

STATEMENT OF  
ROGER RUFÉ, DIRECTOR OF THE OFFICE OF  
OPERATIONS COORDINATION AND PLANNING  
U.S. DEPARTMENT OF HOMELAND SECURITY  
BEFORE THE  
COMMITTEE ON HOMELAND SECURITY  
SUBCOMMITTEE ON BORDER, MARITIME AND GLOBAL  
COUNTERTERRORISM  
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Good morning, Chairwoman Sanchez, Ranking Member Souder and Members of the Subcommittee. I am Roger Rufe, Director of the Office of Operations Coordination and Planning at the U.S. Department of Homeland Security (DHS). I am pleased to appear today alongside Deputy Assistant Commissioner Nieto, Kumar Kibble, Al Pena and John Leech. Thank you for inviting me to discuss how the Office of Operations Coordination and Planning (OPS) has coordinated the development of a Departmental Southwest Border Violence Plan to prevent or respond to a significant escalation of violence along the United States' southwest border and adjacent maritime domain. I welcome this opportunity to discuss how this ongoing contingency planning effort facilitates the ability of the Secretary of DHS (Secretary) to respond to an escalation in violence along the U.S. southwest border (SWB) and to execute her incident management responsibilities in accordance with Homeland Security Presidential Directive-5 (HSPD-5).

As the Committee is well aware, the trend of increasing drug cartel violence in Mexico is alarming. As Secretary Napolitano stated in her appearance before this Committee on February 25, "Mexico right now has issues of violence that are a different degree and level than we've ever seen before." The DHS Office of Intelligence and Analysis (I&A) is assessing and analyzing the threat Mexican Drug Trafficking Organizations pose to the border. I&A is working closely with its sister agencies within the Intelligence Community (IC), and other Federal, State, local, and Tribal partners to share the most current information and analysis.

The primary threats along the U.S. SWB are border violence, southbound gun smuggling, northbound drug trafficking, and illegal immigration. Mexican Drug Trafficking Organizations constitute the greatest organized crime threat to the United States.<sup>1</sup> The Sinaloa and Gulf cartels remain the most powerful in Mexico. Rival trafficking organizations vying for control against the government of Mexico's anti-drug efforts have fueled increasing levels of violence amongst the competing traffickers and against those that seek to enforce Mexican law. There were approximately 6,000 drug-related murders in Mexico in 2008; that number was more than double the previous year's record. Most drug-related murders on both sides of the border are limited to people who are either directly or indirectly (through family members) connected to the drug trade as traffickers or enforcement officers.

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<sup>1</sup> (U) National Drug Intelligence Center, *2009 National Drug Threat Assessment*, December 2008.

In June, 2008 DHS observed increases in violence along the SWB, resulting in several incidents where DHS employees, American citizens, and Government of Mexico (GOM) officials were placed at greater risk. At that time, contingency planning to address Southwest Border Violence (SWB-V) was initiated at the direction of former Secretary Chertoff. DHS activated an intra-departmental Operations Planning Team (OPT), with participation from key interagency partners (e.g., DOJ, DoD, DOS). OPS' role in the planning process was to coordinate the plan in support of Customs and Border Protection (CBP), other DHS components, and our Federal interagency partners. The Operations Planning Team developed two DHS SWB-V planning products: a Department Guidance Statement (DGS)<sup>2</sup> and a Department SWB-V Operations Plan (OPLAN). These two products provided the Secretary a scalable/tailored approach to address the myriad of threats posed by a significant escalation of violence along the US SWB. Secretary Chertoff approved the SWB-V DGS on November 5, 2008 and the SWB-V OPLAN on January 16, 2009. Since current DHS resources along the southwest border have not yet required augmentation, the OPLAN has not been activated.

### **The Existing Border Plan**

I'd like to share with you details from the current plan. Under the current iteration of the plan which is based on cross border violence, DHS developed a four phase system to execute this OPLAN designed to scale the Federal response to the level of violence in the area of operations. Phase 1 reflects steady-state operations, our current state of operations. CBP Headquarters and field offices are coordinating with the IC, other Federal, State, local, and tribal partners, and the GOM, to maintain situational awareness along the U.S. SWB. Field-level CBP leaders are responding to events within the area of operations using their organic resources and plans. CBP Headquarters is monitoring events and providing situational awareness to DHS Headquarters through existing channels. DHS Components, Directorates, and Offices are modifying and evaluating the Department OPLAN. Response assets have been identified, and deployment and resource plans are being developed. Phase 1 will end with the direction of the President or the DHS Secretary to move to Phase 2a, 2b, or 3.

Phase 2 addresses DHS response requirements for an escalation of violence along the SWB that is beyond steady-state, but does not warrant a full Federal response. This phase is divided into two sub-phases to provide greater flexibility based on the threat. Phase 2a reflects an escalation of violence that is within the organic capability of CBP, ICE, and USCG in the area of operations. Phase 2b addresses an escalation of violence that requires a full Department response to augment the existing CBP, ICE, and USCG resources in the area of operations.

Phase 2a, reflecting an enhanced border response, will begin when directed by the President, the DHS Secretary, or the CBP Commissioner. This decision will be based either on intelligence indicators and warnings or on an escalation in violence resulting in the CBP field leadership's inability to adequately respond using local CBP resources in

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<sup>2</sup> A DGS is a directive from the Secretary to develop a department level plan with specific guidance on roles, responsibilities, and associated issues.

the SWB area of operations. CBP field leaders will maintain tactical lead and continue to coordinate with local DHS and interagency partners, as well as GOM representatives. CBP Headquarters will assume the lead to coordinate operations, activate the CBP Crisis Action Team, and designate a CBP National Incident Manager. CBP Headquarters will provide situational awareness to DHS leadership, via the DHS National Operations Center (NOC), with greater frequency.

The CBP Commissioner will request permission from the DHS Secretary to transition to Phase 2b in the event that full CBP national resources are unable to effectively respond to the situation, or if specialized non-organic response capability is needed. Upon approval, the CBP Commissioner will activate the SWB Interagency Task Force (SWB-ITF) and appoint a Director. The SWB-ITF will serve as the field-level hub for coordinating with all State and local authorities. The task force, which will provide situational awareness to DHS leadership via the NOC, will be staffed with personnel from selected Departments and Agencies to facilitate rapid coordination of prevent, protect, and response activities in the affected areas. Organization, operating hours and size of the task force will be dependent upon the events occurring on the ground. My office will activate a SWB Crisis Action Team to monitor the situation, maintain situational awareness and coordinate Department and Federal support, on an as needed basis.

In the event that DHS resources are unable to effectively respond to the situation—or if special response capabilities are required that are not organic to DHS—the Secretary, under the authority granted by the Homeland Security Act of 2002 and HSPD-5, will initiate and coordinate the strategic operations of a full Federal response in Phase 3. A tactical response lead will remain with local field leadership within their respective areas of responsibility, while the SWB-ITF will assume overall operations coordination. Other Federal Departments and Agencies providing support may also activate coordination centers, consistent with their existing authorities.

Once the response mission has restored security along the U.S. SWB and direction is given by the President or DHS Secretary, phase 4 will begin. In this phase, the SWB-ITF will develop a demobilization plan. Demobilization may not occur immediately as it would depend upon conditions in the field. High levels of violence along the southwest border may result in a requirement for long-term recovery, such as housing and care for displaced persons, or to restore damaged infrastructure. Federal Agencies with authority and responsibility for recovery may be called upon to activate appropriate coordination mechanisms. The SWB-ITF will remain activated with the addition of a recovery coordination cell until such coordination is appropriately handed off to another coordination entity.

While the Federal response to a significant escalation in violence may proceed in stages, nothing prevents the President, the Attorney General or the DHS Secretary, from immediately initiating a higher level response at any time.

### **Key Department Roles and Responsibilities**

The plan will further clarify Department roles and responsibilities, including those for U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, U.S. Coast Guard, Transportation and Security Administration, Federal Emergency Management Administration, Office of Operations Coordination and Planning, the Office of Intelligence & Analysis, and the Office of Infrastructure Protection. Because of their predominant role at the border, CBP will serve as the lead DHS Component responsible for the effort to prevent and respond to a significant escalation of violence along the SWB. CBP would also be responsible for coordinating Federal operations through an organization specifically created by the OPLAN—the SWB-ITF. The task force is organized to ensure seamless integration with other Federal, State, local and Tribal partners.

### **Department of Defense Support to DHS SWB Planning**

The Department of Defense (DOD) is involved with our ongoing SWB planning efforts, and they were part of the OPT activated by DHS in June 2008. Any DOD support provided in response to a significant escalation in violence or other significant threat along the U.S. SWB will fall under the category of Defense Support of Civil Authorities, where DOD is in a supporting role. Requests for DOD capabilities to support the interagency response are nested in the well-established existing Federal request for assistance process (utilizing Title 10 and Title 32 forces when approved by the Secretary of Defense) and internal State emergency management procedures (National Guard in State Active Duty or Title 32 status). DOD support would be requested only if DHS Components are overwhelmed or do not have the resident capabilities to fulfill the mission. Areas of potential DOD support include SWB-ITF staffing, where DOD planning expertise can be used, as well as other military-unique capabilities, executed either by the National Guard (in State Active Duty or Title 32 status) or by Title 10 DOD forces. In accordance with section 377 of Title 10, U.S. Code, such support would be provided by DOD on a reimbursable basis.

### **The Next Steps in SWB Planning**

It is important to note that since Secretary Napolitano's arrival at DHS in January, she has received numerous briefings from Department officials on Mexican drug cartels, violence near the southwest border and the Department's enforcement and prevention operations. In addition, OPS, CBP, and other DHS components have briefed the Secretary about the Department's contingency plans to address increased levels of violence at the southwest border. During these briefings, the Secretary provided additional guidance about the scope and objectives of the existing OPLAN. She directed my office, in coordination with CBP and other key DHS components, to conduct a review of the OPLAN to determine whether it will sufficiently address contingencies on the border other than escalating levels of violence. For example, we should consider how the Department would change its operational posture in response to political instability, or a land-based mass migration on the border that does not necessarily result in violence. To that end, my office has initiated a revision process for the OPLAN that will result in key changes to its critical considerations, assumptions, mission statement, and essential tasks. Additionally, we will work with the DHS Offices for Intergovernmental Programs and

State and Local Law Enforcement to conduct outreach with the Department's critical State, local, and tribal stakeholders along the southwest border. This outreach will ensure that our State and local partners are fully engaged in southwest border plans.

### **Conclusion**

I am very pleased to report on the progress DHS and the interagency community are making in expanding the existing contingency plan into a broader plan that addresses current and emerging security issues along the U.S. SWB. This broader plan provides the DHS Secretary a graduated, flexible, and scalable response, using fully integrated Department and interagency resources, to address the myriad of threats and events that could occur along the U.S. SWB. Thank you for the opportunity to report to the Committee on our ongoing efforts. I request that you place this testimony in the permanent record and would be pleased to answer any questions at this time.