINING ACTIVITIES WILL BE CONDUCTED IAW REFS A AND F. AS OF THIS DATE, ARMY, NAVY AND AIR FORCE GENERAL COUNSEL CONCUR WITH THIS MISSION, SUBJECT TO THE FOLLOWING CAVEATS. JTF-N WILL NO LONGER PRODUCE THE SOUTHWEST BORDER OSINT REPORT. FURTHER, JTF-N J2 WILL NOT MENTOR THE UTEP BORDER OPEN SOURCE RESEARCH PROGRAM, WHICH IS FUNDED BY THE ARMY RESEARCH LABORATORY. ADDITIONALLY, ARMY, NAVY AND AIR FORCE CONCURRENCE FOR PHASE TWO IS CONTINGENT UPON FORMAL APPROVAL OF THE CONOP, REF F, BY THE SECRETARY OF DEFENSE.

2. IAW REFS D, G AND H, EXECUTE PHASE ONE OF REF F. PHASE ONE WILL CONTINUE FOR 179 DAYS FROM THE DATE OF EXECUTE ORDER OR UNTIL THE TIME THAT PHASE TWO HAS BEEN APPROVED BY SECDEF, WHICH EVER OCCURS SOONER. UPON SECDEF APPROVAL, A NEW EXORD SHALL BE RELEASED. IN THE EVENT 179 DAYS EXPIRES AND SECDEF APPROVAL HAS NOT BEEN OBTAINED, SUPPORT TO EPIC SHALL REVERT TO PHASE ZERO SUPPORT AS DESCRIBED IN REF F.

3. PHASE ONE SUPORT ALLOWS THE PROVISION OF INTELLIGENCE ANALYSIS SUPPORT AND TRAINING TO EPIC IAW REF F, PARAGRAPH 3.C. – 3.C.1.C.1., SUBJECT TO THE LIMITATION OF THE 1995 MEMO, REF J. REQUESTS BY THE SUPPORTED LEA TO CHANGE OR DEVIATE FROM THE APPROVED CONCEPT OF OPERATIONS MUST BE APPROVED BY JTF-N.

4. DESCRIPTION OF COMMAND RELATIONSHIPS. THE DRUG ENFORCEMENT ADMINISTRATION IS THE SUPPORTED DRUG LAW ENFORCEMENT AGENCY. CDR JTF-N IS THE SUPPORTING COMMANDER AND MAINTAINS OPCON AND ADCON OF ALL JTF-N PERSONNEL SUPPORTING EPIC.