

June 17, 2005

Results and Implications of the Minuteman Project



Four suspected illegal immigrants flee from Border Patrol outside Bisbee, AZ.

April 1-30, 2005

Naco Sector, Arizona U.S.-Mexico Border

A Field Report

Submitted to

The Congressional Immigration Reform Caucus

May 19, 2005

Washington, DC

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Preface

The Caucus Observation Team

Individual Members of the Congressional Immigration Reform Caucus sent a team of independent investigators to examine all sides of the Minuteman Project on the Arizona border with Mexico April 1-30. The Team was instructed to talk with any and all sources both on and off-the-record, and report those findings back to the Caucus and Congress.

The two-man team consisted of Lieutenant Colonel Frederick A. Peterson III (RET), USMC, JD, and John E. Stone II, Captain (VA) Virginia Defense Force, both Congressional staff members.

Team members were on the ground from Sunday, April 2 through until Sunday April 9, 2005. They also met with Minuteman leaders in Washington during the last week of April. Stone and Peterson are authors of this report.

This report was presented to the Caucus for the consideration of its members, federal and state agencies, and the general public. It does not necessarily reflect the views or positions of the Congressional Immigration Reform Caucus or its Members, and is intended to serve as an independent fact-finding report for the use of the Caucus in researching border control issues.

Executive Summary:

The Minutemen Project demonstrated that with realistic and immediate manpower increases illegal immigration on America's southern border would be dramatically reduced if not virtually eliminated compared to current levels of illegal crossings.

Approximately 900 volunteers participated in the Project over the 30-day period. An estimated 125-450 volunteers were actively involved in the Project at any given time, functioning in a lightly armed constabulary role, without arrest powers. Volunteers paid their own expenses, received no pay, and were drawn from all regions of the country.

Volunteers received approximately two days training before active duty. Many volunteers were former military, while some had previous law enforcement training. Operational organization was military in nature.

Based on field observations, the Project deployed on average 6-20 personnel per border mile, although at an unsustainable tempo, and with conditions that artificially amplified the impact of Project volunteers.

A successful immediate replication of the Minuteman Project would require an average 12 –24 enforcement personnel per mile, or around 36,000 total additional personnel to adequately secure the entire 2,000 mile southern border. An additional 12,000 support personnel may be necessary to provide services over an extended deployment.

Physical injury of volunteers or immigrants, violence, and political border incidents were avoided through the exceptional leadership and prior planning exhibited by Minuteman Project leaders, and the high caliber and total mission dedication of volunteer personnel the organization was able to field for a limited deployment. It is doubtful that these standards could be maintained over time with an unpaid volunteer organizational structure.

Congress and the states could sustain the success of the Minuteman Project with immediate provision of an adequate number of legally authorized auxiliary border enforcement personnel, charged with similar light-armed constabulary duties, and in coordination with the Border Patrol. This could be achieved immediately through a combination of means.

The States, Congress or the President could provide for deployment of the National Guard, and/or Homeland Security Grants for authorized State Defense Forces to assist the Border Patrol at the discretion of their respective Governors. Troops would need to be drawn from multiple states in order not to exhaust the manpower resources of the border states. Congress and the President could also deploy federal forces to the border to relieve state reinforcements, until the Border Patrol can be permanently strengthened.

Minutemen Operations

Base Camp and Organization

The Minutemen maintained a base camp at the largely dormant Miracle Valley Bible College off Arizona Highway 92 in Cochise County, about two miles across the desert from the Mexican border. The old college facilities, although ramshackle in places, nevertheless provided Spartan dorm rooms with bunks, communal bathrooms with showers, offices and meeting rooms, and ample camping and parking spaces to accommodate the Minutemen and attending media. A two (or more) guard Security Post monitored traffic entering and exiting the Base Camp.

The office space provided good facilities for establishing a rough operational communications center, which linked two-way radios with cell phone communications. They also established an advance press office, internet site and external communications center at the Tombstone Tumbleweed Newspaper office in Tombstone, about 40 miles north of the border.

Key Minutemen leaders were founder Jim Gihlchrist, a retired California accountant, and Chris Simcox, former grammar school teacher and publisher of the Tombstone Tumbleweed.

Personnel, Training, Discipline

The bulk of the 450 volunteers who arrived on Friday, April 1 had never met, and simply responded to the Internet ads of the Minutemen for volunteers. Volunteers participated from virtually all states, and every racial and ethnic group.

Participants were responsible for paying their personal expenses, and were charged a \$100 fee by the Project to camp or stay in the dorms at the college for the month. Proceeds went to the college, which is attempting to rebuild the campus.

The self-funded nature of the organization did not allow for any background investigation to be conducted on volunteers except for self-paid background checks provided by the volunteers themselves. Project leadership was keenly aware of this vulnerability, but was simply unable to pay for the checks from limited Project funds. They compensated by using “gut instinct” on whether an individual or group should be allowed to participate.

Leadership determined that several smaller groups that arrived were likely racist in nature, and were accordingly not allowed to participate in the project. Those individuals reportedly moved to the far end of the valley, where they said they intended to “do their own thing” in observing the border, outside the Minutemen’s operational area, and were not heard from again. One would-be member was evicted for brandishing a M-16; another was sent home after leadership determined he was experiencing stress-related emotional problems.



Minuteman Founder Jim Gihlcrest (R) with Caucus Team member John Stone in college headquarters building

Minutemen leadership and supporters were adamant in attempting to avoid any links with racist or xenophobic organizations or individuals. At one point, a debate was held over whether the Mississippi state flag should be allowed to fly alongside the 49 other state flags outside Project headquarters, out of fear the Confederate Battle Flag portion of the design might be seen as racially offensive.

By observation, about two-thirds of personnel were armed with handguns. It appeared more than half of participants were prior military, with many of those being Vietnam veterans.

Members were instructed on Saturday and Sunday on all aspects of the operation, including communications protocols, interactions with immigrants and Border Patrol personnel, and rules of engagement for firearms.

Communications

Communications for the operation consisted of a communications center (COMM) at the Bible College, with use of multiple outside antennas for Citizens Band (CB) radios. Standard cellular phones were also used. As a private organization, the Project could not access more secure and reliable UHF/VHF frequencies suitable for law enforcement or public safety agencies.

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Opponents of the Project seized upon this communications vulnerability on April 4 by electronically jamming the CB frequencies used by the Project, for a considerable portion of the afternoon. The perpetrators of this jamming operation remain unknown, with speculation leading from “coyotes” and drug smugglers, to Mexican military and civil authorities.



Minutemen Project Communications Center. Note consumer-version CB radio base stations and hand-held units.

Field personnel generally carried both a hand-held CB and cellular phone, in hopes that one or the other would successfully reach the COMM in the event call-ins were initiated. A system of touch-pad signals was devised in an attempt to allow operators to communicate silently with the COMM for requesting Border Patrol apprehension of illegal immigrants.

Electronic communications were sketchy at best, with poor reception in the border area for both CB and cellular phones.

Rules of Engagement

All volunteers were rigidly instructed to have no interactions with suspected illegal immigrants or to detain any suspect in any way. Their assigned role was simply as a border-version of a Neighborhood Watch program. If suspicious activity were observed, they were to contact the Border Patrol – period. If immigrants came toward them, they were instructed to walk away. Use of firearms was permitted only if a volunteer faced an imminent deadly threat and could not retreat. Adherence to the rules was mandatory for participation in the Project and use of the college property.

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These rules were violated on two occasions during the week of April 3-10. A Guatemalan migrant, apparently separated from his traveling companions, stumbled out of the desert and into the Minuteman camp at the college. Volunteers gave the man water and other assistance until Border Patrol agents arrived and apprehended the suspect. Project leadership reminded Volunteers this was a rules infraction, although no disciplinary action was taken.



Minuteman volunteers – average Americans fed up with government inaction.

In a second incident the following day, a Volunteer again provided water, food, and \$20 to a disoriented, dehydrated, and hungry migrant illegal while awaiting the arrival of Border Patrol agents. The Minuteman had a photo taken with the man displaying a T-Shirt with the Minuteman's name imprinted on it. The incident, after a complaint registered by an unknown party, was investigated as a 'possible illegal detention' by the Cochise County Sheriff's Department and the Border Patrol, and widely reported by media as a violation of rights. Both government agencies found no evidence of wrongdoing after a thorough review of a video of the incident. Some of the media reported these final results of the investigation. The volunteer in this incident was

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nonetheless dismissed from the Project by Minuteman leadership.

No further allegations or infractions were noted. There was no accidental or intentional discharge of firearms during the observation period, and no reports of discharges during the remainder of the 30-day Project. At no time did either of the Team members see a weapon drawn or displayed.

In an unrelated incident, a veteran just back from Iraq - who was traveling and not connected with the Minuteman Project in any way - held a number of illegal immigrants at gunpoint while alerting and awaiting Border Patrol agents at an Interstate rest stop in southern Arizona during the Project period. The veteran claimed he was threatened by the illegals. This story was widely reported along with Minutemen Project coverage and mistakenly associated with the Project.



The Minutemen left heavily guarded and fortified border sections to the Border Patrol. This segment in Douglas uses fencing, a deep ditch, and security lights in conjunction with Border Patrol vehicles stationed in line-of-sight.

The Minutemen were deployed in unequal force levels across the 23-mile Naco Station portion of the Tucson Sector. In sections of the desert with sparse Border Patrol presence, two-person teams were spaced as closely as 200 yards apart. Other border sectors near crossing stations and in towns with a heavy Border Patrol presence received minimal attention or were ignored.

Actual numbers of Project volunteers in the field during the week of Caucus observation was difficult to determine, but is estimated at around 150. The maximum

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number of volunteers physically counted at the college base camp at one time by the Caucus team was 78. Assuming half the personnel were on watch while the other half were off-duty would indicate a conservative total around 150. By all reports this figure fluctuated during the 30 days of the Project, as more volunteers would arrive while some would leave. Few stayed the entire month.

Hunter Canyon Exercise

The Caucus team accompanied the Minutemen, along with a reporter and photographer from the *San Antonio Express*, overnight April 5-6 to a prime drug-smuggling area in the Hunter Canyon section of the Coronado National Forest, adjacent to Coronado Memorial National Park. The operation proved typical of activities throughout the observation week.

Planned activities for the night included posting two-man teams along the highway leading to Hunter Canyon, with a larger team deployed along a dirt path stretching along the side of the Canyon.

Participants left the college in a caravan of about 10 vehicles around 9:30pm, stopping every few hundred yards along Highway 92 to allow a single-vehicle team to deploy to their station. A Border Patrol vehicle pulled behind the caravan at one point with blue lights flashing before determining it was Minutemen activity.



Volunteers confer with Project leaders at the base of Hunter Canyon in Coronado National Forest , prior to taking observation positions.

When the larger team reached Hunter Canyon, five vehicles parked at the bottom of the Canyon, while another Border Patrol vehicle parked on the state highway shoulder at the turnoff to the Canyon.

Volunteers milled about for around 45 minutes, testing radios and flashlights, opening and closing car doors and trunks and activating interior lights, and conversing with Minutemen leaders who drove into the area after about 30 minutes.

During this period, camera flashes from nearby scrub brush were plainly visible, as were lights from cars pulling off the highway onto adjacent dirt roads. These were believed to be primarily from news organizations that had been briefed earlier in the day on the night's activities but chosen not to embed with the Project, and also from ACLU observers who Project leaders say had been engaged in similar tailing activities earlier in the week.

Photos (exhibit:) were taken of ACLU 'volunteers' and given to the Caucus Team, which showed them allegedly smoking illegal substances as they shadowed and hovered around MMP positions.

The operation was accordingly rendered virtually useless if the intent was to surprise drug smugglers working their way through the Canyon. However, the large number of noisy and highly visible activities by volunteers, media, and ACLU "observers" likely deterred illegal activity within at least several miles of the area for both night and daytime operations.

Media

The Minutemen made their operations totally transparent to media, government, and public inspection. Local, national, and international press, along with all government agencies, had open access to all Minutemen facilities in the area, as well as being offered the opportunity to observe all field operations on a 24-hour basis. Some individual Minutemen team members chose not to talk or have their picture taken, which was both within their rights and consistent with public affairs guidelines of state and federal agencies.

As part of orientation, Minutemen were given a briefing and flyer on how to deal with the media that may have made them apprehensive of press contact. Such apprehension proved justified by some of the media coverage.

Press participants observed included the *Los Angeles Times*, the *San Antonio Express*, *La Raza Radio News* 97.9FM, *NBC/MSNBC* Crew West, the *Associated Press*, *FOX News*, *Lou Dobbs*, *Sean Hannity*, myriad live and taped national radio talk shows, and multiple European media outlets. By month's end the Project had been covered by all major daily newspapers and television networks in the United States, and many others worldwide.

At times, media personnel present at specific locations outnumbered Minutemen. While some media accepted Project offers to embed reporters, others preferred to operate independently, following Project volunteers on their rounds and to their observation locations, and clandestinely approaching Minutemen locations during both day and night operations.



National and International press attend April 4 news conference in rural Arizona just a mile off the Mexican border.

Ironically, the large media presence and subsequent movements served to reinforce the activities of the Minutemen, simply by creating additional public activity on the border. The larger number of people and vehicles in view as a result of the media served as an additional deterrent to illegal immigration throughout the month.

Opposition Groups

Opposition groups likewise unwittingly served as force multipliers for the Minutemen, through the same "shadowing" activities as the media.

Opposing groups included the ACLU; La Raza; Hispanic separatist Dr. Armando Navarro; Salvadoran street gang MS-13; Mexican drug and human trafficking rings, and Earth Liberation. Vehicles filled with apparently young Hispanic males were frequently observed cruising by Tombstone Tumbleweed offices at all hours, menacing, glaring and pointing at newspaper and MMP personnel.

While the Caucus team cannot confirm personally seeing these groups over the one-week observation period, they were confirmed to be in the area by both Minutemen leadership and the Border Patrol Public Information Office. It is suspected that members of at least one group were present during nighttime operations, as indicated in the Hunter Canyon section of this report.

The Border Patrol

The Caucus team met officially with Major A. F. Adame and Captain J. Maheda at the Border Patrol Naco Station facility. The team also spoke with Tucson sector Public Information Officer Rob Daniels by phone.

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The Public Information Office was initially supportive by phone of allowing the Caucus team to ride with Border Patrol agents overnight, and in obtaining an aerial staff ride over the sector. However, upon arrival at the Naco Station, Naco Station Public Information Officers said it would not be possible for the Team to participate in either a staff ride or a ride-along.

The report on border conditions and needs relayed by MAJ Adame and CPT Maheda to the Caucus team was the straight “company line”, nearly identical to press statements from Border Control headquarters.

1. Significant manpower increases are unnecessary – the 210 new agents requested by the President are an appropriate number.
2. Training new field officers takes two years minimum before they are field-ready.
3. New technology is more needed than manpower - more lighting, improved fencing, better ground sensors, perhaps more Unmanned Aerial Vehicles (UAVs), all of which take considerable time to construct and deploy. [note: It is inexplicably less difficult to deploy such technology along the Syrian-Iraqi border, tens of thousands of miles away and in the midst of hostile military activity.]
4. Arrests of illegal immigrants were down in March - from 72,000 last year to 64,000 for March '05.
5. Mexican military units were making frequent incursions across the border, and could not be trusted for joint drug-enforcement operations.
6. Mexican authorities were telling illegal immigrants that the Minutemen were “crazed ranchers”, “hunting migrants”, and would “shoot them.”
7. The Border Patrol needs better access and better equipment to access to National Forest, Military, and National Park Service land. The will of DHS and its new leadership to assure the integrity of our Borders is an open question.



Rank-and-file Border Patrol officers talk with the Caucus Team in the field.

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8. The creation of the Department of Homeland Security has proven very positive for the Border Patrol in cutting through red tape in communicating and coordinating with other federal agencies.
9. The Border Patrol was unaware that a National Park Service Tactical Team was operating in the area.

The Caucus team was informed that the Border Patrol had pulled in 534 seasoned agents from elsewhere in the country to reinforce the 2200 Tucson Sector agents for the month of April. This support was only extended for 30 days, coincident with the MMP.

Public Information Officers said these reinforcements had nothing to do with the Minuteman Project, and were a planned step in the ongoing Arizona Border Patrol Initiative, begun last year.

The U.S. Border Patrol officially attributes any and all decreases in illegal immigration this spring to their own efforts to increase enforcement, primarily their bringing in the additional seasoned officers the week before the Minuteman Project kicked off. They also credit the increased Mexican military presence on the other side of the border. Their official stance is that the Minutemen Project had little or no effect, and was timed by its volunteer organizers to try to claim success for the efforts of the Border Patrol.

However, nearly every individual Border Patrol officer who spoke off-the-record in the field to the Caucus Team said that illegal immigration had virtually stopped in the sector patrolled by the Minutemen as a direct result of Minutemen activity and publicity. The individual officers were highly appreciative of the impact the Minutemen made in the area, had good working relations with the Project unofficially, and felt the Project had made a valuable contribution to the cause of the rank-and-file officer - protecting the border against impossible logistical challenges.

The significant universal finding of the Caucus Team was that all parties agreed that illegal immigration was down remarkably in the Naco Sector for the month of April, as a direct result of greatly increased manpower and public attention in the area.

This puts to rest the historic immigration reform myth that it is impossible to stop illegal immigrants from crossing the border with any reasonable amount of additional manpower.

The Border Patrol officially turned down the Minuteman Project request to work with the Border Patrol as volunteer auxiliaries for the month. They maintained their position that the Naco Sector was progressing nicely in spite of the fact that millions of illegal immigrants had penetrated and overrun their defenses, and were now spread across the entire country. Their answer to the offer of free help remained "no thanks."



Tight Border Patrol surveillance along border separating neighborhoods in Douglas, AZ and Agua Prieta, Mexico. The next Border Patrol vehicle is just outside this line of sight.

Caucus Team Member Peterson confirmed and pursued BP reports on Mexican military irregularities with several examples based upon personal experience in operations with JTF-6. Deployed Mexican Army units ferried migrants with ‘cattle car’ type trucks back and forth along the Border, presumably to reposition them to areas less well guarded.

The Caucus Team asked for video of these events from Border Patrol monitoring cameras, and was told that no footage existed. The Caucus Team recognizes the diplomatic sensitivities implicit in this issue. The Team also recognized the seriousness of such cross-border violations by armed members of the military and official law enforcement entities of a neighboring country, and official repositioning of migrants. A comprehensive Freedom of Information Act request by the Caucus would be necessary to confirm or deny these reports.

Through no fault of its rank and file enforcement officers, the U.S. Border Patrol as currently organized, staffed, and supported has and continues to fail its mission to protect the United States from illegal border crossings, as evidenced by an average one million illegal entries per year through territory it is charged with defending.

While this failure has been forced on the Border Patrol by past lack of Congressional support, Border Patrol leadership is now in total denial of the magnitude of the disaster, defends the status quo, and cannot currently be relied upon for advice to effectively and immediately remedy the situation.

The U.S. Border Patrol needs new direction from the U.S. Department of Homeland Security if it is to shake off the lethargy from years of undermanned

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frustration. The Patrol needs to empower its effective field officers to act as necessary to accomplish the Patrol's mission. The Patrol needs to energize its leadership to think outside the box, demand and receive from Congress necessary manpower reinforcement, and start winning the fight to secure our borders through innovation, dedication, volunteerism, and teamwork.

National Park Service/National Forests

The Caucus Team encountered a National Park Service tactical squad at the Holiday Inn Express in Benson, Arizona. Squad members said they had been drawn from Utah and several other areas of the country for their assignment. They were armed and deployed in multiple 4-wheel drive vehicles. Benson is approximately 40 miles from Coronado Memorial National Park, which covers nearly 5000 acres on the border with Mexico.

Mark Foust, Branch Chief of Ranger Activities, NPS Intermountain Region, provided a written briefing for the Caucus on May 3. Foust and all other NPS personnel were fully cooperative and professional in assisting Caucus team investigations.

Tactical Team members were deployed by NPS specifically in response to the Minuteman Project. They report the issuance of two citations for violations of park rules by Minutemen over the month long project, and a cooperative relationship with Minuteman Project leaders.

More importantly, during the period sent to oversee the Minuteman Project, the NPS Tactical Team also interdicted two drug-smuggling attempts, seized 480 pounds of processed marijuana, and apprehended 84 illegal aliens who were turned over to the Border Patrol.



Coronado Memorial National Park, high elevation

Caucus Team member Peterson recovered clothing and false credentials during a reconnaissance hike over Mt. Coronado to the Mexican Border, within the confines of Coronado National Park. The mountain traces and ravines showed obvious signs of cross-

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border traffic, with much debris in evidence. No Border Patrol agents were encountered during any portion of this investigative visit to the National Park.

Local Law Enforcement

The Bisbee, Arizona Police Department reported few problems and a noticeable decrease in illegal immigration as a result of the Minuteman Project. SGT T. Maddux met with Caucus Team investigators April 4 and related one complaint filed with the Cochise County Sheriff's Department of improper parking by Volunteers on a roadside near Christiansen's ranch, and that apprehensions of illegal immigrants was down markedly.

Bisbee PD reported Border Patrol responses to illegal immigrant reports were inconsistent, ranging from no action to full responses with multiple arrests. Caucus Team member reported group of suspected illegal immigrants walking a northerly route at night just south of Bisbee, and the response of Bisbee Police was speedy but not fruitful. The pedestrian traffic entered a residential area and disappeared.

The Mexican Government

The Caucus Team legally crossed the border into Mexico in an attempt to gain documentation of allegations by Border Patrol and others that Mexican military and other government agencies were actively assisting illegal immigrants, warning them of the Minutemen and providing transport to border areas beyond the Minuteman operational area. The Caucus team also observed numerous trucks heading north with minimal delay through the Douglas Port of Entry.



Agua Prieta, Mexico: One block off main street, two blocks from the U.S. Border at Douglas, Arizona.

In addition, multiple parties testified that Mexican military units were consistently crossing the border into U.S. territory to escort migrants and drug dealers. In the very short time the Team investigated, no evidence could be found to either substantiate or refute the claims.

Fort Huachuca

Fort Huachuca, home to the primary U.S. Army Military Intelligence School, lies just outside Coronado National Forest and Coronado Memorial National Park, and is perhaps the most undermanned federal entity in the area in terms of being able to adequately meet the threat waves of illegal immigrants.

The Caucus Team met with multiple officials at the base, and discovered the perimeter and interior integrity of the installation is manned by four enlisted soldiers, primarily assigned to environmental protection duties.

Enforcement efforts attempting to prevent illegal immigrant and environmental protection patrols for a 150-square mile area rely primarily on the Border Patrol to secure the base from intrusion. Yet groups of migrants – some as large as 60 or more – routinely wander amongst base housing units, drinking from hoses and pools, and trampling through yards and private spaces of military families. This acknowledged fact seemed to induce no unusual concern on the part of the military officers officially responsible we questioned.

Conversations with residents indicated serious personal safety issues and exasperation with the lack of timely response from Border Patrol of reported incidents. It was impossible to ascertain who was ultimately responsible for the integrity and security of this military installation known to lie within a cross-border ‘highway’ of illegal movement.



Caucus Team member Fred Peterson participates in live Los Angeles talk radio from mobile studio outside Minuteman HQ.

There was an aerostat blimp available that could have at least provided some aerial observation support for the base, and yet this potentially most useful surveillance platform lacks the ability to "see down."

ROTC Cadets from Arizona State University on training duty at the base the day the Caucus team arrived in Arizona apprehended and detained 16 illegal immigrants. 513 illegal immigrants were apprehended on the base in March, in spite of the tremendous challenges faced by the Fort's four-man security detail.

Caucus Team Findings

Based on the evidence gathered from the Minuteman Project; U.S. Border Patrol; Cochise County Sheriff's Department; Bisbee, Arizona Police Department; National Park Service; U.S. Army; multiple media sources; and individual testimonies, the Caucus Team reports the following findings on the Results and Implications of the Minuteman Project.

Findings:

- 1. Reasonable Manpower Increases Will Immediately Curtail Rampant Illegal Immigration.** An average six additional personnel on station per border mile proved effective in dramatically reducing illegal crossings.
- 2. Reinforcements Can Be Oriented and Deployed in Days.** In contrast to the Border Patrol position of two-year training time for new officers, the Minutemen demonstrated that auxiliary personnel can be trained and deployed in three days. The lesser duties of supporting higher-trained Border Patrol and other state and federal law enforcement agencies does not require the full legal skills of Border Patrol agents.
- 3. 36,000 Reinforcements Would Likely Seal Our Southern Border.** However, unlike the Minutemen's 12-hour shifts, to maintain six personnel on station 24/7 on a permanent basis would require adequate personnel for at least three shifts, or 18 auxiliaries per mile. The 2000-mile southern border would therefore require a minimum 36,000 total additional personnel, with 48,000 likely for a long-term deployment requiring substantial support personnel.
- 4. Reinforcements Are Available From Existing Reserves.** Troops should be drawn from all 50 states, or the border states and their neighbors at minimum. Mobilizing troops from just the border states would exhaust their manpower reserves, eliminate the warfighting capability of Guard members in those states, and would be unsustainable. Drawing 36,000 National Guard and State Defense Force personnel from the border states and their immediate neighbors would require 41% of available forces in the respective states. If drawn from National Guard forces nationwide, the border reinforcements would total 11% of available forces. As a long-term solution, one-half of the 70,000 federal troops returning from overseas could be permanently assigned the mission as part of the BRAC process currently underway.

5. **The Defense Authorization Act of 2005 provides specific legal authority for the Governors and the Secretary of Defense to immediately implement this plan with full federal funding.** Section 512 of HR 4200, the Defense Authorization Act of 2005, passed by the 108th Congress, amends Title 32 Section 9 of U.S. Code to allow Governors to call forth their National Guard for homeland security duties within their state in coordination with the Secretary of Defense, and receive full federal funding for the mission, with no action required by Congress or the President.

6. **Long-Term Solutions: Border Security should remain a federal responsibility.** The U.S. Border Patrol must be increased to somewhere between 25-50,000 officers to adequately guard our southern border, with the final size determination dependent on proven field effectiveness of new technology and infrastructure such as fencing, lighting, UAVs, sensors, etc. Until the Border Patrol is fully staffed and equipped, military support will remain a necessity. One-half or more of the 70,000 federal troops returning from overseas should be assigned the mission as part of the BRAC process currently underway, to relieve our National Guard and State forces as soon as practicable. Federal troops should in turn be relieved by a strengthened Border Patrol, but only when such reinforcements are fully in place.

Manpower Tables

Current Strength = total authorized forces; **Available troops** = those not deployed or scheduled to be deployed on federal missions in Iraq, Afghanistan, and elsewhere, and fully available to the Governors of their respective states.

Manpower Sources	Current Strength	Available Troops
Border States		
California National Guard	19,139	12,171
California State Military Reserve	492	492
Arizona National Guard	6,767	5,719
Arizona State Guard	0	0
New Mexico National Guard	3,791	2,774
New Mexico Defense Force	300	300
Texas National Guard	18,665	13,123
Texas State Guard	1,518	1,518
Border State Totals	50,672	36,097
Neighboring States		
Colorado National Guard	4,218	4,014
Colorado State Defense Force*	108	108
Kansas National Guard	7,303	5,347
Kansas Defense Force	N/A	N/A
Nevada National Guard	3,088	1,889
Nevada National Guard Reserve	0	0
Oklahoma National Guard	8,493	7,222
Oklahoma State Guard	0	0
Utah National Guard	6,037	3,944
Utah State Defense Force	0	0
Oregon National Guard	7,889	6,255
Oregon State Defense Force	90	90
Louisiana National Guard	10,226	6,493
Louisiana State Guard	117	117
Arkansas National Guard	9,554	6,765
Arkansas State Guard	0	0
Other State Defense Forces Nationwide	9,500	9,500
Neighboring States Total	66,623	51,744
Grand Totals	117,295	87,841

Spreading the load nationwide would require a very small percentage of available National Guard troops, who could be gradually relieved as more State Defense Force personnel came online following an active and vigorous expansion of these Title 32 reserves. Regular US Forces could eventually relieve state forces as part of the BRAC process.

* National Guard manpower levels April 1, 2005, as reported by NGB. Colorado State Defense Force was deactivated in 1998, but members remain organized as a private group and foundation in the event the state legislature reactivates the force.

Actionable Items

Governors

California Governor Arnold Schwarzenegger, Arizona Governor Janet Napolitano, New Mexico Governor Bill Richardson, and Texas Governor Rick Perry should immediately request full federal funding from Secretary of Defense Donald Rumsfeld for the mobilization of 36,000 National Guard troops for border duty within 30 days, as authorized under Title 32 Section 9 U.S. Code.

The States

State legislatures and/or Governors nationwide should reactivate and fully man state defense forces to relieve National Guard troops of homeland security responsibilities while they are engaged in warfighting duties in Iraq and Afghanistan. Governors and state legislatures should pre-authorize the loan of existing state defense force personnel to the border states. Each state should be encouraged to fully fund and employ State Defense Forces – the Reserve to the National Guard – to appropriate activities in public safety and security, in coordinated joint voluntary agreements with federal and state agencies.

Congress

1. Develop and pass legislation authorizing an initial minimum \$2.5 billion annually in earmarked homeland security grants for the states to cover costs of providing long-term Border Patrol reinforcement personnel. Encourage improvement and initiation of state defense forces to replace National Guard troops on border duty within 180 days, and to build state defense forces back to World War II manpower levels and capabilities.
2. If DOD approval for federal funding of National Guard Border Duty is not forthcoming, Congress should authorize and pass specific instructions detailing federal troops to secure the border as part of BRAC repositioning.

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An Editorial:

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Volunteers on the Border: Rescuing America from Cultural Disaster

The tide of illegal crossings on the Borders of the United States is beyond unsatisfactory; it is catastrophic. It does not ebb and flow - it only grows. Mass illegal migration is not 'controlled' except as a raging surf is controlled. It is rising without measure and eroding the very fiber of our safety, life and culture. Its contribution to the economy is illusory: it in fact robs opportunity for upward growth from our own citizens while it rewards lawlessness and economic dislocation.

On the human side of the issue, mass illegal migrations are not at all humane. On the contrary, a policy which encourages death by thirst, snake or scorpion bite, or hunger in the desert is cruel and disgusting. Only the most childish – or cynical - moral myopia could define such a policy as 'humanitarian' when in fact it serves only the crassest of selfish economic interests of a greedy few.

Such virtually open borders fills our prisons, feeds drug habits, fattens gangs and dealers in human cargo, and are fraught with daily human tragedy of face in the sand death in the desert. It happens daily. The dying moans of 'shirtless ones with dreams' are not hears in the salons of the open border humanitarians who posture as moral superiors and neglect the very real consequences of their flip irresponsibility. As we wage the War on Terror in foreign lands, we have all our doors and windows open at home as more than 10,000 a day scamper aboard ... the insanity of such a policy, or silent toleration of such a policy is almost criminal in itself.

The Minuteman Project demonstrated that illegal immigration on America's southern border can be dramatically reduced to manageable levels. What is missing is not the means to control; it is the Will. With a Will, there IS a way ...

It also demonstrated that 'Border-Watch Volunteers', properly selected, instructed, screened and supervised, can perform a significant role in reducing illegal border crossings. Such citizen-volunteer border security thus may contribute measurably to the internal security and territorial integrity of the United States.

Approximately 900 total volunteers participated in the Project over the 30-day period. An estimated 125-450 volunteers were actively involved in the Project at any given time. Volunteers functioned in observation-constabulary role, without arrest powers.

Minutemen volunteers paid all their own expenses, received no pay, and were drawn from all regions of the country. Marginal volunteers were denied participation in the project.

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Some volunteers were lightly armed (legally licensed handguns only) and carried such arms under strict rules of safety and engagement which prohibited un-holstering except when lives were threatened. Any violation of rules was cause for immediate expulsion from the Project. The cost of background checks and screenings were also borne by the volunteers themselves.

At no time during this observation did either of the delegation observe any behavior or expression which was racial, violent, threatening, or disrespectful to migrants. Rather, compassion was demonstrated on several occasions, and the law was respected.

Daily scheduled and non-scheduled press briefings, interviews, radio broadcasts, internet postings etc. were conducted for myriad local, state, national and international media. The management of this press deluge was a Herculean task and handled with surprising competence and without evident conflicts. The press was generally respectful and much of it supportive in private comments.

Volunteers received approximately two days training before active duty assignment. Trainers included Minuteman Project leadership and experts in various aspects of assignment; border briefings, situation reports, communications, security, Rules of Conduct and Engagement, etc. Special attention was given throughout the training and during deployments to strictly forbid any hostile, provocative, confrontational behavior toward migrants, law enforcement authorities, media, or protestors.

Many volunteers were former military veterans, police, fire service, EMS, and retired government employees. Others were business people, technicians, and tradesmen representing a full range of civilian employment. Virtually all volunteers were mature adults. Some had law enforcement training. All races were represented among the volunteers. Operational organization was military in nature, and overseen by decorated military veterans.

Based on field observations, the Minuteman Project accomplished this demonstration through deployment of 6-20 or more volunteers per border mile, day and night, at an unsustainable tempo, and with conditions that artificially amplified the impact of Project volunteers. Volunteers all had radio communications and were deployed in teams - none were assigned alone.

The Project became a magnet for attention from law enforcement, Border Patrol, media and protestors. Therefore, wherever the Project was, - day or night - there was noise, attention, activity. Noise and light discipline at night was non-existent. The consequence was reduced activity in that area. Yet reports were rampant that migrant activity was building up on the Mexican side of the border as a result of the 'presence' and that there was an organized effort to shuttle around the Minutemen.

Federales were deployed on the Mexican side - in numbers more than a thousand - and logistics assistance was being provided to migrants directly by the Federales.

There also was an artificially large and responsive federal presence of assets within the Project sector. Border Patrol from throughout the West were TAD to the sector; additionally, Forest and Parks Service, BLM, and other assets were TAD for 30 days to the sector. This uncommonly large presence contributed to the reduction of pressure at the Project site. Yet, unconfirmed reports alleged increased activity to the East and West. A FOIA inquiry regarding personnel assignments and re-assignments within this area should be instructive.

A successful permanent replication of the Minuteman Project would reasonably require an average 12 -24 enforcement personnel per mile, or around 36,000 - 72,000 total additional personnel and their support infrastructure to adequately secure the southern border. As the 'pressure' varies with geography, these personnel would not be static but responsive to technical detection of border breach as well as direct observation.

Technology can be far better employed to give a more timely alert and response to border violations and can result in a more efficient employment of manned assets. Tactical and small unit UAVs can be particularly useful to border patrol. Interviews conducted at Ft. Huachuca discussed current technologies with great promise in border monitoring, such as long line acoustic monitors, etc.

Technology proved to be a liability and well as an asset in the observations of the authors. Many false positive trips of ground sensors - likely caused by media, ACLU and other activists, and curious random visitors - allegedly caused mis-deployment of Border Security assets. The issue of 'false positives' was also used in an attempt to discredit the Volunteers by media and spokesmen for the Border patrol. Rank and file Border Patrol had no such complaints and to the contrary expressed uniformly warm gratitude and support for the Volunteers. The uniforms were, however, strictly instructed not to discuss their missions or the success of the Project with the media and to avoid contact interaction with the Minutemen. ... Another interesting FOIA?

A disturbing major gap in Border security was surprisingly found at the U.S Army border base at Ft. Huachuca, AZ. This huge base of over 150 square miles is home of the primary Army Intelligence School, and houses technical intelligence research and development facilities. The Base and its rugged terrain is a major trafficking route for both drugs and illegal immigrants. Large groups, sometimes 20-30, frequently walk through occupied base housing areas, drink from garden hoses and pools, and look for food.

There is seldom a timely response by Border Patrol when these almost routine intrusions occur and almost never a military response. No Volunteers were permitted to enter the base. Military personnel were ordered not to participate in the Minuteman Project.

The Ft. Huachuca problem is stunning in its potential liability and lack of command attention to even rudimentary perimeter integrity. Who is responsible for this turf? Border Patrol has free access to this military base and patrols on horseback.

But who would be help responsible for a tragic incident 'passing through' a major military installation? A 'suitcase nuke' or terrorists could successfully traverse a major Army Base and easily end up taking a million American lives in Los Angeles, Chicago, Atlanta, New York - or Washington, DC - with barely a risk of detection.

The Ft. Huachuca Command has devoted a grand total of F-O-U-R enlisted personnel to perimeter security, (say, 40 miles of rugged terrain each, 24/7!) and these share duty with environmental protection - amazingly, their primary assignment. They have very limited assets (no ATV's, no air assets, no UAVs) and carry only 9mm pistols - unloaded.

An aerostat - a tethered blimp above the base - has only air detection and NO look-down capability, although it would be an ideal platform for detecting ground movement or employing new technologies. Due to winds its eyes are 'down' about half the time.

In spite of the Project's successes, unauthorized 'citizen volunteer' organizations such as the Minuteman Project are potentially dangerous and legally problematic. Certainly, they are not a 'first resort'- although many participants live on the front line - they consider themselves as a 'last resort' to a government which has knowingly and willfully abdicated its responsibility to enforce its own laws, to the liability and life of its own citizens.

Physical injury to migrants, or among volunteers themselves, violence, and political border incidents were avoided only through the exceptional leadership exhibited by Minutemen Project leaders. The initial high caliber and total mission dedication of volunteer personnel the organization was able to field for a limited 'demonstration' deployment may not be replicated in subsequent operations.

Powerful, vigorous, skilled and well-funded opposition to Minuteman volunteers are determined to mitigate the effect of the volunteer border security concept as Minutemen threaten to succeed in impeding free flow across the borders. The ability and commitment to maintain high standards over time cannot be assured over time with an unpaid, transient, volunteer organizational structure.

Inappropriate behavior and unfortunate reaction under stress occur in the most highly trained military organizations and have occurred in virtually every police department in every major city. It is far more likely to happen among volunteers of necessity, sooner rather than later. It is almost inevitable.

Yet, what is most evident is this: that government must take up and wear the primary responsibilities that accompany its lawful authority. It is charged with both. Or, in its abdication, it risks losing both its responsibility and its authority.

Congress and the states could sustain the success of the Minuteman Project with immediate provision of an adequate number of lawfully authorized auxiliary border enforcement personnel, charged with similar light-armed constabulary duties, and in coordination with and in support of the Border Patrol. Command and Control should remain separate, and community involvement encouraged. This could be achieved

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through a combination of means, some of which have been prototyped and already exist within the states.

Congress or the President should provide for immediate deployment of the National Guard to secure the Borders. This initiative should be fully funded and deployments should be coordinated with the Border Governors.

In the alternative, Homeland Security Grants for authorized State Defense Forces to assist the Border Patrol should be authorized and fully funded. An added advantage of State Defense Forces is that they already exist, they are America's official Title 32 "reserve to the reserve" dedicated strictly to homeland security duty, and would eliminate further strain on our heavily-deployed National Guard. SDFs are low cost, legal and effective, and a pool of already-trained talent. California, New Mexico, and Texas already maintain active State Defense Forces that are fully capable of providing the field service demonstrated by the Minutemen, but with full legal authorization and in total coordination with state and federal agencies including the Department of Homeland Security.

In addition, there is no reason the remaining 20 State Defense Forces could not be placed on loan for this mission at the discretion of their respective governors. This provides access to roughly 14,000 troops immediately in support of our Border Patrol, without affecting our warfighting capacity. In addition, with even minimal federal support, these forces could easily be expanded to their World War II levels approaching 250,000 personnel.

The U.S. Air Force Auxiliary Civil Air Patrol could also be utilized for aerial observation support. This would provide access to the 64,000 volunteers currently enrolled in CAP, and work as a powerful force multiplier by the fact aerial observation can replace many foot patrols.

Volunteers of the Coast Guard Auxiliary and Title 10 Naval Militias could similarly be employed to provide both equipment and manpower support on rivers and in coastal areas.

Lastly, Congress could provide additional federal homeland security support for local law enforcement and sheriff's department auxiliaries to assist the U.S. Border Patrol.

The primary impetus to stimulate the Minuteman Project is a Border Out of Control; not for months, not for years, not just since 9/11, but for many, many years. Social and legal costs and cultural cohesion far outweigh supposed economic benefit. At a time of terror threat, the cost of irresponsibly unsecured borders can be horrific.

The need - and responsibility to act - is immediate. Therefore, the First Measure of any solution must be - as in a first aid emergency- to Stop the Bleeding.

Yet, out of control, illegal migration to the United States is only part of a much larger problem: United States Immigration and Acculturation Policy. Such policy has not been revisited in forty years. It is the opinion of the staff that the Minuteman Project has attracted 'critical mass' to this issue.

Comprehensive Congressional legislation is as needed to cure the patient as Stopping the Border Bleeding is necessary to save its life.

Legislative Recommendations:

1. **Stop the Bleeding**
 - a. **First Priority: Preserve, Protect, Defend and Reclaim** the Legal Border of the United States – NOW!
 - b. **Empower, Fund and Incentivize** Border State Governors to assign National Guard and/or State Defense Forces to assist Border Patrol in carrying out their duties
 - c. **Increase Border Patrol Appropriated Funding** especially in technology and enforcement personnel, and make general federal funding contingent upon executive *spending* such appropriated funds
2. **Empower and Require Local, State and Federal Law Enforcement**
 - a. **Enforce** the Law
 - b. **Investigate** Violations
 - c. **Hold and Process**
 - d. **COSTS:** Paid or Supplemented by Federal Government – this can be used to incentivize local and State law enforcement to cooperate as well as require it for Federal Grants and Aid.
3. **Repatriation of Violators**
 - a. **Destination:** National Capitol of Origin.
 - b. **Billing:** Government of Origin
 - c. Disqualification from Legal Status, Application for Legal Entry, for Penalty Period
4. **Bill Country of Origin**
 - a. **Costs of Process,** including Travel, Room and Board
 - b. **Plus Handling Fee** (to be shared between Federal Government and apprehending agency)
 - c. **Escrow Accounts Required** by Major Offending Origin Countries
5. **Legal Status Requirement** for
 - a. **Public Health Services** Supported by Federal Funds
 - b. **Payment of Emergency Medical Service** not denied but billed to Country of Origin
 - c. **Other Services** supported in any measure by Federal Funds, such as Public Library, Schools, etc. required and audited to insure only legal residents use such services – or lose all federal funding.
6. **Secure and Positive Identification**
 - a. **Data Bank** for Immediate Electronic Validation, such as for Credit Cards

- b. **Fraudulent** Application, Possession and or Use of SS ID Cards imposes Immediate Process and permanent disqualification of legal applicant status
 - 7. **Federal Driver's License**
 - a. **Interstate Highway Use** or any highway, bridge, park, facility receiving federal funds may have endorsement of State License which states meet Federal Legal Status standards.
 - b. **Enforcement of Highway Use** standards
 - 8. **No Citizenship for Birth in US**
 - a. if *either* parent is not in legal status.
 - b. This interprets Constitutional provision as 'implying' legal status.
 - c. Alternative: Constitutional Amendment
 - 9. **No Recognition of Dual Citizenship**
 - a. Declaration of Citizenship requirement
 - b. **Voting, Declaration, or Indicia of Citizenship** in any other country immediately disqualifies and abrogates US Citizenship.
 - 10. **VISA Abuse Penalty**
 - a. Ten Year Disqualification
 - b. Second Offense: Life Disqualification
 - c. Comprehensive review of VISA purpose, process, time, legal status
 - 11. **Enforcement of Penalty for Employment of Illegal Aliens**
 - a. **Require Certification of Citizenship and or VISA Status by Employer**
 - b. **Declaration by Employee**
 - i. **(with disqualification and repatriation for falsehood)**
 - c. **Good Faith Reasonable Effort** by employer to determine status
 - d. **Penalties and Incentives**
 - 12. **Federal Offense:**
 - a. To Aid, Abet, Support, Provide Logistical or Communication support, Interfere with Government Enforcement, or Assist in any way the violation of any designated US Immigration or naturalization law, regulation, or any person or government officer's enforcement thereof
- This Provision applies to any person, group, government entity, either foreign or domestic

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