

# The illusive accountability model: Organizational decision making, follow-up, and systems of execution.

Case: Operational Control of the Southern Border , Understanding, tracking, revising,  
and executing US legislation - Secure fence act of 2006 - chosen for common ground.  
We all know the example.

## Purpose:

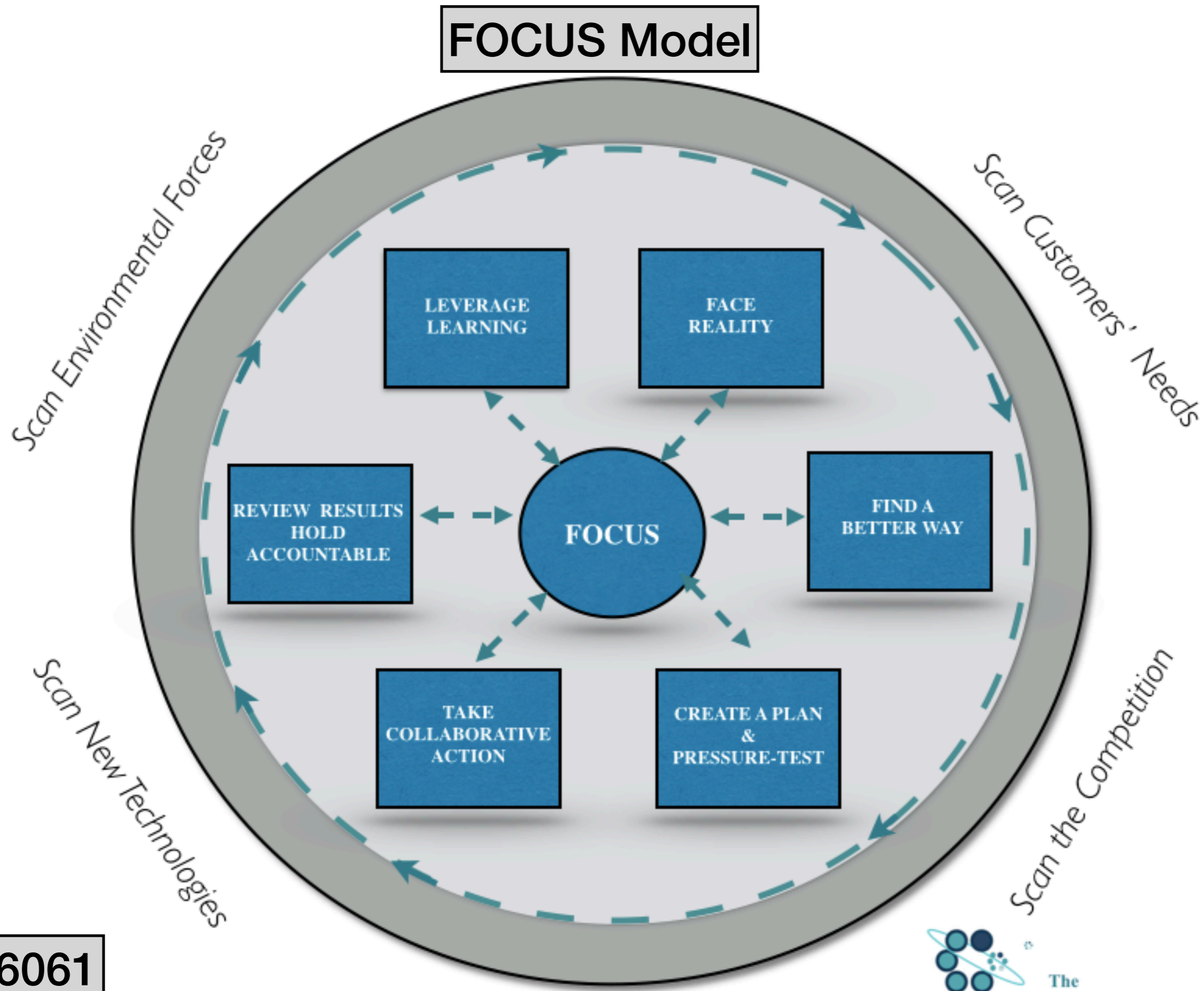
To demonstrate the handicap assumed by policy-making  
bodies when making decisions without the benefit a well  
understood user friendly accountability model.

December 19, 2017 - Just in Time ...

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# Executive Summary of 2006 Bill HR 6061: Organized by the FOCUS model for structure



**H. R. 6061**

**Secure fence act of 2006**


  
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**1. FOCUS: What are we trying to accomplish by when and why?** ©THCG

Operational control\* of the US border from Pacific Ocean to the Gulf of Mexico, within 18 months of enactment (The “Why” is not specified. No measurement specified)

\* Operational Control defined

In this section, the term “operational control” means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

**4. Create and Pressure-test a Plan: What is our plan adjusted after pressure-testing with a pilot?** ©THCG

Specifications: Refer to document. While confusing there seems to be a recommendation for specific design requirements.

**5. Review Results and Accountabilities:** ©THCG

Annual reports to be submitted

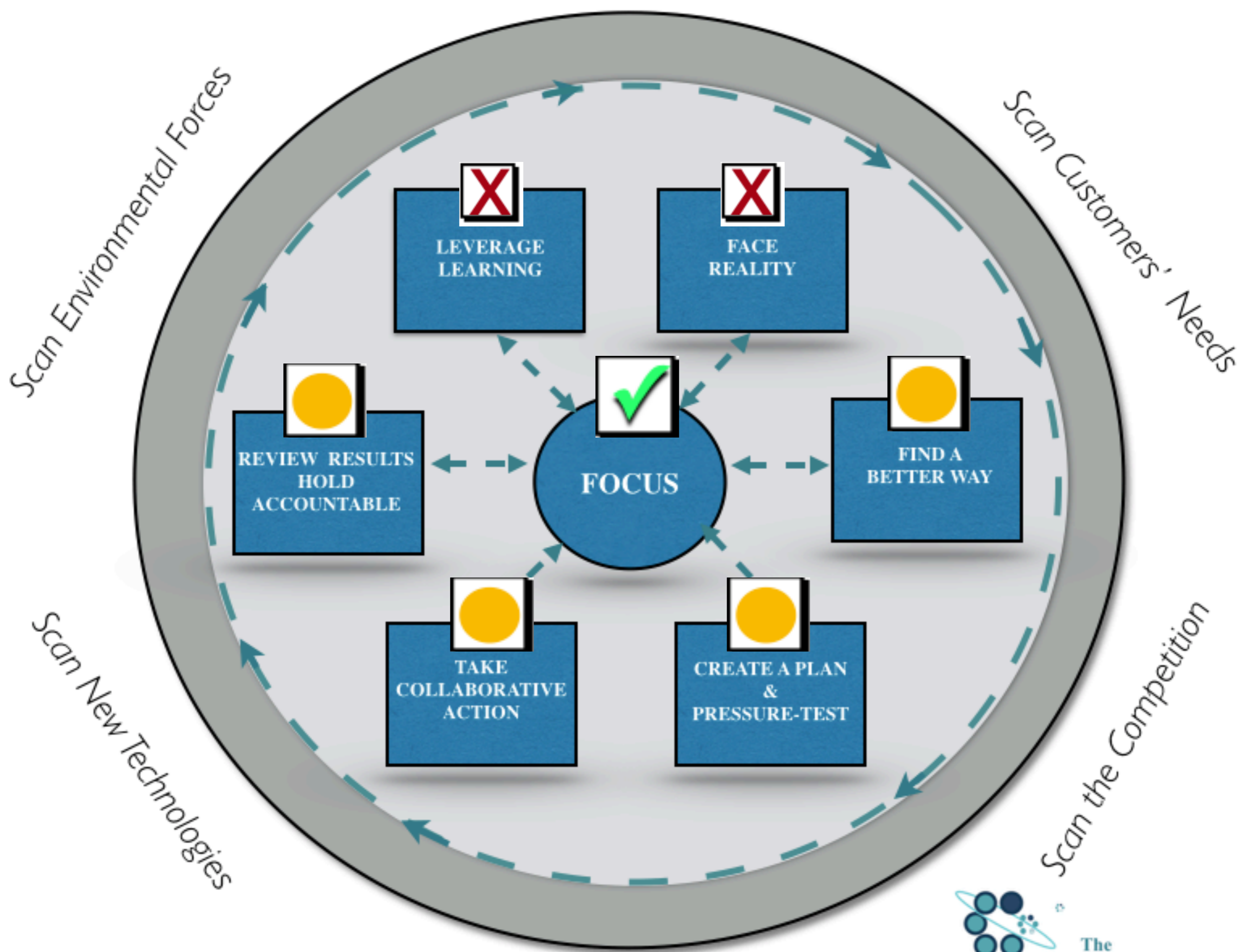
\* Footnote: No attempt to wrestle this legislative accountability process to the ground. This would be an impossible task and besides the point of this article. But someone should.


  
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# Clarity Checklist

So, how well did Congress set expectations in Bill H.R. 6061 ?

**FOCUS** a *lean* Planning & Problem-solving Model



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**Legend**

-  Achieved
-  Partially Achieved
-  Not Achieved

Use page 3 summary for criteria

**Your decision making and accountability process**  
 Do you have one?

1. TEST it yourself: Ask a half-dozen people in your upper management to send you an email outlining what your decision making process, as they understand it.
2. Ask a second question: "How satisfied are you with leadership presentations made seeking approval of proposed initiatives."
3. Compare the answers with each other and with one you wrote down yourself earlier.
4. Ask yourself if you're satisfied with how leaders show up at your Executive Team meetings prepared to present proposals.
5. Hold a discussion with your team about how confident everyone is that decisions are made well and get results as planned.

## H. R. 6061

### 1. FOCUS: *What are we trying to accomplish by when and why?* ©THCG

#### Operational control of the US border within 18 months of enactment

To establish operational control over the international land and maritime borders of the United States.

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#### Section 1. Short title

This Act may be cited as the “Secure Fence Act of 2006”.

#### Sec. 2. Achieving operational control on the border

(a) In general.— *Note: Defeats purpose of objective*

Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security shall take all actions the Secretary determines necessary and appropriate to achieve and maintain operational control over the entire international land and maritime borders of the United States, to include the following— *(Note: Must Include? But not limited to?)*

(1) systematic surveillance of the international land and maritime borders of the United States through more effective use of personnel and technology, such as unmanned aerial vehicles, ground-based sensors, satellites, radar coverage, and cameras; *a) (Note: Prescription or option?)*

(2) physical infrastructure enhancements to prevent unlawful entry by aliens into the United States and facilitate access to the international land and maritime borders by United States Customs and Border Protection, such as additional checkpoints, all weather access roads, and vehicle barriers. *(Note: Prescription or option?)*

(b) Operational control defined.— *Note: Measurement? Move to objective above. Standard: 0 defects.*

In this section, the term “operational control” means the prevention of **all** unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

### 2. Review results and hold accountable: *Measure success based on Focus, above, and present to sponsors* ©THCG

Not later than **one year** after the date of the enactment of this Act and **annually** thereafter, the Secretary shall submit to Congress a report on the progress made toward achieving and maintaining operational control over the entire international land and maritime borders of the United States in accordance with this section.

\* See appendix for reports found

Construction of a fence, Pacific to Gulf of Mexico

Sec. 3. Construction of fencing and security improvements in border area from Pacific Ocean to Gulf of Mexico (Note: Prescription or option?)

Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 8 U.S.C. 1103 note) is amended—

(1) in the subsection heading by striking “Near San Diego, California”; and

(2) by amending paragraph (1) to read as follows: **Amendment of 1996 Bill**

(1) Security features.—

(A) Reinforced fencing.—

*(Note: Further required specifications retroactively to 1996 Bill?)*

In carrying out subsection (a), the Secretary of Homeland Security shall provide for least **2 layers of reinforced fencing** the installation of additional physical barriers, roads, lighting, cameras, and sensors—

(i) extending from 10 miles west of the Tecate, California, port of entry to 10 miles east of the Tecate, California, port of entry;

(ii) extending from 10 miles west of the Calexico, California, port of entry to 5 miles east of the Douglas, Arizona, port of entry;

(iii) extending from 5 miles west of the Columbus, New Mexico, port of entry to 10 miles east of El Paso, Texas;

(iv) extending from 5 miles northwest of the Del Rio, Texas, port of entry to 5 miles southeast of the Eagle Pass, Texas, port of entry; and

(v) extending 15 miles northwest of the Laredo, Texas, port of entry to the Brownsville, Texas, port of entry.

(B) Priority areas.—

*(Note: These specifications amend 1096 Bill but this 2006 bill requires “from Pacific Ocean to Gulf of Mexico?”)*

**With respect to the border described—**

(i) in subparagraph (A)(ii), the Secretary shall ensure that an interlocking surveillance camera system is installed along such area by May 30, 2007, and that fence construction is completed by May 30, 2008; and *Note: Retroactive to 2008?*

(ii) in subparagraph (A)(v), the Secretary shall ensure that fence construction from 15 miles northwest of the Laredo, Texas, port of entry to 15 southeast of the Laredo, Texas, port of entry is completed by December 31, 2008.



*((Note: More specifications retroactive to 1996 Bill?))*

(C) Exception.—

If the topography of a specific area has an elevation grade that exceeds 10 percent, the Secretary may use other means to secure such area, including the use of surveillance and barrier tools.

**1. FOCUS: What are we trying to accomplish by when and why?** ©THCG

**Sec. 4. Northern border study**

**Conduct a study of the Northern Border**

**(a) In general.—** *(Noted)*

The Secretary of Homeland Security shall conduct a study on the feasibility of a state-of-the-art infrastructure security system along the northern international land and maritime border of the United States and shall include in the study—

- (1) the necessity of implementing such a system; *Note: No request for assessment of a need for ...)*
- (2) the feasibility of implementing such a system; and *or value of ... to achieve what goal? Again Operational Control?*
- (3) the economic impact implementing such a system will have along the northern border.

**(b) Report.—** *Note: Another report but with no objective to be achieved, simply the feasibility of building a structure?*

Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains the results of the study conducted under subsection (a).

**1. FOCUS: What are we trying to accomplish by when and why?** ©THCG

**Sec. 5. Evaluation and report relating to Customs authority to stop certain fleeing vehicles**

**(a) Evaluation.—** Define within 30 days, the authority of HS to stop illegal vehicles relative to Coast Guard authority to stop vessels, making a recommendation to expand HS authority to match Coast Guard.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

- (1) evaluate the authority of personnel of United States Customs and Border Protection to stop vehicles that enter the United States illegally and refuse to stop when ordered to do so by such personnel, compare such Customs authority with the authority of the Coast Guard to stop vessels under section 637 of title 14, United States Code, and make an assessment as to whether such Customs authority should be expanded; *Is this a joke?*
- (2) review the equipment and technology available to United States Customs and Border Protection personnel to stop vehicles described in paragraph (1) and make an assessment as to whether or not better equipment or technology is available or should be developed; and

*Question to be answered: Is better equipment available or should be developed? (Don't provide, that's another step. Id say, forget these reports and just buy the equipment needed by Border patrol within 30 days.) )*

*This IS a joke, right?*

(3) evaluate the training provided to United States Customs and Border Protection personnel to stop vehicles described in paragraph (1). *Note: f Border Patrol has NOT been adequately trained to stop vehicles, everyone in this process should be replaced. This isn't a joke, IS it?*

**(b) Report.—**

*Note: Of Course, but where does the 30 day equipment evaluation go?*

Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains the results of the evaluation conducted under subsection (a).

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*Speaker of the House of Representatives..*

*Vice President of the United States and President of the Senate..*

*End of notes*





## H. R. 6061

### Actual documentation of the law enacted in 2006

#### AN ACT

To establish operational control over the international land and maritime borders of the United States.

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#### Section 1. Short title

This Act may be cited as the “Secure Fence Act of 2006”.

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- (1) systematic surveillance of the international land and maritime borders of the United States through more effective use of personnel and technology, such as unmanned aerial vehicles, ground-based sensors, satellites, radar coverage, and cameras; and
- (2) physical infrastructure enhancements to prevent unlawful entry by aliens into the United States and facilitate access to the international land and maritime borders by United States Customs and Border Protection, such as additional checkpoints, all weather access roads, and vehicle barriers.

##### (b) Operational control defined.—

In this section, the term “operational control” means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

##### (c) Report.—

Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the progress made toward achieving and maintaining operational control over the entire international land and maritime borders of the United States in accordance with this section.

### Sec. 3. Construction of fencing and security improvements in border area from Pacific Ocean to Gulf of Mexico

Section 102(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ([Public Law 104-208](#); [8 U.S.C. 1103](#) note) is amended—

(1) in the subsection heading by striking “Near San Diego, California”; and

(2) by amending paragraph (1) to read as follows:

(1) Security features.—

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In carrying out subsection (a), the Secretary of Homeland Security shall provide for least 2 layers of reinforced fencing, the installation of additional physical barriers, roads, lighting, cameras, and sensors—

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(v) extending 15 miles northwest of the Laredo, Texas, port of entry to the Brownsville, Texas, port of entry.

(B) Priority areas.—

With respect to the border described—

(i) in subparagraph (A)(ii), the Secretary shall ensure that an interlocking surveillance camera system is installed along such area by May 30, 2007, and that fence construction is completed by May 30, 2008; and

(ii) in subparagraph (A)(v), the Secretary shall ensure that fence construction from 15 miles northwest of the Laredo, Texas, port of entry to 15 southeast of the Laredo, Texas, port of entry is completed by December 31, 2008.

(C) Exception.—

If the topography of a specific area has an elevation grade that exceeds 10 percent, the Secretary may use other means to secure such area, including the use of surveillance and barrier tools.

**Sec. 4. Northern border study**

(a) In general.—

The Secretary of Homeland Security shall conduct a study on the feasibility of a state-of-the-art infrastructure security system along the northern international land and maritime border of the United States and shall include in the study—

- (1) the necessity of implementing such a system;
- (2) the feasibility of implementing such a system; and
- (3) the economic impact implementing such a system will have along the northern border.

(b) Report.—

Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains the results of the study conducted under subsection (a).

**Sec. 5. Evaluation and report relating to Customs authority to stop certain fleeing vehicles**

(a) Evaluation.—

Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

- (1) evaluate the authority of personnel of United States Customs and Border Protection to stop vehicles that enter the United States illegally and refuse to stop when ordered to do so by such personnel, compare such Customs authority with the authority of the Coast Guard to stop vessels under section 637 of title 14, United States Code, and make an assessment as to whether such Customs authority should be expanded;
- (2) review the equipment and technology available to United States Customs and Border Protection personnel to stop vehicles described in paragraph (1) and make an assessment as to whether or not better equipment or technology is available or should be developed; and

(3) evaluate the training provided to United States Customs and Border Protection personnel to stop vehicles described in paragraph (1).

(b) Report.—

Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains the results of the evaluation conducted under subsection (a).

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*Speaker of the House of Representatives..*

*Vice President of the United States and President of the Senate..*

*The Bill*

## Amendment

"nothing in this paragraph shall require the Secretary of Homeland Security to install fencing, physical barriers, roads, lighting, cameras, and sensors in a particular location along an international border of the United States, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain operational control over the international border at such location."

Introduced:

**Sep 13, 2006**

109th Congress, 2005–2006

Status:

**Enacted — Signed by the President on Oct 26, 2006**

This bill was enacted after being signed by the President on October 26, 2006.

Law:

Pub.L. 109-367

\* <https://www.govtrack.us/congress/bills/109/hr6061>

*The Bill*

# Sources

## **FOCUS™ Planning & Problem-solving model**

### **The Holland Consulting Group**

Developed with customers over many years while observing actual executive meetings. Each customer's model customized to match CEO's and Executive Team's style and language along with feel of internal communication culture, for speed and durability of adoption.

## **H.R. 6061 (109<sup>th</sup>): Secure Fence Act of 2006, Summary**

The summary below was written by the Congressional Research Service, which is a nonpartisan division of the Library of Congress

<https://www.govtrack.us/congress/bills/109/hr6061/summary#libraryofcongress>

## **H.R. 6061 (109<sup>th</sup>): Secure Fence Act of 2006, Text**

<https://www.govtrack.us/congress/bills/109/hr6061/text>

## **PDF Secure Fence Act of 2006, Text**

<https://www.gpo.gov/fdsys/pkg/BILLS-109hr6061enr/pdf/BILLS-109hr6061enr.pdf>

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# Appendix

- A. Reports on performance - Secure Fences Act 2006
- B. Resources and where to find them

## Appendix \*

### I. Reports on performance - Secure Fences Act 2006

I.I. <https://search.dhs.gov/search?query=Secure+Fences+Act+2006&op=Search&affiliate=dhs>

I.II. Fact Sheet: The Secure Fence Act of 2006 <https://georgewbush-whitehouse.archives.gov/news/releases/2006/10/20061026-1.html>

I.III. About Committee Reports of the U.S. Congress <https://www.congress.gov/congressional-reports/about>

### II. Resources

II.I. Explore a Bill on Congress.gov (Video) <https://www.congress.gov/help/tips/explore-a-bill>

II.II. [https://www.congress.gov/search?](https://www.congress.gov/search?searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D)

[searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D](https://www.congress.gov/search?searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D)

II.III. H.R.4391 - Finish the Fence Act of 2016

II.IV. 114th Congress (2015-2016) [https://www.congress.gov/bill/114th-congress/house-bill/4391?](https://www.congress.gov/bill/114th-congress/house-bill/4391?q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content)

[q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content](https://www.congress.gov/bill/114th-congress/house-bill/4391?q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content)

II.V. Committee Reports [https://www.congress.gov/search?](https://www.congress.gov/search?searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D)

[searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D](https://www.congress.gov/search?searchResultViewType=expanded&q=%7B%22source%22%3A%22legislation%22%2C%22search%22%3A%22secure+fences+act+2006%22%7D)

II.VI. Summary: H.R.4391 — 114th Congress (2015-2016) [https://www.congress.gov/bill/114th-congress/house-bill/4391?](https://www.congress.gov/bill/114th-congress/house-bill/4391?q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content)

[q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content](https://www.congress.gov/bill/114th-congress/house-bill/4391?q=%7B%22search%22%3A%5B%22secure+fences+act+2006%22%5D%7D&r=3&overview=open#content)

II.VII. Introduced in House (01/13/2016)

II.VIII. Finish the Fence Act of 2016

II.VIII.I. This bill amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 with respect to construction of border fencing and road improvements to direct the Department of Homeland Security (DHS) to complete the required 700-mile southwest border fencing by December 31, 2016.

II.VIII.II. The Secure Fence Act of 2006 is amended to direct DHS, in consultation with state and local officials along the U.S.-Mexico border, to achieve operational control over U.S. international land and maritime borders by December 31, 2016.

\*. Work in progress. Will be edited as the search for definitive reports and resources for understanding legislation and execution tracking. Not an easily available set of information for public consumption.