

Congress of the United States
Washington, DC 20515

May 12, 2006

The Honorable Paul McHale
Assistant Secretary for Homeland Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary McHale:

It has come to our attention that the Department of Defense has been tasked with studying a White House proposal to station 10,000 National Guard troops on our nation's southern border. As you and your staff consider this matter, we urge you to carefully consider several issues.

At a time when Army National Guard troops are stretched thin with deployments to Iraq and Afghanistan and with the hurricane season nearing, a White House proposal to add yet another major responsibility to these already over-taxed forces seems unwise. Further, as we learned from a previous tragic incident in Redford, Texas in 1997 when 18 year old Esequiel Hernandez was killed by a Marine patrolling the border region, it is critical that training for military members assisting with Border Patrol efforts be extensive and occur prior to deployment to the region. We are concerned that this training, in addition to the time spent serving on the border, is not feasible as an additional mission for Army National Guard troops in light of other commitments.

We are concerned that the White House has been consulting only with Republican members and has not been consulting with senior Members of the Armed Services Committee. Senior Members of the committees of jurisdiction understand the strain that such a deployment would place on our nation's military forces, and some of these Members also have extensive experience in border issues. Now that DoD has been tasked to study this issue, we urge you to consult with our committee in a bi-partisan fashion to ensure that all the issues and implications of such a controversial proposal for mass deployment of troops on the border have been fully considered.

We have written to the President to urge him to provide information about his proposal for using military troops on the border to Congress and the American people. The questions we have asked the President to answer include:

- Which troops will be deployed and how will this deployment affect the ongoing commitment of 24,000 Army National Guard troops in Iraq and Afghanistan? How will this affect the 24-month call-up restriction?
- Under what authority will troops be deployed?

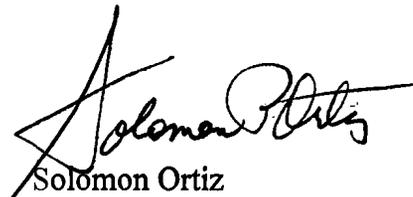
- What is the projected cost of a troop deployment to the Southern border, and have funds been identified for allocation to this new mission?
- What are the rules of engagement under which these troops will serve?
- Which agency will lead the operations? Will military troops be under the control of the civilian leadership of the Border Patrol which has the primary responsibility for securing our nation's borders?
- What provisions have been made for the detention of persons in the border region by military members?
- What plans have been made to ensure that interoperable communications are available to allow military and civilian law enforcement personnel to communicate?
- Will Air Force or the other military branches provide air support? Has the use of unmanned aerial vehicles (UAVs) for aerial surveillance been coordinated with the Federal Aviation Administration and will UAV aircraft including the Air Force's Predator be available to support this troop deployment in light of the shortage of these air vehicles in Iraq and Afghanistan?

As you consider the implications of a major deployment of National Guard forces to police the Southwest Border, we urge you to carefully consider the concerns we have raised. We look forward to learning more about your plans.

Sincerely,



Silvestre Reyes
Member of Congress



Solomon Ortiz
Member of Congress