

**HEARINGS**  
BEFORE A  
SUBCOMMITTEE OF THE  
COMMITTEE ON  
GOVERNMENT OPERATIONS  
HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

MARCH 21, 22, 23; JUNE 14; AUGUST 1; AND SEPTEMBER 6, 1984

of the Committee on Government Operations

111631



# CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

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# CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

WEDNESDAY, MARCH 21, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, in room 2154, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Ronald D. Coleman, Robert E. Wise, Jr., Buddy MacKay, Thomas N. Kindness, Tom Lewis, and Dan Burton.

Also present: Representative E. Clay Shaw, Jr., and Senator Dennis DeConcini.

Staff present: Theodore J. Mehl, professional staff member; William G. Lawrence, counsel; Euphon Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

## OPENING STATEMENT OF CHAIRMAN ENGLISH

Mr. ENGLISH. The subcommittee will come to order. Senator DeConcini, join us up here at the bench if you will. This morning we begin 3 days of oversight hearings on the performance of the Government's war on drugs, with specific emphasis on air smuggling. These hearings will be the 10th, 11th, and 12th in a series which began in February 1982.

In those 2 years, we have identified many deficiencies in our interdiction programs. Some of those deficiencies related to equipment. Together with the House and Senate Appropriations and Armed Services Committees, the Vice President and his staff, DOD, the Treasury Department, and the Customs Service, we reached an agreement that is providing 300 million dollars' worth of military aircraft and radars to close up Customs' drug and interdiction net. We are particularly delighted to be joined this morning by Arizona Senator Dennis DeConcini. Without his leadership on these issues in the Senate, much of this could not have been achieved.

This effort to bolster the Customs Service Air Program is well underway. Customs is already in possession of four Army Blackhawk and four Cobra helicopters. A Navy P-3 long-range patrol airplane is currently being outfitted with an Air Force F-15 long-range radar. Five more will follow in coming months. The Army is

arranging for the loan of eight or more older C-12 aircraft to augment Customs' totally inadequate fleet of interceptors. Customs has announced that this Friday, March 23, they will finally award the contract for the all-important third radar balloon in the Bahamas. This will close the lookout radar net in south Florida and the adjacent drug transshipment islands.

Other enforcement deficiencies that we have identified relate to gathering and sharing of air-smuggling interdiction intelligence; that is, tactical intelligence that gives Customs and DOD the ability to pre-position interception resources to maximize the probability of catching smugglers and seizing their drug loads.

This is a critically important need that is still not being met. The least efficient possible use of drug interceptor airplanes is for them to fly around in circles looking for a smuggler. When Customs makes such "cold hits"—and they are not infrequent—it is, in one sense, an unhappy testament to the huge numbers of smugglers that are operating out of South and Central America.

The National Narcotics Border Interdiction System [NNBIS] was created last year by the President, partially to remedy the failures of our overseas intelligence gatherers to supply Customs with timely tactical intelligence. The President considered NNBIS to have such high priority that he appointed the Vice President to head it. In theory, this was to give unmistakable emphasis to the program, while at the same time overcoming the persistent agency turf jealousies that had crippled coordination initiatives in the past.

In practice, NNBIS appears to have some difficulty in living up to its mission. For example, in our own review of the NNBIS regions, we were told that DEA, the primary overseas tactical intelligence support agency, has refused to allow computer terminals for the DEA drug intelligence system to be installed in any of the NNBIS regional offices, even though they have often been requested.

In another example, just last month we were told by the deputy commanding general of the Tactical Air Command that even when Customs requested radar support from specific AWACS flights, Customs was only capable of responding to 50 percent of the targets which were discovered.

I visited Puerto Rico several months ago. There, the DEA special agent in charge told me he thought there were probably 800 drug smuggler flights a year into the island. At the same time, officials of the NNBIS regional office in Miami, which covers Puerto Rico, were telling my staff that they had never received any tactical intelligence, nor had they planned or coordinated any special air operations in Puerto Rico.

Nationally, for air support, NNBIS relies almost entirely on the Customs air branches. These are the same air branches that are receiving all the new military aircraft I described a moment ago. But, all the fiscal year 1985 money for operation and maintenance of these military aircraft, some of which are already being used by Customs to catch drug smugglers, was recently stripped from Customs' budget by the Secretary of the Treasury.

Secretary Regan, having justified the need for these drug interdiction funds to OMB and having secured OMB approval for them,

arbitrarily reprogrammed half of the total air support budget into his own office account. That account was increased, according to Department officials, to cover such things as building renovations, plumbing, pay raises, and new word processors.

Months later, and well after his budget had been formally submitted to Congress, Mr. Regan turned to the Defense Department, asking DOD to cover the missing funds. The Defense Department, of course, is prohibited by the Economy Act from paying for the operation of equipment by civilian agencies, and Mr. Regan's request has been refused. Mr. Regan's action will create a crippling gap in this Nation's defenses against drug smuggling, and must be reversed.

Concerning the responsibility of NNBIS to coordinate with State and local police agencies, we have received correspondence from several major police jurisdictions who say they have received essentially no intelligence support at all from NNBIS. While our list is not large enough to constitute a valid sampling, it does raise serious questions about the effectiveness of NNBIS in this area.

This subcommittee supports the NNBIS Program. We have repeatedly pointed to the need for better cooperation and coordination in our committee reports. And, NNBIS has accomplished some good, particularly in the coordination of AWACS flights between the Air Force and Customs. It has facilitated the use of the Marine Corps OV-10 interdiction aircraft in several instances. NNBIS has become involved in support of the "Operation BAT" effort in the Bahamas.

These are positive accomplishments. But, the largest single stumbling block, the critical problem which absolutely must be overcome, is the almost total lack of actionable, tactical intelligence upon which to base the use of our few resources.

The Vice President recognizes this. On June 17, 1983, in a speech to the National Press Club, he stated:

With the help and support of CIA Director Bill Casey, and the entire intelligence community, we expect to be better informed and more knowledgeable regarding the actions and activities of smugglers in order to position our resources in the right place at the right time.

We support the Vice President. He's right on the money, but we are witnessing the cost of not doing that job very well. All the cocaine in this country is smuggled in from South America, and Customs estimates that half of it arrives by private aircraft. In the 2 years that we have been watching, the supply of cocaine has surged. Its retail price, according to the Washington Post 2 weeks ago, has plummeted by 400 percent, dropping from \$60,000 to \$15,000 per kilogram. Retail prices reflect supply: falling prices are a recognized indicator of increased supply.

Every Member of Congress and Senator here recognizes the need for very careful program planning—these are tight budget times. Funding priorities must be carefully established. If there are operational shortfalls in a high priority area, first we try to do what we can to improve matters through more efficient use of what is on hand.

We have obviously been trying to do that. We have urged DOD to share its resources, and DOD has responded generously. We

have supported the South Florida Task Force, and we support NNBIS.

But in drug interdiction, we are dealing with agencies that have been pared to the bone in past years, and if we expect great increases in performance, we are going to get what we pay for. The Congress, and the American people, willingly paid for the 12 new organized crime/drug enforcement task forces last year. We were convinced that they were absolutely necessary.

We are equally willing to fund the established requirements for the interdiction side of the war on drugs. If modest increases are necessary and justified, I am confident that they will be allowed. The first sentence in the letter that Mr. Regan sent last month to DOD, in his belated attempt to recover from his ill-conceived budget cut, began: "As you know, drug trafficking and drug-related offenses continue to be this country's number one crime problem."

The war on drugs cannot be waged with rhetoric. Rhetoric has never smashed a drug smuggling ring, or seized a load of drugs, or arrested a trafficker. We are going to get to the bottom line on this war on drugs in the next 3 days.

We will begin this morning by hearing from two legislators whose commitment to this effort is well known. We will then hear from the Deputy Secretary of the Treasury, the General Accounting Office, and conclude with the staff director of NNBIS.

First of all, I want to ask Mr. Kindness if he has a statement.

Mr. KINDNESS. Thank you, Mr. Chairman. Before proceeding with my opening statement, I would like to first express my regret and apologies to the witnesses who will be appearing before the subcommittee today and tomorrow, since it will be necessary for me to absent myself from the hearings during perhaps a major part of the time because today and tomorrow we will have on the House floor the long-awaited bankruptcy legislation on which our first witness, Chairman Pepper of the Rules Committee, was instrumental in assuring debate on the House floor by the Rules Committee's action yesterday.

I regret that that conflict may cause me to miss some important parts of these hearings.

A bit over a year ago this subcommittee held a couple of days of hearings in Miami during which most of the participants expressed the desire that someone of the position and clout of the Vice President remain in charge of the administration's efforts to interdict the flow of illegal drugs into the United States. And, concern was expressed over the fact that the new task forces that had been announced several months before would concentrate on investigations of drug trafficking organizations, not on interdiction of drugs.

Within a month following those hearings, the President announced the formation of the National Narcotics Border Interdiction System. NNBIS was to coordinate the work of those Federal agencies with existing responsibilities and capabilities for interdiction of seaborne, airborne, and cross-border importation of narcotics and would operate under the direction of the Vice President. Shortly thereafter, agreement was reached between the Defense Department and the U.S. Customs Service on the loan of military equipment which would eventually give the Customs Service a credible deterrent against airborne drug smugglers.

It's going to be awhile yet before that equipment becomes operational. And, without such assets, NNBIS has been faced with the difficult task of finding ways and means of filling the gap.

NNBIS' task could be made more difficult by the Treasury Department in the coming fiscal year. Its budget request for fiscal 1985 reminds me of school boards which, when faced by a shortage of revenues, announce that there will be no football and no art and no music programs in the coming school year. We all know how far that gets. And, school board members sometimes learn that they can get away with such tactics about as often as they come up for reelection.

So I trust that all those responsible will stop the shenanigans and clearly identify the availability of funds for the Customs Air Program so that we can get on with the job of staunching the flow of illegal narcotics into this country.

But, I want to put that comment in a proper perspective. The principal focus of this subcommittee's oversight has been efforts of Federal agencies to interdict drugs coming to the United States by air from nations to the south of us. We cannot forget that those agencies must cope not only with drugs coming from that direction but also with drugs coming into the country from Europe and Asia. And, they must be alert to importation by ship, commercial carrier, body carriers, and the mail, not just the airborne smuggler. The resources to be applied to the various tasks are not unlimited.

Meanwhile, I share the concerns raised by my Judiciary Committee colleague, Hal Sawyer, of Michigan, regarding the diversion of drugs, legally produced in this country, to illegal usage. Based on reported deaths and injuries, these are the most widely abused drugs in this country today.

And that's the perspective that I was referring to. This subcommittee has focused on but one part—certainly an important part, but just one part—of a much wider battle, the battle against drug abuse in this country. I pray that somehow the people who abuse themselves with these drugs will realize the harm that they are doing to themselves and others.

In the meantime, I trust that our oversight will be constructive. We've had enough destructive dissension among agencies and between agencies and Congress. And, I trust that any disagreements that develop will be based on reasoned professional judgments as to how best to carry out this part of the war on drugs and that all parties involved will respect them as such.

Mr. Chairman, I thank you for the opportunity to submit those comments and I will yield back my time.

Mr. ENGLISH. Thank you very much. Those were excellent observations. Mr. Coleman.

Mr. COLEMAN. I suppose what we ought to talk about this morning is renaming NNBIS. We could eliminate the BIS on the end and call it national narcotics. I am absolutely astounded that anyone suggested that this is a border interdiction system when in fact we have been told from this budget that was proposed to us by the President of the United States, that they have cut the funding for the Air Interdiction Program for the U.S. Customs Service to \$17 million when, after all, they had had an OMB approval of ap-

proximately \$35 million, and that is even a 47-percent decrease from the \$31 million that was the funded level of last year.

Such a reduction means that the potentially effective Air Interdiction Program will be effectively grounded for lack of operating and maintenance of planes for the aircraft and radar used in the program.

I find this reduction in funding for the Air Interdiction Program to be especially peculiar. But the President has put the No. 2 official in this Nation in charge of coordinating our so-called drug interdiction activities.

What is even more bizarre is that the funding that was cut which is under the authority of the Department of the Treasury seems to have ended up in that very office, the Secretary of the Treasury.

That is an odd place, I think, to fund an operational maintenance program for military planes under the authority of the Customs Service and maybe it is not, but it seems to me to be an odd place to fight drug smugglers. The Secretary responded that the funds which were cut would have to be found elsewhere, not from the Customs Service. Instead, the Secretary indicated that the funds would come from military. This morning we were advised that they have cured that funding shortfall by deciding that they don't even want the aircraft.

It is my understanding that this assumption came as a big surprise to the Department of Defense who responded negatively to the entire idea of taking it over. Now we are left with the understanding that there is a misunderstanding between DOD and the Treasury about who is to assume the cost of operation and maintenance.

Furthermore, from the Vice President's Office, I understand that the location that—from which the NNBS Program was run was not even aware of the funding cut in the Air Interdiction Program until after the fact.

Mr. Chairman, I find it amazing that officials this high in the Government are unaware of the feeling of the American people in what we should be doing in this country in terms of a truly important border drug interdiction system.

I do thank the chairman for holding these hearings and I look forward to hearing from the Department of the Treasury.

Mr. ENGLISH. Thank you. Mr. MacKay?

Mr. MACKAY. No questions, Mr. Chairman.

Mr. ENGLISH. Mr. Shaw.

Mr. SHAW. Thank you Mr. Chairman. I very much appreciate being included as part of this hearing process. I join in welcoming my colleagues from Florida, Senator Chiles and Congressman Pepper, who have both been active in participating and in safeguarding the funds and the direction that the Federal Government has gone.

In the last 3 years, I think that we have made absolutely giant strides. In fact, I would say that the subject of this hearing is perhaps the first step backward that we have taken.

Quite obviously, there is always more that we can do and we have recently received some good news from Colombia that they are going to be going forward and doing some significant spraying

operations or at least experimenting with spraying operations which is going to be a giant step forward. In fact, I believe as we sit here this morning, hearings are going on over on the Senate side outlining exactly what we have been able to accomplish with the Colombians and the degree of assistance that we are getting with it.

The step backward that I am referring to is the situation that has developed between the Treasury and the Defense Departments. The Defense Department has said without reservation, that they do not see how under the law they can accommodate the Treasury and their new request for assistance to air interdiction without in some way affecting the defense capabilities of this country, and that to do so would be illegal.

I think that the first line of responsibility is totally within the jurisdiction and the responsibility of Customs. There is some, approximately \$11 million, that we fully expected to be in that particular program that is not. I have talked to the Vice President on this particular matter. The Vice President is very keenly interested in keeping the planes flying and in fact has stated to me, as has Admiral Murphy, that the planes will continue to fly.

Other than the fact that we are getting a certain amount of cooperation among Government agencies I think this has been absolutely key in the success that we have had. I consider this as a vital expenditure. I am here this morning to listen to the witnesses and to join with you, Mr. Chairman. I know you have been extremely active in this area to be sure that the efforts that we have started continue, and that we in no way step backwards in this most important battle that we are finally beginning to win in our war against the importation of illegal drugs. Again, I very much appreciate being invited to sit with you this morning.

Mr. ENGLISH. Thank you very much. I might say, if I remember correctly, we held a hearing in Florida and you were one of those who was instrumental in urging that more pressure be put on Colombia. I think we have seen some progress there and I congratulate you and the rest of the members of the Florida delegation for that work.

Mr. SHAW. Thank you Mr. Chairman. We have had absolutely splendid cooperation to the man and woman in the Florida delegation in working with this particular problem. This is not a partisan issue as far as Florida is concerned, it is an absolute issue.

Mr. ENGLISH. Thank you very much. Senator DeConcini would you care to make some comments? We deeply appreciate your joining us. As I mentioned earlier, Senator DeConcini has been highly instrumental in weaving together over the last couple of years the fabric that has made it possible to make some real progress.

Mr. DECONCINI. Mr. Chairman, first let me thank you very much, along with the ranking member, Mr. Kindness, and the whole committee for the work that you have done in this area. I am a little speechless. I have a prepared statement here and I will be very brief because I think it is very crucial that we delve into what the games are that are being played with the Customs budget.

My being here today should tell the public and the administration that Members of Congress on both sides of the Capitol are

united in their resolve to slam the door on drug trafficking and to work together to develop a strong cost-effective National Drug Interdiction Program.

Mr. Chairman, I will not take the subcommittee's time with a long statement. My remarks before the Treasury Appropriations Subcommittee last week when Secretary Regan appeared, tell exactly how I feel about the administration's failure to back up its tough rhetoric on drugs with the tools to get the job done.

Fortunately, there are Members of Congress, like you, and others on both sides of the aisle, who have led the way time and time again, that have insisted on the importance of an antidrug effort.

Mr. Chairman, my questions today will primarily focus on what has happened to the Customs budget. After all, Customs is our No. 1 drug interdiction agency, and by definition should be the focal point of any discussion of drug interdiction strategy.

It is appropriate that Deputy Secretary, Tim McNamar, is with us today. Although I have great respect for his economic ability, Mr. McNamar, Secretary Regan, and others at Treasury have been putting the pea under the walnut shell and playing shell games with the Customs budget for the past 3 years. The game is not complicated. You cut Customs way back, then you beef up other Treasury accounts, including the Office of the Secretary's budget next year, then you beef up IRS and other non-law-enforcement accounts at Treasury, roll the dice and hope that Congress will restore the law enforcement accounts to where they should have been in the first place.

It is simple and Congress looks like the big spender. Mr. Chairman, Senator Chiles and I have worked for a long time on the Customs budget on the Senate side in cooperation with you and I have today what I will term a DeConcini-Chiles Customs Service budget alternative. I would ask unanimous consent if it is proper at this committee that this be inserted in the record at this time with the balance of my opening statement. Again, my thanks, Mr. Chairman, and to your entire committee for the bipartisan effort to do something about air drug interdiction.

Mr. ENGLISH. Without objection, the DeConcini-Chiles proposal will be made a part of the record.

[Mr. DeConcini's opening statement and the proposal follow:]

OPENING STATEMENT: SENATOR DENNIS DECONCINI  
BEFORE THE HOUSE GOVERNMENT OPERATIONS SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE  
AND AGRICULTURE

March 21, 1984

MR. CHAIRMAN, I WANT TO THANK YOU AND THE RANKING MEMBER OF THE SUBCOMMITTEE, MR. KINDNESS, FOR ALLOWING ME THE HONOR OF SITTING WITH YOU TO QUESTION WITNESSES ABOUT OUR FEDERAL DRUG INTERDICTION EFFORT. MY BEING HERE TODAY SHOULD TELL THE PUBLIC AND THE ADMINISTRATION THAT MEMBERS OF CONGRESS ON BOTH SIDES OF THE CAPITOL ARE UNITED IN THEIR RESOLVE TO SLAM THE DOOR ON DRUG TRAFFICKING AND TO WORK TOGETHER TO DEVELOP A STRONG, COST-EFFECTIVE NATIONAL DRUG INTERDICTION PROGRAM.

MR. CHAIRMAN, I WILL NOT TAKE UP THE SUBCOMMITTEE'S TIME WITH A LONG OPENING STATEMENT. MY REMARKS BEFORE THE TREASURY APPROPRIATIONS SUBCOMMITTEE LAST WEEK WHEN SECRETARY REGAN APPEARED, TELL EXACTLY HOW I FEEL ABOUT THE ADMINISTRATION'S FAILURE TO BACK UP ITS "TOUGH" RHETORIC ON DRUGS WITH THE TOOLS TO GET THE JOB DONE. FORTUNATELY THERE ARE MEMBERS OF CONGRESS LIKE YOU AND OTHERS ON BOTH SIDES OF THE AISLE WHO WILL NOT GIVE UP ON THIS IMPORTANT ANTI-DRUG EFFORT.

MR. CHAIRMAN, MY QUESTIONS TODAY WILL PRIMARILY FOCUS ON WHAT HAS HAPPENED TO THE CUSTOMS BUDGET. AFTER ALL, CUSTOMS IS OUR NO. 1 DRUG INTERDICTION AGENCY AND BY DEFINITION SHOULD BE THE FOCAL POINT OF ANY DISCUSSION OF DRUG INTERDICTION STRATEGY. IT IS APPROPRIATE THAT DEPUTY SECRETARY TIM MCNAMAR IS WITH US TODAY. ALTHOUGH I HAVE GREAT RESPECT FOR HIS ECONOMIC BACKGROUND, MR. MCNAMAR, SECRETARY REGAN, AND OTHERS AT TREASURY HAVE BEEN "PUTTING THE PEA UNDER THE WALNUT SHELLS" AND PLAYING GAMES WITH THE CUSTOMS BUDGET FOR THE PAST THREE YEARS. THE GAME IS NOT COMPLICATED. YOU CUT CUSTOMS WAY BACK; THEN YOU BEEF UP OTHER TREASURY ACCOUNTS, INCLUDING THE OFFICE OF THE SECRETARY BUDGET NEXT YEAR; THEN YOU BEEF UP I.R.S. AND OTHER NON-LAW ENFORCEMENT ACCOUNTS AT TREASURY; ROLL THE DICE AND HOPE THAT CONGRESS WILL RESTORE THE LAW ENFORCEMENT ACCOUNTS TO WHERE THEY SHOULD HAVE BEEN IN THE FIRST PLACE. ITS SIMPLE. AND CONGRESS LOOKS LIKE BIG SPENDERS.

MR. CHAIRMAN, SENATOR CHILES AND I HAVE PUT TOGETHER A COMPREHENSIVE ALTERNATIVE

BUDGET PLAN FOR CUSTOMS THAT HOPEFULLY WILL BE ADOPTED BY THE APPROPRIATIONS COMMITTEE IN THE SENATE LATER THIS SPRING OR EARLY SUMMER. IT IS A BALANCED PLAN THAT CALLS FOR A "MAJOR BLOOD TRANSFUSION" FOR THE CUSTOMS DRUG ENFORCEMENT PROGRAMS, WHILE OFFSETTING INCREASES IN CUSTOMS WITH CUTS IN OTHER PROGRAMS IN TREASURY, INCLUDING THE OFFICE OF THE SECRETARY ACCOUNT AND I.R.S. COPIES OF THE DETAILED PLAN ARE IN FRONT OF EACH SUBCOMMITTEE MEMBER AND ON THE TABLES IN YOUR HEARING ROOM.

AGAIN, MR. CHAIRMAN, I THANK YOU FOR HAVING ME HERE TODAY. I LOOK FORWARD TO REVIEWING THE DRUG INTERDICTION PROGRAM WITH YOUR WITNESSES THIS MORNING.

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SENATOR DENNIS DECONCINI (D-Arizona) AND SENATOR LAWTON CHILES (D-Florida): RECOMMENDATION FOR FISCAL YEAR 1985

UNITED STATES CUSTOMS SERVICE BUDGET

<u>Fiscal year 1984:</u>	<u>President's FY 1985:</u>	<u>DeConcini-Chiles Recommendation:</u>	<u>+/- President's Budget:</u>
<u>TOTAL CUSTOMS BUDGET:</u>			
\$615,954,000	\$602,405,000	\$685,000,000	+\$82,595,000

Includes the Following Accounts:

(Salaries and Expenses)

(\$584,943,000	\$585,335,000	\$639,600,000	+\$54,265,000)
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(Operation and Maintenance, Air Interdiction Program)

(\$31,000,000	\$17,070,000	\$45,400,000	+\$28,330,000)
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DeConcini-Chiles Recommendation Includes  
the Following Offsets Against Other Treasury  
Accounts:

Office of the Secretary:

\$65,743,000	\$84,242,000	\$75,000,000	-\$9,242,000
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- \* Reduces the Office of the Secretary account by \$9,242,000, leaving an increase of 14% over fiscal year 1984 appropriations. Of the cut, \$1,426,000 would be taken in the International Affairs account with the balance of the reduction to be applied at the discretion of the Secretary of Treasury. The DeConcini-Chiles package would fund the new Telecommunications Operations Center (\$5,000,000) and the repairs and improvements to the Treasury Annex (\$5,683,000).

Internal Revenue Service:

\$3,264,800,000	\$3,531,859,000	\$3,458,506,000	-\$73,353,000
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- \* Reduces overall I.R.S. budget by \$73,353,000, leaving an increase of \$193,706,000 or 6% over 1984 funding.
- \* DeConcini-Chiles package provides funding for the four (4) major tax-related initiatives at I.R.S., including:

\$52.1 million and 1,447 new positions for programs to contain the tax gap, as requested by the President;  
\$12.0 million and 435 new positions for implementation of the Interest Dividend Compliance Act of 1983, as requested by the President;  
(more-----)

(continued: DeConcini-Chiles budget plan)

(I.R.S.)

- \* \$64.0 million and 182 new positions for continued modernization of ADP systems; tax processing systems; tax enforcement systems; and management information systems, as requested by the President;
- \* \$62.8 million and 1,493 new positions for workload-related increases, including better returns processing, as requested by the President.
- \* No reductions would be taken in Taxpayer Services -- a program that the Congress has continually preserved in the face of proposed cuts by the President.
- \* -\$73,353,000 cut in so-called mandatory cost increases, travel, printing, supplies, space rental charges, and telecommunications, leaving \$102.0 million to cover such items in fiscal 1985.

DeConcini-Chiles Plan Includes  
the Following for U.S. Customs,  
Salaries and Expenses, 1985:

- \* Restores 923 positions that were to be cut by the President. Plan includes an additional 504 Inspector positions over the President's budget; 30 new pilots; 26 new positions to combat commercial fraud; and 35 new intelligence officers to gather information for drug interdiction and other law enforcement activities.
- \* Provides \$8.6 million not in the President's budget, to establish 10 Marine Drug Interdiction "modules" in South Carolina; Florida; Alabama; Louisiana; Texas; and California. These marine units complement the Coast Guard effort to intercept drug traffickers in the southeast and west coast areas.
- \* Restores \$5 million cut by the President for Operation Exodus-- our frontline defense against illegal export of U.S. high technology to the Soviets and other Soviet-bloc countries.
- \* Provides three important items requested by the President: \$8.8 million for automated commercial systems; \$2.5 million for integrated data communications network; and \$5.7 million for radio voice privacy for Customs officers.

DeConcini-Chiles Plan Includes  
the Following for U.S. Customs,  
Operation and Maintenance, Air  
Interdiction Program, 1985:

- \* \$14,150,000 to cover the cost of the Regular Customs Air Program.
- \* \$12,850,000 to cover the cost of operation and maintenance in support of military equipment and aircraft turned over to Customs, including the following:
  - \$6,150,000 for operation and maintenance of four (4) F-15-equipped P-3A surveillance aircraft;
  - \$4,100,000 for operation and maintenance of four (4) Blackhawk helicopters and four (4) Cobra helicopters;
  - \$2,000,000 to complete construction of a two-bay hangar for the P-3A aircraft at the New Orleans Air Support Branch;
- \* \$5,000,000 for the lease/purchase of an aerostat radar surveillance system in the Bahamas.
- \* \$6,300,000 for the lease/purchase of six (6) tracker-interceptor aircraft equipped with F-16 combat radar.

(continued: DeConcini-Chiles budget plan)

Customs: Operation and Maintenance, Air Interdiction Program

- \* \$2,100,000 for Special air interdiction operations in South Florida and other parts of the country.
- \* \$1,000,000 for development of Regional Operations Control Centers at Tyndall Air Force Base and March Air Force Base. (These centers will gather all radar information from all existing radar along southern U.S. and make it available for use by Customs in air interdiction.)
- \* \$2,000,000 to install modified APQ-153 radar in four (4) Customs King Air aircraft for use in tracking drug traffickers.
- \* \$2,000,000 for long-lead time procurement of the seventh of seven (7) F-15 combat radar to be used in the P-3 program.

TOTAL: Operation and Maintenance, Air Interdiction Program: \$45,400,000

RECAPITULATION OF  
DECONCINI-CHILES  
BUDGET PLAN, 1985:

	<u>President:</u>	<u>DeConcini-Chiles:</u>	<u>+/- Pres:</u>
<u>U.S. Customs Service, Salaries and Expenses:</u>	\$585,335,000	\$639,600,000	+\$54,265,000
<u>U.S. Customs Service, Operation and Maintenance Air Interdiction Program:</u>	\$ 17,070,000	\$ 45,400,000	+\$28,330,000
<u>Office of the Secretary, Salaries and Expenses:</u>	\$ 84,242,000	\$ 75,000,000	-\$ 9,242,000
<u>Internal Revenue Service</u>	<u>\$3,531,859,000</u>	<u>\$3,458,566,000</u>	<u>-\$73,353,000</u>

NET INCREASE/CUT:

-0-

(QUESTIONS REGARDING THE DETAILS OF THE DECONCINI-CHILES PACKAGE CAN BE HANDLED THROUGH BOB MILLS, 224-0337, OR MIKE HALL, 224-7288.)

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Mr. ENGLISH. I want to welcome our next two witnesses. We are extremely delighted to have the chairman of the Rules Committee and one who is, I must say, a big favorite, not only with all the Members of Congress, but also particularly with the senior citizens around this country. Mr. Chairman, we are delighted that you have come before us. I might say, not only to you, but to all of the witnesses who follow you, that your prepared statement will be made a part of the record without objection, and if you would care to summarize, please feel free to do so.

**STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. PEPPER. I will try to run through this as quickly as I can, Mr. Chairman. First, I want to thank you for your kind welcome to us today and for the kind invitation extended by my able colleagues and friends, Mr. Shaw and Mr. Kindness. Mr. Kindness made a valuable contribution to the bankruptcy bill which is before the Rules Committee.

The gist of what I have to say, Mr. Chairman and members of the committee—you were very kind to allow us to be here today—is that our Government is carrying a small twig instead of a big stick to match the tough language that it uses too often with respect to this Government.

About a year ago, they started this NNBIS Program with announcements of the glowing possibility that it offered to correlate all the other programs with respect to the war on drugs. We looked for great accomplishments from setting up that agency. It never did have any money of its own. All the budget it has was budget from its constituent agencies.

So, the truth is, I am afraid, that it does not have much of a record of achievement to show for what it has been doing.

The truth is, instead of winning the war on drugs, it looks like we are losing it and you know what that means to our State of Florida.

For example, the availability of drugs is at an all-time high and the prices are at an all-time low. Since 1981, the wholesale cost of cocaine has fallen from \$65,000 a kilo to \$15,000 a kilo. If the price goes much lower we may have the drug dealers coming in and asking for price support. So that is a very serious situation.

There is an article in yesterday's Miami Herald. It says, "Police arrest gang setting up shop in Florida. In Dade County members of the Rastafarian sect are blamed for more than 24 murders and assaults and are accused of stealing drugs from Colombian cocaine dealers." Now this organization makes it a part of its religion to use drugs. So they are greatly occupied and concerned in this matter of bringing in drugs.

As a matter of fact, the Customs Service was cut almost \$19 million while the administration increased the budget for the Secretary of the Treasury's Office decoration by \$18.5 million. I don't know what the state of dilapidation or deterioration was in the Secretary's Office, but I know how grievous the drug problem is and we should make a balance of interest as to whether we should decorate the Secretary's Office to make it look prettier or put that

much more money, nearly \$19 million, to try to interdict the drug traffic that means the death of so many of our people, as well as many other harmful effects. It might have been wiser to have said, with respect to drugs, unless we had money enough for both.

A successful interdiction program, which is an essential part of NNBS, requires detection of smugglers' aircraft, the capability to intercept these aircrafts, and the ability to apprehend the drug traffickers once they have landed.

To date, the administration has not devoted sufficient resources to the war on drugs successfully to carry out these functions. Instead, the administration seems to have done, I am afraid, a job of encouraging private enterprise; that is illicit drug infiltration.

There are a few components that I would like to emphasize with respect to this matter. First there is detection. The U.S. Customs Service needs the most sophisticated radar and ground sensing equipment. The radar used by the Federal Aviation Administration and the North American Air Defense Command can detect only aircraft flying at relatively high altitudes. Fortunately, the Air Force has put into operation two aerostat radar systems; one at Cudjoe Key and the other at Patrick Air Force Base. A third, I understand, will begin operation in the Bahamas within a year. I urge the committee to monitor this situation very carefully to ensure its expeditious introduction.

But we need additional aerostat radar systems. An aerostat in the panhandle—which would mean northwest Florida—would provide 100 percent coverage of Florida's extensive border. A system in Puerto Rico would also yield immediate results because once drugs reach this island they can be brought safely into the United States aboard commercial flights.

The Defense Department has not been cooperating with the war on drugs. The number of operational hours per month for the E-2C and the Air Force AWACS radar airplanes has been minimal. In fact, months have gone by during which there has been no coverage at all.

As for interdiction, the Customs Service can not interdict unless it has aircraft with sufficient speed to keep up with the smuggler. I understand that the Miami area has the responsibility of covering the entire Florida peninsula, extending east into the Atlantic Ocean and well to the south of Cuba. To cover this vast area the Customs Service has two Cessna Citation jet interceptors. And many times, when a plane is being serviced, there is only one that is operational. It is hard for me to believe that Miami is the best equipped region in our Nation.

As for apprehension, Mr. Chairman, unless the police can reach the landing site when the drug smugglers do, all the sophisticated equipment bought to detect and intercept will be of no avail. The Cobra helicopters now being used carry only two passengers, too small for the effective purpose of carrying an adequate number of police.

I would like, Mr. Chairman, to make the following recommendations:

One, expand the aerostat radar system to the panhandle and to Puerto Rico;

Two, equip the Customs Service's aircraft with the most sophisticated sensors and navigation equipment so they can function as mini AWACS;

Three, elicit better cooperation from the Defense Department;

Four, ensure a full exchange of intelligence information among the various agencies charged with the war on drugs;

Five, purchase or acquire by loan or seizure enough properly equipped jet interceptors to effectively curtail illegal drug trafficking. There is an absolute minimum in the Miami region;

Six, provide the Bahamian Government and Puerto Rico with air interdiction modules so these vital crossroads in the drug smuggling corridors are prepared to help in the war on drugs; and

Seven, secure from the Department of Defense adequate numbers of Blackhawk helicopters. These helicopters can carry up to a dozen drug enforcement officials who can effectively seize and arrest drug smugglers.

The last thing is about the budget. The Customs Service air interdiction program at current funding levels cannot adequately deter the flow of illegal drugs into this country. If this administration is truly committed to winning the war on drugs, it should increase its fiscal year 1985 budget for this line item by \$52.4 million to \$69.5 million. These additional resources are needed to purchase the sophisticated equipment needed to establish the two new air modules and to adequately equip the present ones.

Customs Service sources have told me that if the proposed budget cuts are enacted, the Air Interdiction Program would be slashed to a mere 3 days a week. At present the program operates 7 days a week, 16 hours a day on a selective coverage basis. The administration should be seeking funds to expand the program to 24 hours a day, 7 days a week which would cost an estimated \$4,176,032.

The Air Interdiction Program—by the way, Mr. Chairman, the judicial conference has recommended three additional district judges for the southern district of Florida due entirely to the congestion of cases arising from the drug traffic.

The Republican U.S. district attorney, a very able man, Mr. Marcus, spent an hour with me in my office, and was telling me of the dire need and of the congestion in our courts. We have crime that is running rampant because of this drug traffic. There are a number of people being killed and there are a number of people losing their lives otherwise. The involvement of our police and the involvement of the courts on a Federal, local, and State level—it is a tragic price that we are having to pay because of an inadequate response to this challenge to our country.

The air interdiction program is just one weapon in the arsenal on the war on drugs. But the administration has cut back on the customs inspectors at the airports and at the seaports; they stand on our front line of defense. The administration proposes in its 1985 budget to eliminate 922 positions, 450 of which are inspectors. A hiring freeze will abolish another 400 positions. In the last 2 years Customs Service personnel has been reduced by 25 percent. Many inspectors who should be out there seizing hard drugs before they enter the country are now sitting at desks typing up forms.

We need to increase Customs Service personnel. Otherwise, these additional cuts will increase the inflow of drugs dramatically.

You know we have an old saying, "Penny wise and pound foolish." We are paying a terrible price and my distinguished colleague from Florida, I am sure, will agree with Senator Chiles and me and all the rest of us. We are so concerned about this matter. A little money saved is much more expensive in terms of lives and expenses otherwise incurred by the terrible drug traffic.

Let me just mention one other thing. The Customs Service developed a technique by which they could more effectively interdict carriers that were bringing drugs in. They were very proud that it had been proven effective and much more efficient than the instruments they had previously had. They asked the Government for an increase in their budget of about \$8 million to put into the program this new equipment that would make their operation more effective. They felt sure that they were going to be able to do a much better job. But what response did they get? Not only did they not get the \$8 million they asked for that would enable them to do a more effective job of interdiction which had been proven in experimentation satisfactory and successful, they cut them \$14 million below what they had already had. How discouraging that must be to these people, the Customs Service, which is doing its best to do a good job for the country.

So, if they want somebody to take some responsibility for spending more money, I hope we in the Congress would be willing to spend it, just like we spend it on defense and spend it on health and one thing and another.

This is one of the critical crime problems of this country. I should certainly commend your committee for undertaking this study and I hope you will speak out boldly and strongly for enough funds to do this job adequately for the defense of our country. Thank you very much.

[Mr. Pepper's prepared statement follows:]

STATEMENT OF  
CONGRESSMAN CLAUDE PEPPER  
BEFORE  
GOVERNMENT INFORMATION, JUSTICE  
& AGRICULTURE SUBCOMMITTEE  
ON  
DRUG INTERDICTION  
MARCH 21, 1984

Thank you, Mr. Chairman, for the privilege to appear before your committee to testify about a very serious problem confronting our nation--illegal trafficking in drugs and the present administration's seeming lack of commitment to the war on drugs.

The administration, of course, talks a lot about fighting illegal drugs. A little over a year ago it announced with much fanfare the creation of NNBIS (National Narcotics Interdiction System) to provide national coordination for the war on drugs. We were told that NNBIS, in addition to the Vice President's Task Force on Drug Enforcement which was announced just a few months earlier with similar publicity, would enable us to win the war.

These announcements created headlines in the local newspapers and led the nightly news programs in my district. We all believed the administration was serious in its promise to curtail the inflow of illegal drugs. Our expectations were high.

Now, 12 months later, I can't see a single thing that NNBIS has accomplished. The lack of coordination and cooperation among the various agencies charged with waging the war on drugs is disgraceful. NNBIS is not sure what it is supposed to do or what authority it has. NNBIS doesn't even have its own funds. It has to rely for funding on the budgets of participating agencies.

The availability of illegal drugs is at an all time high and the prices are at an all time low. Since 1981 the wholesale price of cocaine has fallen from \$65,000 a kilo to \$15,000 a kilo. If it falls much lower, the drug dealers are going to be asking for price supports.

The motto of this administration seems to be: talk tough but carry a little twig.

This is the way it responded to the reality that it was losing the war on drugs. It cut funds. It reduced the budget requests of the U.S. Customs Service by almost \$19 million while it increased the budget for the Treasury Secretary's office by \$18.5 million. There is no acceptable justification for this transfer of funds. You can be sure that I will support every effort by this committee to have these funds transferred back to the U.S. Customs Service where they belong.

#### NNBIS

A successful air interdiction program, an essential part of NNBIS, requires detection of smuggler's aircraft, the capability to intercept these aircraft and the ability to apprehend the drug traffickers once they have landed. To date the administration has not devoted sufficient resources to the war on drugs to successfully carry out any of these functions. Instead, the administration seems to have done an outstanding job of promoting private enterprise, free of governmental interference, in the drug trade. Right now drug smuggling is one of the fastest growing industries in South Florida.

Let us examine each of these components separately:

1) DETECTION The U.S. Customs Service needs the most sophisticated radar and ground sensing equipment. The radars used by the Federal Aviation Administration and the North American Air Defense Command can detect only aircraft flying at relatively high altitudes. Fortunately the Air Force has put into operation aerostat radar systems at Cudjoe Key and at Patrick Air Force Base. A third, I understand, will begin operating in the Bahamas within a year. I urge the committee to monitor this situation very carefully to ensure its expeditious introduction.

But we need additional aerostat radar systems. An aerostat in the Panhandle would provide 100 per cent coverage of Florida's extensive borders. A system in Puerto Rico would also yield immediate results because once drugs reach this island they can be brought safely into the United States aboard commercial flights.

The Defense Department has not been cooperating with the war on drugs. The number of operational hours per month for the E-2C and the Air Force AWACS radar airplanes has been minimal. In fact, months have gone by during where there has been no coverage at all.

2) INTERDICTION The Customs Service can not interdict unless it has aircraft with sufficient speed to keep up with the smuggler. I understand that the Miami area has the responsibility of covering the entire Florida peninsula, extending east into the Atlantic Ocean and well to the south of Cuba. To cover this vast area the Customs Service has two Cessna Citation jet interceptors. And many times, when a plane is being serviced, there is only one that is operational. It is hard for me to believe that Miami is the best equipped region in our nation.

3) APPREHENSION Unless the police can reach the landing site when the drug smugglers do, all the sophisticated equipment bought to detect and intercept will be ineffective. The Cobra helicopters now being used carry only two passengers, too small for this purpose.

I'd like to make the following recommendations:

- 1) Expand the aerostat radar system to the Panhandle and Puerto Rico.
- 2) Equip the Customs Service's aircraft with the most sophisticated sensors and navigation equipment so they can function as mini AWACS
- 3) Elicit better cooperation from the Defense Department
- 4) Ensure a full exchange of intelligence information among the various agencies charged with the war on drugs
- 5) Purchase or acquire by loan or seizure enough properly equipped jet interceptors to effectively curtail illegal drug trafficking. I believe three is the absolute minimum in the Miami region.
- 6) Provide the Bahamian government and Puerto Rico with air interdiction modules so these vital crossroads in the drug smuggling corridors are prepared to help in the war on drugs
- 7) Secure from the Department of Defense adequate numbers of Blackhawk helicopters. These helicopters can carry up to a dozen drug enforcement officials who can effectively seize and arrest drug smugglers.

#### BUDGET

The Customs Service air interdiction program at current funding levels cannot adequately deter the inflow of illegal drugs into this country. If this administration is truly committed to winning the war on drugs, it should increase its FY 1985 budget for this line item by \$52.4 million to \$69.5 million. These additional resources are needed to purchase the sophisticated equipment needed to establish the two new air modules and to adequately equip the present ones.

Customs Service sources have told me that if the proposed budget cuts are enacted,

the air interdiction program would be slashed to a mere three days a week. At present the program operates on a seven days a week, 16 hours a day on a selective coverage basis. The administration should be seeking funds to expand the program to 24 hours a day, seven days a week which would cost an estimated \$4,176,032.

The air interdiction program is just one weapon in the arsenal of the war on drugs. But the administration has cut back on the others, too.

The custom inspectors at the airports and seaports really stand on our front line of defense. The administration proposes in its 1985 budget to eliminate 922 positions, 450 of which are inspectors. A hiring freeze will abolish another 400 positions. In the last two years Customs personnel has been reduced by 25 per cent. Many inspectors who should be out there seizing hard drugs before they enter the country are now sitting at desks typing up forms.

We need to increase Customs Service personnel. Otherwise, these additional cuts will increase the inflow of drugs dramatically.

The administration has also refused to fund a marine interdiction program which was successfully tested last summer off the coast of Florida. The Customs Service requested \$8.62 million for fiscal 1985 to set up such a program in 10 cities including two marine patrols in Miami and one each in Ft. Lauderdale and Key West. These marine patrols would complement the air interdiction program and should be implemented at once.

Mr. ENGLISH. Thank you very much. We appreciate that fine statement. Are there any questions from the members? If you have the time, Mr. Chairman, and if you can, we would like to invite you to join us during any part of the hearings that you can. We welcome you and we appreciate your testimony.

Mr. PEPPER. Mr. Chairman, I am sorry, I would like to be excused. I have another hearing but I thank you for the chance to be here.

Mr. ENGLISH. Thank you. Our next witness certainly needs no introduction. To those who are familiar with the war on drugs, there has been no better champion in that area than Senator Chiles. We have long admired his fine efforts. Senator, we appreciate your coming and we are happy to receive your testimony.

**STATEMENT OF HON. LAWTON CHILES, A SENATOR IN CONGRESS  
FROM THE STATE OF FLORIDA**

Mr. CHILES. Thank you, Mr. Chairman. I commend you and the subcommittee for your tenacity and your dedication to the role of watchdog over the drug interdiction efforts of this administration. I am sure that the next 3 days are going to be profitable in assessing the Government's role in the war against drugs and specifically in evaluating to date the success or failure of the National Narcotic Border Interdiction System, otherwise known as NNBS.

Before I address the central issue before us today—the deficiencies of the air interdiction program—I want to make it clear that I recognize what has been accomplished over a short period of years since we asked that the South Florida Task Force be set up to do something about the devastation drug trafficking was causing Florida. I don't want to belittle the fight undertaken and the many battles won by frontline troops since that time. There are success stories—many operations carried out on a shoestring. I think we are all proud of the people in the trenches. They and their families have sacrificed a lot to bring about those success stories.

Mr. Chairman, I want, also, to congratulate a small Colombian police force that has made this tremendous cocaine bust that we have just been reading about. Twelve tons of cocaine; that is the biggest bust by a factor of almost 10 of anything that we have ever had before. We seized 3,000 pounds in Florida and we could not believe that there was that much cocaine in one place. And here we see 12 tons versus an estimate of somewhere from 44 to 54 tons which was the total seized in the entire year. It looks like they fought a pretty good pitched battle. They captured 40 people, including an American pilot.

I think that we can feel good about that; about \$1.5 million that we made available to the Colombian police. We have just been reading about the tremendous odds they are fighting, and we are always talking about why don't these countries do more, and we fuss about what they are doing. I want us to congratulate them today because I think that is a tremendous accomplishment. I think it shows that if we can encourage and give a little—some funds—and some assistance and help them with some intelligence, as I know that we have been doing down there, we can see some benefits from that program as well.

The Coast Guard especially has had its work cut out for it. I want to give you one example. The Coast Guard cutter *Dallas*, stationed off Haiti, has averaged making an interdiction of either traffickers, or illegal aliens, or drug traffickers every 96 hours. In the first 2 months of 1984, almost half as many aliens were interdicted as the entire year of 1983.

Last year in the Southeast, Coast Guard units seized 143 vessels. They made 652 arrests. They confiscated 1.9 million pounds of marijuana and during that same period of time, units also seized 28 alien-smuggling vessels that led to the return of 717 illegal aliens to their countries of origin.

Yet, even with these proven records, we see that the Coast Guard budget has been cut. Not the fat, mind you, but the muscle and the bone. We have been told that ships will not be maintained as often as usual, that the already antiquated equipment will be forced into more service, and that personnel is being cut by 755 and 176 of those were specifically tagged as law enforcement personnel.

Mr. Chairman, that is an issue that is not on the agenda today but it is one that we should not forget when we look at the Customs cuts before us. There seems to be a pattern emerging that the President's budget actions belie his drug enforcement promises. The numbers on the paper just don't add up to the rhetoric on the tube about the administration's concern for law and order. You could say that it appears to be a shell game at best and a deliberate distortion at worst.

I thought it would interest the subcommittee to hear what the administration's own words were and what they had in mind when the national narcotics border interdiction system was established 1 year ago this week. The following are excerpts from a press briefing at the White House on March 23, 1983. I would like to submit a copy of the entire transcript for the record.

Mr. ENGLISH. Without objection, it will be made a part of the record.

[The transcript is retained in subcommittee files.]

Mr. CHILES. Thank you, sir. Those present were the media; the counselor to the President, Ed Meese; the Assistant Secretary of the Treasury, John Walker; White House Director of Drug Abuse Policy, Carlton Turner; and Deputy Associate Attorney General, Jeffrey Harris.

Mr. Meese, in opening the briefing, announced that based upon the success of the South Florida Task Force, the administration was expanding on that effort. The President was establishing an interdiction system that would take the lessons learned in south Florida and expand the interdiction concept to all the borders of this country.

The 6 border interdiction centers were then distinguished from the 12, now 13, organized crime drug enforcement [OCDE] task forces. Specifically, the system is a border patrol effort designed to provide surveillance, interdiction, and apprehension of those involved in drug trafficking. Mr. Meese analogized that the system would be like "a patrol force in a police department, which is on the street, watching and monitoring what goes on, making arrests," and the OCDE task force would be like the "detective force which is investigating cases and taking cases to prosecution."

The questions turned on the cost of the new program and Mr. Meese was asked if he anticipated a need for supplementary funds. He replied:

Well, what we are trying to do is take resources, as I say, existing and available resources, including military resources and others, and utilizing them on an entire national basis as far as the border is concerned. We don't know—I don't think anybody could tell you precisely ultimately how much in the way of resources is necessary. We do know that the resources we have available now can be used better. We do know that such things as radar surveillance, such as aerial surveillance by the military, such as the use of Navy ships that are in training activities with Coast Guard crews aboard can be utilized to a greater extent than we have. And that is what we are going to do.

The question was put:

Will there be additional resources or are you talking about organizing the resources already available?

Mr. Walker, the Assistant Secretary of Treasury, said:

Let me give an example. As far as the Customs Service is concerned, we have a request in to DOD right now for six P-3 Orion aircraft, eight tracker-interceptor aircraft, the C-12 variety, and four Blackhawk helicopters. And we are expecting a favorable response from that. We have an indication on that.

Question: These military planes would be available to the Customs Service?

Mr. WALKER. Military planes will be made available to Customs, yes.

As I said, Mr. Chairman, I thought the subcommittee would be interested in what the administration's intent was with regard to the border interdiction system's budget at the outset. I think further perusal of the transcript would be illuminating and I encourage all those who are interested to read it, especially in light of some of the things I think we might hear today.

Mr. Chairman, as you know, there has been more concern with the administration's proposal to cut 954 positions out of the Customs Service budget and to reduce the air program by \$14 million. Last Thursday, Senator DeConcini and I had the opportunity to question Secretary Regan about the proposed cuts in the air program, the Customs Marine Program and deep cuts in positions needed for inspection activities. In spite of all the information that we could gather from sources at the Department of Defense and within the U.S. Customs Service, we understand that the Department of Defense has not agreed to restore the cuts as proposed by Secretary Regan. This confirmed in my mind, and I believe also in Senator DeConcini's mind, the need for us to begin early in our efforts to ensure that the Customs Service has an adequate budget for 1985.

To accomplish that purpose, Senator DeConcini and I are forwarding our recommendations to Chairman Abdnor with regard to the Customs 1985 budget. Essentially, we are recommending an increase of \$82.6 million over the amount requested by the President. That would restore those 923 positions proposed for elimination. It would provide \$8.6 million to establish the 10 marine drug interdiction modules. This, by the way, is an item that was requested by the Department in its submission to OMB. We would increase the Air Program over the amount recommended by the administration by \$28.3 million to a total funding level of \$45.4 million.

Included in our recommendations for the Air Program is \$5 million for the lease or purchase of radar surveillance balloons—you spoke of that in your opening statement—to be located in the Ba-

hamas and \$2.1 million for special air operations as a reserve to ensure that we would not have shortfalls in operations as we have had in the last several months in south Florida when special needs arise.

Mr. Chairman, you have a copy of our Customs Service proposal. I won't go into any greater detail at this time. I should note, however, that we are proposing that the \$82.6 million increase for Customs be offset by a decrease of \$9.2 million in the Office of the Secretary and a \$73.4 million decrease in the Internal Revenue Service. That is not going to come out of the enforcement provisions in the Internal Revenue Service where they are enforcing a tax for compliance.

Our budget proposal would put teeth, muscle and bone back into the Customs Service drug interdiction, marine interdiction, and critical technology enforcement programs.

I strongly urge that our colleagues in the House follow suit in this regard. Again, I want to thank you for diligently pursuing in your committee, this fight against drug trafficking. I hope you will keep up the good work. I know that Senator DeConcini and a number of us that are working actively on the Senate side will do the same. Thank you very much Mr. Chairman.

Mr. ENGLISH. Thank you very much Senator. I appreciate that fine statement.

[The prepared statement of Mr. Chiles follows:]

STATEMENT BY SENATOR LAWTON CHILES  
BEFORE  
HOUSE GOVERNMENT OPERATIONS SUBCOMMITTEE  
ON  
GOVERNMENT INFORMATION AND JUSTICE

March 31, 1984

2154 Rayburn House Office Building  
10:00 a.m.

CONTACT: Jack Pridgen  
202/224-9441

REP. ENGLISH, I COMMEND YOU AND THE SUBCOMMITTEE FOR YOUR TENACITY AND DEDICATION TO THE ROLE OF WATCH-DOG OVER THE DRUG INTERDICTION EFFORTS OF THE REAGAN ADMINISTRATION. I'M SURE THAT THE NEXT THREE DAYS WILL BE PROFITABLE IN ASSESSING THE GOVERNMENT'S ROLE IN THE WAR AGAINST DRUGS, SPECIFICALLY EVALUATING TO DATE THE SUCCESS OR FAILURE OF THE NATIONAL NARCOTIC BORDER INTERDICTION SYSTEM (OTHERWISE KNOWN AS NNBIS -- "IN BIS" OR "NIB BIS").

BEFORE I ADDRESS THE CENTRAL ISSUE BEFORE US TODAY --- THE DEFICIENCIES IN THE AIR INTERDICTION PROGRAM --- I WANT TO MAKE IT CLEAR THAT I RECOGNIZE WHAT HAS BEEN

ACCOMPLISHED OVER THE SHORT COUPLE OF YEARS SINCE WE ASKED THAT THE SOUTH FLORIDA TASK FORCE BE SET UP TO DO SOMETHING ABOUT THE DEVASTATION DRUG TRAFFICKING WAS CAUSING FLORIDA. I DO NOT WANT TO BELITTLE THE FIGHT UNDERTAKEN AND THE MANY BATTLES WON BY THE FRONT LINE TROOPS SINCE THAT TIME. THERE ARE SUCCESS STORIES --- MANY OPERATIONS CARRIED OUT ON A SHOE STRING. I'M PROUD OF THE PEOPLE IN THE TRENCHES. THEY AND THEIR FAMILIES HAVE SACRIFICED ALOT IN BRINGING ABOUT THOSE SUCCESS STORIES.

THE COAST GUARD, ESPECIALLY, HAS HAD ITS WORK CUT OUT FOR IT. FOR EXAMPLE, THE COAST GUARD CUTTER DALLAS STATIONED OFF HAITI HAS AVERAGED MAKING AN INTERDICTION OF EITHER TRAFFICKERS OR ILLEGAL ALIENS EVERY 96 HOURS.

IN THE FIRST 2 MONTHS OF '84, ALMOST HALF AS MANY ALIENS WERE INTERDICTED AS IN THE ENTIRE YEAR OF '83. LAST YEAR, IN THE SOUTHEAST, COAST GUARD UNITS SEIZED 143 VESSELS, MADE 652 ARRESTS, AND CONFISCATED 1.9 MILLION POUNDS OF MARIJUANA. DURING THE SAME PERIOD THE SAME UNITS ALSO SEIZED 28 ALIEN-SMUGGLING VESSELS WHICH LED TO THE RETURN OF 717 ILLEGAL ALIENS TO THEIR COUNTRIES OF ORIGIN. ALL THAT ALONG WITH CARRYING OUT THEIR OTHER DUTIES TOO! AND YET, EVEN WITH THESE PROVEN RECORDS, THE ADMINISTRATION IS DETERMINED TO CUT THE COAST GUARD BUDGET --- NOT THE FAT, MIND YOU, BUT THE MUSCLE AND BONE. WE'VE BEEN TOLD THAT SHIPS WON'T BE MAINTAINED AS OFTEN AS USUAL, THAT ALREADY ANTIQUATED EQUIPMENT WILL BE FORCED INTO MORE SERVICE, AND THAT PERSONNEL IS

BEING CUT BY 755 (176 OF WHICH ARE SPECIFICALLY TAGGED AS LAW ENFORCEMENT).

MR. CHAIRMAN, THIS IS AN ISSUE THAT IS NOT ON THE AGENDA HERE TODAY, BUT IT IS ONE THAT WE SHOULD NOT FORGET WHEN WE LOOK AT THE CUSTOMS CUTS BEFORE US. THERE SEEMS TO BE A PATTERN EMERGING THAT THE PRESIDENT'S BUDGET ACTIONS BELIE HIS DRUG ENFORCEMENT PROMISES. THE NUMBERS ON THE PAPER JUST DON'T ADD UP TO THE RHETORIC ON THE TUBE ABOUT THIS ADMINISTRATION'S CONCERN FOR LAW AND ORDER. IT APPEARS TO BE A SHELL GAME AT BEST AND A DELIBERATE DISTORTION AT WORST.

I THOUGHT THAT IT WOULD INTEREST THE SUBCOMMITTEE TO HEAR WHAT THE ADMINISTRATION'S OWN WORDS WERE AND

WHAT THEY HAD IN MIND WHEN NNBS WAS ESTABLISHED A YEAR AGO THIS WEEK. THE FOLLOWING ARE EXCERPTS FROM A PRESS BRIEFING AT THE WHITE HOUSE ON MARCH 23RD, 1983, AT 3:51 PM. I'D LIKE TO SUBMIT A COPY OF THE ENTIRE TRANSCRIPT FOR THE RECORD. THOSE PRESENT WERE THE MEDIA; COUNSELLOR TO THE PRESIDENT, ED MEESE; ASSISTANT SECRETARY OF THE TREASURY, JOHN WALKER; WHITE HOUSE DIRECTOR OF DRUG ABUSE POLICY, CARLTON TURNER; AND DEPUTY ASSOCIATE ATTORNEY GENERAL, JEFFREY HARRIS.

MR. MEESE OPENS THE BRIEFING BY ANNOUNCING THAT BASED UPON THE SUCCESS OF THE SOUTH FLORIDA TASK FORCE, THE ADMINISTRATION WAS EXPANDING ON THAT EFFORT. THE PRESIDENT WAS ESTABLISHING AN INTERDICTION SYSTEM THAT

WOULD TAKE THE LESSONS LEARNED IN SOUTH FLORIDA AND  
EXPAND THE INTERDICTION CONCEPT TO ALL THE BORDERS OF  
THE COUNTRY.

THE SIX NNBIS CENTERS WERE THEN DISTINGUISHED FROM  
THE 12 (NOW TO BE 13) ORGANIZED CRIME DRUG ENFORCEMENT  
(OCDE) TASK FORCES. ESSENTIALLY, NNBIS IS A BORDER  
PATROL EFFORT DESIGNED TO PROVIDE SURVEILLANCE, INTERDICTION,  
AND APPREHENSION OF THOSE INVOLVED IN DRUG TRAFFICKING.  
MR. MEESE ANALOGIZED THAT NNBIS WOULD BE LIKE "A PATROL  
FORCE IN A POLICE DEPARTMENT, WHICH IS ON THE STREET,  
WATCHING, MONITORING WHAT GOES ON, MAKING ARRESTS,  
AND THE OCDE WOULD BE LIKE THE "DETECTIVE FORCE"  
WHICH IS INVESTIGATING CASES AND TAKING CASES TO  
PROSECUTION."

THE QUESTIONS TURNED TO THE COST OF THE NEW PROGRAM.  
MR. MEESE WAS ASKED IF HE ANTICIPATED A NEED FOR  
SUPPLEMENTARY FUNDS. HE REPLIED:

"WHAT WE'RE TRYING TO DO IS TAKE RESOURCES,  
AS I SAY, EXISTING AND AVAILABLE RESOURCES,  
INCLUDING MILITARY RESOURCES AND OTHERS,  
AND UTILIZING THEM ON AN ENTIRE NATIONAL  
BASIS AS FAR AS THE BORDER IS CONCERNED.  
WE DON'T KNOW --- I DON'T THINK ANYBODY  
COULD TELL YOU PRECISELY ULTIMATELY HOW  
MUCH IN THE WAY OF RESOURCES IS NECESSARY.  
WE DO KNOW THAT THE RESOURCES WE HAVE  
AVAILABLE NOW CAN BE USED BETTER. WE DO  
KNOW THAT THINGS SUCH AS RADAR SURVEILLANCE,

SUCH AS AERIAL SURVEILLANCE BY THE  
MILITARY, SUCH AS THE USE OF NAVY SHIPS  
THAT ARE IN TRAINING ACTIVITIES WITH  
COAST GUARD CREWS ABOARD CAN BE UTILIZED  
TO A GREATER EXTENT THAN WE HAVE. AND  
THAT'S WHAT WE'RE GOING TO DO.

. . . . .

THE QUESTION WAS PUT: WILL THERE BE ADDITIONAL  
RESOURCES OR ARE YOU TALKING ABOUT ORGANIZING THE RESOURCES  
ALREADY AVAILABLE?

MR. WALKER (ASST. SEC. OF TREASURY): LET ME GIVE  
AN EXAMPLE. AS FAR AS THE CUSTOMS SERVICE IS CONCERNED,  
WE HAVE A REQUEST IN TO DOD RIGHT NOW FOR SIX P-3 ORION

AIRCRAFT, EIGHT TRACKER-INTERCEPTOR AIRCRAFT, THE C-12 VARIETY, AND FOUR BLACKHAWK HELICOPTERS. AND WE ARE EXPECTING A FAVORABLE RESPONSE FROM THAT. WE HAVE AN INDICATION ON THAT.

Q            THESE MILITARY PLANS WOULD BE AVAILABLE TO THE CUSTOMS SERVICE?

MR. WALKER:            MILITARY PLANS WILL BE MADE AVAILABLE TO CUSTOMS, YES.

. . . . .

AS I SAID, MR. CHAIRMAN, I THOUGHT THE SUBCOMMITTEE WOULD BE INTERESTED IN WHAT THE ADMINISTRATION INTENT WAS WITH REGARD TO THE NMBIS BUDGET AT THE ONSET. I THINK FURTHER PERUSAL OF THE TRANSCRIPT WILL BE

ILLUMINATING AND I ENCOURAGE ALL WHO ARE INTERESTED  
TO READ IT.

MR. CHAIRMAN, AS YOU KNOW, THERE HAS BEEN MORE  
CONCERN WITH THE ADMINISTRATION'S PROPOSAL TO CUT 954  
POSITIONS OUT OF THE CUSTOMS SERVICE BUDGET AND TO  
REDUCE THE CUSTOMS SERVICE AIR PROGRAM BY \$14 MILLION.  
LAST THURSDAY, SENATOR DECONCINI AND I HAD THE  
OPPORTUNITY TO QUESTION SECRETARY REGAN ABOUT THE  
PROPOSED CUTS IN THE AIR PROGRAM, CUSTOMS MARINE  
PROGRAM AND DEEP CUTS IN POSITIONS NEEDED FOR  
INSPECTION ACTIVITIES. IN SPITE OF ALL OF THE  
INFORMATION THAT WE COULD GATHER FROM SOURCES AT  
THE DEPARTMENT OF DEFENSE AND WITHIN THE U.S.

CUSTOMS SERVICE, THE DEPARTMENT OF DEFENSE HAS NOT AGREED TO RESTORE THE CUTS AS PROPOSED BY SECRETARY REGAN. THIS CONFIRMED IN MY MIND AND I BELIEVE ALSO IN SENATOR DECONCINI'S MIND THE NEED FOR US TO BEGIN EARLY IN OUR EFFORTS TO ENSURE THAT THE CUSTOMS SERVICE HAS AN ADEQUATE BUDGET FOR FY '85.

TO ACCOMPLISH THAT PURPOSE, SENATOR DECONCINI AND I ARE FORWARDING OUR RECOMMENDATIONS TO CHAIRMAN ABDNOR WITH REGARD TO THE CUSTOMS 1985 BUDGET. ESSENTIALLY, WE ARE RECOMMENDING AN INCREASE OF \$82.6 MILLION OVER THE AMOUNT REQUESTED BY THE PRESIDENT. THIS WOULD RESTORE 923 POSITIONS PROPOSED FOR ELIMINATION. IT WOULD PROVIDE \$8.6

MILLION TO ESTABLISH 10 MARINE DRUG INTERDICTION  
MODULES. THIS, BY THE WAY, IS AN ITEM THAT WAS  
REQUESTED BY THE DEPARTMENT IN ITS SUBMISSION TO  
OMB. WE WOULD INCREASE THE AIR PROGRAM OVER THE  
AMOUNT RECOMMENDED BY THE ADMINISTRATION BY \$28.3  
MILLION TO A TOTAL FUNDING LEVEL OF \$45.4 MILLION.

INCLUDED IN OUR RECOMMENDATIONS FOR THE AIR  
PROGRAM IS \$5 MILLION FOR THE LEASE OR PURCHASE  
OF RADAR SURVEILLANCE BALLOONS TO BE LOCATED IN  
THE BAHAMAS AND \$2.1 MILLION FOR SPECIAL AIR  
OPERATIONS AS-A RESERVE TO ENSURE THAT WE WOULDN'T  
HAVE SHORTFALLS IN OPERATIONS AS WE HAVE HAD IN THE  
LAST SEVERAL MONTHS IN SOUTH FLORIDA WHEN SPECIAL

NEEDS ARISE.

MR. CHAIRMAN, YOU HAVE A COPY OF THE DETAILS OF OUR CUSTOMS SERVICE PROPOSAL SO I WON'T GO INTO ANY GREAT DETAIL ON THEM AT THIS TIME. I SHOULD NOTE, HOWEVER, THAT WE ARE PROPOSING THAT THE \$82.6 MILLION INCREASE FOR CUSTOMS BE OFFSET BY A DECREASE OF \$9.2 MILLION IN THE OFFICE OF THE SECRETARY AND A \$73.4 MILLION DECREASE IN THE INTERNAL REVENUE SERVICE.

OUR BUDGET PROPOSAL WILL PUT THE TEETH, MUSCLE AND BONE BACK INTO THE CUSTOMS DRUG INTERDICTION, MARINE INTERDICTION, AND CRITICAL TECHNOLOGY ENFORCEMENT PROGRAMS. I STRONGLY URGE THAT OUR

COLLEAGUES IN THE HOUSE FOLLOW SUIT.

THANK YOU AGAIN FOR DILIGENTLY PURSUING THE  
FIGHT AGAINST DRUG TRAFFICKING. PLEASE KEEP UP THE  
GOOD WORK AND I PLEDGE TO DO THE SAME.

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Mr. CHILES. My colleague from Florida, Representative Shaw, made a good point, Mr. Chairman, that this is an issue that unites all of the Florida delegation on the Senate side, and House side, and on both sides of the aisle.

We have seen our State ravished by what has happened in drugs and we have seen that then go across the rest of the country and it is an issue in which—I notice even in your committee—there is great bipartisan support and I think that that is great.

Mr. ENGLISH. Thank you. That is a very good point, Senator. That is true throughout the Congress and its committees. We have found it to be true in the House Armed Services Committee and the House Appropriations Committee, as well as the committees in the Senate. I think there is a deep and genuine bipartisan support for a strong anti-drug-smuggling effort.

I want to point out and perhaps underscore your statement a bit, with regard to the Coast Guard ships. Those ships average about 40 years of age and we are still cutting the maintenance money for those ships even as they get older. So obviously, that presents great difficulties. Are there any questions for Senator Chiles from the members?

Mr. BURTON. Senator, I think we all agree with what you have said and probably there will be more money forthcoming. I think Republicans and Democrats alike feel strongly about this issue. But, I just wondered if you thought that in conjunction with additional appropriations to try to keep these drugs out of the country, if stronger laws like some of the other countries have around the world; stiffer penalties where they literally put people in jail, and throw the key away, and even impose death penalties for some of these smugglers; if that might not also be a deterrent and cut down on the flow of drugs in this country?

Mr. CHILES. I would certainly agree. I think we have to attack on all fronts. I think part of it is enforcement; part of it, of course, is trying to see if other countries do their job in trying to stop the drugs from ever coming. Congressman Shaw pointed out that Colombia looks like that they are about ready to enter into a spray program.

If you will remember, we had a battle over here for several years to change our laws because we sort of prohibited the use of paraquat by any country we are giving aid money. So we literally shut down the Mexican spray program by a provision that we passed. It took us a good while to repeal that provision. We finally did. Now, I think, we are beginning to make some success in encouraging countries to do that.

We have gotten our State of Florida to use paraquat spray so that we can show other countries, look, we are willing to use that too. It is a common herbicide. We use it all the time to kill weeds and yet there was this great outcry that paraquat would just damage the health, and destroy the country, and would kill the environment. We use amounts of it all over this country for weed killer. This is a weed we need to kill. But you are right, we need to work on all these fronts.

We passed a pretty good Senate crime package—to the endless delays in the way that they can frustrate law enforcement authorities and our court system through the improper use of habeas

corpus petitions filed over and over—filed 30 years after the fact—and I think that is something that everyone from our Supreme Court Justices to our State Association of Attorneys General, the U.S. Attorney Generals under several administrations have all said we needed to reform.

Mr. BURTON. Well, I would just like to make one comment, Mr. Chairman, and ask one more question. The comment is that I am sympathetic to the need for additional funding to make sure we have the facilities necessary to keep these drugs from getting into the country. But I am also a little pessimistic because as long as it is going to be profitable for those people to get that stuff into this country and a minimal chance of severe penalties being imposed upon them, they are going to continue to do it. If they don't do it through Florida, they are going to do it over the Canadian border, or on the east coast, or the west coast.

I am hopeful that we will be able to impose or pass the strongest possible legislation and impose the most severe penalties possible upon these people in the future. I am sure that you and other Members of the Senate will work in concert with us in the House to get that done.

I would like to just ask one more question. You were talking, and I think Representative Pepper was talking also, about the need for additional aircraft to be made available by the military. We've confiscated, as I understand it, a lot of boats and a lot of aircraft that are being held in Florida and other places across this country and I have been told that some of those airplanes could be adapted for surveillance if we were able to get them freed from the compounds in which they are being held. Have you studied that issue? Is that possible?

Mr. CHILES. Yes, sir; we have and we are trying again to change some of the forfeiture rules and laws so that there can be a quicker turnover. One of the problems is that we have several places in Florida where we have millions of dollars worth of aircraft that rots and then gets pillaged; engines are taken from it. All the radios—the good surveillance things—are taken out because they, set over long periods of time because you have to wait, sort of, until the final disposition of the case and all of its appeals. So again, reforming the laws—and one of the things in addition to these heavy penalties that you mentioned—is that we have got to simplify and reform our laws in regard to seizure and forfeiture.

One of the ways of stopping these people is to seize their assets. You have got to be able to seize those early in the game because what we are finding is that many times by the time we get around to having a conviction, all the assets are gone. You have got to hit these people in the pocketbook, you have got to be able to trace the money. So that goes through the whole bank secrecy laws. It goes again to the offshore banks. All of those are very important pieces of the puzzle and you have to deal with those because many times if you can seize—hit them in the pocketbook—and seize those assets and the money—all of their toys, all of their boats, all of the land that they use, you can do more to cripple an operation that way. It is going to take you a long time before you can get a final disposition of the case given the fact that these people can hire every lawyer in the world and they can appeal and appeal.

Mr. BURTON. Well, what I was getting after, are some of these planes if we could get them turned over to—

Mr. CHILES. They could be useful and especially to your local law enforcement. You have local law enforcement people that will participate in a bust for example. One of their reasons for doing that is they do not have in their budgets—you know they cannot get an aircraft. Many of these good twin engine aircraft, well equipped, could be tremendous assets to a local law enforcement agency. But a lot of these could be turned over to your local law enforcement agency. Maybe Customs is going to have an even faster and better aircraft that we can provide out of the military hardware.

But there are some problems in how you do that now. Customs often says: "We can't let—we can't share that aircraft. We have to go to a public auction with it." We need to change that.

Mr. BURTON. Thank you. Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you. Mr. MacKay?

Mr. MACKAY. I would like to follow up on that. I have one example. This would be humorous except it is so serious. The sheriff of one of my counties, Citrus County, actually developed a case and turned the case over to the Federal authorities with the understanding that since he had invested most of his investigation budget for the year on the case, that if the aircraft was apprehended, it would be turned over to him. It wasn't a sophisticated aircraft, it was a Cessna 172.

The combined resources of the House and Senate have not been sufficient to break that aircraft loose from whoever has got it. I think GSA has got it. And, apparently there is a greater risk as our agencies—in allowing that aircraft to go from a Federal level to a local level, than there is in the risk of noncooperation in the future.

I can tell you that one sheriff—it will be a long time before he cooperates.

Mr. CHILES. That is right. He will go out and make his own case now and seize the plane. But again, to coordinate that and have that be only part of that case which he was attempting to do—you know, we have lots of important factors in that and it is ridiculous that we have not been able to break that out.

Mr. MACKAY. It is very difficult to explain to him why that can't be resolved. In fact, I don't think there is a rational explanation. Thank you, Mr. Chairman.

Mr. CHILES. I might mention that we have a forfeiture reform bill as part of the Senate crime package and I would sure hope that that could be moved on this side of Capitol Hill.

Mr. ENGLISH. Are there any other questions? Mr. Shaw.

Mr. SHAW. I would like to thank Senator Chiles for the job he is doing on the Senate side as ranking minority member on the most important Budget Committee. I got a blow-by-blow description of the hearing last week and I understand it came very close to being exactly that on the testimony received from the Treasury.

I think that there is no question about that within the administration; there is a strong resolve in the Vice President's Office and I believe in the President's Office to continue what we have started. I think that Treasury will get that particular message.

I am most concerned as you are—

Mr. CHILES. Could you give me an estimate of the time as to when they get that message? [Laughter.]

Mr. SHAW. Yes; I will, Senator. I understand that the most important part of the testimony given on your side was the question—incidentally, the same thing came up on our Subcommittee on Public Buildings of which I am the ranking minority member—as to where the money went that left the interdiction program some time between the time the budget went to the Budget Office and the time it came out in its final printed form.

There is a great deal of speculation that it went into office renovation and things of that nature. This seems—whereas I understand that at the hearings I held and I understand that this same thing is holding true across the board—it was stated that this was only coincidence. I think the coincidence of the identical figures is more than overwhelming. And, as far as I am concerned, until the interdiction money is put back in the budget under its proper heading, Hell can freeze over before the Treasury is going to get any of that money in the public buildings section. I believe you feel the same as I do about that particular provision.

Mr. CHILES. That would help them get the message. I just have to recount that the Senator from Arizona has pushed for us having a central control on this fight against drugs. Some people call it the drugs czar. You can call it something else.

I think the Vice President would make an excellent man in charge of this. But it is interesting to note that we don't have anybody in charge. I think part of these things happen because the left hand does not seem to know what the right hand is doing, and does not seem to know the importance that is attached to this.

You know, how in the world can an item as sensitive as half of the money in the Drug Interdiction Program be cut out? There is just no way in my mind that I can conceive that the President would allow that to happen and certainly not the Vice President. So it drops down to the Secretary of the Treasury where this is not that kind of priority.

Now that—maybe that is understandable. Given what is on his plate maybe that is understandable. But if we had some better coordination, and as you know the success of the South Florida Task Force was that it all went up to one head; that for the first time we stopped some of the buckpassing and some of the credit taking and the fights between Coast Guard, and Customs, and between all of these agencies—the strike forces, INS, and everybody that was a participant, IRS. They knew there was somebody up there and he is called the Vice President and he has a fellow named Admiral Murphy that is down there sort of on the ground, such that if we start squabbling in here there is somebody that can really call us to task.

We don't see that happening here. We have the Treasury going off in all of these directions. I notice that the statement that the Vice President made to you—it sounded to me like the Vice President did not have any idea about this money.

The Vice President called me the day we were having that hearing. He was asking me about the prayer amendment. I told him I was there fighting for our drug money. He said, "I hope you get it." So I think that somehow the right hand does not know what the

left hand is doing. If we could have had that coordinator—czar, whatever you want to call him—as the Senator from Arizona was envisioning, as we tried to pass into law, we would be further along in this fight.

Mr. SHAW. I think your comments are well taken. I think that the Vice President and his comment to you as well as to me was speaking very much for the President and the President's continuing commitment in this particular area.

Mr. CHILES. To me, I felt like I was hanging out a little because I helped to make the announcement and I know you were encouraged by it when we were putting this \$8 million additional money into south Florida. That was a big announcement. I can tell you in Florida that it boded well for the administration, the President and the Vice President. That money was to be spent for additional U.S. attorneys, and additional investigators so that we could make cases.

Then we turn around and cut \$13 million out of the arm that is making those cases. If that is not the most ridiculous thing in the world that that can happen; that you add \$8 million and you take away \$13 million. That just has to tell you that somebody is not, sort of, tending the top of the store. Somebody is not coordinating. I don't think—there is no way that I can come up with a scenario of why he would do that. It is not good public relations, it is not good administration, and it is not good anything else.

So it has to tell me that there is nobody in charge, overall. They are saying: "Here is our plan. Get in line with this plan."

Mr. SHAW. Well, I think that the President and the Vice President are very much in charge. However, I do agree with you in the situation that the coordination that we have seen for the first time in south Florida and the successes that we have had and using that as a roadmap for the rest of the country, certainly points out in itself the need to continue what we are doing.

To quote the President, "If it is not broken, don't fix it." This one is not broken, it is working good and it is on schedule.

Mr. ENGLISH. Perhaps you gentlemen would agree then that in the war on drugs perhaps Lieutenant Regan is out of step. [Laughter.]

Any other questions? If there are no other questions, Senator, we deeply appreciate your testimony. It has been very helpful to us. Thank you very much.

Mr. CHILES. Thank you Mr. Chairman.

Mr. ENGLISH. Senator, if you care to join us we would love to have you join us at the bench here.

Mr. CHILES. I would like to.

Mr. ENGLISH. Great. We deeply appreciate that. Our next witness will perhaps enlighten us with regard to what has taken place at the Department of the Treasury and what the views of the Secretary of the Treasury are. We have with us, speaking for the Treasury Department, the Honorable R.T. McNamar, Deputy Secretary of the Treasury.

Mr. McNamar, we want to welcome you. As I stated earlier, normally we would ask you to summarize your statement. We would then make your entire written statement a part of the record. But given the fact that we did not receive your statement until this

morning, and the members really have not had an opportunity to go through that statement, I am going to ask you to read the whole thing just so that we do not miss anything.

And, as I also mentioned earlier, because you were unable to get your statement to us on time, we would ask that you would be available tomorrow so that after the members have an opportunity to digest what is contained in that statement, they may have additional questions. So we would appreciate your being available tomorrow.

**STATEMENT OF R.T. McNAMAR, DEPUTY SECRETARY OF THE  
TREASURY, DEPARTMENT OF THE TREASURY**

Mr. McNAMAR. I would be delighted. Let me apologize to the members of the committee and the distinguished Senators who are here for not providing this statement in time. But one of the very good things that your hearings have provided for, is that they have given us a chance to get even further into the Customs program and look at how we have been doing today. I think that it was that review that delayed us in getting testimony prepared.

So I apologize for the lateness of it, but I think that it will have a good result that the chairman will be delighted with.

Mr. ENGLISH. Mr. McNamar, what do you mean by "we"? Do you mean that that gave the Office of the Secretary an opportunity to get more involved in the Customs effort? Who are you talking about when you say "we"?

Mr. McNAMAR. I am talking about myself personally, the Assistant Secretary, and the Commissioner of Customs in terms of reviewing and in preparation for this testimony, and in terms of reviewing the whole program.

Mr. ENGLISH. Mr. von Raab—we have been over this for the last 2 years with him. I know that he is pretty much up to speed on it. So I was kind of curious as to who "we" was. If you are talking about the Secretary's Office, I assume you are part of the Secretary's Office?

Mr. McNAMAR. Yes, I am.

Mr. ENGLISH. Then I would assume that we are talking about the Secretary's Office, isn't that correct?

Mr. McNAMAR. Well, I think that we have all learned a little bit because it has enabled me to go back and ask some sharper and more critical questions than I had asked before. I think therefore, you have served as a catalyst to produce a result that you will be pleased with.

Mr. ENGLISH. We are happy to focus your attention on the problem.

Mr. McNAMAR. Thank you. I am pleased to be here today to discuss the National Narcotics Boarder Interdiction System [NNBIS], generally, and the Customs Service participation in that system—particularly the Customs air program.

When this administration came into office in 1981, the President recognized the enormity of the drug problem and directed the administration to make efforts to permit new resources, reallocate existing resources and coordinate those resources in an all-out war

against drug traffickers. As a result, the administration has taken several major steps in that area.

First, in the summer of 1981, the FBI was brought into the drug fight by being given concurrent jurisdiction with the Drug Enforcement Administration to investigate drug offenses. Second, in March 1982, the Vice President's South Florida Task Force was established, involving a massive infusion of Federal resources into south Florida. Third, the President's Organized Crime Drug Enforcement Task Force was formed in February 1983 to concentrate on major drug trafficking organizations.

And finally, in March 1983, the National Narcotics Border Interdiction System, or NNBIS, was created to coordinate the efforts of Cabinet departments and the intelligence community in order to interdict the flow of drugs into the United States. NNBIS collates intelligence information and provides that information to agencies responsible for interdiction. It also participates in developing special operations and actions that are needed to more effectively interdict drugs. Others who will appear before you will furnish more information about NNBIS.

We talked about the Customs role. I would like to focus on the Customs role in drug interdiction. When the administration took office, the Customs Service's principal role was that of a passenger and cargo processing and facilitating agency, and a tax collector. The emphasis quickly shifted to law enforcement, particularly to the prevention of exports of critical technology to the Eastern bloc, and drug interdiction. Resources reallocations and program direction from Commissioner von Raab and his staff and the positive responses of the career employees have produced tremendous results. Fiscal year 1983 was a record year for the Customs Service in drug interdiction. Heroin seizures in fiscal year 1983 reached almost 600 pounds, up over 100 percent from the previous year as shown on chart 1. [Chart shown.] Cocaine seizures were even more dramatic as shown on chart 2. [Chart shown.] In fiscal year 1983 Customs seized over 19,600 pounds of cocaine—a 78-percent increase over fiscal year 1982, and a 400-percent increase over fiscal year 1981. In just 2 years Customs has taken over 30,000 pounds of cocaine off the streets in America, and about \$5.3 billion out of the pockets of drug criminals. Thus, the overall Customs drug interdiction program has made rapid gains over the past few years and Customs should be proud of its success.

Two points I might interject into my testimony here, with your permission, Mr. Chairman. One, when we talk about the Customs air program we are talking about cocaine, because by our records about 56 percent of the cocaine seized comes in by air. So they are synonymous. Second, I would agree with Senator Chiles' comments on the Colombian bust that was made on the cocaine factory down there. This administration has repeatedly brought the attention of the Colombian and the Peruvian Governments in particular, to this problem. In fact, I have a meeting this coming—it will be Sunday night or Monday morning—with the Colombian Finance Minister where I was going to press this again, and with the new Peruvian Finance Minister, where I will press this again and make it very clear what the U.S. interest is. So we try to work both ends of the pipeline, if you will.

A particularly important fact of the interdiction program is the Customs Air Program—that is, its program to prevent smuggling by general aviation. Although an Air Program had been initiated as long ago as 1971, in 1981 the Air Program was poorly equipped to handle the smuggling threat. Therefore, much attention and effort has been devoted here—beginning with the establishment of the first air module in south Florida in 1981. Since that time, the Air Program has consistently been enlarged and strengthened—and the President's fiscal year 1985 budget represents a continuation of that trend.

Before discussing the budget in detail, let me say that Treasury and the administration are proud of the Customs Air Interdiction Program, which we consider to be a success. We are proud first because it produces results. The value of Air Program drug seizures have increased dramatically over the last 3 years from \$700 million in fiscal year 1981—measured at today's street value—to \$3.5 billion in fiscal year 1983—in chart 3. [Chart shown.] First quarter results for fiscal year 1984 are running roughly comparable to those in fiscal year 1983. I think that is a major, major improvement that we have made.

We are also proud of the Air Program because of its improving cost effectiveness. It is difficult, of course, to measure the overall cost effectiveness of any monitoring program since the ideal result would be for no criminals to attempt to smuggle drugs. But, what we can measure is the effectiveness of interdiction efforts—that is, once a potential smuggler has been spotted, how efficiently Customs tracks and apprehends that smuggler. The interdiction flight hours compared to number of seizures indicate improving efficiency of our operations. Whereas, in fiscal year 1982, 12 interdiction flight hours were required per apprehension, this level fell to 8.5 hours in fiscal year 1983. In fiscal year 1984, we anticipate further improvements. I will touch on that later.

And, of course, neither the amount of narcotics seized nor the operating efficiency can measure the deterrence value of the program, or the benefits derived from forcing smugglers to shift their operations away from familiar methods. We believe that the Air Program has caused shifts in smuggler operations that permit other agencies to more effectively carry out their enforcement efforts, particularly DEA.

Concerning the budget for the Air Program, I want to clear up some confusion that seems to exist, both in the press and among some Members of Congress. I am particularly pleased to testify today. Since a misinformed press release from a member of this subcommittee contributed to the confusion, I am pleased that the subcommittee is making this effort to clear up that confusion.

The Treasury Department is committed to maintaining and enhancing the Customs Air Program in 1985. The Secretary of the Treasury has proposed an Air Program of \$28 million, not a \$17 million program as has sometimes been reported. And, under a \$28 million budget, Customs will be doing more in 1985 than ever before in the history of the Air Program.

Let's examine each of the three functions required for successful air interdiction, and the recent history and future of our capabilities in each of these functions as shown in chart 4. [Chart shown.]

The first function is detection—that is, the ongoing monitoring of air space, watching for potential smugglers. Frankly, I am convinced that detection is not properly a function of the Customs Service. Rather, it should be conducted by the Defense Department as a part of its overall national security mission. I will talk about this in more detail later.

Although detection is not properly a Customs function, the Service has acted to fill the void. Our detection capability increased in fiscal year 1983 with enhanced DOD support in the form of additional access to E-2B, E-2C, and E-3A aircraft, and the Customs linkage with the first aerostat balloon. It is increasing again in fiscal year 1984 with the addition of a second aerostat that went on earlier this year.

However, Customs' responsibility for aerostat balloons and other detection capabilities is inconsistent with our view of Defense responsibility for detection. Therefore, it is inappropriate to place the responsibility for a third aerostat in the Customs Service—particularly since DOD currently manages and supports the existing two aerostats. With respect to the P-3A aircraft, our review of the usefulness of this potential program indicates that it may not be the best use of the taxpayers' dollars for the Customs Air Interdiction Program. I will say that your hearings have helped us review that by focusing our attention on it.

The \$28 million budget contains \$4.6 million for supporting additional detection capability. As I will describe in detail in a moment, this funding can better be applied to the second and third functions—interception and arrest.

The second function is interception/tracking. Once a potential target has been spotted by a detector, it may fly many miles before attempting to land. The interception/tracking capability follows the target until the landing takes place. This allows the detection platform to continue general monitoring. The President's fiscal year 1985 budget increases our capabilities in interception and tracking by providing for the addition of four new high-performance aircraft, while maintaining other capability at existing levels.

The third Customs function is the arrest function. Large increases in the Customs capability in this area occurred in both fiscal year 1983 and fiscal year 1984, with the arrival of one Blackhawk helicopter in 1983 and three additional ones in fiscal year 1984. These have limited interception/tracking capability, and are excellent for apprehension or arrest capabilities. The fiscal year 1985 budget maintains our capability at these levels.

Thus, on the whole, fiscal year 1985 will see yet another increase in Customs' overall air-interdiction capability. However, some members of this committee and some in the press appear to be confused about the level of effort anticipated in the President's fiscal year 1985 budget. This confusion probably results from a lack of understanding of the details behind the budget numbers. In private industry, the budgeting process distinguishes between operating expenses and capital improvements—capital improvements being one-time costs of installing new equipment, et cetera, which are not expected to recur in subsequent years. In budgeting for the Government, these two categories are lumped together in a single budget.

The fiscal year 1984 budget contained some \$13.8 million of one-time costs shown in chart 5 up here. [Chart shown.]

For example, it included \$1.4 million for upgrading facilities, \$1.5 million for regional operations control centers, and \$7.9 million for equipment installations and modifications. Only \$17.2 million was budgeted in fiscal year 1984 for actual air operations—excluding the aerostat, which I have already discussed. I would direct the committee's attention to this chart because you see that it breaks the budget moneys for fiscal year 1984 and the subsequent years down into categories which I think are useful to understand.

First, is the operational cost. That relates to what we are doing. If you will see there it has the operations and maintenance costs for the 62 Customs' aircraft. It annualizes some costs, includes the inflation. It does reflect the airborne detection system that has been asked for to date by the Congress, and some high-performance leased aircraft that would be added.

If you look at the total operational costs; that is, what we are doing in interdiction, you will see that it goes up from \$17.2 million in fiscal year 1984, \$19.2 million, \$23.8 million at the fiscal year 1985 operating level at the end of last year, and the President's budget request is \$27.8 million. So in fact, the President's budget request for operational air interdiction increases to \$27.8 million.

The second major category up there is acquisition and development costs. You will notice that there was the bunching of \$10.8 million in fiscal year 1984; \$1.5 million for the regional operational control centers [ROCC's]. There is a facilities upgrade of \$1.5 million and equipment modernization, a one-time cost of \$7.9 million. Those do not relate except for the ROCC's, those do not relate to the operational mission of air interdiction.

The last cost that you see on there, the other cost is \$3 million in fiscal year 1984 for an aerostat balloon. You can see therefore, at the bottom that the total nonrecurring cost is \$13.8 million. You can see that the total air program funding levels is—you would have \$31 million, including operation, acquisition and other. That would drop to \$19 million when you take out the other and the acquisition and you would be back to the increase from \$19 million to \$23.8 million to \$28 million in actual air interdiction.

To provide the same level of air operations in fiscal year 1985 as is being provided in fiscal year 1984, it is not necessary to once again spend a full \$31 million. In fact, to provide the same level of operations in fiscal year 1985 as are being provided today—that is March 1984—only \$19.2 million would be required. If we add to this level the operations of aircraft that are expected to be delivered later in this fiscal year, \$23.8 million would be required. The President's budget takes this \$23.8 million level and increases it further. It projects a continuation of all of these efforts—as well as the addition of four new high-performance interception/tracking aircraft in fiscal year 1985.

Thus, although the actual outlays in fiscal year 1985 under the budget would be \$3 million less than in fiscal year 1984—\$28 million in fiscal year 1985 versus \$31 million in fiscal year 1984—the funding devoted to ongoing operations will be significantly larger; and the size and scope of actual air operations will be significantly larger than in fiscal year 1984.

Let me now turn to the discussion of a DOD request. As I said earlier, Secretary of the Treasury is committed to a \$28 million air program. The President's budget requests that \$17 million be appropriated for this purpose, and at the same time the Treasury requested DOD support of \$11 million for the operation and maintenance of the military aircraft that have been made available to the Customs. I might add, with support of the Congress, that we are very appreciative of that.

At the end of the day last Friday—March 16—we received a letter from Secretary Weinberger telling us that DOD would not be able to provide the requested support. In light of this letter, Treasury is examining alternatives for funding the \$11 million. As Secretary Regan said to the House and Senate Appropriations Subcommittees, "If reimbursement is not forthcoming, we will try to identify moneys within Treasury's request to fund this cost." Since the letter was received only late on Friday, I have no results of those efforts to report to this subcommittee today but we would be glad to get back to you.

Let me talk about an ideal program because I think that is what you are interested in and that is what the administration is interested in. The President's budget for the air program represents an increase in effort over fiscal year 1984. However, I do not claim the Customs Air Program is ideal. Rather, it represents the best compromise, given the circumstances. Ideally, DOD should assume full responsibility for all detection operations. This would be consistent with their national defense responsibilities and would overlap heavily with DOD existing operations. However, because DOD continues to operate under a defense policy that leaves major gaps in radar coverage, Customs is forced to fill these gaps with highly expensive detection equipment.

DOD can assist Customs dramatically through the following actions:

First, would be the expedited netting of radar information at regional operations control centers in Tyndall and March Air Force Bases.

Second, enhance coverage by E-2C and E-3A through maximum commitment of training missions and operational surveillance; maximum commitment.

Third, would be adapting current training missions to Customs' surveillance needs.

Fourth, would be a revision of mission operation policies to ensure that current altitude requirements are operationally enforced and that target and air speed criteria are adapted to interdiction needs.

Fifth, would be the expedited delivery of C-12's or comparable equipment on a loaned basis. I noticed in your testimony, Mr. Chairman, you seemed to be under the impression that that is still a possibility. Our understanding from the Defense Department is that they will not be able to comply with that.

Now, I don't know how much you wish to get into the details on this. My personal view, Mr. Chairman, is that some of these are quite sensitive in terms of giving the parameters of our present radar and detection capabilities to drug smugglers. So I will defer

to your guidance as to how much detail you want me to get into about the gaps that we have in our coverage.

Mr. ENGLISH. I think the appropriate level with regard to that, Mr. McNamar depends on whether or not the information is classified or not. If it is classified information, obviously we will take that up in a closed session. We have done that in the past. If the information is not classified we would expect you to discuss it.

Mr. McNAMAR. My problem, Mr. Chairman, is that I am not sure what is classified and what isn't, but I would be delighted to come to a closed session.

Mr. ENGLISH. I would be delighted to advise you of what is classified and what is not. If it has got a little stamp on the paper and says it is secret or top secret or confidential, I would suggest to you that it is classified. If it does not have any little stamp on it, it is not classified.

Mr. McNAMAR. This information was given to me verbally Mr. Chairman. So I can't—

Mr. ENGLISH. Were you told that it was classified information?

Mr. McNAMAR. I was not.

Mr. ENGLISH. All right, then we would assume that it is not. I see that we have no choice unless you would like to have someone from your staff verify whether it has been properly classified or not.

Mr. McNAMAR. I—

Mr. ENGLISH. Surely your staff can check on that while we are— before we get to the questions.

Mr. McNAMAR. I am at your disposal and would be guided by whatever you want to do.

Mr. ENGLISH. Well, if there is any question in your mind as to whether or not this information is classified, I would suggest that you have someone from your staff check at this moment while you conclude your statement.

Mr. McNAMAR. The Commissioner informs me, Mr. Chairman, that this information in fact is not classified but is not widely known and available to drug smugglers. His counsel would be that I not discuss this because it would indicate the parameters under which they could more effectively operate and avoid radar detection.

Mr. ENGLISH. Well, then we will try to proceed very carefully. If there is such an area, I would suggest that perhaps the Commissioner of Customs come up here and disclose to me what that information is and we will talk about how sensitive it is and whether it is in fact something that should not be brought out in a public meeting. But if it is not classified, you understand that we have the discretion to make that decision.

Mr. McNAMAR. I will be guided by your decision, Mr. Chairman. We will be delighted to do that.

Mr. ENGLISH. Why don't we just suspend right now. Commissioner, would you come up here and visit with me about it and tell me what it is specifically and we will try to resolve this quickly.

Was this information that the Commissioner had, Mr. McNamar?

Mr. McNAMAR. I had it.

[Conference between Chairman and Commissioner of Customs.]

Mr. ENGLISH. For the information of the public, we will not go into any information which is not already on the public record. The Secretary has told me that this is part of the previous report. So we will continue.

Mr. McNAMAR. Thank you, Mr. Chairman. In this regard, the assistance of this subcommittee in persuading DOD to make these changes would be most helpful. Because of the gap in current limited DOD surveillance coverage, this subcommittee's efforts and those of NNBIS and the Customs Service have been suboptimal.

Even this subcommittee's well intended efforts would inadvertently contribute to reducing drug enforcement efforts by misdirecting Customs' efforts toward attaining dedicated surveillance capabilities—for example, the P-3A. Much time and effort has been devoted to the P-3A, which is acknowledged by everyone as highly expensive and of questionable and unproven capability.

Surely all of our efforts would be better spent on a complete solution of the detection problem—that is, full DOD acceptance—without reservations—of the air smuggling detection and surveillance responsibility. This would allow Customs to focus its entire \$28 million budget on the interception/tracking and arrest functions, where Customs is most effective.

We will shortly seek concurrence of our Senate and House Appropriations Committees to reallocate fiscal year 1984 air program moneys in accordance with this thrust. For fiscal year 1985, we also anticipate a similar shift in spending patterns within the \$28 million budget to reflect our experience gained to date. Your subcommittee's efforts could be most helpful by working with the Defense authorization and appropriations committees to support fully our drug interdiction efforts.

In conclusion, Mr. Chairman, I want to thank the subcommittee for this opportunity today. Because of its evolving nature, the Customs Air Interdiction Program has been the subject of continual planning, testing, evaluation and change. The fact that your subcommittee has held these hearings has helped us to conduct an in-depth review of this program. I am confident that with your support and that of the relevant authorizing and appropriating committees an even more effective Interdiction Program can be developed.

I hope that you will work as hard in the Congress as I shall in the administration to attempt to perfect this program. The Reagan administration and many Members of Congress are committed to cost-effective, maximum law enforcement efforts. Your personal commitment to support the Customs Air Program with regard to providing additional interdiction and arrest capabilities, and your work with the appropriate Defense Department committees and DOD officials to maximize their surveillance and detection efforts will be instrumental in improving this effort.

Thank you very kindly for your indulgence, Mr. Chairman.

Mr. ENGLISH. Thank you Mr. McNamar. Senator DeConcini is going to have to leave us, so I will recognize him for a question.

Mr. DECONCINI. Mr. Chairman, I will be very brief. I have a number of questions for Secretary McNamar which I would like to submit to him and ask him to be as specific as he can in response.

Mr. Chairman, I have to leave. I want to thank this committee again. In my opening statement I made reference to the administration playing a shell game; putting the pea under the walnut. After listening to this outrageous testimony by the Deputy Secretary as to what his budget says and includes, the pea has been stolen. The President and the Vice President of the United States have been betrayed. I would ask permission Mr. Chairman, that tomorrow at your hearings that I present point by point with Senator Chiles, the distortions and inaccuracies in the statement just presented to us. I am absolutely shocked that the Deputy Secretary would try to pull this shell game on this sophisticated committee and the members here.

Thank you.

Mr. ENGLISH. Thank you very much, Senator. I think you will definitely have that opportunity.

[Mr. DeConcini's questions, with replies, follow:]

(1) QUESTION: How do you reconcile your letter of December 8th, with your boss' repeated assurances that Customs cuts are not being used to offset increases in other Treasury program?

ANSWER: The Customs budget reduction decision was developed independently and separately of the rest of the Treasury bureau budgets. The Secretary told the staff of his decision to cut Customs before he was even aware of most of the items OMB had cut. No reductions were made in Customs to offset increases elsewhere in the Department.

The reference in my letter of December 8, 1983 to OMB about this matter was intended to alleviate a concern that OMB had raised (in addition to their other concerns) about the total expenses of the Treasury Department. The reference was intended to say that this action had the effect of reducing the total Treasury budget. No causal connection between the Customs budget and those of other bureaus was intended. The savings proposed were based on the potential efficiencies to be gained in the U.S. Customs Service. My statement in the letter was an after-the-fact realization of what had occurred as a result of budget decisions made on separate tracks.

(2) QUESTION: What specific rationale went into your decision to beef up other Treasury programs, primarily non-law enforcement programs, and slash the Customs budget, including the air drug interdiction program?

ANSWER: As I stated before, the budget for each Treasury bureau was developed independently of the other. The initial Departmental budget was submitted to OMB in September. Subsequently, in November the Secretary along with other Cabinet officials met with the President, who asked that each Cabinet Secretary scrutinize his budget for further savings. As a result of this further review, the Secretary determined that additional savings could be made in the U.S. Customs Service. It was believed that these savings could be gained through automation, organizational and functional consolidation as well as improved selection in inspection processing. It was the Secretary's intent that these savings would be realized without impact on current law enforcement effectiveness.

(3) QUESTION: How do you expect to carry out the mandates and work of the Vice President's National Narcotics Border Interdiction System with an air program of \$17.7 million?

ANSWER: I believe this question is based on a misperception of Treasury's intention. The intention of the Treasury Department has always been to fund a \$28.1 million air program in FY85, not a \$17.1 million program. Although the Customs Service did formally request \$17.1 million in its budget for the air program, the actual planned operations were at the \$28.1 million level. The additional \$11.0 million was to be provided by the Department of Defense for the operation and maintenance of military aircraft that have been loaned to Customs. As you know, the Department of Defense has now advised that they will not be able to provide the requested support. The Treasury Department now plans to submit a budget amendment to provide for this funding.

At the \$28.1 million level, the Customs Air Program would be operating more and higher capability aircraft in FY85 than in FY 1984. More of the funds are slated for direct operational support, and a higher utilization rate is planned. Also, the four additional high performance aircraft in operation should significantly increase interception effectiveness. Furthermore, there has been a recent decision that Customs will fund the third aerostat balloon for FY 1985 to provide radar coverage of traffic coming from the Bahamas. This cost will be approximately \$4 million. Even with a \$28 million budget, the fact is that Customs will be doing more detection, more interception and tracking and more apprehension of private aviation drug smuggling than has ever been done in the past. We will have the utilization of 4 Blackhawk helicopters for a full year. The Aerostat balloons at Patrick Air Force Base and Cudjoe Key will be fully operational for an entire year. The P-3A will have been fully tested and might provide additional detection capability. With the 4 leased Citations we will have the use of 7 interceptors and 5 trackers for a full year.

- (4) QUESTION: If Treasury is so concerned about drug interdiction, why are you cutting \$640,000 or 32 percent out of marine program special operations and why didn't you appeal the \$8.6 million cut by OMB for the 10 marine interdiction modules?

ANSWER: The \$640,000 reduction in FY 1985 includes \$200,000 from the Marine Program and \$440,000 from overall special operations, not those specifically conducted as part of marine interdiction. The \$200,000 is less than 10 percent of Marine Program funding. In recent years, Customs had added many seized vessels to its fleet. The vessels are not designed for Customs mission requirements and in many instances they are old and outmoded. In general, their interdiction capabilities are inefficient and ineffective, and they are costly to operate. Customs believes it can save \$200,000 by cutting back at non-critical smuggling locations on the operation of these vessels. Marine modules operating in Florida and other high risk locations will not be affected.

With regard to Special Operations, the savings will result from implementing a more selective policy on the number of operations. With increased intelligence capability, special operations will be targeted for only the most critical enforcement problems and where the greatest impact can be achieved. There should be no impact on enforcement since the number of special operations have been sharply increased in recent years, as reflected in the following:

<u>Year</u>	<u>Amount</u>
FY 1980	\$ 700,000
FY 1981	\$1,075,000
FY 1982	\$1,200,000
FY 1983	\$2,600,000
FY 1984	\$3,000,000
FY 1985	\$2,560,000

The Treasury Department did not appeal the OMB action on the Customs request for \$8.6 million for its Marine Program because after the allowance was received, the President requested all agencies to further reduce their FY 1985 budget requests. We believed that this program, although of high priority, was already being served by over 100 vessels and there were other important programs requiring resources.

(5) QUESTION: How can you possibly believe that a cut of 452 inspectors will have no effect on our drug interdiction efforts at these and other major ports of entry where narcotics trafficking is so severe? Tell us how you will do more with less in FY 1985.

ANSWER: Senator, the total figure of 452 includes 410 inspectors and 42 marine officers. As for the specific reductions by port that you quoted, I must inform you that those are not officially approved Treasury Department or Customs reductions. To get ready for the proposed reductions, numerous staff working papers have been prepared outlining potential options. As of today, none of these options have been approved or cleared by myself or Secretary Regan.

We do not foresee any impact from this reduction on passenger or cargo processing or the very important enforcement function. In recent years, Customs has developed selectivity systems and automated procedures for facilitating cargo and passenger processing. Special programs such as ACCEPT, One-Stop, and an automated in-bond system indicate that the inspectional workload can be processed selectively with minimal disruption. The system is already in-place and is operating successfully.

With regard to enforcement, the Customs Service also has implemented significant innovations which maintain full effectiveness with fewer staff. The most significant new approach has been the Contraband Enforcement Teams (CET).

The teams perform both cargo and passenger examinations. In the examination of cargo, the teams analyze documentation and review intelligence data in an attempt to identify both high-risk and low-risk cargo. As a result, Customs is able to move low-risk shipments, which represent the majority of imports, in an expeditious manner while intensifying our enforcement activities on high-risk shipments. This selectivity approach benefits the importing community by facilitating the movement of the majority of imports. It has also resulted in an increase of seizures and penalties, which indicates that the selectivity approach, when effectively employed, can be of mutual benefit to Customs and the importing community.

Customs has assured me that it can handle this reduction in inspectional personnel without any major problems.

(6) QUESTION: If the present consolidation plan is such a bad idea and your top Deputy fears it will hurt drug enforcement, why are you still standing behind the plan? Why not fight back and protect your Department's law enforcement missions?

ANSWER: We do not believe the present plan is a bad one. Rather it is a realistic compromise. The primary effect of the consolidation will be to place inspectors under the management and supervision of a single agency for the first time. Because the same inspectors will basically be performing the same enforcement efforts they have always done at the borders, weakening of enforcement, if any, should be minimal and temporary. Although there are always problems associated with a consolidation or merger of any type, the many benefits of consolidation outweigh these temporary problems.

(7) QUESTION: How can you and the Secretary endorse any primary inspection plan that would have such a devastating effect on Customs personnel, particularly in key patrol positions? How did you decide that Customs could afford to let another 282 people go over to INS under this scheme?

ANSWER: Any loss of Customs personnel would result in an immediate and equivalent increase to INS. The same dual-agency primary inspection functions would continue to be performed by basically the same individual inspectors; only the supervision would change. For most instances, the inspector will remain at his current port and essentially be responsible for the same functions. The main difference would be that all of the primary inspectors would be working under the management of a single agency.

(8) QUESTION: What would be the specific effects on Office of the Secretary functions if Congress were to adopt our proposed cut of \$9.2 million next year? Be specific and tell us what you couldn't do.

ANSWER: If Congress were to cut the Office of the Secretary by \$9.2 million, OS would be unable to meet major planned program objectives. The specific reductions would include:

\* Annex ..... \$5,683,000

OS would not be able to renovate and restore the Treasury Annex. All mechanical functions need to be upgraded and it is imperative to bring the building up to current standards. The importance of the money in FY 1985 is to begin the renovation while the building is vacant. BGFO (the present occupant) is planning to move to a consolidated location.

\* Upgrade or Replace the Mainframe.Computer.....\$2,400,000

OS would not be able to provide needed improvements to its main computer system. OS has just completed the last upgrade of the current system under a 6-year contract. Any new major application will require a complete revamping of the system. The current plan is to upgrade the system to the new Sperry 1100/90 system series. Without the increase, OS will remain at its present capacity.

- \* Telecommunications digital .....\$412,000  
 OS would not be able to convert its current Centrex telephone system to a digital system. OS will be hampered in its initiative to automate and will not be able to keep up with rapidly changing technology.
- \* Word processing equipment.....\$380,000  
 OS automation would be seriously impaired. The Office of the Secretary has not requested new positions for the last three years in part because it has planned to meet its expanding workload through office automation efforts.
- \* Data Processing contracts.....\$367,000  
 OS would not be able to carry out planned improvements in three vital program areas: (1) projecting cash flows, (2) automation of the Departmental budget system, and (3) analysis on major departmental ADP acquisitions.

- (9) QUESTION: Can you tell us what the specific effect might be on your IRS operations next year if we made this small reduction in non-essential cost items at IRS? You would still have a 6% increase in IRS next fiscal year.

ANSWER: The proposal to cut the Internal Revenue Service by \$73.4 million in mandatory costs is impractical and unrealistic. Almost one billion dollars in revenue collection would be lost. It would not be prudent to cut the primary revenue-producing agency, faced as we are with an unprecedented tax gap and a mounting Federal deficit.

The Internal Revenue Service cannot, under law, fail to pay its bills or compensate its employees. The additional funds requested to cover mandatory cost increases such as the January pay raise, within-grades, employee health benefits, printing and mailing tax returns, paper and related supplies for notices of taxes due, paying states and counties for recording and releasing tax liens, reimbursing General Services Administration for rent of space, etc., are uncontrollable. For example, the Service must pay its revenue agents the salary set by law; it must match their contribution for health benefits, medicare and retirement; it must reimburse them for travel to corporate headquarters and businesses to examine books and records; it must pay for telephone costs incurred in contacting taxpayers.

Without these necessary funds, the Internal Revenue Service would be forced to cut tax enforcement personnel -- staff used to audit tax returns, collect unpaid taxes, detect nonfiling, and investigate tax fraud, including tax-related narcotics investigations. The Service's FY 1985 budget

already assumes \$160 million (4,560 positions) in productivity savings, management improvements and other reductions. Almost all of these savings, achieved through prior ADP investments, have been redirected into tax compliance in an effort to contain the tax gap of over \$80 billion. The budget for fiscal year 1985, now pending before the Congress, is the minimum needed for effective tax administration. Over \$33 billion will be collected through direct enforcement of the tax laws -- an amount double the revenue collected five years ago.

As the following table shows, most of the increase for the Internal Revenue Service is needed to cover mandatory costs. Because of productivity savings, the Service is able to enhance tax enforcement and continue to modernize its operations through ADP and systems technology. At the same time, the Service must pay for increased costs of current operations. It is not a proper conclusion to assume that cutting funds needed to meet mandatory costs would have no effect on tax enforcement, systems modernization, and other programs.

INTERNAL REVENUE SERVICE  
BUDGET ESTIMATES, FY 1985

	<u>Positions</u>	<u>Amount (Millions)</u>
1984 Appropriation (Continuing Resolution)	89,282	\$ 3,264.8
<u>Mandatory Costs</u>		
Employee compensation	+ 11	+ \$ 141.0 <sup>#</sup>
Employee benefits		+ 11.6
Reimburse GSA for rent of space and storage of tax returns		+ 15.8
Telecommunications		+ 7.1
Printing and postage		+ 7.7
Enforcement expenses (lien fees, etc.)		+ 1.8
Annualization of ADP equipment (e.g., Automated Collection System)	+ 72	+ 42.1
Support and services (guards, medical services, paper, envelopes for notices of tax due, etc.)	+ 18	+ 9.1
<hr/>		
SUB-TOTAL	+ 101	+ \$ 236.2
<u>ADP and Systems Modernization</u>	+ 182	+ \$ 64.0
<u>Containing the Tax Gap</u>	+ 1,447	+ \$ 52.1
<u>Interest and Dividend Tax Compliance Act</u>	+ 435	+ \$ 12.0
<u>Workload Increases</u>	+ 1,493	+ \$ 62.8
<u>Productivity Savings and Reductions</u>	- 4,561	- \$ 160.0
<hr/>		
TOTAL CHANGE	- 903	+ \$ 267.1
1985 Request	88,379	\$ 3,531.9

<sup>#</sup> Includes \$60.8 million for increased pay costs which are being incurred in FY 1984.

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(10) QUESTION: What portions of the Siler Report will you be able to implement with your \$17.1 million air program budget? Tell us what pieces if you are able to do anything.

ANSWER: First, the Treasury Department never intended an operating level of \$17.1 million for the Air Program. The budget request was based on a \$28.1 million operating level, with \$11 million to be provided by Department of Defense. Because the \$11 million in Department of Defense funding will not be available, the Department is in the process of submitting a budget amendment to provide for this funding. In addition, the recent decision to fund a third aerostat for the Bahamas will further increase this projected FY 1985 operating level by approximately \$4 million.

Second, the Customs Service has already implemented a number of the "Siler" report recommendations. These include centralized operational control through the East and West Directors, Air Operations Divisions. These field directors report directly to the Director, Office of Patrol. A lease for four additional high performance aircraft has been signed. Six positions have been manned, office and operations facilities have been acquired, and equipment is being installed to bring the East and West C<sup>3</sup>I's (Known as ROCC Sites) to operational status before the end of this fiscal year.

Certain elements of the "Siler" report have been identified for implementation in Fiscal Year 1985: Phase II of the continuing implementation of the East and West ROCC, at an estimated cost of \$200,000; and the continuation of the lease of four high performance aircraft, at an estimated cost of \$4 million. This \$4 million figure includes both lease and operational and maintenance costs.

As for other operational projects outlined in the "Siler" report, Customs will review them as part of an overall NNBIS review of air interdiction efforts. As you know, the Siler report called for a number of changes, including the role of Customs in the detection function. Before proceeding with individual initiatives, we wish to review the overall strategy. Projects deserving priority implementation will be undertaken using resources forced by greater efficiencies in other programs. We will, of course, keep the Congress informed.

Finally, it should be noted that the Siler report is in the nature of an advisory opinion as to what should be done in the air program. While some of the recommendations are excellent and have been adopted, others require further study and may or may not be adopted.

(11a) QUESTION: Now that the Department of Defense has officially turned down your ill-conceived request for DOD funding, what specific plans to you have to restore funding to the Customs air program? Will you send up a budget amendment? Request a reprogramming or what?

ANSWER: The Department of Treasury is committed to maintaining an effective enforcement and operating level for the Air Program. The Department is now reviewing its overall budget to determine where the funding can be obtained. As indicated by the Secretary of the Treasury, the Congress will be consulted on the restoration of funding for the air program. We do intend to present an amendment to the FY 1985 budget request for the \$11.0 million requested of DOD and \$4.0 million for the large Aerostat to be located in the Bahamas.

(11b) QUESTION: Why didn't you tell the Secretary that Secretary Taft at the Pentagon had given you the bad news over the phone BEFORE the Secretary came up to testify before our Subcommittee last Thursday, March 15th? We already knew that Taft had turned you down, but the Secretary was not told.

ANSWER: This matter had been discussed with Department of Defense over a period of weeks and involved at least preliminary discussion of a couple of alternatives. Department of Defense staff had many objections to the proposals. Even though there were objections, I thought there was still room for negotiation and I conveyed this to the Secretary. We had received no formal written turndown from the Department of Defense. I did not believe that my discussion with Deputy Secretary Taft necessarily reflected a Department of Defense final position on the question of operations and maintenance funding for loaned aircraft.

(12) QUESTION: What happened between December 8, 1983 when you didn't need any Department of Defense help for the air program, and the submission of the official FY 1985 Customs air program budget to Congress in February, 1984 in which you said that you needed \$11 million from the Pentagon?

ANSWER: During the period from December 5, 1983, when Treasury received the OMB passback and December 8, when the Treasury appeal to the OMB had to be submitted, a number of Treasury programs were conceptually reviewed.

The December 8 letter summarized a number of decisions made regarding these programs in general terms. Subsequent staff work was needed to implement these decisions in further detail.

In subsequent weeks, individual bureau staffs worked to develop these broad decisions into specific budget proposals and to coordinate these proposals with Department staff and senior management.

With regard to the air program, the Department of Defense had recently loaned aircraft, radar and equipment to Customs. Since the Department of Defense required that the equipment be maintained to their standards, ready for return in 72 hours notice should conditions require it, it was believed that the Department of Defense could better provide the necessary maintenance support and expertise. Therefore, it was recommended that the Department of Defense be requested to provide \$11 million for maintenance, fuel, and other support costs, as part of the FY 1985 Customs budget request.

(13) QUESTION: How were you able to get away with asking for more money for Treasury after the President of the United States directed you to go back and ask for less?

ANSWER: At the time we and other Departments had received direction from the President to review again the estimates we had submitted for FY 1985 funding, the Treasury had not yet received its initial allowance from OMB. As a result of the direction of the President and the subsequent OMB mark, we reviewed closely the funding requirements for FY 1985 and appealed to OMB a level for Treasury that was lower than our initial request. Although we felt that our initial budget request to OMB included important initiatives for Treasury activities, we considered the President's direction in determining the level which would be appealed to OMB. Below is a comparison of our initial request, amount appealed, and final request to Congress.

	<u>AMOUNT</u> <u>(\$ MIL.)</u>	<u>AVERAGE</u> <u>POSITIONS</u>
REQUEST TO OMB	\$5,342.8	120,443
INITIAL OMB ALLOWANCE	\$5,020.1	117,278
APPEAL TO OMB	\$5,110.4	117,579
FINAL OMB ALLOWANCE	\$5,045.8	114,903
PRESIDENT'S BUDGET (WITH PAY ESTIMATES)	\$5,166.6	114,903

Mr. ENGLISH. I would like to say that each member will have plenty of time to ask questions, I think we should limit ourselves to 10 minutes per member. I think the chairman is probably one who violates this rule more than anyone else. He certainly takes more than his share of the time. I am sure there will be more than one round of questions so that if a member does not get his question asked, he will have a second opportunity.

I would like to see, Mr. McNamar, your chart back there. Let's take cocaine for instance. You had the chart up there. Could we have that cocaine chart again? [Chart shown.]

I noticed that you are particularly pleased in pointing out the great success you have with the amount that has been captured. Do you gauge that as being a big indication of success; is that correct?

Mr. McNAMAR. No. I made it very clear in my testimony that that would be an inadequate measure because it is very possible that we are getting a decreasing percentage of a larger amount that is coming in.

Mr. ENGLISH. That is exactly the point I want to make because I think that it has long been recognized that the only real indicators that you can have as to the availability, has to do with both the price and purity.

Particularly with regard to cocaine, the price is down 400 percent as I said in my opening statement. So I would indicate to you that we may not be catching a larger percentage of the amount that's coming in. In fact, we could very well be catching even a smaller percentage given the indicators of price and purity; is that not correct?

Mr. McNAMAR. No, it is not necessarily correct. It is a plausible hypothesis and you could be correct. However, it could also be that if you are talking a free market approach to pricing cocaine, that the demand has dropped substantially.

Mr. ENGLISH. Do you have indications or evidence that the demand in this country for cocaine has been reduced?

Mr. McNAMAR. No I don't.

Mr. ENGLISH. All right.

Mr. McNAMAR. That is also a plausible hypothesis.

Mr. ENGLISH. That is exactly correct, but I think as far as law enforcement officials are concerned around this country, that the price purity method of determining availability is one that has long been recognized and I would suggest that in the absence of a reduction or evidence of reduction in demand, we have no choice but to determine that there is more cocaine available. Certainly that would be the case when one takes into consideration the prosecutions that took place earlier this year with regard to cocaine. I believe that DEA was determining that this last year there was something like 49 tons of cocaine coming into the United States.

We just had indictments down in the Atlanta area where one group is suspected of importing over 70 tons of cocaine in 1 year. So I don't want us to get off to a bad start here, Mr. McNamar, with putting up a lot of charts that would lead the public, who is not familiar with this subject, to believe that there has been major success in this area.

Certainly, there have been some and I would join Senator Chiles in saying that the Customs Service has done extremely well given

what they had. Not only have they had to work with inadequate resources, they have had to work with resources that endanger their very lives. Personally, I am amazed that these customs officials continue to have the dedication to perform with the equipment that we provide to them.

I think that it would certainly—we would not be of any assistance to them to try to mislead the public into thinking that perhaps the contrary is true.

Mr. McNAMAR. I don't think my statement was misleading in any way, Mr. Chairman.

Mr. ENGLISH. Well, I thought it was. At least, it was misleading to me somewhat. So right now if it was not, at least now it is crystal clear as to what the situation is.

Mr. McNamar, you came up with a new plan. Basically what you said is that the full responsibility for detection operations falls on the Department of Defense. I assume that you have a written statement from the Secretary of Defense assuming that full detection responsibility, is that correct, as far as law enforcement is concerned?

Mr. McNAMAR. No, I do not have that. I have had several verbal conversations with him and I had a meeting earlier this week where I went over this material—

Mr. ENGLISH. Have you informed the Secretary of Defense that you were going to make this statement today? That as far as the Department of the Treasury is concerned, DOD has full responsibility to carry out the detection responsibilities for the Customs Service?

Mr. McNAMAR. We did in fact inform the Deputy Secretary of Defense, Larry Korb, who heads the Manpower and Resources at the departmental level on Monday. We discussed the key points that were in my testimony with them and they have those under consideration at the present time.

I think that the point—and this is where you deserve some compliments, Mr. Chairman—I think the point is that as this program has evolved we have made mistakes, we have learned, we have improved, we have evaluated what we have been doing and it will continue to change over the next 5 or 10 years, I am quite sure.

I think that our experience to date would indicate to us that there is a bright line standard that can be drawn between the surveillance and detection function which only the Defense Department can do adequately. The interception, tracking and arrest function should only be a responsibility of the Customs Service.

Mr. ENGLISH. Well, I recognize that that seems to be your philosophy today and I also recognize that that seems to be a very recent change in your philosophy. Yet, I know that all the testimony that we have taken—as I mentioned, this is 10th in a series of hearings we have had since 1982 on this subject. It has always been recognized that the critical factor in having an effective drug interdiction program has to be the element of detection. If you can't detect it, you can't intercept it and you cannot arrest it. So you have got to be able to detect it. That is a prime and critical factor.

The real question I have in my mind is, if the Department of Defense is willing to assume this responsibility and is willing to guarantee that we will in fact have the same number of hours of cover-

age that was anticipated for the program that was previously submitted by the Department of the Treasury to OMB for approval, then I have no problem with that. That is fine with me. I really don't care who provides the detection capability.

If the Department of Defense wants to provide E-2C's or AWACS or anything else to go up and provide that type of lookout capability, then that is fine. The thing I want to know from you today is, have you gotten that approval from the Department of Defense?

Mr. McNAMAR. I do not have that from the Department of Defense.

Mr. ENGLISH. So basically, what you are telling me is that—

Mr. McNAMAR. Excuse me, Mr. Chairman.

Mr. ENGLISH [continuing]. You are abandoning the program that was previously submitted for approval and which was approved for funding before you even have a new program to take its place, is that correct?

Mr. McNAMAR. No, sir, I am not saying that at all. What I am saying is that we have determined that certain resources that would have been in the Customs' budget for fiscal year 1985, which has not yet passed, should in fact be reprogrammed so that we can make more arrests. We want more arrests, Mr. Chairman, and we think that we have learned from our experiences that some of the things that we have tried in the past, well intended and supported by the Congress and worth trying, such as the aerostats, are less effective than putting more money into interdiction.

Mr. ENGLISH. Mr. McNamar, the simple fact is that you have to have detection to have an effective drug interdiction program. I don't think that there is any disagreement with the Treasury Department about that. I would hope there is not. Certainly there is not with the Customs Service. There does not seem to be any disagreement as far as the various committees in Congress that have that responsibility. Certainly there is no disagreement within the Department of Defense on that matter.

What you are telling me today is that you have, at least the Secretary of the Treasury or the Treasury Department, has stripped this capability out of the Customs program that was planned for 1985, which was approved by the Office of Management and Budget, without having any approval for any substitute or alternative to take its place as far as the Department of Defense is concerned?

Mr. McNAMAR. Mr. Chairman, that is not correct. For example, in your statement you make the point which I think well illustrates the shift that we propose. On page 3 of your statement you say, "In another example, just last month we were told by the deputy commanding general of the Tactical Air Command, that even when Customs requested radar support from specific AWACS flights, Customs was only capable of responding to 50 percent of the targets which were discovered." This shift would enable us to respond to more of those, Mr. Chairman, which is an objective that you share and that I share, and we support that effort.

That is why we think that it would be far better to take the money that is in the budget for detection and increase interdictions and arrests.

Mr. ENGLISH. The point is that it was already in the budget.

Mr. McNAMAR. No it was not.

Mr. ENGLISH. It was approved by the Office of Management and Budget.

Mr. McNAMAR. It was not.

Mr. ENGLISH. I would submit to you that what we are discussing right now, Mr. McNamar, is detection. I am going to get to interception. Don't you worry about that. We are not going to get past that. Right now let's talk about detection capabilities. The point I want to know is: Where are you going to get the detection for the Customs Service in fiscal year 1985? Where does that detection come from?

Mr. McNAMAR. That detection in fiscal year 1985, if we would double our intercepts based on your statement here that 50 percent—

Mr. ENGLISH. No, we are talking about detection capability, Mr. McNamar. Your plan that you are proposing, where do you get it?

Mr. McNAMAR. Mr. Chairman, let me say that I am not satisfied that we are getting as many hours of AWACS, E-2C's and other Defense Department response as we should. That is a matter of some detail. That information has not been provided to us. I hope it has been provided to the committee for your review. I can't answer some of your specific questions.

Mr. ENGLISH. Let me answer them for you, Mr. McNamar. I will answer them for you because we have been in this a good deal longer than you have. You are absolutely correct. I want you to know that this committee has been down the exact road that you have tried to go down. We have looked at this alternative. As I said, I would be delighted if the Department of Defense could provide this kind of coverage.

If the Department of Defense could provide 1 hour more of detection coverage, I would be very happy about it. We have discussed this both with the Air Force and the Navy. Basically what you are running into with regard to this problem is the law. What we are talking about here is that the law prohibits any activity that would have a negative impact on combat readiness.

Now we have statements from the Navy, and we have had statements from the Air Force, exactly where that line is to be drawn. What you are asking, Mr. McNamar, and what you have asked evidently the Department of Defense, if you have had these discussions with them, is that they cross that line; that in fact, they break the law.

Now let me say this. I have been very pleased, very pleased indeed, with the support of the Department of Defense in this effort. They have bent over backward to try to assist, to try to piece together a program that will enhance substantially the ability of the Customs Service to do its job.

What you are asking them to do is going to be, as I said, a violation of the law. What the Secretary of the Treasury asked them to do previously in his letter of February 6, evidently would be a violation of the law. Now that is the sort of thing that I think is going to disrupt the very carefully crafted associations that have been built up with the Armed Services Committees, this committee, the Appropriations Committees, and other committees within both the House and the Senate, the Customs Service, the Vice President's

Office, as well as the Department of Defense. I think it is going to endanger the support that we have had from the Department of Defense.

Let me suggest something else to you, Mr. McNamar.

Mr. McNAMAR. May I answer that point or are we going to a different subject, Mr. Chairman?

Mr. ENGLISH. I am going to stay right on the subject. Don't you worry about me getting away from the subject. I am not going to stray from that subject. The other part of this is that it really does not make a whole lot of difference where the money for detection comes from. Because in the long run it all comes from the same place; it comes from the taxpayer. So whether it is over here in the DOD account, or whether it is in the Treasury account, it really does not make a whole lot of difference.

The ultimate cost is the real question.

Where can we do it the cheapest? Where can we do it the most efficiently?

What you are suggesting here as I understand it, is the replacement of the P-3's that were a part of the original proposal that the Treasury—

Mr. McNAMAR. One P-3 on an experimental basis, Mr. Chairman.

Mr. ENGLISH. No; not in the fiscal year 1985 budget. That is not correct. That is not correct at all. You would have the one P-3 that is scheduled to be delivered this year. There are three more scheduled to be delivered next year in fiscal year 1985.

Mr. McNAMAR. I am sorry, there were four P-3's in total. I am sorry, I stand corrected.

Mr. ENGLISH. The point I am making is this. What is the cost, the operating cost between operating a P-3—one P-3—and an AWACS plane?

Mr. McNAMAR. An AWACS plane is substantially more expensive to operate. I believe they cost \$28,000 an hour.

Mr. ENGLISH. No. It is \$7,000 an hour.

Mr. McNAMAR. I said \$28,000 an hour. I believe that is what the Air Force would charge.

Mr. ENGLISH. \$28,000 an hour for operating an AWACS plane?

Mr. McNAMAR. I believe that was the number that was quoted to me. Again, if I am wrong on that number—

Mr. ENGLISH. \$7,500 per flight hour is what I understand—

Mr. McNAMAR. We have another number of \$45,000. Maybe we are paying too much for DOD support. I don't know, Mr. Chairman.

Mr. ENGLISH. Right now—

Mr. McNAMAR. If I may—

Mr. ENGLISH. Well, the point—no, let's stick on this, Mr. McNamar. I need to find out.

What is it that you have been told that the cost of the P-3 is going to be? You have been told that it is \$45,000 an hour for AWACS. What were you told that the P-3 was going to cost to operate?

Mr. McNAMAR. I have that number. I would be delighted to look it up and give it to you. I think it is \$375 an hour.

Mr. ENGLISH. \$375 an hour?

Mr. McNAMAR. No, that is \$3,700 an hour; \$3,750, I believe. I can look that up.

Mr. ENGLISH. You have been told that it is \$45,000 an hour for AWACS?

Mr. McNAMAR. Excuse me, \$375 is not the full cost for the P-3. That is just maintenance costs.

Mr. ENGLISH. What we are talking about on all these aircraft is operating costs. The money it takes to fly them.

Mr. McNAMAR. Excuse me a second—there are fuel costs as well, and you have to add personnel.

Mr. ENGLISH. That is part of operating costs.

Mr. McNAMAR. Maintenance on one P-3 aircraft would cost \$375 per hour. If you assume that it flies for 12 months a year, you would get 672 flight hours per year out of the P-3. If you assume that it has a maintenance ratio of 3 to 1, that suggests 2,016 hours of maintenance per year. The maintenance cost is \$756,000 per year on the P-3, I believe. So the total maintenance would be \$756,000 for the 672—

Mr. ENGLISH. Well, we are talking about, Mr. McNamar, let—

Mr. McNAMAR. Now go ahead with the other additional costs, because that is just a piece of the cost.

Mr. ENGLISH. Well now, Mr. McNamar, let's stick right down to where we can know exactly what we are talking about. You have made a decision here. You have made a decision to change a plan that you evidently felt comfortable with. At least that is what you submitted your budget to the OMB on.

This plan would have to determine what it is going to cost the taxpayer and what is more efficient. Is it more efficient to fly a P-3 or is it more expensive to fly an AWACS to the taxpayer?

We are putting aside the law. We are even assuming that the law would let you do it. They won't, but we will—

Mr. McNAMAR. We never requested the Defense Department to violate any law.

Mr. ENGLISH. If you have made this request of them you have asked them to violate the law. I will guarantee you that.

Mr. McNAMAR. Well Mr. Chairman, I won't practice law in that area because I have never read that particular law. But my understanding was that the modification that was made in the posse comitatus law last year, in effect, enables them to look and listen but not arrest, and that that was a subsequent act of the Congress that modified the preceding act; and that as long as there is not a diminishment of readiness, they, I believe, are making a good-faith effort to try to provide as many additional hours as possible. I think the Defense Department, which has been cooperative and helpful—

Mr. ENGLISH. Mr. McNamar, let's go back to my original question and answer my question if you would please. I am asking you and I believe you told me that \$750 an hour is what you came up with in operating costs for the P-3. That is fine with me. I will take your figure. It is far lower than what the actual cost is. If you want to use that figure it is fine.

You are using \$45,000 an hour for an AWACS?

Mr. McNAMAR. No; I thought that is what I was told. Mr. Chairman, the exact number as I said, \$37,000, is \$4,200 an hour for a P-3A. And then the—

Mr. ENGLISH. \$4,200?

Mr. McNAMAR. \$4,200, yes, sir.

Mr. ENGLISH. May I ask where you got those numbers?

Mr. McNAMAR. They were just handed over my shoulder by the Commissioner of Customs.

Mr. ENGLISH. Would you care to tell us, Commissioner, where you got the numbers?

Mr. VON RAAB. Would you like us to break them down and give them for the record?

Mr. McNAMAR. This compares Mr. Chairman, with an E-3A—which is a small AWACS plane as you know—of \$7,500 an hour.

Mr. ENGLISH. Let's even assume—according to the Navy the figure is \$2,700 an hour. They are the ones who have been flying the airplanes. It is their aircraft. You are now down to \$7,500 for AWACS. The question that it comes down to is looking at it from the taxpayers' standpoint.

You are saying that in your opinion the Department of Defense should be paying out \$7,500 of the taxpayer's money per hour, because you do not want to pay out the \$2,700 per hour. It is still coming out of the taxpayer's pocket any way it goes.

Mr. McNAMAR. No, sir; no, sir.

Mr. ENGLISH. Is that your rationale?

Mr. McNAMAR. No; that is not my rationale. I presume that there are two things that we should be concerned about. One, is whether the coverage is comparable. My understanding is that with a P-3A it is grossly inadequate compared to what you get with an E-3A. That is point No. 1.

Point No. 2. I believe that the chairman would agree we would want our Navy to be flying and practicing and combat ready and enhance their readiness anyway. Therefore, the taxpayers would spend that \$7,500 anyway. So you may add the \$4,200 for a P-3A and the \$7,500 for an E-3A, unless you assume that the Navy would not be flying practice or operational missions, for readiness.

What we are looking for is an increase in the hours that they fly those in the places that would be most effective for aiding Customs, DEA, the FBI, and the State and local law enforcement people in drug interdiction. That is what we are after Mr. Chairman, and that is what you are after.

Mr. ENGLISH. The problem that you are into again, Mr. McNamar, I believe—I wish, as I said, that you would have spent a good deal of time before you had come up and presented this, because E-3A's are restricted to certain tracks. There are certain practice tracks that they use, whether it is in the Gulf of Mexico or anywhere else. Their practice time is determined by the fighter aircraft that are in the area. If they are out there cutting doughnuts in the sky, that does not do a whole lot for them. There is not much benefit in looking at a Cessna coming by at 200 miles an hour as opposed to supersonic jet fighters. That is where they do their practice and that is the practice which has to be done.

They do have written in as a part of their schedule a certain amount of surveillance practice time. They are getting in an awful

lot of surveillance time in places like Saudi Arabia; and by stretching the law just a tad—just a tad, Mr. McNamar, they have been able to assist and provide additional time, AWACS time, to assist in this Customs program. It does not anywhere near approach the 340 hours that this committee had hoped that we would see with a program that had initially been requested from the Office of Management and Budget by Treasury.

It is far less than that. In fact, you don't even get—let me finish now, Mr. McNamar—we don't even get in the double-digit figures. The second part of that—

Mr. McNAMAR. That is correct, Mr. English, and I agree with you that that is inadequate.

Mr. ENGLISH. Let me finish the statement. Then, maybe, Mr. McNamar, you will understand a little bit more about it. On those particular surveillance tracks, they are restricted to those particular tracks by the FAA. They are set aside for military purposes to carry out this sort of activity. Most often they do not cover, nor do they allow AWACS to cover many of the smuggler routes that need to be plugged; many of the main trafficking routes.

As I said, you have three problems. The first problem is that you are in violation of the law and we have had that attested to and we have that in writing from the Navy and we have it in writing from the Air Force. The second is that the tracks that they are going to be assigned to do not cover many of the main trafficking routes that we are interested in. The third point is that there is no way that they can operate an ordinary practice mission unless they have supersonic aircraft in the area. A fourth point is the very cost itself. If you start flying dedicated missions and putting the AWACS down in many of the areas that we would like to see coverage on, the difficulty is the cost and it would have to be on a reimbursable basis.

That is what the law would require. Therefore, the Treasury Department would be paying instead of \$2,700 an hour, they would be paying \$7,500 an hour.

Let me make one other point. Not only have we looked at the need to strengthen the Customs Service and give them as much detection capability we possibly could, we have also tried to do so within the President's budget; what the President has normally been operating under and what had been requested at the time. That is what all of this deals with; \$31 million was the amount that was provided for fiscal year 1984 in the President's budget. So those budget considerations were taken into consideration.

As I understand it, what you would like to do, Mr. McNamar, and what Secretary Regan has attempted to do is to transfer that cost from the Treasury Department to the Department of Defense. You are saying now that you would like them to spend even more millions of dollars, perhaps even hundreds of millions of dollars, for all I know, to provide the same type of coverage that the P-3 program would.

The Department of Defense has a multibillion dollar budget, but it still comes out of the taxpayer's pocket. That is what the ultimate consideration must be. What is the most effective and the least costly and what fits within the budget that we have? What is not going to increase the size of the deficit?

I know Secretary Regan is not particularly concerned about the size of the deficit, but I think that this is something that many other people, both on Capitol Hill and elsewhere within the administration, are concerned with.

Mr. McNAMAR. Let me respond to that, Mr. Chairman. You raised several points, some of which I agree with and some of which I disagree with.

First of all, Secretary Regan and the administration are concerned with the budget deficit. Second, you suggested that perhaps we need a change in the law. I would be delighted to work with you, work with this subcommittee, and work with the Congress to make whatever modifications in the law might be appropriate to maximize the Defense Department utilization in this area, because I think the American people would support that.

Second, if you tell me there is an FAA problem about where these training missions are being flown, and this is the first I have heard of that, I suggest that we ought to be trying to work with the FAA to develop some new tracks.

Third, if there is a question of the need for supersonic aircraft for practice missions it is exactly the kind of question that ought to be addressed in detail, then I think that could be folded in. I think that in fact, it is very, very possible to do these two missions so that the American people do get the most cost effective detection. I think that to replicate unnecessarily, and spend the extra money and to do it by making a conscious decision to reduce our interception efforts in conflict with the statement that you quoted—we don't have adequate interception capability—I think would be a suboptimal use of the taxpayer's money. That is my only point.

Mr. ENGLISH. I far exceeded my 10 minutes but I just want to make my point, Mr. McNamar. The thing that I find so disappointing in this matter is that obviously you don't know these facts. You say that you are happy that we pointed them out, but you want to change the routes so that you have supersonic aircraft that may be flying in civilian routes. Obviously that can't be done.

Another point of course, is the fuel capability. There are numerous considerations of extremely complex problems and obviously you have not considered those. You have not thought them out. To simply have you come up and throw out in front of this committee at the last minute a new proposal, a new concept and scrap what you have simply because it might prove to be a little embarrassing to the Secretary personally and because the Secretary of Defense didn't and couldn't provide the funding, I think is just outrageous.

Mr. Coleman?

Mr. COLEMAN. Thank you, Mr. Chairman. Mr. Secretary, let me get back to the budget request. The thing that has been the most disappointing to me as a freshman Member of Congress in dealing with the budget request from last year and this year—I know we are dealing right now with the air interdiction aspect of the budget, but last year when we had the Commissioner of Customs, we had a hearing in south Florida and we asked him to try to justify the proposed cuts in the customs personnel and he assured us that those were not in fact law enforcement people.

Once again, we seem to be confronted with a problem in terms of the budget request by this administration of a cut and I submit to

you that it is a cut. I don't know how much of last year's \$31 million was requested from DOD. I don't think any was. I think that whole \$31 million as I remember, was for this program.

This time you are saying it is really \$28 million but \$11 million of that, you are requesting from DOD. It appears to me that, therefore, equates the \$31 million to the \$17 million, to say nothing of the prior approval of what we thought was going to occur of \$35 million. So to me it is cut approximately in half. I think that is disconcerting at least to this member, and it is probably disconcerting to the American public because we can talk about our war on drugs and the seriousness with which this President and this administration have told us they take the issue, yet when we get to the funding levels it appears that maybe we are really not all that serious unless your agency, the Department of Treasury really believes that we can do an adequate job with the funding level request.

I guess that is what some of us who are from the border and who live on the border find most difficult to deal with.

I don't expect you to have to respond to any of those statements but I do have—

Mr. McNAMAR. If I may—

Mr. COLEMAN. You certainly may.

Mr. McNAMAR. I think you raised several very good points.

One, there was a reduction in the number of customs personnel, but not in agents. There was no reduction in agents. There is a shift going on in Customs as we have put in an automated cargo system that will enable us to prioritize those things that we want to check. It has been a very good piece of work on the part of the Customs Service. In fact, for once the Government is being held up because private industry can't move as fast as the Government is moving.

That has enabled us to shift some priorities. As I said in the chart I had up there earlier, the level of air interdiction in fact will be increased this year. But I think the program has become more clear to us as we have worked with the Defense Department, which we were not doing in 1981.

We have learned some things about the Defense Department and they have tried to be responsive. I think that the chairman is quite correct in pointing out that they operate under some constraints, and I think he is quite correct to point out that perhaps I am not always as sensitive to them as perhaps I should be. But nevertheless, we have learned what they can do. We have learned some of their limitations, not all and we have gone back to them with this modest request of \$11 million which they could not find in their budget—they did not feel it was legal—and then we went back with a revision. That is the program that I laid out to you today which we have begun to discuss with them.

Mr. COLEMAN. There are a few points we can make about the \$11 million and whether they can afford it. I happened to serve on the Armed Services Committee and I can assure you we can find it, but that does not seem to be their problem. I think they feel that there would be a violation of the Posse Comitatus Act in terms of that kind of funding if, in fact, it would in any way inhibit combat readiness. I would rather not debate that point.

I would just like to say for the benefit of the Department, that I heard the same statement concerning the kind of personnel cuts from Mr. von Raab. I think he made the case as beautiful as he could for something that I, having lived on the border all my life, don't accept as reality. If anyone in this room thinks that every Customs Service agent is not in some way enforcing the law or is a law enforcement officer, they are making a big mistake.

All of their functions, all of them deal with enforcement of the law and not just commerce. Oftentimes it is commerce in terms of business. We deal with commerce in drugs where I am from, and were it not for the Customs activity there, again, you would not be able to put charts up with the amount of seizures that you have because a lot of those occur at ports of entry into this country; the people that think they are going to smuggle it through.

So I do not accept the fact that any cuts are acceptable in today's time. Certainly the commerce as I understand what is in El Paso for example, is affected by the fact that we don't have enough Customs Service personnel. You know the problems, I am sure, of changing shifts and all the difficulties and inhalation of exhaust fumes and the rest.

I think that we need more, not less, Customs Service personnel and I would hope that you would take a look at particular problems of that kind.

Rather than take the time of the rest of the committee though, Mr. Secretary, I have a number of questions that I might submit for the record. I am hopeful that your agency, the Department of the Treasury, would meet with the people that I meet with down in my district that are trying to enforce the laws. They have a very difficult time if we are not supporting them. I think we are sending the wrong message by this budget.

I took Senator DeConcini's statement as being sort of true in a wry sort of way. We are the ones over here on the Democratic side who are, at least from my position, trying to help in this war on drugs, and yet we are the ones that are expected to put the money back in. That is exactly what we did last time in terms of personnel in the Customs Service. I hope that this administration and your agency particularly would be out front and help us in that effort.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Coleman. Mr. Wise?

Mr. WISE. Thank you, Mr. Chairman. I would like to get to the issue a little bit concerning the expectations in the Department of Defense.

Mr. Secretary, I presume you have seen the letter from the Secretary of Defense to Secretary Regan—

Mr. McNAMAR. Yes, we received it Friday.

Mr. WISE. In which he says that—in the typewritten part of it—the formal part.

I regret that we are unable to assume maintenance costs for Defense Department assets on loan to the Customs Service. I find no military operational or training benefit that comports with the Congressional expectations stated in the legislative history of the Public Law 97-86.

It goes on to talk about he is concerned that Congress would perceive such actions as inconsistent with the strong views expressed

during the consideration of that bill—clear expectation of Congress that DOD should not perform missions within the capability of civilian agencies. It goes on, "If we were to deviate from the expectations of Congress, we would invite congressional restrictions on the flexibility we now possess to provide assistance."

That is the formal part. Then of course the handwritten part is at the bottom presumably from Secretary Weinberger to Secretary Regan. It says, "Don, I am really sorry about this. There seems to be no way that we can fund it within the existing law."

I guess what concerns me is: Before this request was even made, was there no kind of checking, no calling before; apparently you based part of your program's expectations on this—before you base part of your budget on this, did no one just check this out? Did no one go to the U.S. Code?

[Secretary Weinberger's letter is printed in appendix 1.]

Mr. McNAMAR. In fact sir, it was our belief that they would be able to do that because we felt that they have a certain maintenance requirement which apparently is required for readiness.

There were some questions raised as to whether Customs had the capability to maintain the Blackhawks in particular in a program readiness state.

Subsequent to the time we asked, the Defense Department determined that our maintenance is adequate. At the original time, it was not. What led to this—to the \$11 million request—was an initial conversation that I had with then-Deputy Secretary of Defense, Paul Thayer, which I would not characterize as a final agreement. I would not characterize it as a commitment but I would characterize it as a, "Yes, we ought to try to do that and see if we can send it over," or an agreement that we would approach it in this manner.

Because at the time he said that there were these questions. Apparently the Blackhawk is a very difficult or expensive or complicated, I guess is the right word, aircraft to maintain. We considered previous experience and maintenance capability, and it was in that context that we formulated that budget proposal.

Let me say that I think, and this goes to the chairman's point, that Secretary Weinberger and his lawyers perhaps have made exactly the kind of distinction that the chairman says they are required to, in that the maintenance that we had requested was for arrest helicopters that are used on the civilian law enforcement side of the posse comitatus law, not surveillance.

Mr. ENGLISH. Let me make a point very quickly. If you had taken the time, Mr. McNamar, to familiarize yourself with this subject before you had decided to make decisions with regard to it, you would have determined that the very thing you were asking for, what the Secretary was asking for in his letter, was being carried out with equipment that you have already borrowed from the Department of Defense.

The agreement has been in force for nearly a year now, and it extends to any additional equipment that would be provided by the Department of Defense. The Department of Defense would maintain that equipment under contract on a reimbursable basis.

So the very criteria that you were asking for was already in fact taking place with the Blackhawks and with the Cobras. It is taking

place today. As I said, if you people in the Secretary's Office had taken the time to review this subject, to look into this subject, to familiarize yourself with this subject, you would have known that.

Mr. Wise?

Mr. WISE. I have no further questions, Mr. Chairman.

Mr. ENGLISH. Mr. MacKay?

We will recess for a few minutes while we go over and vote.

[Recess taken.]

Mr. ENGLISH. The subcommittee will resume its sitting.

Mr. McNAMAR. Mr. Chairman, could I have your permission to correct two matters for the record? Maybe I can go back and revise them if that is appropriate in the transcript or however you would prefer to do it?

I now have been handed what I was told is a Navy estimate for the difference in cost between the P-3 and the E-2C. This would suggest that the P-3 cost \$4,200 per hour to operate and that the E-2C costs \$2,500 per hour to operate, suggesting that the E-2C is less expensive.

I apologize to the chairman for this confusion—this was handed to me as a Navy estimate—and I therefore would like an opportunity to go back and try to make sure that we agree on the facts.

Mr. ENGLISH. I think that is fine, Mr. McNamar. Would you tell me exactly what the \$4,200 includes and what the other figure for the E-2C includes?

Mr. McNAMAR. I will have to provide that for the record. I believe it is operating costs and it does not include the radar for example or any differences that there may be in radar with the P-3 having the narrow radar and the E-2C having a full 360 radar.

Mr. ENGLISH. Where did you get that figure?

Mr. McNAMAR. It was handed to me, Mr. Chairman.

Mr. ENGLISH. Who handed it to you?

Mr. McNAMAR. The Commissioner of Customs.

Mr. ENGLISH. Mr. von Raab, can you give us the origin of that and break it down on a \$4,200 an hour—we were told in testimony before this committee on the record from the Navy that the cost would be \$2,700 an hour.

Mr. VON RAAB. We will have to give it to you for the record, Mr. Chairman. I will be testifying before you in 2 days. I would be happy to clarify it at the time if that is acceptable. Is that all right?

Mr. ENGLISH. We understand that they may include more than simple operation and maintenance money, is that correct?

Mr. McNAMAR. Well, I don't believe we know that. Our effort is to provide you with comparable information and—

Mr. ENGLISH. You see that is the point Mr. McNamar. You come up here and you testify and you don't know what the information is. Now you want to come back and you want to correct the testimony and you don't know what in the world the figures include, what makes it up.

Now, as I said, we had received this information; the \$2,700 figure is one that was put on the record by the Navy before this committee. And now, you simply want to draw a figure out of the air. Now again, the point I would make is that it does not indicate that you are familiar with this subject, nor are you familiar with

what this amount includes. Is that gas money? Does that include oil? Does it include maintenance on the engines? Does it include a lot of other extraneous things?

Mr. McNAMAR. I accept the chairman's criticism and I think it is valid, and I apologize personally to you and to the Congress for not knowing the detailed cost for an hour's operation of E-2C by the Defense Department.

Mr. ENGLISH. But that is exactly the problem, Mr. McNamar. Here you are not even waiting to see if the Department of Defense will approve or go along with the proposal that you are making; the change that you are making which absolutely determines the success and failure of any improvement program for the Customs Service.

You are changing it and you are changing it based on what is obviously very little information and very little knowledge of the subject—

Mr. McNAMAR. Well, but Mr.—

Mr. ENGLISH. Just let me finish, Mr. McNamar. Now I would have no objection if you wanted to come before this committee and say, "We think we know a better way to do it," and then say that "We will proceed on the program that we proposed to the Office of Management and Budget and which was approved by the Office of Management and Budget, until we get approval by the Department of Defense that they will in fact pick up these other responsibilities."

If the Department of Defense wants to go out and assume the responsibilities for maintaining the 340-hours-a-month detection coverage in critical drug-trafficking routes, I have no objection whatsoever. I am pleased. That is fine with me. I have no problem with that.

But what I am objecting to—

Mr. McNAMAR. I think we have a common objective.

Mr. ENGLISH. What I am objecting to is that that is not what you are doing. You are saying, "We are going to scrap this other. We are going to scrap that plan. We are going to scrap any detection capability that we already have in progress"—and keep in mind that you already have one P-3 out there that is already being modified and which is scheduled to be delivered for testing the first of June, and at the same time you also have three other P-3's that are scheduled to be outfitted by the first of the year.

Mr. McNAMAR. I think the one in June is to be delivered to the Navy, not to the Customs Service—

Mr. ENGLISH. For testing in April. But it is going to be delivered for testing purposes to the Customs Service around the first of June.

Mr. McNAMAR. My impression is that it was the Navy, sir.

Mr. ENGLISH. Well, April is when it is, Mr. McNamar; that within June or by the first of July, it is supposed to be delivered to the Customs Service. It is supposed to be scheduled for operation by the first of October; the first of the fiscal year.

But the point is that you are changing this program and you have absolutely nothing for certain to put in its place. And until you have something to put in its place, it would seem to me that the most responsible and prudent action that you could take is to

simply proceed with the program that you already have the approval for; that is already coming into being.

Mr. McNAMAR. Mr. Chairman, what we are asking, which we think is a responsible, prudent, and appropriate action, is for the Congress to look at this program with us and to allow us to amend our budget request so that we can have more arrests. What you are suggesting is that we increase our listening and looking capability, our detection and surveillance capability when you have already entered into the record testimony today saying that we could only respond to 50 percent of it.

Now we are asking for you to allow us to make more arrests. Let me give you an example, Mr. Chairman, because I have been supportive of something that I think you had an interest in, and that is the aerostat balloons.

I thought at one point in time that those were a good idea. Now I even asked for a cost estimate. What would it take to ring the whole southern part of the United States and half way up the Atlantic and the Pacific with them, because I thought they were such a terrific idea initially? They were worth looking at. They were worth testing. And the Defense Department, which has paid for those detection devices, has done that.

Do you know how many drug seizures we have made as a result of the two aerostats? Eight. I don't think that is cost-effective drug enforcement. I think that rather than putting that money into our budget and putting us into the detection business, I think that we ought to have an opportunity to track, intercept, and arrest which is on the right side of the posse comitatus law, and the Defense Department ought to do detection and surveillance.

Mr. ENGLISH. Let's take a look at that, Mr. McNamar, since you want to bring it up. You have been very eager all morning to get to that. Let's get to it. How many of those same arrests have been made as a result of AWACS?

Mr. McNAMAR. I do not have an AWACS number with me.

Mr. ENGLISH. I can give you the number Mr. McNamar. It is two.

Mr. McNAMAR. Well, we understand that it is three and I think that probably suggests that the AWACS aren't flying enough hours to be as cost effective as they ought to.

Mr. ENGLISH. Maybe that is the same problem that you have with regard to the aerostat. Let me point out something else to you Mr. McNamar. The first aerostat has been on station for the last 2 or 3 years down in the Florida Keys. It is a part of our national defense NORAD system. The second aerostat was placed at Patrick Air Force Base, again by the Air Force, as a part of our national defense system.

The first aerostat did not come on line providing information on an operational basis to the Customs Service until last summer. It was last summer when it came on line. As far as being made operational it was not until a matter of a couple of months ago that the second one was even brought on line—

Mr. McNAMAR. My understanding—

Mr. ENGLISH. Let me finish, Mr. McNamar, you are the one that raised this issue.

Mr. McNAMAR. I think we have a factual error, Mr. Chairman. I would like to try to correct it.

Mr. ENGLISH. Let me finish and then you can correct whatever you think you can.

The third aerostat is what closes the total protection because as it stands now, there is an area that you are well aware of that is not covered. But the usefulness of the aerostat is limited because it has to be up, which depends on weather conditions. The second thing that has to be done is that it has to be transmitting information to the Customs center. The third that has to be done is that that aerostat has to have interceptor aircraft that are in the area that can respond to the information.

Now those are all critical factors.

Mr. McNAMAR. And we want more interceptor aircraft, we agree with you.

Mr. ENGLISH. I have no disagreement with that. As I said, we are going to get together and we are going to take a hard look at just how bad you want those interceptor aircraft. But right now we are still trying to determine whether or not you are going to be able to detect them. Because as I said in my statement, it does not do a whole lot of good for your interceptors to be up there circling doughnuts in the sky if they do not know whether anybody is coming or not. You are not going to catch many drug smugglers in that manner.

Mr. McNAMAR. Let me go back to the aerostat and make sure that we agree that the first aerostat was January 1983 and that we had up and operational in January 1983, 539 hours—

Mr. ENGLISH. Let me correct you there, Mr. McNamar, because I was down there and I checked on that personally. I was told by the Customs Service officials that that aerostat was not considered operational—and did not have the digitizer to make it operational—until July.

Mr. McNAMAR. Well, my indication here would—

Mr. ENGLISH. Well, that is the point, you ought to go and check on this yourself, Mr. McNamar.

Mr. McNAMAR. I got this information from the Customs Service, sir.

Mr. ENGLISH. Mr. von Raab would you care to come up here? Do you want to testify that the digitizer was in place and in fact, that that aerostat was classified as operational before the first of June or July?

Mr. VON RABB. Well, there is obviously a disagreement in definition of what operational was—

Mr. ENGLISH. Well, I am only going by your Customs Service agents on the ground who were using it. You were with me, if you remember, Mr. von Raab. You were along on that trip. They said that we could not rely on the aerostat because we did not have the digitizer in place and it was not reliable and we were having to use a verification method, through the FAA—radar that they already had. That was simply because of the digitizer.

Mr. McNAMAR. That is an improvement that has been made, one that shows how the program has evolved and changed, and that is exactly why it has been a fluid program. That was a good step forward.

Mr. ENGLISH. Mr. McNamar, you have got to determine exactly when something is operational and when it is not.

The aerostat has only recently become operational. The one at Patrick Air Force Base is very, very recent indeed. In fact, the third one I mentioned in my opening statement, was not scheduled to be let for contracting until later this month.

Until those three are operational, that means until they are on line and providing information to the Customs Service on a regular and reliable basis, then I would seriously question your approach.

Are you familiar with the cost of operating an aerostat per hour?

Mr. McNAMAR. I do have some cost information on that. I do know that it is an expensive operation. It has been conducted by the Defense Department.

Mr. ENGLISH. Let's use DOD, the Air Force figures on the operation of costs.

Mr. McNAMAR. Oh, I am sorry. I am informed that we do not have the Air Force figures. You have those.

Mr. ENGLISH. Well, let me give you the Air Force figures so that you can be better informed, Mr. McNamar. It is \$400 an hour.

Mr. McNAMAR. That includes all the personnel and everything?

Mr. ENGLISH. That includes everything. Would you compare that \$400 an hour since you were telling me about how expensive this was and how this was not the best way to go, would you mind giving me the figure again on what you want to pay out for an AWACS?

Mr. McNAMAR. The AWACS E-2C, which we think would be substantial—

Mr. ENGLISH. No, AWACS is not an E-2C, it is an E-3. What is the cost of an E-3?

Mr. VON RAAB. \$7,500 an hour.

Mr. ENGLISH. That is correct, Commissioner. Thank you very much; \$7,500 an hour against \$400 an hour.

Mr. McNAMAR. But the Commissioner makes a point that in our experience the E-2C is just as good for the Customs Service, if the Customs Service were to be in this business.

Mr. ENGLISH. How many E-2C's does the Navy have?

Mr. McNAMAR. I don't know the answer to that.

Mr. ENGLISH. Twenty-eight, and they are deployed with the fleet. How many E-2C's do you think you are going to have available or do you expect the Navy to go out and buy a large number of E-2C's to take care of this additional responsibility you are placing on them?

Mr. McNAMAR. Mr. Chairman, I have no idea how many E-2C's are in the Navy's budget for fiscal year 1984, 1985, and 1986 and whether that number of 28 when we get to fiscal year 1985 is still comparable or whether there will be additional—training flights. That information has not been made available to us.

Mr. ENGLISH. That is my point and again, Mr. McNamar, you don't know. You have scuttled this entire program from a detection capability standpoint and you don't know. You did it without any knowledge. That is what I find so difficult to believe; that a man of your position, with your responsibilities, would undertake that kind of action with no knowledge.

Mr. McNAMAR. Mr. Chairman, what I have tried to do is to re-deploy the same amount of money and put it into an enhanced ability of the Customs Service to interdict and arrest drug smugglers and

to try to work with the Defense Department to improve the detection capability. And, I think that is the highest and best use of the taxpayer's dollars for the maximum amount of drug enforcement. That is what we are trying to do.

Mr. ENGLISH. Mr. MacKay, do you have any questions?

Mr. MACKAY. Well, from our standpoint, we are trying to find somebody that is responsible for this. It would appear to me that you are trying to shift the detection which has got to impact the other two legs in the effort to shift that to another department which does not perceive this as its primary role. It would appear to me there is going to be less rather than more accountability.

Mr. McNAMAR. But, Mr. MacKay, let me point out that we are not in this detection business at the present time. The aerostats that the chairman pointed out are in the Defense Department. They are not a part of the Customs. All of the discussion of E-2C's or E-3's relates to the Defense Department.

We are not in this business at the present time and, as we have worked with the Defense Department, they have tried to be responsive and cooperative, and they have been; and they learned and have gotten better at this and have tried to be more accommodative. We have come to the conclusion that as far as detection is involved, our proposal represents the best use of the taxpayer's money.

We agree that we ought to increase the Customs interdiction and arrest capability. For example, the integration of the radar detection by NORAD at Tyndall and March will be a tremendous help. We are urging the Defense Department to move as quickly as they can.

There is a joint study currently being conducted by Mitre. I would like to see that take place in fiscal year 1984 rather than fiscal year 1985 when it is currently scheduled. I would hope that we would be able to do that. I think that would be tremendously helpful. But when that happens, what will not be needed is additional detection capability. We need to be able to respond to those radar signals because the Defense Department cannot respond. They are prohibited from doing that under the posse comitatus law.

This committee, I believe, was very supportive of the change in the posse comitatus law and I think deserves credit for that. If this committee would support another change in the law to maximize the ability of the Defense Department to assist us, I think it would be very well received by the American people. I think it would have wide bipartisan support. I think there would be more than just regional support in the Southeast or the Southwest. I think it would be a good step if that is necessary. I am not convinced that it is necessary yet.

Mr. MACKAY. Is that the position of the Reagan administration or your personal view?

Mr. McNAMAR. I am sorry.

Mr. MACKAY. Is that the position of the Reagan administration or your personal view?

Mr. McNAMAR. Well that is my personal opinion but I think I would speak with some confidence that it would not be difficult to develop that position if in fact we have reached the maximum in-

volvement that the Defense Department could do, given the current prohibitions in the law. I think the administration would consider it.

Mr. MACKAY. But my point is—

Mr. MCNAMAR. But we are not at all certain that we are there, you see.

Mr. MACKAY. My point is that some of the chairman's frustration which I share, comes about from the fact that we in the legislative branch are not supposed to be taking the lead. Is there a Reagan administration proposal? Is there legislation proposed? Are you doing anything or are you coming up each time we have a hearing and saying "Gosh, it won't work because we need some more changes"?

Mr. MCNAMAR. No, sir, I think it will work. The chairman is saying that it won't work. We are trying to work with the Defense Department to make sure that within the existing laws, they are doing the maximum that they can, consistent with economy and consistent with national readiness, and they are trying to respond.

You asked the question that if that is impossible, would we then favor a change in the law and I said yes, I think I would, and yes, I think I could produce that within the administration if that happened.

Mr. MACKAY. Since Mr. Weinberger apparently shares the chairman's view, what are we supposed to do next to convince you that it is now impossible? Do we have to settle that argument between the two agencies?

Mr. MCNAMAR. Mr. Weinberger turned down the request for nonreimbursable maintenance on the Blackhawk helicopters; principally the arrest vehicles, and said that that was not consistent with their reading of the law. We received that response on Friday. We went back on Monday with a suggestion that we develop the memorandum of understanding with the points that I have laid down in my testimony to the chairman.

We had, I thought, a reasonable first meeting to discuss those. The Defense Department is looking at those at the present time. They did not say that any of them were illegal. They did not say they could not do any of them. They agreed to look at all of them, which would have been the only reasonable response they could have given. And, they have it under consideration at the present time.

I don't know what it requires to staff that out in the Defense Department. I suspect it is a fairly major effort.

Mr. ENGLISH. Will the gentleman yield?

Mr. MACKAY. Certainly.

Mr. ENGLISH. During the break we got in touch with someone from the Department of Defense, Mr. McNamar. It is my understanding that your Monday meeting—and this comes from DOD people—that is, Mr. Taft told you that he was not for this proposal.

Mr. MCNAMAR. That is incorrect.

Mr. ENGLISH. Also, it is my understanding that you were informed before the Secretary's testimony last Thursday that the Department of Defense would not provide the \$11 million.

Mr. MCNAMAR. I was told that there was a high probability that they would not. What happened, Mr. Chairman, is that Deputy Sec-

retary Taft, told me there had been a draft response prepared that had come to his office and that it turned us down and I said, "Has it gone to Cap," and he said no. I said, "Let me come back to you and find out if there is any other request."

I then went back and asked about a subset of the \$11 million, which was \$2.2 million. He said, "Let me see if we can look at that." That is where the matter stood at the time Secretary Regan was testifying before Senator DeConcini.

Mr. ENGLISH. I understand Secretary Regan stated he had not been told by anyone within his office. Did you tell Secretary Regan, did you relay the message that Mr. Taft gave you that he was turning down—

Mr. McNAMAR. Mr. Taft did not give me the message he was turning it down; I told him I was still negotiating with the Defense Department.

Mr. ENGLISH. That is one of the points I want to make because this seems to be different. I talked to Mr. Taft last Thursday afternoon after the Secretary testified and he told me specifically that he had told you. He had told you that they could not do it. Now that is the fact.

I have also, as I said, just had this information relayed to me from the Department of Defense that they told you on Monday that they couldn't do this proposal that you are talking about. It seems to me that maybe you are having trouble getting the signal straight from the Department of Defense. I appreciate the gentlemen's yielding.

Mr. MACKAY. Just for my own factual information, what I need to understand is the proposal that the Department of Defense take over the detection function, has that been transmitted to Vice President Bush? Is that now an administration initiative or is that a Treasury Department idea?

Mr. McNAMAR. What we did, and again I compliment the chairman on having produced this review at the departmental level, on having served as a catalyst to have this review done.

We indicated yesterday to the Vice President's staff—and the Vice President was informed this morning—that we would be taking a position inconsistent with what we had taken in the previous appropriations testimony, and that we would be going to the Appropriations Committee and disclosing to this committee that we thought it was appropriate to increase our interdiction and arrest capability and to maximize what could be done with the Defense Department. He was informed of that this morning. That is my understanding. Obviously, that is the kind of a detail that you would not expect him to be involved in, in making that decision and no decision was requested of him.

I think the point again, is that I was not told on Monday that the Defense Department could not do any of this. I kept reading in one of the local newspapers all week about things out of the Defense Department; that the letter had been received or been sent or whatever. That was factually incorrect.

I don't think that Mr. Taft said that. He said they had looked at all of them. We specifically discussed the height and speed restrictions. We discussed the question of the Mitre study on the integra-

tion. It is these points, Mr. Chairman, on my testimony on page—

Mr. ENGLISH. I would point out to you—

Mr. McNAMAR [continuing]. On page 5.

Mr. ENGLISH. I know what Mr. Taft told me.

Mr. McNAMAR. We went over and talked to Mr. Taft, and his key aides on this, in response to the letter we received on Friday afternoon.

Mr. ENGLISH. Mr. McNamar—

Mr. McNAMAR. It is an ongoing dialog.

Mr. ENGLISH. Mr. Taft was very clear and very specific in what he told me last Thursday. Now maybe you are not hearing what you don't want to hear. I don't know. That happens to people sometimes. Maybe that is what happened to you.

As I said, I am not trying to embarrass you Mr. McNamar on whether you did or did not, or were or were not told anything of that sort. The very point that I am making all the way though and that I again, find so difficult to understand is how you can go in and basically scrap 2 year's worth of work by the Department of Defense, the Vice President's Office, the Customs Service, the various committees—

Mr. McNAMAR. We did not do that, Mr. Chairman. We did not do that. That is an unfair characterization. It is inaccurate and misleading;

Mr. ENGLISH. No; it is not.

Mr. McNAMAR. Yes; it is.

Mr. ENGLISH. When you came up here this morning you told us that you were going to be asking that the money be reprogrammed, and that you were going to the Department of Defense and ask them to take over. And, according to your very testimony, it is their responsibility to do that; to take care of the detection capabilities of the Customs Service. That is what you have said. Now let me read to you from a Customs document. This document, by the way, is dated August 1, 1983, and it is entitled "Air Interdiction; A Report on the Current and Projected Status of Equipment, August 1983."

It states, "Detection. The detection of intruding aircraft is the backbone of our interdiction strategy. Without detection the intercept and tracking forces cannot be set in motion." I think that underscores the importance to the Customs Service of its detection capability.

Mr. McNAMAR. You and I both agree with that statement.

Mr. ENGLISH. All right. The point that I am making is that you have scrapped the detection capabilities in the proposals that were presented to the Office of Management and Budget by the Treasury Department for next year's budget, for fiscal year 1985. What you are telling us is that you think that is the responsibility of the Department of Defense and it is up to them to do this.

You do not have any assurance from them that they, in fact, are agreeing to do that. They have—

Mr. McNAMAR. Mr. Chairman, you are quoting your testimony this morning. You said we can only respond to 50 percent of the targets we have discovered. And, we think with you that we need increased interdiction capability. We have that in common.

Mr. ENGLISH. I keep telling you that we are going to get to the interceptors. Don't worry, you have enough problems over in the interceptors, without hurrying over there in any big rush. The point that I am making here is, and this is the fact, we are looking at the backbone of the ability of the Customs Service to do the job. We are looking at the backbone of their ability to do the job, because if they do not have any detection, they are not even going to be able to respond to those 50 percent that AWACS is finding, are they?

Mr. McNAMAR. That is right, and I think that getting into the ROCC centers at Tyndall and March will be exceedingly helpful in that regard. We would appreciate anything the committee could do to make sure that the C-12's that we had requested might be made available. Because, we have been told by the Defense Department that they are not coming. Now that is something that we have been told by the Defense Department.

Mr. ENGLISH. What is the detection coverage of the ROCC center, altitude coverage?

Mr. McNAMAR. I don't know the details.

Mr. ENGLISH. They are on the ground, aren't they?

Mr. McNAMAR. Yes they are. I was just told that it is 5,000 feet which is typically—

Mr. ENGLISH. Be careful, you are getting in trouble.

Mr. McNAMAR. I said I was told. I was told that it was 5,000 feet which seems awfully low to me when you think about it. I agree with you. Typically the Deputy Secretary of the Treasury does not know some of these details.

Mr. ENGLISH. Well, that is the problem. I keep telling you, Mr. McNamar, you are making decisions when you don't know.

Mr. VON RAAB. ROCC is a concept to network all the available radar that will be available as time—

Mr. ENGLISH. So it is NORAD radar?

Mr. VON RAAB. It is largely NORAD radar but they will also be pulling in all the FAA radar and other radar that is out there, including for example, the two aerostats.

Mr. ENGLISH. That is correct.

Mr. VON RAAB. So the level of radar obviously differs across the country depending upon which radar is being netted in. But at worst, it is 5,000 feet because of the NORAD—what?

Mr. ENGLISH. Best.

Mr. VON RAAB. Because of the NORAD radar but ROCC center is a developing concept. In other words, if it were established immediately it would only be able to net the existing defense and FAA radar.

Mr. ENGLISH. How many drug smugglers, Commissioner, coming into the United States fly 5,000 feet and above?

Mr. VON RAAB. That is the reason we would like to have that 5,000-foot ceiling dropped down to zero.

Mr. ENGLISH. But the problem that you get into with ground-based radar is that they cannot see below the horizon. That is the reason you need a lookdown capability. That is the reason you have to have a lookdown radar. Let me say that those very radars, many of which you are talking about right now, whether it is the FAA,

whether it has to do with NORAD, those are being utilized at the present time.

Mr. VON RAAB. But the E-2C and AWACS radar would also be netted into the ROCC centers.

Mr. ENGLISH. OK. Now we are talking about two different things.

Mr. VON RAAB. No, but they are all going into the ROCC center.

Mr. ENGLISH. All right. Let's talk about those portions outside. We have been talking about E-2C's and we are talking about E-3's; AWACS and E-2C's—Navy E-2C's which have a lookdown capability—

Mr. VON RAAB. Correct.

Mr. ENGLISH [continuing]. And I fully agree with you that that is what you need; the lookdown capability. That is what we have been trying to provide for you. Many of the other radars, the other so-called ROCC radars that Mr. McNamar would like for us to believe is this huge network of radars out there—

Mr. VON RAAB. The ROCC center is a Customs concept based upon the existing NORAD ROCC centers which we would graft upon, working with Defense to net in all existing radar. So it is not just the NORAD radar, it is everything we can pull in.

Mr. ENGLISH. I thoroughly agree with you Commissioner and the problem that you have is that those very same radars in most cases are already being utilized by the Customs Service and so we are adding nothing new.

Mr. VON RAAB. I would not agree with that.

Mr. ENGLISH. Let me ask you about, for instance, Florida. We have a lot of interest in Florida and that seems to be the hot spot. That has been the focal point. That has been the show piece of the administration's program. Is it not true that as far as Miami is concerned—

Mr. VON RAAB. The netting into the C-3, which is a sort of mini-ROCC center as it were, is probably the best of any part in the country.

Mr. ENGLISH. That's right.

Mr. VON RAAB. What we would like to do is create two ROCC centers that provide across the entire southern, western, and eastern borders comparable coverage, plus increased defense coverage. That is what is meant by that first proposal that Deputy Secretary McNamar raised with respect to the ROCC centers.

Mr. ENGLISH. We have no disagreement—

Mr. VON RAAB. We have discussed this issue with the Defense Department and they did not react adversely. If anything they said, "Sounds like a good idea. We ought to look at that."

Mr. ENGLISH. I have been told by staff that the cost to integrate those radars as you are proposing is estimated to be at \$60 million.

Mr. VON RAAB. We have a study underway which will determine the best way to do this and the costs. We believe the costs are exaggerated but I cannot say without confidence that they are exaggerated. I think that is a very generous estimate on the part of the Defense Department and I think they are just being overly careful.

I, personally, based upon the information I have received, do not believe the costs approach that.

Mr. ENGLISH. We would not disagree with that and we are hopeful you are correct. We would like to see this come about. I do not

want to see this concept thrown out and for it to appear that Mr. McNamar is offering anything that is new and different over and above what we have already been doing and what you are going to be adding with this radar or mid- and high-altitude coverage. Where the problem is with drug smugglers is low altitude.

Mr. McNAMAR. That is exactly why we went back to the Air Force and asked them to change their operating procedures. To make the point that we have different information, you say you were told that the Deputy Secretary of Defense turned us down on Monday. In fact, my understanding is that General Tice has asked the Air Force to look at the speed and altitude parameters under which they operate. So I think the Defense Department is being responsive.

Mr. ENGLISH. We are not talking about speed. The question is—

Mr. McNAMAR. And altitude.

Mr. ENGLISH. You are asking the Air Force to lower its altitude; is that what you are telling me?

Mr. McNAMAR. We are asking them to review, particularly in certain channels; for example, Bimini where people come in from the Bahamas. We are asking them to lower from the operating level that they currently use, the level at which they pick up and detect signals, process them through and transmit them to us.

Mr. ENGLISH. You are asking them to lower their radar scanning? Is that what you are telling me?

Mr. McNAMAR. Lower the altitude at which they would scan, yes.

Mr. ENGLISH. They can't do it Mr. McNamar. That is the problem. You are running into the law of physics this time. Not a law of Congress. The problem you are running into is that they have FAA aircraft radars that are looking at civilian aircraft that are approaching. What you are asking them to do is to bring that down to where you have civilian airliners flying on the deck.

The national defense problems, if we in fact are going to try to accommodate that in some way, is high altitude aircraft; fast moving high altitude jets. That is where the threat is from a defense standpoint.

But the problem as far as reducing FAA radar, and I assume that is what you are talking about, is that you cannot bring airliners down on the deck.

Mr. VON RAAB. Right now, I am told the Defense Department regards or does not respond, that is, does not regard as unfriendly certain types of aircraft. We want them to change their characterizations so that we are no longer dealing with a 5,000-foot cutoff and a 180-knot cutoff.

Mr. ENGLISH. We agree with you on that.

Mr. VON RAAB. If that is the case we believe our information on detection would improve considerably because then we would get reports on these types of aircraft.

Mr. McNAMAR. That is what we asked on Monday.

Mr. ENGLISH. The FAA and the NORAD radar, because of necessity and because of the traffic they are covering and because of their responsibilities, are mid- and high-altitude air radar. In many cases they do not have long distances because of the curvature of

the Earth. They simply cannot see beyond the horizon because they are stationed on land. That is, again, the requirement for responsibilities of lookdown radar.

That has been the difficulty that we have faced with incoming aircraft all along—those that come in under the radar net because the smugglers know exactly where to come in.

You are not suggesting this is the answer; are you?

Mr. VON RAAB. I am not suggesting that this piece is the answer, nor is the ROCC center the whole answer.

Mr. ENGLISH. You are not suggesting that you do it different, either; are you?

Mr. VON RAAB. We are also suggesting that they should increase their E-2C and AWACS coverage.

Of course, that is a function of our ability to support that coverage.

Mr. ENGLISH. But if you don't have increased E-2C's and if you don't have increased AWACS and if you can't put them at the critical choke points where they are needed, then you are no better off than you are right now; are you?

That is the fact of life.

Mr. VON RAAB. The fact of life is that we have asked the Defense Department to improve their E-2C coverage and their AWACS coverage for those very reasons.

Mr. ENGLISH. Come on, Commissioner, be honest; we have to come on out now.

You know that the fact of the matter is that if the E-2C's and the AWACS are not used and positioned at the critical points where they are necessary and on station for the number of hours, you are basically right back to zero, right back to where you are today. There is no change.

As I have said all along, we are right back to the same position that Mr. McNamar has taken us—mainly we are scrapping it, unless the Department of Defense is willing to step in and pick that up.

I don't think there is any question in anyone's mind—and certainly not in your mind, Commissioner, who is familiar with this, who has been through this as many times as you have been through it, who has been in on meetings with the Navy and the Air Force and who knows exactly what the attorneys from the Department of Defense say about this particular matter, and I know that you are very familiar with the law—

Mr. VON RAAB. Having been at the meeting with Deputy Secretary McNamar and the Defense Department officials, I am not convinced at all that the Defense Department is not prepared to increase its support of the detection mission to the point where it would provide a considerably value contribution and would provide at least the coverage that we would obtain in other ways.

Mr. McNAMAR. And if that happened and we added the interdiction capability, we would be substantially better off. We would have a better program than what we thought was an adequate program a year ago or 2 years ago.

Mr. ENGLISH. That is wonderful, Mr. McNamar, and, as I said, I would like to think that that is going to happen, but I would feel much more comfortable—I should not say "much more," I should

say "somewhat" comfortable, I suppose, if you would have taken the trouble to get the assurances and the commitment of the Department of Defense before you started scrapping the detection capability.

Let me read from a little something that ought to be unsettling, but there doesn't seem to be anything much as far as any response you get from DOD that unsettles you.

This, again, is from Mr. Weinberger's letter to Secretary Regan, and it says within there: "I find no military, operational, or training benefit that comports with the congressional expectations as stated in the legislative history of Public Law 97-85" which is the law dealing with posse comitatus. That is the law, as I said, about which there would be serious questions about—

Mr. VON RAAB. I wouldn't confuse the issue of the \$11 million with increased E-2C or AWACS coverage. They are separate exercises, and what we are concerned with is improving and increasing the E-2C and AWACS coverage.

Mr. McNAMAR. And I think the \$11 million—we would agree with the Defense Department after they had a chance to look at it—fell on the wrong side of the posse comitatus line for them.

The question is: Does a maximization of the detection and surveillance capability fall on the right or the wrong side because if it does fall on the wrong side, then they are in violation of the law today; and I don't think they are.

Mr. ENGLISH. Well, we have checked that very carefully. We would agree because they have been very careful to make sure that there are training benefits. They have also told us that they cannot send up these aircraft on a dedicated basis in certain locations without having a negative impact on combat readiness.

Commissioner, in case you haven't gotten it, we will be happy to let you take a look at it. We have a copy of an impact statement from the Chief of Naval Operations, which goes right to this point, to this very point with regard to E-2C's.

Mr. McNAMAR. I think we would like to see that, Mr. Chairman. That information hasn't been shared with us before, and I think that would be very helpful in reaching a common understanding.

Mr. ENGLISH. As I said, we would be delighted to do it.

Mr. MacKay.

Mr. MacKAY. I am not sure what I know and what I don't know. What exactly do you mean by the "assistance of this subcommittee in persuading DOD to make these changes would be most helpful"?

What do you think our role is in this?

Mr. McNAMAR. As they have said at DOD, they are concerned about congressional criticism from this committee, from their Appropriations Committees, from the Armed Services Committee. I think that if after these full and fair and exhaustive hearings, it is clear that: (1) there was more the Defense Department could conceivably do and (2) the proposals that we had asked them were reasonable and did not violate the posse comitatus law or any other laws, and if this committee were to call, write the Defense Department and the other committees to make it clear that you have reviewed the matter thoroughly and fairly and that you are satisfied that an increased Defense effort would not materially compromise combat readiness, that training for new pilots for Air National

Guard, for example, could be employed, then I think the Defense Department would respond very favorably, even more favorably than they have.

I think that the American people would respond exceptionally favorably.

Mr. MACKAY. If we conclude—which thus far seems to have been a generally accepted conclusion with the exception of you—that there has got to be a change in the law, are we not entitled to expect a recommendation from the Reagan administration?

Mr. McNAMAR. I think you are entitled to expect a recommendation from us, yes, sir.

Mr. MACKAY. All right. So, then your saying, “the assistance of the subcommittee would be most helpful” is predicated on the fact that they are not doing all they can do under the existing laws; is that right?

Mr. McNAMAR. That is my assumption. My assumption is that they have made, at the civilian level and at the military level, a good-faith effort and that they have tried but that if we learn from what they have done in the past and if the direction comes from the top of the Department and the Joint Chiefs to try in every way to maximize what can be done to provide surveillance and detection capability, then I think that there is more that can be done.

As I said to the chairman, the type of detailed information that apparently he has has not been made available to us. He may be able to reach a judgment that they are doing everything they can today and that within their budget they can't fly another hour.

Mr. MACKAY. The difference in our perspectives is that we have had this kind of hearing with them, and we have taken the position that they are not doing all they can do, and they have told us—

Mr. McNAMAR. And I agree with the committee—

Mr. MACKAY [continuing]. That they have, and we are under the impression that their legal counsel has reviewed it and that what you are suggesting here is an issue that we got resolved last year.

Mr. McNAMAR. Exactly on the posse comitatus—and I accept the chairman's criticism—I think the Defense Department may have been quite appropriate in turning down a nonreimbursable maintenance agreement on a piece of equipment that would be used for a domestic arrest.

What we are asking for now—these changes in operating procedures and an increase or maximization in the kind of compatible training mission—in no way steps over the posse comitatus line, and I think the American people can rest assured of that.

So, therefore, this is a different request than what we had in before. I feel very comfortable with it. I think the Defense Department will look at it as hard as they can. They may come to the conclusion they can't do any of it, or they may come back and be able to supply additional resources and we may be able to complement those resources with increased interdiction capabilities and the program would have taken another evolutionary step forward.

I think the committee is to be commended for having forced us to reexamine the program. It was the scheduling of your hearings that forced us to reexamine the program and caused us to come to this conclusion, and we appreciate your efforts.

Mr. MACKAY. All right. I would like to say that your assistance to this subcommittee would be most helpful if you would get OMB and the Vice President to sign off on this suggestion.

Mr. McNAMAR. I have had a brief conversation yesterday with OMB, and the question I asked—not to misrepresent the OMB position—was a narrow question which was: Do you have any problem within the existing budgetary levels if we shift from the acquisition of a P-3 aircraft and aerostat tethered balloons to four or five interceptors instead, since the Defense Department has not been able to provide the previously expected interceptors?

The answer I got to that question was: No, they don't have any trouble or objections.

Mr. MACKAY. What we would need would be an official position.

I mean, after all, it is the executive branch, and it is very frustrating to have a person in one agency who is responsible for part of the program say, "We can't make our part work because we can't get the other guys to do their part, and we want you to go bludgeon them awhile and stop bludgeoning us."

Mr. McNAMAR. I don't object to being bludgeoned, sir. I am not suggesting that you should go bludgeon them.

Mr. MACKAY. Well, it sounds like it. What does it mean to say, "the assistance of this subcommittee would be most helpful"? It sounds like what you are saying is: "They are not doing their part, fellows."

Mr. McNAMAR. No, I am not saying the Defense Department is not doing their part. As I said, they have made a good-faith effort. They have tried. They have changed. They have been responsive. I am not sure that it is the maximum that they can do.

As this air interdiction program has evolved and as we have learned from mistakes that we have made as we have tried to improve it and as we have reviewed it, we have come to the conclusion that there is a bifurcation that is appropriately made between detection and surveillance, on one side, and interdiction and arrest on the other side of posse comitatus.

We think the Customs Service should have the strongest capability for interdiction and arrest and that we should be integrated into the national security; that is, the defense network for detection and surveillance.

That is all I am saying, sir, and I think that OMB will probably have no trouble with that. From the conversation I had yesterday, I took that as a signoff. They would defer to our judgment. I have no reason to think that the Vice President would not be supportive of this, based on conversations that we had with his staff, and I have no reason to think that the Defense Department is not going to renew their efforts to be even more helpful than they have been to date.

This is evolving.

Mr. MACKAY. Well, I am not the chairman of this subcommittee just as you are not the head of the whole drug effort in America, but let me just say how I feel.

I agree with everything you are saying, and my challenge to you is: Go find out if the people on your side of the table agree with that.

Mr. McNAMAR. Well, that is why I thank Mr. English for the opportunity to review the program and come up and make this pitch. I agree with you.

Mr. MacKAY. Thank you.

Mr. ENGLISH. Thank you very much, Mr. MacKay.

I think we are going to recess here for a while.

Mr. McNamar, I would assume that you will be with us again tomorrow. We will have some additional questions, and I am sure you will get to—I can assure you that we will get there—that issue of interceptors that you are so eager to talk about.

I think that you can anticipate that you will come up after the Department of Defense. We will see if General Tice has anything to say about your proposal. Maybe they will go ahead and sign off on it and relieve a lot of the apprehension and concerns that members of the committee—

Mr. McNAMAR. I don't think they would be prepared on such short notice to sign off on it.

Mr. ENGLISH. Well, we will get some idea. Maybe they will tell us that legally there is not a problem. Then, at least, that will relieve some of the concerns and we will be happy to let the Commissioner come down and take a look at what the Chief of Naval Operations says about your idea and the impact that will have on the national defense of the country.

Mr. McNAMAR. If I may request the chairman's permission, if I could be out by the early afternoon, my schedule tomorrow afternoon includes a Cabinet meeting and some other things, and it is fairly full. But I am fully available in the morning.

Mr. ENGLISH. Well, we will see when we get through the general's testimony—General Tice—and we will try to do that, but, as I mentioned to you yesterday, we expected you to be free and available, given the fact that you didn't provide us with a statement, even though we requested some time ago that that be made available to us 48 hours before the hearing.

I am sure that there are additional questions. As I said, I know that you are eager to talk about interceptors, so we will give you that opportunity tomorrow, and it will come up after General Tice appears before us.

So, we will recess until 2:15 and then we will move on to the National Narcotics Border Interdiction System and the General Accounting Office.

[Whereupon, at 1:30 p.m., the subcommittee recessed, to reconvene at 2:15 p.m., the same day.]

#### AFTERNOON SESSION

Mr. ENGLISH. The hearing will come to order.

Our next witness will be Mr. Arnold P. Jones who is the Senior Associate Director of the General Accounting Office.

Mr. Jones, I want to welcome you, and, if you would, please introduce those at the witness table with you.

**STATEMENT OF ARNOLD P. JONES, SENIOR ASSOCIATE DIRECTOR, GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY JOSEPH P. LITZELMAN, GROUP DIRECTOR; FRANK BORKOVIC, ASSISTANT REGIONAL MANAGER, DALLAS, TX; AND HAROLD DIGHTON, SENIOR EVALUATOR**

Mr. JONES. I would be happy to, Mr. Chairman.

On my left is Joseph Litzelman, who is group director in charge of the work we do in the drug law enforcement area. I have at my immediate right, Mr. Frank Borkovic, who is the assistant manager from our Dallas regional office. To his right, I have Mr. Harold Dighton, a senior evaluator from the Office.

In fact, these are the people who occasionally get a chance to come to Washington, but they are the people who are out there in the field visiting the sites and doing the really hard work. And, I am happy to have them with me today.

Mr. ENGLISH. We certainly appreciate their taking the time to come to Washington. It is always nice to know the folks who are out there doing the digging.

We will be happy to receive your prepared statement, Mr. Jones. If you would like to submit your written statement for the record and summarize, please feel free to do so.

Mr. JONES. I would like to do that, Mr. Chairman. I recognize that we have a nine-page statement, and that can be rather lengthy.

What I would like to do is to tell you what we did and get to what I understand is your primary concern and that is the role of NNBS in the air interdiction area.

Mr. ENGLISH. Without objection, your written statement will be made a part of the record.

Mr. JONES. Our testimony today will be based on what we have done in recent years on law enforcement efforts to combat drug smuggling, including some work we are presently doing for your subcommittee on the availability and use of tactical intelligence for drug interdiction.

As agreed, our work focused on air interdictions, and we are here today to report on the operations of the NNBS regional centers in Miami, New Orleans, and El Paso, TX, as part of the survey that we are doing for you.

Instead of summarizing, as my prepared statement shows, and being conscious of the time, I would like now to get to the section that we have in our statement discussing what, in fact, we saw when we were visiting the NNBS centers; if that is OK, Mr. Chairman.

NNBS, as we know, consists of six regions with regional boundaries at various locations along the border. Each region is headed by a regional coordinator from either Customs or the Coast Guard, but the coordinators do not devote full time to their NNBS activities. They continue their responsibilities designated by the parent organization. For example, as we know, Rear Adm. William Stewart is the NNBS regional coordinator for the gulf region headquartered in New Orleans. He is also commander of the Coast Guard's 8th District.

Deputy coordinators in Miami and New Orleans also shared their time between NNBIS and their normal duties. El Paso has no deputy coordinator.

NNBIS regions are staffed by permanently assigned personnel from Customs, Coast Guard, DEA, FBI, Army, Air Force, Marines, Navy, Immigration and Naturalization Service, FAA, and the intelligence community.

The New Orleans and El Paso offices also have staff assigned from State and local law enforcement agencies. The staff, be it Federal, State, or local, remain a part of and are paid by the sponsoring agency.

At the three regions we visited, 76 persons had been assigned as of March 1, 1984. This figure does not include the coordinator, deputy coordinator positions and other part-time staff. Of these figures—76—31 had been assigned to Miami, 25 to New Orleans, and 20 to El Paso. Staff was initially detailed on a temporary basis until permanent staff could be assigned.

Because NNBIS is not a separate and distinct agency, it has no budget nor does it account for its costs. The upfront costs for establishing the regions were generally borne by the agency which had the lead. For example, we were told that 400,000 dollars' worth of equipment and facilities in New Orleans were paid for by the Coast Guard. In El Paso equipment and facilities cost are being borne by Customs. I might add, however, that the El Paso operation has yet to locate its offices in a physically secure area. Obviously, this limits the center's capability for handling sensitive information.

We were told that, hopefully, secure facilities will be acquired by June 1984.

Each NNBIS region we visited had an intelligence and an operations group. The intelligence group—known as the Intelligence Information Coordination Center—is supposed to receive information from a variety of sources indicating possible smuggling activities and is supposed to pass it on to the operations group.

The operations group—known as the Interdiction Operations Information Center—receives information from the intelligence group, Customs, DEA, Coast Guard, and others and passes information on to those agencies with capabilities and resources for interdiction.

The operations group also monitors the location and status of resources available within the region that could be called upon to assist in an interdiction effort.

My next topic is the topic that I know you are specifically interested in in terms of the details we were asked to provide you.

NNBIS participation in interdicting drugs smuggled by aircraft is the topic. Mr. Chairman, as part of our work for this subcommittee, as you know, we visited Miami, New Orleans, and El Paso. Generally speaking, those regional centers are designed to coordinate the activities of those agencies that have drug interdiction resources and responsibilities. As you know, the actual interdiction and arrest are made by law enforcement agencies, and that would be Federal agencies and State and local agencies.

We do, however, have some information on air interdictions.

As was certainly borne out this morning—very forcefully, I might add—smuggling by aircraft represents a very special prob-

lem to interdicting agencies because of the short time available to detect and intercept the aircraft. We found that from October 1982 until February 9, 1984, the southeast region was involved in 129 seizures. Four of these involved aircraft, and the remaining 125 involved vessels. Three of the four seizures took place prior to June 1983 when the NNBIS regions became operational. During the period June 9, 1983 to February 9, 1984, the gulf region, headquartered in New Orleans, was involved in 22 seizures. Four involved aircraft and 18 involved vessels.

The southwest border region was involved in a total of three seizures, all of which involved aircraft.

In total, the three NNBIS offices participated in 154 seizures, of which they told us—and I had to qualify it that way—11 involved aircraft.

During this period there were other seizures in each region—both vessel and aircraft—that NNBIS was not involved in, and we don't know precisely how many and why NNBIS was not involved at this point.

In examining the 11 seizures reported by NNBIS regions involving aircraft to identify the source of information that led to the seizures and determine NNBIS's involvement, we found that the sources of information were as follows:

Four of the seizures were from special operations involving the use of radar, as the detecting instrument.

Two were from transponder/beepers that had been placed on suspect aircraft.

One was from a confidential informant.

Two were from cold hits.

And, two were from sources which should not be discussed, and we have discussed it with your staff, but two were from information provided from sources that would be available to the intelligence and law enforcement community. But these were two hits, two airplane seizures.

It is difficult to determine what role NNBIS played in these seizures or whether the seizures would have been made without NNBIS involvement. When I say it is difficult, I am not going to be an unreasonable man, and when we get into some specific questions, where I can provide some details, then my degree of reasonableness increases, and one either says, yes, there was involvement or, no, there was not involvement, and it is a toss up, and I am prepared to make those types of statements.

NNBIS records do not always show at what point NNBIS became aware of a seizure or the extent to which they coordinated the seizure, and I might add off of my testimony that there is a lot of use of this word "coordination." GAO uses it and others use it, and I am not quite prepared to know what coordination means. I hope it is not just in the eyes of the beholder, and we will have to talk about that, maybe.

We were told that NNBIS involvement was to coordinate—I am sorry, excuse me. NNBIS records do not always show at what point NNBIS became aware of a seizure or the extent to which they coordinated the seizure. We were told, for example, that in two seizures—my written testimony shows one; as late as yesterday afternoon in calling the NNBIS centers and in calling EPIC, we got ad-

ditional information, so instead of one we have two—NNBIS was not involved until after the seizure had been made. We were told that NNBIS involvement in one was to coordinate the transportation of the seized drugs to a DEA facility.

The second involvement was for NNBIS to coordinate the sending of a Customs craft to pick up some presumed bad guys who had crashed into the ocean in a plane crash while they were being pursued by Customs' pursuit planes, and NNBIS coordinated the shipping of a Customs vehicle to intercept that vessel to see what happened and why.

So, those were two instances in which they were after the fact involved, and that was the nature of their involvement.

In summary, the concept upon which NNBIS was founded, the coordination, again, of drug interdiction efforts, is sound. We certainly said that in our report, our June report on interdiction, the big report; the concept is sound.

On the basis of our limited survey work at the three NNBIS centers that we visited, we found the NNBIS involvement had, indeed, been limited. However, in all fairness, Mr. Chairman, NNBIS is a young organization, and we did not attempt at this point to evaluate its overall performance.

There are reasons we did not do that.

This concludes my prepared statement, and at this point I would certainly be pleased to offer myself and my colleagues here to respond to any questions you or your staff may have.

[Mr. Jones' prepared statement follows:]

United States General Accounting Office  
Washington, D.C.

FOR RELEASE ON DELIVERY  
EXPECTED AT 10:00 AM  
WEDNESDAY MARCH 21, 1984

STATEMENT OF  
ARNOLD P. JONES, SENIOR ASSOCIATE DIRECTOR  
GENERAL GOVERNMENT DIVISION  
BEFORE THE  
SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE  
COMMITTEE ON GOVERNMENT OPERATIONS  
HOUSE OF REPRESENTATIVES  
ON  
THE ROLE OF THE NATIONAL NARCOTICS BORDER INTERDICTION  
SYSTEM IN COORDINATING FEDERAL DRUG INTERDICTION EFFORTS

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here to participate in hearings on the role of the National Narcotics Border Interdiction System (NNBIS) in coordinating federal drug interdiction efforts. Our testimony today will be based on work we have done in recent years on law enforcement efforts to combat drug smuggling, including some work we are presently doing for this subcommittee on the availability and use of tactical intelligence for drug interdiction. As agreed, our work focused on air interdictions. We are here today to report on the operations of the NNBIS regional centers in Miami, Florida; New Orleans, Louisiana; and El Paso, Texas, as part of our survey work for the subcommittee.

Mr. Chairman, I would first like to summarize briefly the coordination problems among the federal drug interdiction agencies that led to the creation of the South Florida Task Force and then to an expansion of that concept under NNBIS. Second, as you requested, I would like to provide information on the mission and organization of NNBIS and the staffing and activities of the three NNBIS regional centers we visited.

INADEQUATE COORDINATION HAS BEEN A  
LONG-STANDING PROBLEM IN DRUG INTERDICTION

Our work in the drug enforcement area<sup>1</sup> over the years has shown that a lack of coordination among federal agencies has persistently hindered federal drug interdiction efforts. As we pointed out in our June 1983 report on drug interdiction, the authority and responsibility for federal drug interdiction efforts are split among three separate agencies in three executive departments. DEA has overall responsibility for drug law enforcement, including the primary responsibility for developing foreign tactical intelligence. Customs interdicts smugglers at the border, and the Coast Guard interdicts drugs on the high seas. Essentially, federal drug interdiction efforts have been an amalgamation of these individual agency programs, resulting in differing interdiction goals, priorities, and resource decisions.

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<sup>1</sup>Our reports in this area include Federal Drug Interdiction Efforts Need Strong Central Oversight, GAO/GGD-83-52, June 13, 1983; and Gains Made in Controlling Drugs, Yet the Drug Trade Flourishes, GGD-80-4, October 25, 1979.

We concluded in our June 1983 report that there is a clear need for drug program coordination with regard to drug interdiction. We also point out that special projects conducted jointly by several federal agencies have been a more successful means of attacking drug smuggling than a single agency effort. These joint operations resulted in increased drug seizures and the arrest of many major drug traffickers. The South Florida Task Force, which I will discuss next, was by far the largest of these special projects.

THE SOUTH FLORIDA TASK FORCE:  
A COHESIVE ATTACK ON DRUG SMUGGLERS

The South Florida Task Force, initiated in March 1982, brought a degree of cohesion to the federal effort to attack drug smugglers in South Florida. Although designed to be a broad, multifaceted anticrime program for South Florida, the bulk of the task force, both in terms of activities and resources, focused on drug interdiction. Under the direction of the Vice President, the task force was responsible for coordinating the increased resources of DEA, Customs, and the Coast Guard. In addition, resources of the Army, Navy, Air Force, and Marines; the FBI; the Bureau of Alcohol, Tobacco and Firearms; and the U.S. Marshals Service were brought into the interdiction effort.

We have not evaluated the overall effectiveness of the South Florida Task Force. However, the general consensus of the participating agencies is that the Task Force has successfully

demonstrated the benefits of a cohesive attack on drug smuggling. According to the Vice President, the general principles and most successful interdiction techniques of the South Florida Task Force were to be utilized by the NNBIS regional centers across the country.

NNBIS CREATED AS AN EXPANSION  
OF THE SOUTH FLORIDA TASK  
FORCE CONCEPT

President Reagan announced the creation of NNBIS on March 23, 1983. The coordination and intelligence aspects of the South Florida Task Force evolved into a NNBIS regional center headquartered in Miami. On June 17th the Vice President announced the expanded geographic area to be covered by the Miami NNBIS Center and the creation of five additional regional centers in New Orleans, El Paso, Long Beach, Chicago, and New York. With the Vice President at its head, NNBIS was designed to (1) coordinate the work of those federal agencies with existing responsibilities and capabilities for interdiction of sea-borne, airborne, and cross-border smuggling of narcotics; (2) monitor suspected smuggling activity originating outside national borders and destined for the United States; and (3) coordinate agencies' seizure of contraband and arrests of persons involved in illegal drug importation. The Vice President emphasized that a concerted effort would be made to extensively utilize military resources in the battle against drug smugglers.

NNBIS officials at both the headquarters and regional levels informed us that they are actively seeking the cooperation and participation of the military as well as federal, state, and local law enforcement agencies in the overall drug interdiction effort. They also told us, however, that they do not have a mission plan at either the headquarters or regional level, other than what was outlined in the President's and Vice President's announcements concerning the creation of NNBIS. Without such a plan, it is impossible to assess the effectiveness of NNBIS or the progress being made toward accomplishing its mission, especially since its role is evolving as time goes on. I would now like to describe NNBIS' organization and staffing.

#### Organization and staffing

NNBIS consists of six regions with regional boundaries fixed at various locations along the U.S. border. (An appendix to this statement describes the boundaries of the regional centers.) Each region is headed by a regional coordinator from either Customs or Coast Guard, but the coordinators do not devote their full time to NNBIS activities. They continue with their responsibilities designated by the parent organization. For example, Rear Admiral William H. Stewart is the NNBIS regional coordinator for the Gulf Region headquartered in New Orleans. He is also the Commander of the Coast Guard's 8th District. Deputy coordinators in Miami and New Orleans also shared their time between NNBIS and their normal duties. El Paso has no deputy coordinator.

NNBIS regions are staffed by permanently assigned personnel from Customs, Coast Guard, DEA, FBI, Army, Air Force, Marines, Navy, Immigration and Naturalization Service, Federal Aviation Administration, and the intelligence community. The New Orleans and El Paso offices also have staff assigned from state and local law enforcement agencies. The staff, be it federal, state, or local, remain a part of and are paid by the sponsoring agency.

At the three regions we visited, 76 persons had been assigned as of March 1, 1984. Of these, 31 had been assigned to Miami, 25 to New Orleans, and 20 to El Paso. Staff was initially detailed on a temporary basis until permanent staff could be assigned.

Because NNBIS is not a separate and distinct agency, it has no budget, nor does it account for its costs. The up front costs for establishing the regions were generally borne by the agency which had the lead. For example, we were told that \$400,000 worth of equipment and facilities in New Orleans were paid for by Coast Guard. In El Paso, equipment and facilities costs are being borne by Customs. I might add that the El Paso operation has yet to locate its offices in a physically secure area. Obviously, this limits the center's capability for handling sensitive information. We were told that, hopefully, secure facilities will be acquired by June 1984.

Each NNBIS region we visited had an intelligence and an operations group. The intelligence group, known as the Intelligence Information Coordination Center, receives information from a variety of sources indicating possible smuggling activities and passes it on to the operations group. The operations group, known as the Interdiction Operations Information Center, receives information from the intelligence group, Customs, DEA, Coast Guard, and others and passes the information on to those agencies with capabilities and resources for interdiction. The operations group also monitors the location and status of resources available within the region that could be called upon to assist in an interdiction effort. My next topic will center on NNBIS' involvement in interdicting drugs smuggled by aircraft.

NNBIS participation in interdicting  
drugs smuggled by aircraft

Mr. Chairman, as part of our work for this subcommittee we visited the Miami, New Orleans, and El Paso NNBIS regional centers to determine the extent to which they were involved in air interdictions. Generally speaking, NNBIS regional centers are designed to coordinate the activities of those agencies that have drug interdiction resources and responsibilities. Actual seizure of drugs and the arrest of smugglers are the responsibilities of DEA, Customs, and the Coast Guard. We do, however, have information on air interdictions along the southern border where NNBIS was involved.

Smuggling by aircraft presents a special problem to interdicting agencies because of the short time available to detect and intercept the aircraft. We found that from October 1982 to February 9, 1984, the Southeast Region was involved in 129 seizures. Four of these involved aircraft and the remaining 125 involved vessels. Three of the four seizures took place prior to June 1983, when the NNBIS regions became operational. During the period June 1983 to February 9, 1984, the Gulf Region, headquartered in New Orleans, was involved in 22 seizures; 4 involved aircraft and 18 involved vessels. The Southwest Border Region was involved in a total of three seizures. All of the seizures involved aircraft. In total, the three NNBIS offices participated in 154 seizures, of which 11 involved aircraft.

During this period there were also other seizures in each region--both vessels and aircraft--that NNBIS was not involved in. We do not know precisely how many or why NNBIS was not involved.

We examined the 11 seizures reported by the NNBIS regions involving aircraft to identify the source of information that led to the seizures and to determine NNBIS involvement. We found that the sources of the information for the seizures were as follows:

- four from special operations involving radar,
- two from transponders/beepers placed on suspect aircraft,
- one from a confidential informant,

--two from cold hits, and

--two from other sources which we cannot discuss in open hearings.

It was difficult to determine what role NNBIS played in these seizures or whether the seizures would have been made without NNBIS involvement. NNBIS' records did not always show at what point NNBIS became aware of a seizure or the extent to which they coordinated the seizure. We were told, however, that in one seizure NNBIS was not involved until after the seizure had been made. We were told that NNBIS's involvement was to coordinate the transportation of the seized drugs to a DEA facility.

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In summary, Mr. Chairman, the concept upon which NNBIS was founded--the coordination of drug interdiction efforts--is sound. On the basis of our limited survey work at three NNBIS regions, which centered around air interdiction at your request, we found that NNBIS involvement has been limited. However, in all fairness, Mr. Chairman, NNBIS is still a young organization and we did not attempt to evaluate its overall performance or effectiveness.

This concludes my prepared statement, Mr. Chairman. We would be pleased to respond to any questions.

APPENDIX

APPENDIX

BOUNDARIES OF NNBIS REGIONAL CENTERSNortheast Region

Includes the boundary from Erie, Pennsylvania, around to the Delaware/Maryland border.

Southeast Region

Includes the boundary from the Delaware/Maryland border around the coast of Florida to Apalachicola on the Gulf Coast of Florida.

Gulf Region

Includes the boundary from Apalachicola, Florida, to Brownsville, Texas.

Southwest Border Region

Includes the boundary from Brownsville, Texas, to the Colorado River.

Pacific Region

Includes the boundary from the Colorado River to the Canadian border and includes Alaska and Hawaii.

Northern Border Region

Includes the boundary from the state of Washington to Erie, Pennsylvania.

Mr. ENGLISH. Mr. Jones, what was the description of the word, "involvement"?

Mr. JONES. Mr. Chairman, involvement is used by NNBIS to mean one of the following things. I think I can tell you what they mean by involvement by describing a couple of situations in which they allege they were involved.

One situation, we have already described—you had a hit made; a plane was seized; drugs were found; NNBIS then arranged for the transportation of the contraband to a secure facility. That is called an involvement.

In another instance, it is claimed on June 18, 1983, with respect to a hit, if you will, that NNBIS coordinated the deployment of an AWACS craft. Again, this is after the fact. This is in the New Orleans region. There was a situation in which, on both June 18 and June 19, two planes were located, drugs were confiscated in both instances, and NNBIS claimed to us that they were responsible for the AWACS being located where they were located, and the chain of custody was that the AWACS identified a plane, let Customs have the information, and then it became a Customs issue, and in the end because AWACS was involved in this sense NNBIS claimed involvement.

Mr. ENGLISH. Are these part of those 11 hits?

Mr. JONES. Everything that I am talking about, Mr. Chairman—the whole data base, the whole basis for involvement—are these 11 cases, these 11 instances.

Mr. ENGLISH. The Vice President's NNBIS program—he made the announcement, I believe, on June 17, 1983. I guess we had two AWACS hits, I believe, which is the information that I have—

Mr. JONES. That is correct.

Mr. ENGLISH. So, you have NNBIS the next day saying, "We are responsible for those hits because the Vice President announced it yesterday, and, therefore, we get credit for it today."

Mr. JONES. Indeed, Mr. Chairman, the next day and the day after that—June 18 and June 19—and he announced it on June 17.

Mr. ENGLISH. And there was another one on the E-2C's on the 19th.

If I remember correctly, with regard to the manner in which the Air Force and the Navy set those schedules up, the flights are scheduled several months in advance of when they actually take place. The scheduling is done. So, there is no way under those circumstances that NNBIS could be responsible for that AWACS plane or the E-2C flying in that area making that kind of discovery.

Mr. JONES. I think you are absolutely correct, Mr. Chairman.

Mr. ENGLISH. Also, then if Customs goes out and brings down an airplane and makes an arrest, and if NNBIS sends the car out there to pick up the guys who are arrested or if they go out there with a car to pick up the drugs to bring it in to DEA to be stored, then they get credit for that, too; is that correct?

Mr. JONES. They said this is one of the instances in which they were involved, 1 of the 11 instances; that is correct.

Mr. ENGLISH. As I understand it, too, they were claiming some NORAD involvement. We checked that out, and, as I understand it, that was used back in the 1970's.

Mr. JONES. I think that is right, Mr. Chairman. As a matter of fact, we have a little more detail on these things and you are correct, of course.

Mr. ENGLISH. If I could, let me run through the 11.

Mr. JONES. Please do.

Mr. ENGLISH. We had the one NORAD case. NORAD has been involved since the 1970's, as I mentioned.

We have two transponder hits. They are put on by either Customs or DEA, and it is FAA that picks up those signals and then picks up the phone and gives a call, and they are claiming credit for those.

There are two cold hits that were made by Customs. They were out on routine patrol. I am not sure exactly how they even—maybe that is where they went out and actually picked up the drugs or something or sent a car out.

Then, as I understand it, the confidential informant hit occurred on December 28, 1982, which is about 6 months before the Vice President ever announced NNBS, so they were claiming credit for that, as well.

Is that pretty much the size of it?

Mr. JONES. Yes, pretty much the size of it.

Mr. BORKOVIC. Mr. Chairman, I might interject here that what we did was ask the regional centers to provide us specific information on those aircraft seizures in which they were involved. This is not our interpretation of involvement; it is what they gave us.

Mr. ENGLISH. I recognize that. This is what they are claiming.

Mr. BORKOVIC. Yes, sir.

Mr. ENGLISH. Further examination shows this is what it actually was and this is how they were actually involved.

I believe my 10 minutes has just about expired.

Mr. Coleman?

Mr. COLEMAN. Thank you, Mr. Chairman.

I guess the question comes this way. As you have pointed out, it is a new agency. It is not even an agency; it is a new, we hope, system, one that I suggested may not be a system at all in terms of the Department of the Treasury.

But I wanted to ask you whether or not your next scheduled look at this—is it a requirement from this committee or is that going to be in the nature of your normal review again of NNBS? Will you be doing this again in the near future?

Mr. JONES. What is the status, Joe [Litzelman]?

Mr. LITZELMAN. That is something we have yet to discuss with the staff in terms of what our involvement is going to be. I think tentatively we have agreed to go out and take a further look at NNBS.

Mr. COLEMAN. I understand that there will be a letter forthcoming from Mr. English and Senator DeConcini in that regard. I think it is important. I understand the difficulty oftentimes with different agencies, also, the DEA, Customs, and Border Patrol, and all the others having problems internally. Of course, I am interested in finding out whether or not you located, even in this initial look at the different NNBS programs, any difficulty between our agencies in law enforcement in the field.

Mr. JONES. As I was hoping to make clear, of course, that was the specific charter, and we spent a lot of time looking at the air program. However, in terms of the ability to look at this as an agency, we think one of the problems that plagues us in terms of our ability to respond to the chairman's concerns and, of course, the committee's concerns is that when we talk about an entity and a mission, one of the first things we would like to have is, "Well, if we have a role to play, let's come up with some standards against which you can determine how well I am playing the role."

If a standard of performance is to gain 1,000 yards a season or to score 30 points a game, that gives us something against which we can make an assessment.

We don't have that here, Mr. Coleman.

Mr. COLEMAN. Well, let me ask, why don't we? I guess that is the problem. Is there something that this committee can do to ensure that those who are working in NNBS have an opportunity to provide the necessary documentation, records of when they entered a case, what their actual activity was, and so on. I don't care about the claims. I can't stand numbers and pounds and dollar amounts. I think they are almost ludicrous, I have seen them so often. But I think what is more important is that in your type of investigation, isn't it possible for you to draft the kind of standards by which you could give to this committee—and we could subsequently, all of us, give to the taxpayers—a response about how they are doing and what they are doing and what it is that we need to do to ensure that they can bring up to snuff whatever operation we feel may be lacking in some areas.

I guess that is basically my question. Can you make recommendations now that you have been to three of the different regional centers? I am wondering whether or not you would have some recommendations about how you could better report these matters to us?

Mr. JONES. First of all, having been to three means that we have been to 50 percent of them.

I would also say that what we would generally do is to look at management weaknesses. We would look at the system as a whole and say, "These are the generalized things that you lack." It certainly would be up to management, whatever management is in this sense because each of the coordinators and deputy coordinators, of course, one might say, serve two masters. They serve the master, the Customs regional people, of course, the Customs, and they also theoretically serve the Vice President. The Coast Guard people serve the Secretary of Transportation, and they serve the Vice President, so that has to be clarified.

But, certainly, we would make generalized recommendations. In terms of specific recommendations as to what should be a standard, how it should be measured, and that is something that we traditionally at GAO, hopefully, try to leave to the agencies because they are the people out there tasked with running the program.

Mr. COLEMAN. As you pointed out, we have, maybe, two different games going, and we don't have the same basis for scoring. I think that is our problem.

Mr. JONES. I think you are absolutely right. One of the things we have to have is that we have to have some common understanding

of what is expected of us, how do we go about doing it, what is the management structure that we should have in place to see to it that the things we should do are done. That is the problem. You just can't have people in each region thinking of doing their thing in different ways. Of course, this is all in my judgment.

Mr. COLEMAN. I totally agree with that. I think it is also encumbent on this committee or whoever is making the request. It seems to me that we ought to advise NNBIS as to what we are going to be looking for, the criteria. In other words, I want to use the same criteria for everyone.

I really don't care if they are responding to Customs or the Coast Guard or who it is. It seems only appropriate to me that we advise them that this is what we are going to be looking for and we are going to ask GAO to come in and give us a report about how they are doing with respect to certain criteria.

I think that is what we have got to do. Did you feel that you didn't have that criteria this time? Or was it because of the committee's request that you were just looking at certain specifics?

Mr. JONES. Certainly—we had discussed it with the staff in terms of our ongoing responsibility with the chairman and we have another report that he should be getting out shortly on the use of technical intelligence in south Florida.

But we have not had a chance to date to develop the sort of background information we would like to have before we come up and say, "These are the things we are coming up with." We will work with the agency and try to work with them to see—because they run these programs, as I said.

We have not reached that point in the course of our work for the subcommittee.

Mr. COLEMAN. Did the NNBIS directors and/or deputy directors seem to have a good sense of what their mission was when you did your investigation?

Mr. JONES. I am going to say something. I wasn't there. I am going to invite my colleagues, not to correct me but to embellish what I say.

I think in one instance we saw—and they can correct me on it; I believe it was the El Paso region—the coordinator making a very conscious effort in an affirmative way to reach out to the enforcement community at the State and local level. His thesis, as I recall, is that the more people you get involved in drug law enforcement from the State and local level and people providing intelligence, the more they are aware of what NNBIS is and that it is there, the better you make the capability of performing the ultimate function of interdiction of drugs that are attempting to enter the country.

That was, as I believe I remember, a high priority, but there are other indications, of course, that the role of NNBIS is to serve as an intelligence conduit, an intelligence translucrer. Information is provided to NNBIS from somewhere, from intelligence sources out there. We are talking specifically outside of the continental United States.

Then NNBIS is to do something with that intelligence. NNBIS is to see that that information gets to that interdiction agency that is most ready to respond to the particular situation that exists at the time the intelligence is provided.

I can only say—and this is certainly not a rap on what they have not done—that looking at the 11 cases, I see no astounding evidence that this aspect of their mission has yet been met. So, you have people doing things, but what you lack at this point, in my judgment—and it is my judgment at this point, not a GAO judgment because that will be when we issue your report—is the clear understanding—and I hate to say this—of what the public policy statement shakes down to.

The Vice President made a nice statement of public policy when he talked about NNBIS being developed to coordinate. That was a public policy statement.

How you get down to the day-to-day rules of play so that everybody understands how the game is to be played and what the rules are and where the field is, is what we need. I don't think we have a clear and uniform understanding of that yet. And, maybe we shouldn't have it yet. I am not prepared to say. But it is not there today.

Mr. COLEMAN. Thank you, Mr. Jones.

Mr. ENGLISH. Mr. Jones, did all that answer mean that you did not find that they had a clear understanding of what their mission was and what each individual's role was in fulfilling that mission?

Mr. JONES. It means that there is not a clear understanding of what the mission is. You are correct, Mr. Chairman. Thank you for reminding me to stop talking so much.

Mr. ENGLISH. Thank you very much.

Mr. Lewis?

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Jones, on the last page of your testimony, you mention that "NNBIS records did not always show at what point NNBIS became aware of a seizure or the extent to which they coordinated the seizure."

Mr. JONES. That is correct.

Mr. LEWIS. That sounds similar to a statement made about the El Paso Intelligence Center in GAO's report in June 1983.

Mr. JONES. Correct.

Mr. LEWIS. There, GAO said, "Data was not available that showed whether EPIC was actually used to assist in interdictions."

Does NNBIS need to improve its recordkeeping and, if so, what suggestions would GAO make?

Mr. JONES. I think it is clear that NNBIS needs to improve its recordkeeping. I think what you have to have, as we pointed out in our June report and as we pointed out today, there is in 1 of these 11 accomplishments, there is one instance in which NNBIS claims a plane was seized and EPIC has no indication that a plane was seized. We do know, in fact, that if a plane was seized, it was subsequently involved in surveilled activity, postseizure, so there has to be strong guidance and direction given to all components of the interdiction system, the intelligence process also, to share the information they have in as expeditious a manner as possible.

You don't need to have NNBIS having a hit and EPIC not having it and, on the contrary, EPIC shouldn't have things, necessarily, that are of value to NNBIS that NNBIS needs and doesn't have.

Mr. LEWIS. Has GAO met with NNBIS and brought these points out and tried to improve the system?

Mr. BORKOVIC. No, sir; we haven't. We have not met with NNBIS to discuss our observations. We will do that eventually after we finish with the committee's needs here.

Mr. LEWIS. What is that?

Mr. BORKOVIC. After we finish meeting the subcommittee's needs.

Mr. LEWIS. It looks like there are about 5 years which have gone by that you could have met with them to do this.

Mr. JONES. Let me embellish that. Right now, we are in the process of looking at the use of intelligence. The subcommittee came in and asked us to help them in their deliberations here. In a very short time we went down to NNBIS and did a lot of work. As you have heard this morning, Mr. Lewis, we are going to go back and we are going to do the professional job that we have done, and at that point we will have closeouts; we will give NNBIS the information; we will take the information through the respective parent agencies.

At this point a good bit of what we are talking about is real time. As I said earlier, in terms of the number of hits, my testimony had one. We called down to El Paso yesterday to get even more current information, and a search of the files was made in more detail than was made when we were physically down there, and this other evidence was uncovered. That is the fluid situation we are working in.

Mr. LEWIS. I see.

You stated that NNBIS does not have a mission plan other than what was outlined by the President's and the Vice President's announcements concerning the creation of NNBIS.

What elements do you feel should be provided in such a mission statement?

Mr. JONES. I think, as we said, we need to have a statement of standards, a statement of goals, a statement of objectives that are needed to reach the goals.

You would want to see some sort of budget support and the ability to provide budget answers to allow GAO or the Congress or Cabinet agencies involved to find out exactly what costs are without people having to go in and do a lot of detailed digging. Right now, personnel costs are borne by the agencies involved. I can tell you, for example, that we were told that  $x$  number of people from Customs are assigned to the New Orleans office, but if you asked me today, "What is the dollar amount, Mr. Jones?" I would have to have the troops go back at the grade levels and the step levels to find out the benefit level and compute. These things don't come out as line items because, in a sense, NNBIS, from an organizational point of view and budgetwise, doesn't exist.

I might say that someone—a staffer from the other side—called me 2 weeks ago and said, "Do you folks have any information on line items for NNBIS?" I said, "It doesn't exist as a line item."

When we talk about agencies and missions, these are the sort of management things that you need in place to begin to talk about what they should do.

Mr. LEWIS. Thank you, Mr. Chairman.

I may have some questions that I would like answered in writing.

Mr. ENGLISH. Thank you, Mr. Lewis.

Mr. Shaw?

Mr. SHAW. Mr. Chairman, I have no questions.

Mr. ENGLISH. Mr. Jones, the Vice President when he announced NNBS said that they would utilize the general principles and the most successful interdiction techniques of the South Florida Task Force.

You have testified that this translated into coordination and intelligence aspects of the task force.

Wasn't a crucial factor of the South Florida Task Force the increased manpower sent to south Florida and throughout the country?

Mr. JONES. I think that is absolutely correct. It was the numbers of men and the array, the different arrays of talent. You had investigators; you had judges; you had prosecutors; and you had, even within the investigators, you had investigators with various skills, financial investigatory skills, firearms investigatory skills, tax investigatory skills, all of these people being brought together in numbers. That is correct, Mr. Chairman.

Mr. ENGLISH. These techniques have not been duplicated anywhere else?

Mr. JONES. That is correct.

Mr. ENGLISH. So, regardless of what the Vice President said the objective of NNBS is, none of this has been put into effect?

Mr. JONES. I think it is clear that NNBS is not the replication of the South Florida Task Force concept as a whole.

Mr. ENGLISH. In the South Florida Task Force there also seemed to be a chain of command with actual participation responsibilities by the members of the task force.

Is that evident in NNBS in any way?

Mr. JONES. No, Mr. Chairman, it is not.

Maybe one of the staff wishes to elaborate for you.

Mr. LITZELMAN. Well, down in south Florida, obviously, they had a lot more agencies involved and it ran the whole gamut of the system from investigation through to and including incarceration.

All of those people were participating in the South Florida Task Force. NNBS does not have all those agencies, and, as a consequence, they do not have those organizations involved in the chain of command.

Mr. ENGLISH. But if I remember correctly in terms of what the Vice President said, all those agencies are involved; in fact, more.

Mr. LITZELMAN. All of those agencies are probably involved at the national level but not at the level where they go after the drug smugglers.

Mr. ENGLISH. It is my understanding that at the regional NNBS centers there are assigned such people as DEA representatives, FBI representatives; we even have the intelligence agencies, which were certainly never a part of the South Florida Task Force. We have got all these people assigned out here.

You didn't find those folks there when you visited?

Mr. LITZELMAN. Oh, yes; they were definitely there, but I think the focus in NNBS is purely interdiction, and in the South Florida Task Force it covered the whole gamut of law enforcement. They had the judges and prosecutors and everyone else involved. This is purely the interdiction effort.

Mr. ENGLISH. But that raises the question: What were these folks doing, if they were not there carrying out some kind of function?

What did you find them doing? What did you find the DEA guy, for instance, doing? What was he doing there in the NNBIS centers that you were looking at?

Mr. LITZELMAN. Well, if we are going to get into specifics at the locations, I would rather defer to one of the gentleman on the right side of the table.

Mr. JONES. Why don't we have Mr. Dighton answer you, Mr. Chairman. He was——

Mr. ENGLISH. Just a minute. So, you didn't go to one of the centers; is that right?

Mr. LITZELMAN. I visited, yes. I visited two of the centers, but I didn't spend the time that these other gentlemen did.

Mr. ENGLISH. All right. So, you are not sure what they were doing, then.

Does one of you gentlemen know what they were doing?

Mr. DIGHTON. Yes, Mr. Chairman. It would be hard to define from the standpoint that our effort for the subcommittee here was in regard to tactical intelligence.

We looked at various pieces of information which can't be made public here, but there is information coming from, let's say, DEA in terms of background or organization and this type of thing. There is also information coming from the FBI with regard to informants and this type of thing.

We did not specifically review or look at a day-to-day operation as to what those agents were doing. We looked at some information that was available——

Mr. ENGLISH. For instance, was the DEA agent providing tactical intelligence?

Mr. DIGHTON. Not to my knowledge while I was there, sir.

Mr. ENGLISH. Well, is that not one of his—isn't that the prime responsibility of the Drug Enforcement Administration at NNBIS—to provide tactical intelligence? After all, the Customs Service can't go outside the borders of the United States. I thought that was exactly where it was supposed to originate. It is supposed to be coordinated through the NNBIS centers.

Mr. DIGHTON. We are aware of one of our cases that involved tactical intelligence from DEA. To my knowledge of the aircraft seizure that we looked at, that was true. We cannot say that, from the information we looked at, for the other sources.

Mr. ENGLISH. Is that 1 of the 11 that we were talking about?

Mr. DIGHTON. Yes, sir, Mr. Chairman.

Mr. ENGLISH. Which 1 of those 11 was that? It certainly wasn't the AWACS—was that the confidential informant hit?

Mr. DIGHTON. No, sir; that was one of the ones on——

Mr. ENGLISH. One of the ones that we can't talk about deals?

Mr. DIGHTON. Yes, sir.

Mr. ENGLISH. All right.

Mr. DIGHTON. We will be happy to provide further information for the subcommittee staff.

Mr. ENGLISH. Is that not a Customs-Coast Guard resource?

Mr. DIGHTON. There are operations there that did involve Customs and Coast Guard resources.

Mr. ENGLISH. But I am talking about the one that you were identifying as one that we can't talk about. Was that not a Customs-Coast Guard resource? And DEA?

Mr. DIGHTON. They were also involved in one of those operations, yes, sir.

Mr. ENGLISH. Well, you were there; you were looking at the NNBIS center which was supposed to have all these folks plugged in and providing all of this assistance.

It says: "Coordinating agency brings together" all these different pieces of information and all these different resources that we have on the Federal level as well as State and local. The prime responsibility for providing that type of tactical information which occurs from outside the borders of the United States comes from DEA.

I guess what I am asking you is: Did you observe that the DEA, through that agent, was providing that information?

You told me that you have one instance; is that right?

Mr. DIGHTON. Yes, sir.

Mr. ENGLISH. So, that's all. After that—did you see the guy around the shop at all?

Mr. DIGHTON. Yes, sir. We did observe at the locations that we visited and were introduced to some of the agents who were working in operations and the intelligence units.

Now, we did not inquire as to specifically what they were doing or what their function was that they were doing on a day-to-day basis.

Mr. ENGLISH. You saw them there more than just the day you were introduced to them?

Mr. DIGHTON. Yes, they were there, sir.

Mr. ENGLISH. Also, you mentioned, I believe, Mr. Jones, in response to the questions that were asked by Mr. Coleman, that there didn't seem to be a mission statement; no mission statement. There seemed to be a serious question as to whether these folks knew specifically what they were supposed to be doing.

Can you tell me how the Congress or the general public or even NNBIS itself will be able to ever evaluate how well they are doing? Is there any way that they can be judged, the way it stands now, absent such a statement, absent such a mission?

Mr. JONES. If you were to ask us to go in and in our professional best way of doing an evaluation of NNBIS' effectiveness, we would have to get together and get some agreed-upon standards for measurement because there are none today. We could propose some, but they might take exception.

The bottom line is their justification for existence to date has been these 11 aircraft seizures in the air interdiction mode. Again, in the air interdiction mode, their claim to fame is these 11 cases.

Mr. ENGLISH. Yes, but, with regard to that, there is nothing there—what we are claiming is somebody else's work. I would assume that the same sort of thing is taking place with regard to the arrests they have made with regard to the surface mode.

Mr. JONES. Mr. Chairman, I think your point is absolutely well taken. One of the first things we have to do is the responsibility to coordinate.

Mr. ENGLISH. But as it stands now, we can't judge—we don't have anything more to judge by than just those 11, and there isn't

anything to the 11. If a person was going to be cynical about this whole thing, he would just have to say that NNBIS hasn't accomplished anything.

Mr. JONES. For the air interdiction responsibility, that is correct because those are the data we have.

Mr. ENGLISH. Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Chairman.

I guess the problem I am still having with this part of the testimony is that I don't think that we are discussing something that they could have given you that would have shown what work they are doing. From everything I have heard from this testimony, I don't think we have really dissected any problems in the sense that we didn't go out there and get hold of a problem. We didn't go out there and get hold of any group that had put in a lot of effort in an interdiction, an air interdiction mode, so there wasn't much to do in terms of what your investigation turned up; was there?

Mr. JONES. I guess, Mr. Coleman, I would answer it this way. I would have to assume, as we all do, that there is still—there is contraband crossing the border in the air. There are surreptitious flights being made. I would have to say that I believe that. I believe it sincerely.

And I have to say that if along the southern border, in Miami, in New Orleans, and in El Paso, you have an organization that is charged with coordinating the interdiction of these aircraft—to detect them, to coordinate the detection and pursuit, and the ultimate arrest and seizure.

If I have to say that this is what they are to do and at least for what I heard earlier this morning from people who probably know more than me that 56 percent of the stuff coming in is cocaine and it is coming by air and if this is all we have to show for it, then I have to say that we have to do a little more looking.

Mr. COLEMAN. OK. Let me ask this question. You may also have heard the testimony this morning from the Under Secretary of the Treasury who suggested that detection was not, indeed, going to be a part of the mission of Customs. I guess when we write you the next letter and ask—will we get some ground rules and make a determination about whether that is even a part and parcel of what Customs ought to be doing and what NNBIS ought to be doing?

Evidently the Treasury Department doesn't think so. I happen to think that others would disagree.

But, also, we have talked about assistance from the Department of Defense. You reported to the committee before on, I think, that very issue.

Mr. JONES. Yes, we did.

Mr. COLEMAN. I am just suggesting that at this juncture, the GAO report doesn't mean all that much to me, simply because you didn't have a large number of cases with which to deal. You didn't have but a couple of regional areas that had even been existence very long in terms of your investigation, so this may have been premature in terms of this report.

That is the only thing I would like to comment on. I would hate to condemn NNBIS or those working in NNBIS and suggest that this is all they can do and so where do we go from here? I would rather hope that we could get a longer period of time with what

has got to be called an agency or semiagency in its infancy that we look at in the future.

We need to do this with criteria so that we can all understand it. When I say "we," I mean every agent in every law enforcement sector in the country can understand it, and those who are working—be it local or State or Federal agent—in NNBIS or for NNBIS can understand it. Everybody would then understand the criteria which we are using and even those of us in Congress could.

Mr. JONES. We provided the subcommittee with our observations. In no way am I purporting that this submitted testimony in any way could substitute for a GAO report or a detailed analysis in which we would have the unacceptably long time that we usually take to do these things.

Mr. COLEMAN. I understand and I appreciate your testimony from that perspective.

Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. No questions, Mr. Chairman.

Mr. ENGLISH. Mr. Shaw.

Mr. SHAW. Looking back on the question of using the South Florida Task Force as a model for NNBIS, I think it is necessary to go back for a moment and look into the very history of what was accomplished.

During this period of time and in this area, this was the first time that the military actually got involved with the passage of the posse comitatus law by the last Congress, which was, I think, of revolutionary importance and has a potential that we still haven't realized.

Would you like to comment on that as to what effect you have seen in the NNBIS as well as the South Florida Task Force with regard to the use of the military?

Mr. JONES. Joe Litzelman will respond to that because he oversaw the development of our interdiction report in which this was developed.

Mr. LITZELMAN. I would say that there is no comparison between the situation that existed at the time we did our review that resulted in our report of last summer and the situation that exists now. The military is involved at all levels, well beyond their involvement prior to that time.

Prior to the time of the passage of the Posse Comitatus Act amendment, there was very little involvement. It was on an ad hoc basis, and oftentimes dependent upon the availability and attitude of the local commanders as to whether or not they would assist at all in the law enforcement effort.

I think that now NNBIS at headquarters has done an excellent job in gaining the cooperation of the military at the highest levels and the local NNBIS offices have done a lot to gain the cooperation of the military commanders in their regions. As a result, the participation has been at a very high level at this point in time. They have a lot of ears out there listening now that they didn't have before. They have a lot of equipment on loan from the military that they didn't have before.

So, the situation is much improved.

Mr. SHAW. We are trying at this early stage to look at the development of this type of program, and I take it then that we should not assume that by your testimony that you are in any way condemning the program that has been set up or in any way trying to pass final judgment as far as the process is concerned and the distance that we have come.

It would appear to me that we are still in a very infant stage.

Also, I think we should look closely at some figures for other types of interdiction, other than just air interdiction, which I notice is not part of your testimony, so there is no way we can take your testimony as an overall evaluation of NNBIS. Is that correct?

Mr. JONES. Yes, that is correct. One of the things that is very clear—and nor was it intended—absent some standards against which to assess performance, I have given you anecdotal evidence of things that are going on, and I have hoped to stay away from an overall assessment. As a matter of fact, I think in my closing comments I pointed out that it is still in its infancy, but I have described very accurately a situation that exists, and I think the concern for a future assessment one has to get some common understanding agreeable to all players—“What are you measuring us against; what is it we are supposed to do?”—so that everybody knows in a clear way what is going on.

That is what we are driving at.

Mr. SHAW. Thank you, and thank you, Mr. Chairman.

Mr. ENGLISH. Thank you, Mr. Shaw.

I might say that Mr. Kindness, who is unable to be here because he is tied up on the floor of the House, would like to submit some questions to the gentlemen from the GAO.

Without objection, those will be made a part of the record along with the responses.

[Submissions to Mr. Kindness' questions:]

ANSWERS TO QUESTIONS FROM  
CONGRESSMAN THOMAS N. KINDNESS  
RANKING MINORITY MEMBER  
SUBCOMMITTEE ON GOVERNMENT INFORMATION,  
JUSTICE AND AGRICULTURE

Question 1: Mr. Jones, I'd like to review the conclusion of your statement. Is my understanding correct that GAO did not attempt to evaluate the overall performance of NNBIS?

Answer: GAO has not specifically reviewed the operations or effectiveness of NNBIS, however, we visited NNBIS regional centers in Miami, New Orleans, and El Paso and have met several times with headquarters officials. I might add that we have been told that Chairman English and Senator DeConcini will be requesting us to perform a comprehensive review of NNBIS in the near future.

Question 2: On the last page of your testimony, you mention that "NNBIS records did not always show at what point NNBIS became aware of a seizure or the extent to which they coordinated the seizure." That sounds similar to a statement made about the El Paso Intelligence Center in GAO's June, 1983, report. There GAO said data was not available that showed whether EPIC was actually used to assist in interdictions which GAO reviewed. Does NNBIS need to improve its record keeping and, if so, what suggestions would GAO make?

Answer: We think NNBIS needs to improve its recordkeeping. We could not always determine, at the three NNBIS regions we visited, at what point NNBIS became aware of seizures, what role NNBIS played, or whether the seizures could have been made without NNBIS involvement. We believe that NNBIS should more clearly document its involvement in specific seizures.

Question 3: I'd like to ask a couple of questions about intelligence.

A. How does GAO define "tactical intelligence"?

Answer: GAO defines tactical intelligence for drug interdiction as information that provides the identification of specific drug traffickers and their method of operation. This is distinguished from strategic intelligence which provides a situation overview and information on the magnitude of the problem.

B. Is that definition the same one that is utilized by the Intelligence Community and the Federal Law Enforcement agencies.

Answer: Agency officials' definitions vary, but there appears to be consensus that tactical intelligence is obtained

through a variety of sources, e.g., visual sightings, radar sightings, confidential informants, transponders, beepers, etc. Successful interdiction frequently results from reliance on more than one source or piece of tactical intelligence.

C. In GAO's June 1983, report, it stated that "direct tactical intelligence support is provided to participating agencies by EPIC". Was the definition of tactical intelligence on which that statement was based the same one you just stated?

Answer: Yes. Information that comes from EPIC that relates to specific drug traffickers and their time and place for entry into the United States would be tactical intelligence. However, EPIC also can and does provide intelligence information of a strategic nature to the various interdiction agencies.

D. Has GAO conducted any studies of the resources and effort required to develop tactical intelligence and the obstacles to its collection?

Answer: GAO has conducted a survey of the availability and use of tactical intelligence for air interdiction. Customs officials told us during our survey that very few air interdictions result from tactical intelligence. They told us that tactical intelligence for air interdiction needs to be generated overseas and that DEA has the prime responsibility for providing such intelligence. DEA officials told us that tactical intelligence for air interdiction is difficult to obtain and that efforts to obtain such intelligence does not have a high priority.

Question 4: Some complaints were made in the past that, because the Customs Service did not have the authority to conduct follow-up investigations of the mules they apprehend, significant amounts of valuable information was being lost. I understand that GAO reviewed those claims which came out of the work of the South Florida Task Force. Are you in a position to comment on that? Is a report going to be issued?

Answer: We have evaluated the claims made by the Treasury Department about the intelligence benefits of the followup investigations by the Florida Joint Task Group. The report on our findings should be issued shortly to the subcommittee.

Question 5: You stated that NNBS does not have a mission plan other than what was outlined in the President's and Vice President's announcements concerning the creation of NNBS. What elements do you feel should be provided in such a mission statement?

Answer: A mission statement should clearly define the objectives of the organization and explain precisely how those objectives will be pursued. It should set priorities and provide a means for evaluating performance in relation to the objectives.

Question 6: You also stated that NNBIS has no budget nor does it account for its costs. Aren't the participating agencies, including the Vice President's office, accounting for their contributions to NNBIS in their own budgets? If NNBIS were to have a budget, where should it be located?

Answer: NNBIS has no budget as such. The up front costs for establishing the regions were generally borne by the agency which had the lead. Operating costs are paid for by the participating agencies and are included in those agencies' budgets, but not separately identified as such.

I am not advocating that NNBIS have a separate budget. However, entities such as NNBIS and the South Florida Task Force should be held accountable for the costs that they incur so that informed judgements can be made as to whether the funds spent were worthwhile.

Mr. ENGLISH. Mr. Jones, the Vice President's announcement on the creation of NNBIS referred to three groups in each of the regional centers: intelligence operations, air operations, and radar. You referred to two of these groups in your testimony—intelligence and operations. You did not mention the third group—air operations radar. What is your understanding of the air operations radar group? And why did you not provide any information on that?

Mr. JONES. I think I am correct in saying that it didn't really get off the ground in terms of full implementation.

At this point I will shove this over to one of my colleagues who will give you a little more detail.

Mr. LITZELMAN. Initially they envisioned setting up that type of an organization in all but the Chicago region, and apparently as things developed and evolved they decided that the interdiction agencies, and Customs in particular, are the proper place for having that kind of a coordination unit.

In the testimony this morning they talked about the ROCC sites. Once they are fully implemented, I think that that will constitute what was originally envisioned as that third group at NNBIS.

Mr. ENGLISH. I suppose then that my next question is this. Did you observe any of the operations group at work at the three locations that you visited? I suppose you did not because apparently nothing was going on; is that right?

Mr. LITZELMAN. Well, the ROCC sites themselves are not operational, I guess, at least to the full extent, but the C-3 in Miami, as was characterized this morning, is a mini-ROCC site, so Customs is able to coordinate at that point using the radar and NORAD and its own Fat Albert—

Mr. ENGLISH. Did you observe any intelligence groups in action?

Mr. LITZELMAN. I guess it is very difficult to observe an intelligence group in action. We know that they pass information back and forth, but it is very difficult to decide its value unless it results in a specific seizure. I guess in looking at the 11 seizures at the three locations we visited it is not obvious in those seizures.

Mr. ENGLISH. You did look at it, though; is that correct? You did look at intelligence operations?

Mr. LITZELMAN. We looked behind each seizure to see the source of the information and the roles of those involved in the seizures to the extent that we could determine it.

The NNBIS offices didn't keep very good records on those seizures, so we went to EPIC and we the information that EPIC maintained on each one of those seizures also to try to lay out the story of the seizures.

Mr. ENGLISH. But you have all these people who are supposedly involved in intelligence at the NNBIS centers. DEA is there. We have the Department of Defense which supposedly has some intelligence folks. We have some people, supposedly, from the intelligence community. We have all this intelligence expertise, if you will, that supposedly is represented at each of these centers.

To your knowledge, did you find that these people were meeting together and working together and obtaining and receiving information and passing information on? Were they busy going after it, or did you find anything at all?

Mr. LITZELMAN. I guess we know of a number of specific instances in which they received and disseminated information, but in terms of how much time it occupies of their day, I can't respond to that.

Mr. ENGLISH. They received and sent on intelligence?

Mr. LITZELMAN. I would say that the representatives from the different agencies, like FBI and DEA, for example, would be responsible for the receipt of intelligence information from those agencies and passing it along to the operations group within NNBIS.

Mr. ENGLISH. You did, in fact, see that happening?

Mr. DIGHTON. Sir, I was at the locations, and I observed both the intelligence group and the operations group and in both instances in the operations group and in the intelligence group, as in many operations that are 24-hour operations—and the operations group is a 24-hour operation—they will have some time that they may not be as active as other times.

I even observed in the weekend activity in the Miami center that they were, as I say, busy at times and at other times they were not as busy.

As for the intelligence group, the files we looked at from the information passed from the intelligence group to the operations group, there is information available showing information being passed.

Specifically at the time we were there, we didn't look to see and didn't ask any particular agent what he was providing to the intelligence operation on that particular day.

We did observe the phone calls being made in response, that is, and the receiving of phone calls. We looked at some information in the operations group files that indicated sources of information that may lead to interdictions and were told, for example, an instance in Miami just previous to our arrival that they had received information, the operations center had received information from the intelligence group that led to a large cocaine drug seizure. This was a vessel seizure, by the way.

Mr. ENGLISH. Mr. Jones, would it be correct to say that whatever success that NNBIS may have enjoyed is strictly on an individual basis? It has been individuals' initiatives?

You mentioned the individual down at El Paso who was focusing his attention on trying to coordinate and work with State and law enforcement. We have the case down in Miami with regard—evidently you have some intelligence people down there who are generating some activity.

The thing that I am finding as I listen to your testimony is the lack of consistency throughout the system. We don't have procedures that are being followed. We don't have goals that are being commonly sought. We don't have a general direction that is being focused so they are working in unison. It depends on what the local guy wants to take on and what he wants to do.

Is that an unfair statement?

Mr. JONES. I don't think it is unfair, Mr. Chairman, because, after all, you have the coordinator and the deputy coordinator who, as I said earlier, serve two masters. You have a person who is there who is a regional commissioner of Customs, and he has the full

spectrum of his duties and responsibilities as that regional commissioner of Customs.

You have him also serving as the coordinator of the NNBIS center. I have not—unless my staff has—seen a position description defining the duties and expectations of a coordinator.

In terms of defining the role of a coordinator now, that wouldn't hurt; I don't think.

Mr. ENGLISH. It might help.

Mr. JONES. I know what I am supposed to do. I get paid for it. It is pretty clear what I am supposed to do. The Associate Director of GAO has a well-defined role and some responsibilities.

Mr. ENGLISH. There is no question in your mind, and if there is a question you know where to go to find out?

Mr. JONES. My boss will let me know if I don't do it right, with no difficulty whatsoever, sir.

Mr. ENGLISH. Is it even written out for you?

Mr. JONES. It is written out, also.

Mr. ENGLISH. Mr. Coleman.

Mr. COLEMAN. No questions, Mr. Chairman.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. No questions, Mr. Chairman.

Mr. ENGLISH. Mr. MacKay.

Mr. MACKAY. Well, I am sorry that I missed this. I was anxious just to get an overview whether GAO, which has been following this drug interdiction effort for a number of years, whether you think that the progress is being made in the coordination effort.

My question may be duplicative. It may already have been asked.

Mr. JONES. As we have said earlier, if you look at the tremendous progress made in south Florida, it is quite clear that things are better today there than they were before. It is clear that there are lessons there that can be translated elsewhere to similar situations.

What we have is a new situation. NNBIS is not a replication. NNBIS is not the south Florida concept taken verse by verse and placed in New Orleans or Chicago or anywhere else because, as we pointed out, in south Florida you had everything. You had investigators; you had prosecutors; you had judges. They even invented cell space to put the bad guys away. And you had the military assistance. It is what can be done.

Portions of it have gone into NNBIS. I think one has to find out whether it works.

I might add this. This is going a bit off, but the task force concept, gentlemen, 10 or 15 years ago, I believe, there were task forces to arrest the involvement of narcotics problems on the street level. It came and it went. It has been modified and probably is better now. We have to assess that next year, but there is very little new, in my private judgment, necessarily coming down the pike with the exception of the military's involvement and having the Vice President and someone at that level who can cut through a lot of problems to say, "Let's get together and let's stop fighting."

Mr. MACKAY. So, you are basically saying that they had a pilot project in south Florida which showed a great deal of promise, but then as they started the NNBIS effort, it doesn't seem that they tried to replicate what happened in south Florida?

Mr. JONES. I think they took something that they felt worked in south Florida and a portion of the South Florida Task Force concept—the interdiction portion and the intelligence portion—and tried to put it in different places. For all the reasons we have talked about, we have to see something. It may work beautifully 6 months or a year from now. I can only talk about what is happening up until today and in the short time we were down there.

Mr. MACKAY. As I understood your report, at this point it is not coming together?

Mr. JONES. Yes; in the prepared testimony we looked at the problem with air interdiction. That is the problem we worked, concentrated on.

Mr. MACKAY. Mr. Chairman, when we were in south Florida, we were exploring whether the task forces that were being put together in other areas were the same concept as the South Florida Task Force, and it seemed they were substituting auditors and investigators more in the white-collar crime area at the expense of the interdiction.

Do you see a change in emphasis, is what I am asking?

Mr. JONES. I get confused sometimes, but you are talking about, obviously, the National Narcotics Border Interdiction System—NNBIS.

Now you have the President's Organized Crime Drug Enforcement Task Forces—the 12 task forces—which are primarily made up of additional prosecutorial talent but primarily special agents with various skills who are around to concentrate—in addition to organized crime strike forces that have been around concentrating on traditional organized crime figures.

You have got all of these elements sort of working together—or at least they are working—and the 12 strike forces are not the totality of the south Florida concept because they are in there disrupting trafficking networks that are run by, for, and through organized families.

We have talked about NNBIS. South Florida was the whole thing, cradle to grave, although a good bit of it was concentrating on interdiction, but that is where the whole might of the Federal Government—with support of State and locals—came in.

I don't think that has been replicated yet in terms of the 12 organized crime strike forces.

Mr. MACKAY. That is almost the way I saw it, and I wanted to try to get a feel for whether I am looking at it wrong or not. It seems to me they took part of the south Florida experience and it went into the 12 task forces, and they took another part and it went into NNBIS and the whole purpose of the south Florida thing was to see whether you could coordinate the whole thing and get better results.

It seems to have shown that. And following immediately on the path of that, we went in the opposite direction on coordination.

Mr. JONES. God knows that I don't speak for the administration. That is just not our role. But I think the concept behind the 12 organized crime strike forces was not so much interdiction oriented, but it was to get in and identify, disrupt, and bring to bear some fairly decent laws with respect to seizures and forfeitures and get the assets of the bad guys and get the right bad guys.

That is what they are about.

It is relatively new. That is one of the first things I intend to do, if we are asked to do it, but early on into the next fiscal year I intend again to have our people go out to assess what the organized crime strike forces have been doing.

Mr. MACKAY. I would be very interested in that, and I would be interested also in your comment on this question: Is it logical to assume or is it appropriate to assume that if the street price of drugs have been cut, let's say, to one-fourth of what it was 18 months ago that you could assume that the program is not only not more effective but perhaps less effective?

Mr. JONES. I certainly will agree with you on that.

I won't say that it has something to do with market mechanisms. The commonsense observation, from my perspective, is that if price is going down and if purity is remaining relatively stable, that is certainly indicative of increased supply or certainly no diminution of supply.

I think it is going to be interesting to see what happens with that 13.5 tons or 12 tons, whatever the case is, of cocaine. Let's see what impact that has on price and purity sometime down the time tube in the next couple or 3 months. I think that will be an interesting observation to be made to see, and that might give you a measure of just what dent that made in the market situation.

Mr. MACKAY. What real interdiction might be.

Mr. JONES. That is a lot of cocaine.

Mr. MACKAY. Thank you, Mr. Chairman. Thank you, Mr. Jones.

Mr. ENGLISH. Thank you, Mr. MacKay.

Are there further questions?

If not, we thank you very much, Mr. Jones.

Our next witness will be Capt. L.N. Schowengerdt, Jr., Staff Director, National Narcotics Border Interdiction System.

Captain, we appreciate your coming up today. We would appreciate it, if you are going to have folks with you at the witness table, if you would identify those folks for the record.

**STATEMENT OF CAPT. L.N. SCHOWENGERDT, JR., STAFF DIRECTOR, NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, ACCOMPANIED BY G. PHILIP HUGHES, DEPUTY ASSISTANT TO THE VICE PRESIDENT FOR NATIONAL SECURITY AFFAIRS, AND COMDR. TERRY HART, USCG, ASSISTANT TO THE CHIEF OF STAFF OF THE VICE PRESIDENT**

Captain SCHOWENGERDT. Thank you, Mr. Chairman.

I have with me today, on my left, Mr. Philip Hughes, who is a National Security Advisor to the Vice President, and, on my right, Mr. Terry Hart, who is a member of my staff and is responsible for knowing the answers to the questions if I don't know them.

Mr. ENGLISH. Captain Schowengerdt, if you would care to submit your written statement, without objection, we will certainly make it a part of the record, and then you can feel free to summarize your testimony.

Captain SCHOWENGERDT. Thank you, sir. I would appreciate doing that. My formal statement is quite long, and I will submit that for the record.

I would like to make some informal remarks, however, and then I would be pleased to answer any questions you and the other members of the committee may have.

There have been many, many questions raised in the earlier testimony today, and, rather than try to answer all of them in my informal remarks, with your concurrence, I would prefer to do it by answering your questions.

I am the Staff Director of the Vice President's National Narcotics Border Interdiction System, working in the White House with the Vice President and with a small staff of my own to coordinate the day-to-day activities of our NNBIS regions and the long-term planning activities for the NNBIS Program as a whole.

As you are well aware, NNBIS, of course, is only one of several elements of the President's overall strategy to fight the Nation's growing drug problems. The NNBIS mission is to coordinate the border interdiction efforts of all the Federal drug law enforcement agencies and participating State and local agencies and to increase the effectiveness of their operations through coordination, additional resources, manpower, equipment, and intelligence.

The Vice President heads NNBIS at the request of the President, not only because his office can effectively call on the resources of other Cabinet offices, primarily Defense and the national intelligence community, to supplement those of the drug law enforcement agencies, but also because of the demonstrated success of the Vice President's South Florida Task Force.

In a time of high costs and budget deficits, the Federal Government and the American people, of course, must first get every possible use from the equipment and manpower that we have already paid for.

The Vice President's strategy, therefore, is to get the maximum effective use out of our aircraft, ships, manpower, and intelligence. As you know, a broad range of Defense Department assets are currently being used in the drug interdiction fight. We are increasing each quarter our use of those assets. For example, we are now using Air Force and Navy training flights much more extensively to survey high-potential drug trafficking routes for suspicious aircraft and boats, much more than we had been in the early stages of NNBIS or the South Florida Task Force.

This doubles the use, of course, to which those flight training dollars are put. These are dollars that would be spent anyway, flights that would be flown anyway; and we are getting two bangs for our buck.

We are proud of our progress so far, especially when it becomes clear after a seizure that our efforts to be innovative and work smarter have paid off. As an example, recently the Coast Guard cutter *Escape* was able to seize a vessel carrying 16 tons of marijuana in the Caribbean because of an alert from the Navy Reserve. Navy Reserve aircraft, flying a weekend mission, were asked by the NNBIS gulf region to search the Yucatan Channel area for a suspect vessel they had been alerted to by other intelligence sources. One of those Navy P-3's spotted the suspect vessel, radioed its position to the Coast Guard cutter, which was then able to divert from its regular patrol to intercept, investigate, and seize the vessel. Nine Panamanian citizens were arrested for conspiracy

to smuggle marijuana, and they were turned over to the South Florida Task Force for prosecution. The vessel and the contraband, of course, were confiscated.

It is a heartening and enlightening process that we have been going through, and we have a long, long way to go yet; but we have made significant progress in the areas of increased cooperation from Defense and from the intelligence community. We know much more now about the threat, where the major threats are, and many of the patterns that the traffickers follow.

The challenge, of course, is to keep up with these patterns. Understandably, as soon as we concentrate on a specific area or a particular method, the smugglers alter their tactics, and we must be alert to the change. Smugglers are very flexible; they change very readily.

Our enforcement agencies have been making some spectacular seizures recently, and I think it is important to note that. For example, on March 9, the Coast Guard cutter *Alert* seized a motor vessel near Puerto Rico carrying over 30 tons of marijuana. That same week a very well-coordinated operation using Customs, DEA, the Cudjoe Radar System, Tyndall Air Force Base ROCC site, and the Georgia State Police netted over 700 pounds of cocaine in a twin-engine aircraft which finally landed in Sylvania, GA, having been picked up on the radar several hundred miles before that.

We were especially pleased last month when, for the first time, an AWACS aircraft out on a routine training mission—not a mission which would be specifically designated for NNBIS use—spotted a suspect aircraft, tracked it for awhile, engaged another E-3 on another routine training mission to take over the tracking from him when it went out of his range, alerted the Houston Customs Air Support Branch back through the ROCC system of coordination, and resulted ultimately in the seizure of 600 pounds of marijuana from that aircraft. Although NNBIS is nationwide, we continue to focus most of our resources primarily on the southern borders and especially in south Florida. As you noted earlier, Mr. Chairman, the problems still focus in south Florida. That is where the majority of the contraband is still entering the United States.

Our priority concerns are increasing the intelligence that is available to us, continuing the analysis of the data that we are gathering in order to establish trends and patterns, and getting closer teamwork and cooperation between the various enforcement agencies, the Department of Defense, and its assets, and the intelligence community.

I do want to emphasize at this point the strength of our commitment to the interdiction of drug trafficking. We are not going to diminish our efforts. We have a long way to go with much to learn and lots of new ideas to try, but we are not going to give up or slow down. We are in the fight to win.

I would be happy to answer your questions, Mr. Chairman.

[Captain Schowengerdt's prepared statement follows:]

BRIEFING BY

CAPTAIN L. N. SCHOWENGERDT, JR.  
STAFF DIRECTOR  
NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

BEFORE THE

HOUSE GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE  
COMMITTEE ON GOVERNMENT OPERATIONS

WEDNESDAY, MARCH 21, 1984

GOOD MORNING MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM CAPTAIN NICK SCHOWENGERDT, DIRECTOR OF THE VICE PRESIDENT'S NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM STAFF HERE IN WASHINGTON, D.C. I AM PLEASED TO BE GIVEN THIS OPPORTUNITY TO BRIEF THE COMMITTEE ON THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, OR TO USE THE ACRONYM, NNBIS.

IT SHOULD BE NOTED AT THE OUTSET THAT NNBIS IS ONLY ONE OF SEVERAL ONGOING INITIATIVES BY THE PRESIDENT TO FIGHT THE NATION'S WAR AGAINST ILLICIT DRUGS. THE 1982 FEDERAL STRATEGY FOR PREVENTION OF DRUG ABUSE AND DRUG TRAFFICKING DELINEATES FIVE MAJOR AREAS OF CONCENTRATION, THREE OF WHICH ARE AIMED AT REDUCING THE NATIONAL DEMAND FOR DRUGS. THESE ARE EDUCATION AND PREVENTION, DETOXIFICATION AND TREATMENT, AND RESEARCH. AS YOU KNOW, MRS. REAGAN HAS SELECTED DRUG ABUSE AS AN ISSUE OF PERSONAL INTEREST, AND IS SUPPORTED IN HER EFFORTS BY THE WHITE HOUSE DRUG ABUSE POLICY OFFICE AND THE DRUG ENFORCEMENT ADMINISTRATION.

THE FOURTH ELEMENT OF THE FEDERAL STRATEGY IS INTERNATIONAL INITIATIVES TO REDUCE THE SUPPLY OF ILLICIT DRUGS AT THE SOURCE. THE INTERNATIONAL INITIATIVES ARE COORDINATED BY THE DEPARTMENT OF STATE WHICH RECEIVES SUPPORT FROM THE DRUG ENFORCEMENT ADMINISTRATION AND THE DRUG ABUSE POLICY OFFICE. THE PRIMARY FOCUS IN THE INTERNATIONAL ARENA IS ILLICIT DRUG CROP ERADICATION AUGMENTED BY CROP SUBSTITUTION PROGRAMS, AND SUPPORT TO SOURCE AND TRANSIT COUNTRIES IN IMPROVING THEIR LAW ENFORCEMENT PROGRAMS.

THE FIFTH ELEMENT OF THE FEDERAL STRATEGY IS LAW ENFORCEMENT, OF WHICH THE INTERDICTION EFFORT COORDINATED BY NNBIS IS A PART:

ON APRIL 10, 1981 ATTORNEY GENERAL SMITH APPOINTED A TASK FORCE ON VIOLENT CRIME WHICH DEVELOPED 65 RECOMMENDATIONS ON WAYS IN WHICH THE FEDERAL GOVERNMENT CAN IMPROVE ITS EFFORTS TO COMBAT VIOLENT CRIME. THESE RECOMMENDATIONS FORMED THE BASIS OF THE COMPREHENSIVE CRIME CONTROL ACT OF 1983 WHICH PRESIDENT REAGAN FORWARDED TO CONGRESS ON MARCH 16, 1983. THIS PROPOSAL INCLUDES REFORM OF THE BAIL LAWS, COMPREHENSIVE REFORMS IN FEDERAL FORFEITURE LAWS, AND SENTENCING REFORM, EACH OF WHICH PROVIDE A MEASURE OF DETERRENCE TO DRUG SMUGGLING ACTIVITY. ON JANUARY 21, 1983, THE ATTORNEY GENERAL ASSIGNED TO THE FEDERAL BUREAU OF INVESTIGATION CONCURRENT JURISDICTION WITH THE DRUG ENFORCEMENT ADMINISTRATION TO INVESTIGATE DRUG LAW OFFENSES, AND ASSIGNED TO THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION GENERAL SUPERVISION OVER DRUG LAW ENFORCEMENT EFFORTS AND POLICIES. THIS HAS BROUGHT THE SPECIALIZED INVESTIGATIVE TALENTS OF THE FEDERAL BUREAU OF INVESTIGATION INTO THE FIGHT AGAINST DRUG ORGANIZATIONS. IN 1981 THE DRUG ENFORCEMENT ADMINISTRATION BEGAN COORDINATING AN AGGRESSIVE NATIONAL DOMESTIC MARIJUANA ERRADICATION/SUPPRESSION PROGRAM WHICH BY 1983 INCLUDED 40 STATES.

IN JANUARY 1982 THE PRESIDENT ESTABLISHED THE SOUTH FLORIDA TASK FORCE AT THE REQUEST OF THE CITIZENS OF MIAMI, WHO HAD WATCHED CRIMINAL ELEMENTS VIRTUALLY TAKE OVER AND TERRORIZE THE MIAMI METROPOLITAN AREA. VICE PRESIDENT BUSH WAS ASKED TO HEAD THE TASK FORCE AND ORGANIZE A COHESIVE ATTACK AGAINST DRUG TRAFFICKERS AND THEIR ORGANIZATIONS. THE SITUATION WAS CRITICAL AND DEMANDED A MAJOR FEDERAL LAW ENFORCEMENT RESPONSE. IN A

BRIEF PERIOD OF TIME ADDITIONAL FEDERAL JUDGES, MORE PROSECUTING ATTORNEYS AND HUNDREDS OF ADDITIONAL LAW ENFORCEMENT PERSONNEL WERE ASSIGNED TO SOUTH FLORIDA. THE COAST GUARD WAS AUGMENTED IN THE REGION, AND ASSISTANCE WAS SOLICITED AND RECEIVED FROM THE DEFENSE DEPARTMENT INCLUDING THE ARMY, NAVY, AIR FORCE AND MARINES. DIPLOMATIC INITIATIVES WERE INTENSIFIED WITH SOME OF OUR LATIN AMERICAN FRIENDS TO ENHANCE THE COOPERATIVE LAW ENFORCEMENT EFFORT.

WHILE SUCCESS IS FREQUENTLY DIFFICULT TO MEASURE, THERE IS NO DISAGREEMENT THAT THE SOUTH FLORIDA TASK FORCE HAS HAD A MAJOR IMPACT ON CRIMINAL ACTIVITY IN THE AREA. THE BEST MEASURE OF THIS IS THE NEW MOOD OF OPTIMISM WHICH IS EVIDENT IN MIAMI, AS OPPOSED TO THE PERVERSIVE FEAR AND DESPONDENCY PRIOR TO THE TASK FORCE ARRIVAL. WE HAVE BY NO MEANS BEEN 100 PERCENT EFFECTIVE. SOUTH FLORIDA REMAINS THE PRINCIPAL POINT OF ENTRY FROM SOURCE COUNTRIES FOR MARIJUANA AND COCAINE, AND THEREFORE, OUR LAW ENFORCEMENT EFFORTS THERE WILL CONTINUE.

DUE TO THE INTENSE PRESSURE IN SOUTH FLORIDA, CRIMINAL ORGANIZATIONS HAVE BEGUN TO CHANGE THEIR SMUGGLING PATTERNS. IN RESPONSE TO THIS PRESIDENT REAGAN DIRECTED TWO NEW INITIATIVES. THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES WERE ANNOUNCED ON OCTOBER 14, 1982 AS PART OF A MAJOR PROGRAM HEADED BY THE ATTORNEY GENERAL TO COMBAT THE ORGANIZATIONS WHICH FINANCE AND CONTROL DRUG TRAFFICKING AND DISTRIBUTION NETWORKS. THESE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES ARE NOW OPERATIONAL IN 12 KEY AREAS THROUGHOUT THE COUNTRY AND ACHIEVING EXCELLENT RESULTS, ESPECIALLY IN VIEW OF THE SHORT PERIOD OF TIME THEY HAVE

BEEN FUNCTIONING. DESPITE THE LENGTHY PROCESS OF MAJOR DRUG INVESTIGATIONS, 1,335 TASK FORCE INDICTMENTS HAVE BEEN RETURNED, INCLUDING 41 CONTINUING CRIMINAL ENTERPRISE INDICTMENTS, WHICH CARRY 10-YEAR, NO-PAROLE, MINIMUM SENTENCES, AND 337 VIOLATORS HAVE ALREADY BEEN CONVICTED.

THE SECOND NEW INITIATIVE TO COUNTER THE DIVERSION FROM SOUTH FLORIDA IS THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, WHICH WAS CREATED BY PRESIDENT REAGAN ON MARCH 23, 1983. NNBIS WAS TASKED WITH COMBATTING DRUG SMUGGLERS AT AND APPROACHING THE BORDERS OF THE UNITED STATES. NNBIS COMMENCED ITS COORDINATION EFFORTS IN JUNE 1983, WITH REGIONAL CENTERS ESTABLISHED IN NEW YORK, CHICAGO, LONG BEACH, EL PASO AND NEW ORLEANS. IN ADDITION, THE SOUTH FLORIDA TASK FORCE CENTER IN MIAMI ALSO BECAME AN NNBIS REGIONAL CENTER WHICH WOULD FOCUS ON INTERDICTION. THE TASK FORCE REMAINS, FOCUSING ON THE SPECIFIC NEEDS OF SOUTH FLORIDA BOTH FOR INTERDICTION AND INVESTIGATION OF MAJOR SMUGGLING GROUPS. BUT SUPERIMPOSED ON THE INTERDICTION TASK IS THE NNBIS SOUTHEAST REGION, WHICH COVERS A MUCH LARGER GEOGRAPHICAL AREA.

THE MISSION OF OUR NNBIS CENTERS IS TO COORDINATE EFFORTS TO INTERDICT THE FLOW OF NARCOTICS INTO THE U.S. USING ALL APPROPRIATE FEDERAL RESOURCES, AND THOSE STATE AND LOCAL RESOURCES AVAILABLE AND DESIROUS OF PARTICIPATING. EACH REGION MUST, THEREFORE, COLLATE INTELLIGENCE INFORMATION, ASSESS THE THREAT TO THE REGION, PRIORITIZE SMUGGLING TARGETS, IDENTIFY RESOURCES AVAILABLE TO INTERDICT TARGETS, AND RECOMMEND ACTIONS TO PARTICIPATING AGENCIES. PLEASE NOTE THE USE OF THE WORD

RECOMMEND. NNBIS IS NOT AN ACTION AGENCY, BUT A COORDINATING BODY COMPOSED OF PARTICIPATING AGENCIES. NNBIS DOES NOT DIRECT THE PARTICIPATING AGENCIES, SINCE EACH AGENCY HAS A VARIETY OF MISSIONS WHICH COULD AT ANY GIVEN TIME OVERRIDE A DRUG INTERDICTION CASE. NNBIS CAN, HOWEVER, QUICKLY CUT ACROSS AGENCY LINES TO IDENTIFY AND CALL ON RESOURCES TO INTERDICT THE TARGET. EACH REGION IS TASKED WITH COORDINATING JOINT AGENCY SPECIAL OPERATIONS WITHIN ITS GEOGRAPHICAL AREA OF RESPONSIBILITY. ONCE A TARGET IS SEIZED AND TURNED OVER TO THE APPROPRIATE AGENCY, THE REGION CONDUCTS FOLLOW-UP INTERDICTION ANALYSIS AND MAINTAINS DATA ON SEIZURES TO DETERMINE REGIONAL TRENDS.

OVERSIGHT OF NNBIS IS EFFECTED THROUGH A SERIES OF NATIONAL AND REGIONAL BOARDS. IN WASHINGTON, D.C. NNBIS POLICY IS DIRECTED BY AN EXECUTIVE BOARD CHAIRED BY THE VICE PRESIDENT AND COMPOSED OF THE SECRETARY OF STATE, SECRETARY OF THE TREASURY, SECRETARY OF DEFENSE, ATTORNEY GENERAL, SECRETARY OF TRANSPORTATION, COUNSELLOR TO THE PRESIDENT, DIRECTOR OF CENTRAL INTELLIGENCE, AND DIRECTOR, DRUG ABUSE POLICY OFFICE. MORE DETAILED ISSUES ARE RESOLVED AT THE COORDINATING BOARD LEVEL. THE COORDINATING BOARD IS CHAIRED BY THE CHIEF OF STAFF TO THE VICE PRESIDENT AND COMPOSED OF THE ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, SECRETARY OF THE AIR FORCE, SECRETARY OF THE ARMY, SECRETARY OF THE NAVY, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION, COMMISSIONER OF THE U.S. CUSTOMS SERVICE, ADMINISTRATOR OF THE DRUG ENFORCEMENT ADMINISTRATION, COMMANDANT OF THE COAST GUARD, COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE, DIRECTOR OF THE BUREAU OF ALCOHOL,

TOBACCO AND FIREARMS, ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION, DEPUTY DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL NARCOTIC MATTERS, ASSISTANT SECRETARY OF THE TREASURY FOR ENFORCEMENT, ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER, RESERVE AFFAIRS AND LOGISTICS, SPECIAL ASSISTANT TO THE SECRETARY OF TRANSPORTATION, AND THE DEPUTY DIRECTOR OF THE DRUG ABUSE POLICY OFFICE. THE EXECUTIVE BOARD AND THE COORDINATING BOARD MEET AS OFTEN AS NECESSARY BUT NOT LESS THAN ONCE PER CALENDAR QUARTER. THE DAY TO DAY EFFORTS OF THE NNBIS REGIONS ARE MONITORED BY MY SMALL STAFF HERE IN WASHINGTON WHICH, IN ADDITION TO MYSELF, IS COMPOSED OF A CUSTOMS AIR OFFICER, CUSTOMS INSPECTOR, ONE NAVY, ONE AIR FORCE AND ONE COAST GUARD OFFICER. THIS UNIQUE BLEND OF INDIVIDUALS BRINGS A CROSS SECTION OF KNOWLEDGE IN LAW ENFORCEMENT NEEDS, MILITARY CAPABILITY, NATIONAL ANTI-DRUG EFFORTS, AND WASHINGTON LEVEL INTER-GOVERNMENTAL PROCEDURES.

WITHIN EACH OF OUR SIX REGIONS THE VICE PRESIDENT HAS DESIGNATED A LOCAL OFFICIAL TO BE THE REGIONAL COORDINATOR. IN MIAMI, NEW ORLEANS, AND LONG BEACH IT IS THE RESIDENT COAST GUARD DISTRICT COMMANDER. IN CHICAGO THE VICE PRESIDENT'S COORDINATOR IS THE RESIDENT REGIONAL COMMISSIONER OF CUSTOMS. THE ASSISTANT REGIONAL COMMISSIONER OF CUSTOMS FOR ENFORCEMENT IN NEW YORK IS THE VICE PRESIDENT'S NORTHEAST REGION COORDINATOR, WHILE THE CUSTOMS AREA SPECIAL-AGENT-IN-CHARGE FOR EL PASO IS THE SOUTHWEST REGION COORDINATOR. REGIONAL COORDINATORS ARE NOT FULL TIME POSITIONS, THAT IS EACH PERSON MUST FULFILL HIS ASSIGNED AGENCY FUNCTION AS WELL AS ACT AS NNBIS REGIONAL COORDINATOR. To

ASSIST HIM, THE REGIONAL COORDINATOR HAS A PART TIME DEPUTY ASSIGNED FROM AN AGENCY OTHER THAN HIS OWN, AND A STAFF DIRECTOR SELECTED FROM EITHER THE COAST GUARD OR CUSTOMS TO WORK FULL TIME FOR NNBS. THE STAFF DIRECTOR IS RESPONSIBLE FOR THE DAY TO DAY OPERATION WITHIN HIS REGION OF AN INTELLIGENCE INFORMATION CENTER (IIC) AND AN OPERATIONS INFORMATION CENTER (OIC). THE IIC COLLATES INTELLIGENCE INFORMATION AND PASSES TAGS OR TARGETS TO THE OIC. THE OIC REVIEWS FORCE DEPLOYMENT AND RESOURCE AVAILABILITY AND MAKES RECOMMENDATIONS TO THE APPROPRIATE AGENCY OR AGENCIES FOR INTERCEPT, SURVEILLANCE, AND SEIZURE. EACH IIC AND OIC ARE STAFFED WITH PERSONNEL FROM VARIOUS AGENCIES. TOTAL FEDERAL COMMITMENT TO THE NNBS ROLE NATIONALLY IS 46 COAST GUARD, 39 CUSTOMS, 10 DEA, 9 FBI, 9 AIR FORCE, 9 NAVY, 8 ARMY, 6 INS, 4 MARINE CORPS, AND 1 ATF PERSONNEL. PERSONNEL FROM THE LOUISIANA STATE POLICE AND NEW ORLEANS POLICE DEPARTMENT ARE WORKING FULL TIME IN OUR NEW ORLEANS CENTER, OFFICERS FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND THE EL PASO POLICE DEPARTMENT ARE IN THE EL PASO CENTER, AND PERSONNEL FROM THE LOS ANGELES POLICE DEPARTMENT AND LOS ANGELES SHERIFFS OFFICE ARE PARTICIPATING IN OUR LONG BEACH CENTER. OTHER STATE AND LOCAL ENFORCEMENT AGENCIES ARE CONSIDERING ASSIGNMENT OF PERSONNEL TO THE REMAINDER OF OUR REGIONS.

GEOGRAPHICALLY OUR DIVIDING POINTS FOR THE SIX REGIONS HAVE BEEN SELECTED TO COINCIDE WITH EITHER GEOGRAPHICAL PECULIARITIES, UNIQUE REGIONAL SMUGGLING PROBLEMS, OR COAST GUARD OR CUSTOMS REGIONAL BOUNDARIES. THIS ALLOWS FOR THE MAXIMUM EFFICIENCY OF EACH REGION. WE HAVE PURPOSELY DRAWN NO INTERNAL

BOUNDARIES TO OUR REGIONS SINCE OUR FOCUS IS AT THE BORDER. AIRCRAFT INCIDENTS WHICH CANNOT BE HANDLED AT THE BORDER ARE COORDINATED AT THE AIR FORCE REGIONAL OPERATIONAL CONTROL CENTER (ROCC) SITES.

THE ROCC SITES PROVIDE A UNIQUE AIR INTERDICTION CAPABILITY. ATTEMPTS TO HALT AIR INCURSIONS HAVE BEEN DIFFICULT AT BEST TO ACCOMPLISH. THE ROCC SITES, WHEN FULLY OPERATIONAL, ALLOW ENFORCEMENT PERSONNEL TO OBTAIN A CONSOLIDATED PICTURE OF RADAR COVERAGE IN AN AREA USING INPUTS FROM FAA, DOD AND OTHER SOURCES. CUSTOMS HAS RECENTLY REORGANIZED THEIR AIR PROGRAM TO COINCIDE GEOGRAPHICALLY WITH THE ROCC PROGRAM, WHICH WILL EASE COORDINATION EFFORTS. MY STAFF HAS BEEN WORKING WITH CUSTOMS, THE AIR FORCE, OTHER DEFENSE ELEMENTS AND THE FEDERAL AVIATION ADMINISTRATION TOWARD MAKING THE ROCC CONCEPT A LAW ENFORCEMENT REALITY. IT STARTED TO PAY DIVIDENDS EVEN PRIOR TO BECOMING OPERATIONAL. SEVERAL SEIZURES RESULTED FROM INFORMED, ALERT AIR FORCE PERSONNEL AT THE ROCC SITES. WE ENVISION MORE SUCCESS FROM THESE SITES ONCE THEY ARE FULLY EQUIPPED AND AUGMENTED WITH LAW ENFORCEMENT PERSONNEL.

THE AIR INTERDICTION PORTION OF DRUG INTERDICTION IS A MOST DIFFICULT AREA. FACTORS SUCH AS SHORT TARGET TRANSIT TIME, GAPS IN RADAR COVERAGE, SHORT SUPPLY OF DETECTION AND INTERCEPT ASSETS, AND ABILITY OF A SMUGGLER TO LAND IN A FOREIGN COUNTRY OUTSIDE THE REACHES OF OUR ENFORCEMENT AUTHORITY WORK AGAINST THE LAW ENFORCEMENT COMMUNITY. WE ARE RESOLVING MANY OF THESE ISSUES. WE ARE WORKING WITH THE INTELLIGENCE AND DEFENSE COMMUNITIES TOWARD EARLY DETECTION OF SUSPICIOUS AIRCRAFT. THIS

INCLUDES USING AIR FORCE AWACS AND NAVY E-2 AIRCRAFT TO DETECT POTENTIAL AIR SMUGGLERS AND TO IDENTIFY THE NECESSARY COMMUNICATIONS LINKS TO ALERT, LAUNCH AND VECTOR INTERCEPT AIRCRAFT ONTO THE TARGET. BOTH THE AIR FORCE AND NAVY HAVE BEEN VERY RESPONSIVE TO ENFORCEMENT NEEDS. IT TOOK TIME TO OVERCOME SOME TECHNICAL PROBLEMS, BUT WE ARE NOW SEEING RESULTS FROM OUR FROM OUR EFFORTS.

THE FAA HAS JUST COMPLETED A MULTI-AGENCY CLASSIFIED STUDY, INITIATED AT OUR REQUEST, TO IDENTIFY ALL SURVEILLANCE SYSTEMS IN THE UNITED STATES TODAY. IT ALSO IDENTIFIES THE GAPS IN RADAR COVERAGE FOR AIRCRAFT CROSSING OUR BORDERS AT LOW FLIGHT ALTITUDES. WE WILL NOW FORM A JOINT NATIONAL SURVEILLANCE COMMITTEE WITH REPRESENTATIVES FROM ALL KEY AGENCIES TO RECOMMEND POLICY AND OVERSIGHT RESPONSIBILITY TO ENHANCE USE OF SURVEILLANCE SYSTEMS FOR THE MUTUAL BENEFIT OF ALL CONCERNED. THE COMMITTEE WILL BEGIN ITS WORK IN THE VERY NEAR FUTURE.

WE ARE PROVIDING ASSISTANCE TO THE CUSTOMS SERVICE IN THEIR INTERFACE WITH THE DEPARTMENT OF DEFENSE WITH RESPECT TO THE ACQUISITION OF ADDITIONAL LOAN AIRCRAFT WHICH YOU, MR. CHAIRMAN, WERE INSTRUMENTAL IN OBTAINING FOR CUSTOMS. THIS INCLUDES THE P-3 AND C-12 ACQUISITION PROGRAMS, AND THE LOAN OF RELATED SENSOR SYSTEMS. WE SUPPORT THESE INITIATIVES TO THE EXTENT THEY DO NOT ADVERSELY IMPACT MILITARY PREPAREDNESS. IN CONJUNCTION WITH OUR BORDER INTERDICTION OVERSIGHT RESPONSIBILITY WE ARE ALSO FOLLOWING WITH INTEREST DEVELOPMENTS IN THE CUSTOMS-LEASED AIRCRAFT PROGRAM.

THROUGH THE STATE DEPARTMENT AND IN CONSULTATION WITH THE DEA, WE ARE WORKING WITH THE MEXICANS, BAHAMIANS, AND CANADIANS TO OVERCOME THE PROBLEMS OF SMUGGLING AIRCRAFT LANDING OUTSIDE U.S. TERRITORY WHEN THEY REALIZE THEY HAVE BEEN DETECTED.

AT YOUR ORIGINAL SUGGESTION, MR. CHAIRMAN, CUSTOMS HAS BEEN WORKING ON THE DEPLOYMENT OF AN AEROSTAT RADAR SYSTEM IN THE BAHAMAS. WE HAVE BEEN WORKING CLOSELY WITH AIR FORCE AND CUSTOMS IN AN ATTEMPT TO BRING THIS PROGRAM TO FRUITION WITHIN FY-84. THE STATE DEPARTMENT IS WORKING WITH THE BAHAMIAN GOVERNMENT AND EXPECTS TO OBTAIN THE NECESSARY APPROVALS IN THE NEAR FUTURE.

ALSO WITH RESPECT TO THE BAHAMAS, OPBAT EXPERIENCED A SEVERE PROBLEM WHEN DEA HAD TO DISCONTINUE USE OF ARMY HELICOPTERS DUE TO INADEQUATE AVAILABILITY OF CONTRACTOR MAINTENANCE. WE WORKED WITH DOD AND DEA IN FINDING AN ACCEPTABLE REPLACEMENT AIRCRAFT FOR OPBAT. MR. CHAIRMAN, I KNOW YOU ARE WELL AWARE OF THE OUTSTANDING JOB THE UNITED STATES AIR FORCE IS DOING FLYING THEIR "HUEY" HELICOPTERS IN SUPPORT OF OPBAT, SO I WON'T DWELL ON THEIR ACHIEVEMENTS. WE ARE WORKING TO INTENSIFY OUR EFFORTS IN THE BAHAMAS. THE VICE PRESIDENT HAS SUBMITTED A COMPREHENSIVE PROPOSAL TO THE BAHAMIAN GOVERNMENT, OFFERING GREATER U.S. ASSISTANCE TO INTERDICT DRUGS TRANSITING THROUGH THAT COUNTRY. WE ANTICIPATE THEIR RESPONSE SHORTLY AND ARE PREPARED TO BEGIN IMPLEMENTING THE PROPOSAL AT THAT TIME.

WE ARE MAKING PROGRESS IN THE AIR WAR, MR. CHAIRMAN, IN SOME AREAS NOT AS QUICKLY AS WE WOULD LIKE, AND IN OTHERS MUCH MORE QUICKLY THAN ANTICIPATED. OUR RESULTS, WHILE ENCOURAGING,

PROVIDE NO COMPARATIVE BASIS FOR ANALYSIS AT THIS TIME. TOO MANY UNKNOWNNS EXIST. WE HAVE NO READILY AVAILABLE COMPARABLE BORDER INTERDICTION STATISTICS FROM PREVIOUS YEARS. IN ANY EVENT, CONTINUOUSLY SHIFTING ROUTES AND METHODS OF SMUGGLING, INCLUDING TRANSPORTATION MODES, MAKE STATISTICAL COMPARISONS TENUOUS AT BEST.

IN THE SMUGGLING WAR AT SEA, THE COAST GUARD, CUSTOMS, AND STATE AND LOCAL MARINE UNITS HAVE BEEN PERFORMING AT A STEADY HIGH LEVEL OVER THE PAST FEW YEARS. NNBIS EFFORTS IN THIS AREA HAVE CONCENTRATED ON DRAWING NEW OR UNTAPPED RESOURCES INTO THE EFFORT.

WE ARE FOCUSING ON DRAWING INTO THE EFFORT AGENCIES WHICH OPERATE ON OR OVER THE WATERS TO PROVIDE ADDITIONAL INTELLIGENCE INFORMATION. WE HAVE BEEN SUCCESSFUL IN OBTAINING ADDITIONAL DOD SUPPORT AS WELL AS THE SUPPORT OF OTHER AGENCIES WHICH ARE RARELY CONSIDERED WHEN LOOKING AT DRUG INTERDICTION. WE HAVE BEEN FOLLOWING THE COAST GUARD'S TESTING OF A SEA-GOING AEROSTAT RADAR SYSTEM WITH INTEREST. AN OPERATIONAL TEST IS CURRENTLY UNDERWAY. IF SUCCESSFUL THE COAST GUARD WILL ATTEMPT TO SECURE THROUGH APPROPRIATE CHANNELS THE NECESSARY FUNDING TO DEPLOY OPERATIONAL SYSTEMS.

WITH ADDITIONAL DATA FROM SUPPORTING AGENCIES; AND PLANNED ADVANCEMENTS BY THE COAST GUARD, WE LOOK FORWARD TO MAKING MAXIMUM USE OF AVAILABLE FORCES TO INTERDICT VESSELS ON THE HIGH SEAS BY THE COAST GUARD, OR WITHIN CUSTOMS WATERS BY CUSTOMS MARINE VESSELS, AND STATE AND LOCAL MARINE UNITS.

PERHAPS THE MOST DIFFICULT DRUG ENFORCEMENT AREA TO ATTACK IS SMUGGLING VIA COMMERCIAL CARRIER INCLUDING CARGO SHIPMENTS. THE VAST QUANTITY OF AIR, SEA, AND VEHICULAR TRAFFIC ENTERING THIS COUNTRY DAILY IS STAGGERING. THE TASK FALLS PRIMARILY TO THE CUSTOMS SERVICE WITH ASSISTANCE BY THE BORDER PATROL ALONG OUR LAND BORDERS.

NNBIS' PRIMARY CONTRIBUTION IN SUPPORT OF THIS ELEMENT IS TO ASSIST IN DEVELOPING INTELLIGENCE INFORMATION AND ENSURE ITS DISSEMINATION. TO THIS END WE DEAL WITH THE INTELLIGENCE COMMUNITY TO ENSURE THEY ARE AWARE OF OUR NEEDS, AND HAVE DRAWN INTO OUR EFFORTS THE INTEREST AND ASSISTANCE OF HIGHLY SKILLED MEMBERS OF THE COMMUNITY. SOME OF THE DESIRED INFORMATION IS CLASSIFIED IN A NATIONAL SECURITY CONTEXT. IN AN EFFORT TO SECURE AND PROTECT THE DATA, WE HAVE ASKED DOD TO PROVIDE SECURE COMMUNICATIONS EQUIPMENT. WE ARE HOPEFUL THAT DEFENSE WILL BE ABLE TO LOAN THE EQUIPMENT, WHICH MEANS MORE INTELLIGENCE DATA CAN BE BROUGHT TO BEAR AT THE ENFORCEMENT LEVEL.

NNBIS SUPPORTS AND ENCOURAGES THE SEIZURE OF AIRCRAFT AND VESSELS TO INCLUDE COMMON CARRIERS WHENEVER JUSTIFIED. THESE SEIZURES SERVE TO IMMOBILIZE THE VIOLATOR AND PROVIDE A STRONG DETERRENT TO BOTH INDIVIDUALS AND THE COMMERCIAL COMMUNITY. WE MONITOR REPEAT VIOLATORS AND COORDINATE WITH U.S. CUSTOMS ON PROPER AND EFFECTIVE JUDICIAL ACTION.

MY STAFF PARTICIPATES IN THE PLANNING, REVIEW AND SUPPORT OF SPECIAL CUSTOMS ENFORCEMENT OPERATIONS. WE MAKE EVERY EFFORT TO IDENTIFY AND ACQUIRE NECESSARY ADDITIONAL RESOURCES AND COOPERATION FROM OTHER AGENCIES IN SUPPORT OF CUSTOMS INTERDICTION INITIATIVES.

MR. CHAIRMAN, THROUGHOUT MY STATEMENT I HAVE MADE FREQUENT REFERENCE TO THE DEPARTMENT OF DEFENSE AND MILITARY SERVICES. THE 1982 DEFENSE APPROPRIATIONS ACT PASSED BY THE CONGRESS INCLUDED A MUCH NEEDED CLARIFICATION TO THE POSSE COMITATUS STATUTE. NNBIS HAS BECOME A KEY ELEMENT IN IMPLEMENTING THE WILL OF THE CONGRESS FOR MORE DOD INVOLVEMENT IN THE DRUG WAR. WE HAVE ACCOMPLISHED THIS THROUGH A SERIES OF INITIATIVES, MANY OF WHICH HAVE BEEN MENTIONED. A COUPLE OF INITIATIVES DESERVE ADDITIONAL MENTION.

EACH MONTH SINCE JUNE, DOD ASSETS HAVE BEEN MADE AVAILABLE FOR SPECIAL OPERATIONS THROUGHOUT OUR BORDER AREAS. THESE SPECIAL OPERATIONS USE BENEFICIAL AND AVAILABLE DOD RESOURCES FOR INTENSIFIED EFFORTS IN GEOGRAPHICAL AREAS OF CONCERN TO ENFORCEMENT AGENCIES. WE ALSO TAG ONTO AVAILABLE EXISTING DOD OPERATIONS WHENEVER INTELLIGENCE INDICATES SOME BENEFIT MAY BE DERIVED. WHILE THESE OPERATIONS ARE NOT ALWAYS SUCCESSFUL IN IDENTIFYING SMUGGLERS FOR INTERCEPT, ANCILLARY BENEFITS DO OCCUR. WE ARE ABLE TO DETERMINE RELATIVE THREATS IN SPECIFIC AREAS WHILE SIMULTANEOUSLY EDUCATING BOTH DOD AND ENFORCEMENT AGENCIES ON WORKING TOGETHER, IDENTIFYING POTENTIAL SMUGGLERS, AND COMMUNICATING WITH EACH OTHER. THESE PRE-PLANNED COMMITMENTS HAVE LED TO STANDARD COMMITMENTS IN SOME CASES, AND TO THE DEVELOPMENT OF QUICK RESPONSE ARRANGEMENTS IN OTHERS.

WE ARE SEEING PAYOFFS, WITH MORE AND MORE CASES BEING INITIATED BY DOD ALERTS AND REPORTS. EACH MONTH WE HAVE USED A LITTLE DIFFERENT MIX OF MILITARY ASSETS, AND ARE DEVELOPING INCREASED AWARENESS OF OUR MISSION NEEDS WITHIN THE MILITARY

COMMUNITY. THE SUPPORT FOR OUR EFFORTS HAS BEEN OUTSTANDING FROM THE ARMY, NAVY, AIR FORCE AND MARINES. WE HAVE WORKED WITH ACTIVE AND RESERVE COMPONENTS OF THOSE SERVICES AND ARE NOW FOCUSING MORE ATTENTION ON OBTAINING ADDITIONAL SUPPORT FROM THE NATIONAL GUARD BUREAU. THE CHIEF OF THE NATIONAL GUARD BUREAU HAS SENT LETTERS TO THE ADJUTANTS GENERAL OF 33 BORDER STATES ASKING THEM TO CONTACT THEIR LOCAL NNBIS REGION AND ESTABLISH LIAISON PROCEDURES. WE ARE CURRENTLY WORKING WITH THE GUARD BUREAU TO DEVELOP GUIDELINES FOR FIELD UNITS AND ARE OPTIMISTIC THAT A FURTHER REFINEMENT OF POLICY WILL ENABLE GREATER PARTICIPATION BY UNITS.

WE ARE ALSO WORKING WITH THE GUARD BUREAU AND THEIR LONG RANGE EXERCISE SCHEDULE IN AN EFFORT TO FOLD IN DRUG INTERDICTION SURVEILLANCE REQUIREMENTS IN AREAS WHERE THEY DEPLOY.

ONE OF MY FORMER BOSSES ONCE SAID, "WE NEED TO WORK SMARTER, NOT HARDER." BY COMBINING COORDINATION AND MORE INTELLIGENCE INFORMATION, WE ARE ABLE TO WORK SMARTER, AND BY RECEIVING THE EXCELLENT SUPPORT FROM THE DOD WE ARE ABLE TO ALSO WORK HARDER. MR. CHAIRMAN, I FEEL THAT IN NINE MONTHS, NNBIS HAS MADE SIGNIFICANT CONTRIBUTIONS TO THE NATIONAL EFFORT AGAINST DRUG TRAFFICKING. WE STILL HAVE A LONG WAY TO GO. SIXTY PERCENT OF ALL CRIME IS DRUG RELATED. BORDER INTERDICTION ALONE WILL NOT HALT THE DRUG PROBLEM, BUT WHEN OUR IMPROVING ACCOMPLISHMENTS ARE MEASURED ALONG WITH THE INCREASING SUCCESSES OF THE DEA AND THE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES, AND THEN MELDED WITH THE MANY INITIATIVES IN DRUG ABUSE PREVENTION, I AM OPTIMISTIC THAT WE CAN OVERCOME THE SCOURGE DRUGS HAVE BROUGHT

UPON OUR SOCIETY. YOU, MR. CHAIRMAN, HAVE DEMONSTRATED YOUR CONCERN AND INTEREST IN SUPPORTING THIS FIGHT. I BELIEVE A CONCERTED EFFORT TO PASS THE COMPREHENSIVE CRIME CONTROL ACT WOULD SERVE NOTICE THAT THE CONGRESS AND THE ADMINISTRATION ARE UNITED IN THE BELIEF THAT DRUGS AND CRIME ARE NOT POLITICAL ISSUES THAT REQUIRE A DIVISION ALONG PARTY LINES, BUT A MAJOR CONCERN OF ALL AMERICANS REGARDLESS OF AFFILIATION. IT WILL ALSO SERVE NOTICE TO THE CRIMINALS WHO PERPETUATE THIS ACTIVITY THAT "WE THE PEOPLE" WON'T TOLERATE THEIR ACTIVITY ANY MORE.

THAT CONCLUDES MY FORMAL BRIEFING, MR. CHAIRMAN. I WILL BE HAPPY TO RESPOND TO QUESTIONS.

Mr. ENGLISH. Thank you very much, Captain Schowengerdt.

I might say, as well, that members of this committee have admired the Vice President's efforts ever since some of the successes that we saw with the South Florida Task Force. I think, as I said in my earlier statement, that the concept behind NNBIS is a very good one. I think that the reason that it is good is because of the Vice President being willing to use his office, and we appreciate that.

I want to state publicly, of course, that the Vice President's office has been heavily involved in efforts to strengthen the Customs Service, in particular, and the whole interdiction effort in general.

So, the question that I am sure that you are expecting is: What did you know and when did you know it with regard to Mr. McNamar's statement this morning? When were you informed as to the details of that particular proposal?

Captain SCHOWENGERDT. We were informed yesterday, Mr. Chairman.

Because we were informed yesterday, we have not really had an opportunity to review those issues closely, and I can't give you a definite response at this time. The proposal certainly raises many questions, and without a very thorough and deliberate consultation with the Departments of Defense and the Treasury, I really can't give a definitive opinion at this time.

I do want to be sure, though, that it is clearly understood that the Vice President is totally committed to maintaining the air interdiction program.

Mr. ENGLISH. That is good news, indeed, and we are pleased to hear that, Captain.

So, you were informed about 24 hours ago about this plan. I would assume then that that does not mean that the Vice President's office was consulted or played a role in devising this plan in any way nor did NNBIS; is that correct?

Captain SCHOWENGERDT. That is correct, sir.

Mr. ENGLISH. I know that Admiral Murphy has worked for many months, as have you, in trying to provide a balance, to walk a tightrope, so to speak, concerning what the law requires from the standpoint of combat readiness. Certainly, we don't want to have any detrimental impact on that in trying to strengthen our overall NNBIS program, as well as the Customs program on air interdiction. You know of the pitfalls that I spoke of this morning. Certainly, you people have been there and have run into that difficulty.

Given your experience and the experience of NNBIS, do you foresee—is there any way under the law, is there any way that you can further stretch the imagination to see how the Navy and Air Force can provide 340 hours a month of detection capability in the prime locations of drug smugglers coming into this country?

Captain SCHOWENGERDT. Mr. Chairman, I think Defense is already providing assets and flight hours that are close to the limits that they can provide without adversely affecting military preparedness or national security.

This, of course, is a matter of some ongoing discussion between NNBIS and Defense, practically daily. We are always asking for more; they generally have been delivering more, a little more every

quarter. But I think we are probably close to the limits as to what they can reasonably provide.

Mr. ENGLISH. Of course, this would be a massive increase of the time that we are requesting, both out of the Navy and out of the Air Force and the use, particularly, of the lookdown capabilities with the AWACS and the E-2C's.

I would agree. I share your concern. I cannot understand why, if by some stretch of the imagination the Secretary of the Treasury's office came to the conclusion that they could effect this kind of a new enhancement of the resources by the Department of Defense, namely, 340 hours of AWACS and E-2C time, why they didn't reach an agreement or get a clearance or get something in writing approving such coverage from the Secretary of Defense before they would simply, in effect, junk the detection capability of the proposal that had earlier been presented to the Office of Management and Budget. It's one that I know NNBIS has been operating under and Customs has been operating under and the Department of Defense has been operating under and the Armed Services Committees on the Hill have been operating under and Appropriations Committees as well as this subcommittee—do you have an explanation at all why they would not first secure that kind of an agreement before they simply dropped the program?

Captain SCHOWENGERDT. I don't really think I can respond to that since I haven't had a chance to review their proposal in detail.

Mr. ENGLISH. So, you have heard nothing to explain why that action took place?

Captain SCHOWENGERDT. No, sir.

Mr. ENGLISH. You also heard, I think, this morning Mr. McNamar said a great deal about the aerostat that is just now being put into place. I think there is to be one up on October the first down at Patrick, and the contract is just being let for the third one which would hopefully close the net in Florida.

Do you share Mr. McNamar's evaluation of the aerostat and their potential in south Florida?

Captain SCHOWENGERDT. I am not sure, Mr. Chairman, what evaluation was put forth this morning. I don't think the discussion centered around the effectiveness of the platform. In our earlier reviews of that proposal, in our discussions with you and your staff, we have supported the concept of a third tethered aerostat to fill the gap between Cudjoe Key and Patrick Air Force Base.

I would not rule out other proposals or alternative solutions, but I would certainly want to look at any others carefully, first.

Mr. ENGLISH. Do you have any alternatives, any ideas for alternatives?

Captain SCHOWENGERDT. I don't at this time. No, sir.

Mr. ENGLISH. You don't know of any alternatives?

So, it would mean just scrapping the aerostats as well; is that correct?

Captain SCHOWENGERDT. As I indicated earlier, Mr. Chairman, we are not going to back away from the things that are necessary to do the job. We are going to find a way to do the interdiction mission and surveillance is a part of that.

Mr. ENGLISH. Let me ask you this, Captain Schowengerdt. Let me just ask you this. Let's make some assumptions here.

What was being said today by Mr. McNamar is this. You correct me if you understood something different.

We are going to scrap the lookdown capability, the detection capability of Customs with the P-3's that is presently scheduled. It is my understanding that as of tomorrow the P-3 that is presently being converted will be out of money, that \$1 million is necessary to be forwarded by Customs and was scheduled to be forwarded by Customs to continue the work on that aircraft. I assume that under these circumstances Customs will not be supplying that money and the P-3 program will come to a halt. We have been informed that the Navy will cancel that project if Customs is not forthcoming. In fact, they are going to cancel it tomorrow.

Also, from what Mr. McNamar stated, they will cancel out, as far as the aerostat is concerned, the third aerostat; and, of course, the Air Force will continue to operate the two they have. I would assume that Customs is no longer interested in receiving information off that aerostat.

What they are also discussing, of course, is four more interceptors. We have stated several times, of course, that we feel that eight more are necessary. There is an agreement, as you are well aware, that has been reached that if the Congress will meet certain needs as far as the Department of Defense is concerned in this area that those eight would be forthcoming, and we have no reason to expect that that is not the truth.

But I would assume that, given what Mr. McNamar said today, he no longer feels that that is necessary, and that they are going to be satisfied with the four.

I was informed this morning by a Department of Defense representative that Mr. McNamar has already been turned down on this proposal of his, but he insists that is not the case, and we will give him the benefit of the doubt on that.

But even going this far and with everything we know about it and all the history of the last 2 years, and given the fact that you have absolutely no assurance and no indication whatsoever from the Department of Defense that they have any way that this can be carried out, would you be willing to trade the two plans?

Captain SCHOWENGERDT. To trade the two planes?

Mr. ENGLISH. Plans.

Captain SCHOWENGERDT. I am sorry. The two plans.

Mr. ENGLISH. The plan that was first submitted for funding to the Office of Management and Budget by the Department of the Treasury and which was subsequently approved, namely, roughly \$36 million, as opposed to what Mr. McNamar laid out before us today.

Captain SCHOWENGERDT. As you have described them, Mr. Chairman, no, I would not be willing to do that. However, I would go back to my earlier statement, I am not sure that I fully understand the proposal that was put forward this morning, and I am going to need some time to review that, look at all the possible ramifications before I can give you a definitive answer.

Mr. ENGLISH. I can appreciate and understand that, and I am hopeful that as you search through there you will find something that we have missed and that Mr. McNamar has missed and that you will so inform us. But, given what I understood Mr. McNamar

to say today, if you see any thing or any place where I am in error in going through that list, I wish you would point it out to me. Those are the facts as we know them today and the way that Mr. McNamar presented them to us.

So, I don't think—I should say that the other disappointing thing is that, unfortunately, we don't have any time. You don't have any time, and we don't have any time. As I said, Mr. McNamar brought the ax down today and tomorrow it is canceled. That is the unfortunate part. That is what I find so disappointing. As one of the members said, I don't think "outrageous" is language too strong to use.

Mr. Coleman.

Mr. COLEMAN. Captain, I just wanted to say that you might be interested—and I want to permit you time, if you would care to, to comment on the GAO discussion that went on earlier, and I am hopeful that you would be willing to submit to the committee your recommendations of the criteria, perhaps, that we should utilize in doing the kind of accounting of NNBIS around the country so that we have a standard. I think that was kind of what I was getting at earlier in my questions, by which NNBIS could understand how they were to respond and what it is that we need to do on this committee so that we are all working for the same objective, which we all are. I think that is fairly obvious.

I wondered if you would care to comment on anything that the GAO testimony brought out?

Captain SCHOWENGERDT. Yes, sir. Before commenting specifically on some of the things that the GAO witnesses brought up, it is important to backtrack for just a few minutes and describe the NNBIS mission as it exists today and as it has existed since the program was originally announced.

The NNBIS program essentially was announced on March 23 by the President. That was when the decision was taken to go forward with the NNBIS program.

The announcement by the Vice President on the 17th of June was a kickoff announcement—"NNBIS is here; our centers have been put in place; and we are today operating." Actually, we were operating a few days before that. The Vice President's speech was scheduled for an available time on the 17th, and we were actually operating a few days before that.

Our statistics under NNBIS have been collected since the 10th of June; which gives you a handle on the timeframe.

The mission of the NNBIS centers—and it is a mission which I believe is wellknown by all of the people in NNBIS, and that is 145 Federal, civilian, and military personnel—is to coordinate the efforts of all Federal agencies and participating State and local agencies in border interdiction.

That is quite different from the mission of the South Florida Task Force. It is one piece of the mission of the South Florida Task Force. As one of the earlier testifiers indicated—I think it was Mr. Jones—the Attorney General's 12 organized crime drug enforcement task forces pick up the other half, if you will, of the law enforcement problem within or about the borders of the United States.

The implementing steps necessary to put a mission like this into place within each of our regions are to collect and collate intelligence information and based on that to assess the threat to that region, prioritize the smuggling targets that may be coming through the region that we know about, and almost invariably there is going to be more smuggling activity than there are resources to respond to it, and that is why it is necessary to do some prioritization, identify the resources available to interdict smuggling targets and recommend actions to the participating agencies.

I would ask you to please note the word "recommend." NNBIS is not an action agency; it is a coordinating body, a colloquium, if you will, of participating agencies. NNBIS is its participating agencies. It doesn't have a distinctive life of its own; it is not an agency; it doesn't have a budget; it doesn't have the kind of a structure that would normally be associated with a Federal agency. NNBIS doesn't direct the participating agencies in their work. Each of those agencies has a variety of missions to perform. For most of them only one of those missions is drug enforcement or drug interdiction. The sole exception is DEA, which has a single mission for its organization.

But NNBIS can very quickly cut across agency lines to identify resources, to disseminate information, to gather information, to cause things to happen. Each region is tasked with that kind of a coordinative function.

It breaks down basically into two kinds of day-to-day activities, if you will: The coordination of special operations, long-term planned operations, and the coordination of short-fuse immediately occurring kinds of operations.

The other thing I would note for you in the way of preface is that if an interdiction activity can proceed without the assistance of somebody else's resources, if any one participating agency in NNBIS can carry a case through to its conclusion without needing the resources of any of the other participating agencies, then there really is no need for an ongoing NNBIS coordination; it is not necessary for someone in an NNBIS operations center to be pushing the buttons or calling the shots. The agency can do its job and do it very well, and we simply find out then what has been occurring, either at the time or shortly after the fact.

Mr. COLEMAN. Captain, relative to that, are you then sharing information with EPIC?

Captain SCHOWENGERDT. Yes, sir. Everything that NNBIS gets goes to EPIC. If there is any question at all about whether a piece of information has been shared with EPIC prior to its arrival at an NNBIS center, it is sent to EPIC to be absolutely certain that EPIC gets everything.

And, EPIC of course, provides for NNBIS the largest single source of information.

Mr. COLEMAN. Thank you.

The only other comment that I would have, Mr. Chairman, and I share the same concerns you had from this morning's testimony. I can't imagine the Office of the Vice President is going to let a Cabinet officer make the determination that we are somehow going to end these programs. I would hope that we could say so from this committee in the most clear terms possible so that he is advised.

From the dates that we had on some of the matters that occurred from letters, it appeared that the Vice President's office was not even fully advised of this action.

I would hope that, if nothing else, those of you who are working for the Vice President would be able to take that message back. I am convinced that is not his intention, and I feel, indeed, he has not been properly advised by Secretary Regan, and I would hope that we could reanalyze that position.

Thank you very much for your testimony, Captain. Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

You mentioned that each NNBIS center must assess the threat and prioritize its targets and identify its resources and recommend action.

How often are these centers updating each of these tasks?

Captain SCHOWENGERDT. The centers are a 24-hour-a-day 7-day-a-week operation, Mr. Lewis. The intelligence group is going through a continuous process of assessing and reassessing the intelligence that is available and going after additional information to fill the gaps in what they know. That, of course, is one of the biggest tasks and one of the biggest problems—trying to find out what you don't know.

The operations center is responsible for knowing at all times where all of the resources are that can be brought to bear on the problem, and this is a constant updating function. They are keeping track of every Federal aircraft, ship, car, boat, whatever that can be made available and to the extent that they are willing to participate, State and locals. So, there is a constant real-time status of all the assets available to be brought to bear on the problem.

Mr. LEWIS. So, you feel comfortable that if a major threat shifted back and forth that you could adapt to that?

Captain SCHOWENGERDT. Yes, sir.

Mr. LEWIS. There are stories of jealousy between law enforcement agencies, and turf battles are legion. I am not going to ask you to air any dirty linen because I feel that sort of thing is destructive to fostering cooperation among agencies.

Is it fair to say that in your work with NNBIS, you have come across sincere differences of professional judgment over how to conduct this multifront war against drug smuggling?

Captain SCHOWENGERDT. There certainly have been interagency rivalries over time, sir. No one would ever deny that. I think we have made some remarkable progress in dealing with those rivalries in sublimating them to the larger task and in getting more effective cooperation and sharing of information across agency lines. I am confident that we are getting from the participating agencies—and after all that is what we are, the participating agencies—the information that they have that can be useful in border interdiction.

Mr. LEWIS. I noted in your statement that several State and local law enforcement agencies are participating in NNBIS by assigning personnel to NNBIS regional centers.

Will you keep us informed of the continuing participation of these personnel, as well as additional personnel from the State and local law enforcement agencies?

Captain SCHOWENGERDT. Yes, sir; I would be very pleased to. The cooperation we are getting from State and local agencies is very gratifying. In most of our regions the actual assignment of personnel to our regional center is limited only to the State and municipality in which we are located physically because most States have statutes that prohibit them from paying salaries to people not working within the confines of their State. But we are using those people as a primary point of contact with their colleagues and other State and local agencies as well. It is working very well.

Mr. LEWIS. Have you had at any time over the past several months the need to question the integrity of any local enforcement agencies along the southeast coast particularly?

Captain SCHOWENGERDT. Agencies, not particularly; individuals within those agencies, yes, sir.

But that is always a problem. There is corruption in the U.S. law enforcement agencies, as there are in those of foreign countries, and we live with and deal with it and we are sensitive to it.

Mr. LEWIS. Are you satisfied that the local law enforcement agencies are providing the necessary cooperation if they are not part of the NNBIS activity?

Captain SCHOWENGERDT. Yes, sir; and I might give you a couple of examples, particularly in the southern California area. The San Bernadino County sheriff, for example, does not have people stationed in our NNBIS center in Long Beach, but he is a critical player in the air interdiction mission in southern California, as is the Riverside County sheriff, who provides resources and intelligence, and his actions are fully coordinated with the Federal actions in ongoing aircraft seizures. I think Admiral Schubert in his testimony will probably touch on some of the specific cases that have arisen out of that.

Mr. LEWIS. I am concerned about the possible reduction in areas of the Customs Service that we have been reading about and receiving comments from our constituents and, being from Florida and south Florida, I am under the gun on this on a 24-hour-a-day basis, just like you are.

Do you feel that the President has told the Vice President that he will have all the resources available to him to continue the war on drugs?

Captain SCHOWENGERDT. The Vice President has said that he is not going to back away from the problem. He is fully committed to supporting the air interdiction mission and to seeing it succeed. Yes, sir; I think he will have the resources.

Mr. LEWIS. I guess I have problems in trying to determine who is in command of the task force—the Secretary of the Treasury or the Vice President. Do you have any problems with that area?

Captain SCHOWENGERDT. The Vice President is the head of the National Narcotics Border Interdiction System, sir.

Mr. LEWIS. Thank you.

Mr. ENGLISH. Thank you very much, Mr. Lewis.

Mr. MacKay.

Mr. MACKAY. Captain, I am interested in the P-3 conversion which, as I understand it, is a long-range Navy aircraft which is being upgraded with a sophisticated high-power capability radar designed primarily for an F-15.

My understanding is that this conversion is on the way at Lockheed and that Customs, whether formally or informally, has notified people that it no longer supports the program and doesn't intend to pay a bill that is due Friday in order to keep the program going and that the Navy has already indicated that if that happens that it is going to scrap the program.

I relate that to the testimony this morning on pages 3 and 4 of Mr. McNamar's testimony with respect to the P-3A "our review of the usefulness of this potential program indicates it may not be the best use of the taxpayers' dollar for the Customs Air Interdiction Program." And I see on your prepared testimony at page 10: "We are providing assistance to the Customs Service in their interface with the Department of Defense with respect to the acquisition of additional loan aircraft \* \* \*. This includes the P-3 and C-12 acquisition programs, and the loan of related sensor systems."

Has the Vice President been notified that Customs has no confidence in this program and intends to scrap it?

Captain SCHOWENGERDT. He was notified this morning; yes, sir.

Mr. MACKAY. Do you feel confident in your position as the coordinator with DOD and Customs and, if so, did they go through you?

Captain SCHOWENGERDT. No, sir. They did not go through me. I can only go back to my earlier comment that we are committed to air interdiction, that is, the air interdiction mission and to the necessary surveillance that goes with that.

We are not going to back away from that.

How we proceed now, given the change in the Treasury's position, is something that I can't answer for you today.

Mr. MACKAY. Apparently there is \$4 to \$5 million invested thus far in this particular policy. Did you have any indication that Customs felt that this program was not a productive program?

Captain SCHOWENGERDT. No, sir.

Mr. MACKAY. At what intervals have you discussed this with them? In other words, how often do you talk to the Treasury so that if they zig you are aware of that?

The point that I am trying to get to—I am not trying to play games—is that we are being told that the Vice President is in charge. This indicates that someone below him in the hierarchy made a fundamental policy decision that is going to involve scrapping a \$4 or \$5 million investment of taxpayers' money and has sort of said to you, "P.S., we have changed our minds."

I don't see that as any indication that the Vice President is in charge.

Captain SCHOWENGERDT. My staff and I talk with Customs virtually daily on their projects, things that are going on between us.

I think we have a fairly good relationship and we share very well with each other.

But I think it would be well to point out at this stage that the Vice President is the head of the Border Interdiction System. He is not—and has elected not to be—in charge of the Treasury Depart-

ment and its budget or the Defense Department and its budget or any of the other departments and their budgets.

NNBIS is a coordinative body that tries to work out solutions that will do the best job for the Nation across departmental and agency lines. Obviously, we have some coordination to do.

Mr. MACKAY. Well, let me try to respond. Once again, I am not chairman of this committee, just as you are not the overall head of your operation.

This committee's job is to do oversight and to determine whether this whole plan could have conceivably worked by putting someone in charge. Part of our job is to determine whether this works, and I can't think of a more damning set of circumstances than what we have seen here today, which is to say that it is just like it was back before we started.

That is not an indictment of you, that is simply to say that you are saying to us or the executive branch is saying to us, "We can make this coordination work, although we choose not to exercise budgetary control." I think that is what you just said. "We choose not to exercise muscle. We choose to try to make it work through other means," and we have, I think, pretty good evidence that somebody is saying—my kids would have an expression for this—"Put it in your ear."

You found out about this at about the same time we did, and it is a fundamental change of policy.

Let me follow that one more step.

Do you feel that there is the capability within the Department of Defense to pick up the detection functions which Customs says they don't think they should properly do? I mean, Customs or Treasury has apparently made a policy decision. Treasury, which is on a level equal to DOD, has said, "We find that you should do this function." That is what they seem to be saying to DOD.

I would like your opinion. You will have to advise the Vice President on that.

Captain SCHOWENGERDT. I think it would be well to remember that the Treasury's proposal was just that—it was a proposal. It is not a policy decision by the Reagan administration—

Mr. MACKAY. But the P-3 program will effectively be scrapped Friday, tomorrow, excuse me. So, it is not just a proposal. What it means is that you are going to have a rather massive gap, and we who are doing oversight are really trying to see if there is a meaningful coordination function.

I don't—how will that gap be filled?

Captain SCHOWENGERDT. I would say again that the Treasury proposal this morning, at least as it was delineated in this morning's testimony, is a proposal. It is Treasury's view of how it should proceed. It is not an administration policy statement, and, until we have had a chance in my office and in the Vice President's Office to review the issue in more detail and talk with Defense and Treasury, the final vote is not in.

Mr. MACKAY. Do you share their view that the conversion of the P-3 is not the best use of the taxpayers' dollar for the interdiction function?

Captain SCHOWENGERDT. I don't think that is a question that could be answered by anyone yet, Mr. MacKay. The first P-3 was

to be our test bed, or perhaps is to be our test bed. To find out what it can do with that particular radar, that airframe, and how it might serve. We were confident enough of the potential to proceed with that first test-bed project and take a look at it to see how it panned out or if it would pan out.

I don't know whether that is the best use of the taxpayers' money or not yet because the tests haven't been run.

Mr. MACKAY. What about the apparent scrapping of the third aerostat, which is the contract which is supposed to be let Friday, and I gather is also not going to be followed through by Treasury or someone?

Captain SCHOWENGERDT. Friday, however, is not a critical date. The target date for letting the contract was Friday. That is a date which has no particular meaning, other than to get on with the program.

The third aerostat, in my own personal view, has significant potential. There are also significant drawbacks, as the chairman indicated earlier today. The aerostat only flies when the weather is good. There can be problems in transmitting data and so forth.

You have to have the interceptors to handle the data it picks up.

So, I would like to see us get more experience with aerostats than what we have. But, as I indicated, my personal view is that there is real potential for the aerostat.

It is a program that—

Mr. MACKAY. It apparently will fly at about 10 percent of the per-hour operating cost, and even though it flies only when the weather is good, it would fly three times the number of hours of AWACS or the other aircraft.

Captain SCHOWENGERDT. Sure. That is one of the reasons it is most attractive—its low per-hour cost.

Mr. MACKAY. Do you feel that there is a mechanism in place, either coordinative or otherwise, so that there will be an administration policy?

Captain SCHOWENGERDT. Yes, sir; I do.

Mr. MACKAY. Within what timeframe? Friday?

Captain SCHOWENGERDT. As soon as it is needed.

Mr. MACKAY. Well, that is up to the chairman to say, thinking long term. I was thinking of Friday.

Thank you.

Mr. ENGLISH. Thank you very much.

Are there any other questions at all?

If not, one other question does come to mind. I think I know the answer, Captain Schowengerdt, but I think it is good to have it on the record.

The question is: Are you aware of any change whatsoever in the President's commitment to the war on drugs and to the efforts being made by the Vice President in this area?

Captain SCHOWENGERDT. No, sir; no change at all.

The President and the Vice President are both solidly behind the program. There has been no change from their earlier public or private statements.

Mr. ENGLISH. Since this would be an unfair question, I will put it in the form of a statement to you.

It seems to me, given what we have heard here today, that a prudent person could not draw any conclusion, any conclusion whatsoever, other than the fact that the Office of the Secretary of the Treasury evidently is totally out of step with whatever is being done in the war on drugs within the administration, that is, the rest of the administration.

I just see no other conclusion that could be drawn. I am extremely concerned and disappointed, particularly by this action of canceling out the P-3 and this effort to turn their backs on the responsibilities of the Customs Service. I might say that these are not new responsibilities but long-term responsibilities that Customs has always pointed to. They have to be able to detect smuggler aircraft coming into this country. To simply say that that is no longer their responsibility, that they refuse to allow Customs to assume that responsibility, is totally irresponsible. I have been shocked and disappointed by the testimony that we have gotten from the Treasury Department today.

I hope that you will go back and assure the Vice President that whatever efforts he makes to try to rectify this problem that he certainly has the support of this committee; I think I speak not only for this particular committee but also for other committees in Congress which have been playing a role in trying to weave cooperation between the various agencies and the legislative branch in this war on drugs.

So, we would appreciate that. We will recess now until tomorrow at 10 o'clock when we will hear from Senator Paula Hawkins.

[Whereupon, at 4:25 p.m., the subcommittee adjourned, to reconvene at 10 a.m., Thursday, March 22, 1984.]

## CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

THURSDAY, MARCH 22, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:05 a.m., in room 2154, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Ronald D. Coleman, Buddy MacKay, Thomas N. Kindness, and Tom Lewis.

Also present: Representative E. Clay Shaw, Jr.

Staff present: Theodore Mehl, professional staff member; William G. Lawrence, counsel; Euphon Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order.

I want to recognize very briefly Chairman Dan Daniel, of the Subcommittee on Readiness of the House Committee on Armed Services, who has been kind enough to come. He has some brief comments to make and has to chair another hearing; so, we recognize you, out of order, Mr. Daniel.

### STATEMENT OF HON. DAN DANIEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. DANIEL. Thank you very much, Mr. Chairman, and apologies to Senator Hawkins for intruding on her time. I appreciate the committee inviting me to participate. I missed the testimony yesterday because I was conducting other hearings. The same situation, unfortunately, is true this morning.

Before I excuse myself, I need to provide a very clear message to the Treasury witnesses and to my old and good friend, General Tice, who is representing DOD here this morning.

The war on drugs, and particularly the aerial interdiction effort has been one of the most successful examples of a bipartisan multi-committee cooperative effort ever undertaken on the Hill certainly in my tenure here.

Your committee, Glenn, can see the entire effort. It was authorized by my insuring that military readiness was not adversely affected.

And it has been the subject of outstanding support and initiative in the Appropriations Committee, particularly in the Senate. Both

parties, both sides of the Hill cooperating extensively with the executive branch in their national war against the drug smugglers.

This has been a painstaking effort of years, and now in just the space of a few weeks, the entire fabric has begun to come unraveled. The Treasury Department's attempts to abrogate its statutory responsibilities is a cause for real bewilderment, dishonors memoranda of understanding with other agencies and attempts to coerce the Department of Defense in paying for the operation and maintenance of millions of dollars of assets already provided at no cost to Treasury for Customs use.

I heard with utter disbelief last night the Treasury Department's attempt to arrogate unto itself a complete redefinition of the North American Air Defense System mission in order to avoid paying for its own law enforcement activities.

I do not know how this incredible ploy will ultimately be resolved within the executive branch, but I can relate to you with certainty how it will be treated in the Committee on Armed Services. Last year we cooperated with Admiral Murphy of Vice President Bush's office to allow extensive use of AWACS and Naval radar aircraft as "gap-fillers" in our border radar coverage.

We liberally interpreted proscriptions under the law against degradation of military readiness in a spirit of cooperation and goodwill with the executive branch. We knew that Customs' detection aircraft were under development in the DOD and Services' systems under posse comitatus, and their effort was underway.

But now, Mr. Chairman, one agency has unilaterally scuttled all of that cooperation and mutuality of effort. The executive branch had better take charge and get its house in order.

To assist in the effort, Mr. Chairman, when the Subcommittee on Readiness marks up on March 29, we will insure that not one penny of DOD authorization may be used for other than national security related detection missions, and that a new air defense role is not generated for the purpose of relieving embarrassment caused by one agency.

In short, Mr. Chairman, your carefully crafted and coordinated interdiction program is too vital to allow it to be destroyed by incompetence, mismanagement, and a lack of executive coordination and control.

For our part, this will not be allowed to happen. And I might say, Mr. Chairman, that this entire issue may highlight a total incapability on the part of the Treasury to understand, manage, or utilize any investigatory or law enforcement capabilities.

I would defer to your committee's expertise as to whether separate legislation is needed to transfer the Customs function in its entirety to an agency which can understand and appreciate, not to mention resource, this critical function.

Certainly DOD cannot be expected to further cooperate with an agency which is totally adrift.

Thank you for having me here this morning. I need to get back to the Central American issue, Mr. Chairman, as you well know. We are looking forward to your participation in the upcoming delegation investigating links between the arms trade and drug smuggling in that region.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you, Mr. Daniel, and if you have the opportunity either today or tomorrow, well, we hope you will come back in and sit in with us.

Mr. DANIEL. Well, you know of my interest in this subject. I do have this hearing this morning on Honduras, which I must conduct, but if I do get through in time, I would love to return.

Mr. ENGLISH. Well, we certainly appreciate the fine support that you and the Armed Services Committee have given the war on drugs. Thank you very much.

Mr. DANIEL. I thank the chairman.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman. I would like to add my thanks to Mr. Daniel for his continued and continuing interest in this very important effort. I would just like to take a moment, Mr. Chairman, to indicate that in a way I am pleased that the current hubbub and controversy has occurred because it has brought about a focus on something that has been in the incipient stage for a while, I think, ever since the inception of the concept that the P-3s would be fitted with modified F-15 radar. There has been a little shilly-shallying about where the money comes from in the maintenance of the aircraft. To some extent, perhaps, that has existed with respect to the aerostat born radar, but, OK, we are here now and we can focus very clearly on something that has been in the incipient stage of a problem.

In conversation with the Office of the Vice President this morning, I learned that the executive board of NNBS will be meeting early next week and will be dealing with this problem in a concerted fashion as to how we proceed within the executive branch.

I welcome that response to the current problem or controversy and I would urge, Mr. Chairman, that we keep the hearing record that we are currently conducting open by way of adjourning to a date subject to the call of the chairman or recessing the hearing for the purpose of assuring that we come back after that executive board meeting, and an appropriate lapse of time, and find out the exact response as to how we proceed. And I think that is an orderly way to do it and a most constructive way, which I believe the chairman is planning to accomplish.

Mr. ENGLISH. I think the gentleman has an excellent idea and, which is as I understand, that after we complete hearing the testimony tomorrow that we recess until a point in early April so that we might then also have an opportunity to review the decision by the executive commission with regard to this matter. I am in total agreement with the gentleman and I think it is an excellent proposal.

Without objection, it will be so ordered.

I might also say very briefly that I was delighted to learn that the executive committee evidently is going to take a hard look at these developments; that I think, without question, we are going to determine whether the Reagan administration is in fact solidly behind the war on drugs, that there is more than rhetoric in addressing this issue; and, whether it really is a top priority.

Without question, yesterday we saw one individual within the Department of the Treasury who, in effect, pulled the plug on the war on drugs. The air interdiction program has long been the cen-

terpiece of the Reagan administration's drug interdiction effort, and without detection, as the Customs' own manual pointed out, there is no backbone to that overall effort. So, I am delighted to hear that those people who are in authority within the executive council are grasping the situation very quickly and we are anxiously awaiting whatever their decisions might be. We are hopeful that we will see this war continued in the vigorous manner in which the Vice President has been carrying it out.

Mr. KINDNESS. Mr. Chairman, if I might add, we all know that it is true that in any outfit there is always about 10 percent that doesn't get the marching orders right and everyone is entitled to redemption once they have seen the light.

Mr. ENGLISH. Well, we are always glad to see folks born again, and we are hopeful that some folks over at the Treasury Department will be born again after meeting with the executive council. Mr. Coleman.

Mr. COLEMAN. Just one point, and I think it is really in reference to Chairman Daniel's point that he made this morning. I wanted to try to assure members of this committee, at least of my perception, that this was not an agency gone adrift as far as Customs was concerned. My view has been since we began these hearings, and throughout the hearings that you, Mr. Chairman, and Mr. Kindness have held over a long period of time, and I think the chairman mentioned it yesterday that indeed Customs and the quality of the personnel and the dedication to service of this country, and in this particular area of drug interdiction, has been absolutely outstanding. I wouldn't want to leave the impression that anyone on this committee, at least, would endorse a statement suggesting Customs was adrift. I think there is no question, even from Mr. Kindness' last statement, that we are all concerned about those in charge of Customs, the Department of Treasury, and I don't disagree with Chairman Daniel of my committee, Armed Services, or you, Mr. Chairman, that that is the agency that seems to be adrift, and I think that is the saddest commentary of all.

It is not one of the agencies that has the real personnel and the real hard-working people in it that is at fault, but rather their parent agency. And I suggest that we take Mr. Kindness' statement and hope for the best, but I wanted to assure members of this committee, at least, that this member is not at all being derogatory or would endorse any derogatory statements concerning Customs. I feel that they have done outstanding work, as I think this committee has said over and over.

Thank you, Mr. Chairman.

Mr. ENGLISH. I think that is a very good point, Mr. Coleman. I don't think there's any place in the Congress where the Customs Service, particularly those men on the front lines of the Customs Service, have more admirers than they do on this committee. It is amazing that they have been able to accomplish what they have with the very few resources that they have available to them to do the job. And many times, as I mentioned yesterday, at risk of their own life.

Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman. I want to say how pleased I am that the subcommittee has scheduled these hearings to assess

the National Narcotics Border Interdiction System and its role and effectiveness in combating illegal narcotics trafficking.

I also want to welcome the distinguished Senator from Florida, Paula Hawkins, to the subcommittee. We know only too well how important this issue is to her, myself, and the people of Florida.

In addition, I am glad that the subcommittee will have a second opportunity to hear from Deputy Secretary McNamar since a previous commitment made it necessary for me to be absent yesterday morning. And I am deeply concerned about the Treasury Department's recent proposal to turn over all of the responsibility for the Air Interdiction Program to the Department of Defense particularly without their agreement. I look forward to having the opportunity to discuss this particular issue in greater depth.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Lewis. Mr. MacKay.

Mr. MACKAY. I have nothing.

Mr. ENGLISH. It is with a great deal of pleasure today that we have the opportunity to hear from one of the real champions in the Congress as far as the war on drugs is concerned. One that has a good many admirers here in the House as well as the Senate. We all have a great deal of respect for not only Senator Hawkins, but the entire Florida delegation. You people, without question, have been on the front line in the war on drugs for some time and the fine work that you have done and the leadership that the Florida delegation has provided, we all deeply appreciate.

We are happy to have you with us this morning, Senator.

#### STATEMENT OF HON. PAULA HAWKINS, A SENATOR IN CONGRESS FROM THE STATE OF FLORIDA

Mrs. HAWKINS. Thank you, Mr. Chairman and members of the committee. I must thank you for your leadership in this most important matter. Through your efforts, long before I was a Member of the Congress, Florida and the entire Nation have been protected from the threat of illegal drugs and narcotics traffickers because of your vigilance and farsightedness. You and all the subcommittee members on both sides of the aisle deserve great credit for your hard work.

I would be remiss if I did not speak about the proposed transfer of drug detection responsibility from the U.S. Customs Service to the Department of Defense. This proposed transfer would undermine military readiness while weakening our first line of defense against foreign drugs trafficking.

It will result in a loss of major detection assets, such as the P-3 aircraft, the E-2C and the radar balloons in Key West, Patrick Air Force Base, and the Bahamas.

No State would be placed in greater risk than Florida, which is the port of entry for nearly 80 percent of the cocaine and marijuana entering the United States.

I am deeply concerned about the apparent contradiction, indeed, an about face by the Department of the Treasury. Only last week, I received a letter from the Secretary of the Treasury assuring me that he would find the disputed amount of money in his Department budget. I am a little alarmed that we would be having a turf

battle at this high of a level. We constantly get calls about turf battles at much lower levels on local law enforcement areas working with the military, et cetera. But we are trying to set an example here as leaders, and I personally feel that the Secretary of the Treasury is going to keep the commitment which he sent in writing to me several weeks ago.

As we all know, he is in China, and probably should be contacted.

I would now like to describe a drug interdiction initiative that I am promoting, a ship-tethered radar balloon. The nature and profile of the drug threat are well known. Drugs are grown and manufactured in several South American countries and are transported by means of small to medium-sized aircraft or ships over established routes to the shores of the United States.

For geographical and other reasons, the traffic is forced to pass through two choke points. I have them marked on the map there with two red circles. These are the Yucatan Channel between Mexico's Yucatan Peninsula and Cuba and the Windward Passage, between Cuba and Haiti.

[Mrs. Hawkins submitted the following map:]



Mrs. HAWKINS. There are, at present, no effective surveillance systems in operation in these channels. The Coast Guard and Customs patrol these areas without the benefit of long-range surveillance. Intercepts are made by chance visual acquisition of targets. Visual acquisition, translated into a common term means a seaman, standing on the deck maybe with a pair of binoculars. It is not exactly what you would call high-tech surveillance. From time to time aircraft-borne radar systems owned by the U.S. military, such as the AWACS and the U.S. Navy Hawkeye have been employed in long-range target acquisition and vectoring of intercept aircraft. While this technology is more along the lines of what we would expect to be using to catch smugglers, these missions are very expensive and are not available on a full-time basis. These planes, after all, are needed for military purposes.

The operational cost of an AWACS platform is in excess of \$10,000 per hour. The Hawkeye costs more than \$3,000 per hour to operate.

[Mrs. Hawkins submitted the following bargraph:]

# OPERATING COST PER HOUR



Mrs. HAWKINS. In an effort to more effectively fight traffickers, I am proposing that we wed human aviation's oldest technology to the latest in sophisticated surveillance by using a helium-filled balloon equipped with a state-of-the-art surveillance radar. The entire system would be tethered to an oil platform supply ship, the kind now used by off-shore oil industry for supplying drilling and production rigs. This aerostat, as it is called, flies at an altitude of approximately 2,500 feet, and from there has a target acquisition range of 70 miles. This range effectively covers the two channels previously mentioned. The ship steams in the area of concern and the airborne radar sees the targets, in this case smuggling ships, as they enter the detection range. The radar data are transmitted to the ship and from there may be sent to other units operating in the same area.

The advantage of this arrangement is that the Coast Guard intercept vessels and Customs intercept aircraft would now be able to lock in on suspicious targets until they can be visually identified. This removes that aimless patrolling and the element of chance from the hunt.

The balloons remain airborne for from 10 days to 2 weeks and can be winched down to the ships for inspection, repair, and maintenance.

The main attraction of the aerostat system is its economy and its continuity. Operational costs for the aerostats are on the order of \$300, maybe \$400 per hour. The aerostat also has a larger coverage area; it can see farther than much more expensive airborne platforms.

The balloon technology is well developed. It has been proven in many U.S. Government and commercial applications. There is also a research and development aspect to these systems. They are readily available off the shelf at reasonable prices. They can be manned and maintained by technicians and mechanics.

One of these systems is now in operation. But others should be acquired in order to enhance the effectiveness of our Coast Guard and Customs units on patrol in the war on drugs in the Caribbean.

Mr. Chairman, these 3 days of hearings provide an extremely valuable opportunity for the Congress to have a firsthand look at our drug interdiction capabilities. I believe that radar-balloon technology can make a valuable contribution to our national effort to stop the flow of illegal drugs into our country.

Yesterday, I held hearings as the newest member of the Foreign Relations Committee on the Hawkins' diplomacy-against-drugs amendment, which was passed last year unanimously and signed by the President on November 22. This new law links foreign aid to illegal drug eradication in foreign countries. At the hearing we learned, again, how great the threat is because we have more cocaine, more marijuana, more hashish, more heroin than ever before coming into our country.

You have been a pioneer in pointing out why we should be vigilant. My State suffers tremendously, as you know—we have talked about it several times—because it is the entry point for 80 percent of this huge crop that comes into the United States. I must thank you for constantly being vigilant on this because no threat strikes America more frequently and more savagely than that of illegal

drugs. It is breaking up the home. It brings about domestic violence. It brings about violent crime. It is destroying our neighborhoods and our domestic tranquility. We must be vigilant and we must not argue about where the money is coming from. We must know that this is the No. 1 threat to the United States family, as we have always known it.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Senator.

As you know, I've been one who has been an admirer of your proposal. One that, I might say, has also received the admiration and has been adopted by the Vice President. I think that it makes a good deal of sense and certainly needs to be implemented.

Yesterday we heard from Mr. McNamar who said that the aerostats aren't any good. He didn't think much of the aerostats and in fact the one that was supposed to be built in the Bahamas, he has ordered to be canceled. He said that we don't need those aerostats.

Of course, we also found out that Mr. McNamar yesterday didn't have a great deal of knowledge about whether they were any good or not. He doesn't have a whole lot of knowledge about the program—the equipment and the hardware that many of us have been involved in such as the fine proposal that you put forth.

We all recognize that there are limitations to any of these proposals, but that is how you put together gap fillers. You've got to recognize and understand where the weaknesses are, and strengthen those weaknesses. But we have also got to keep in mind the cost to the taxpayer. We don't have an unlimited budget and we have been operating on a limited budget for some time. We are trying to fit this within what the President proposes so that we don't do anything to worsen the deficit situation.

I think that your proposal certainly fits right in with the requirements and the realities of the time that we are facing.

I wonder if we could see the chart again that we had earlier, the map. I think it makes a very good point and I don't know if—is Mr. McNamar here yet? Is Mr. McNamar around?

[No response.]

Mr. ENGLISH. Well, I am sorry he is not here because—

Mrs. HAWKINS. I will leave the charts for him to see.

Mr. ENGLISH. I think that would be helpful, Senator. We are trying to provide a little on-the-job-training for Mr. McNamar, and we are trying to educate him a little bit about what is going on in this thing. Perhaps that will be of benefit, but I think that the key point that Mr. McNamar needs to understand is the importance to the war on drugs of those choke points. It does give us an advantage when we can focus our attention on those choke points, as you have so aptly demonstrated. Your proposal certainly addresses that point.

I appreciate your bringing that to our attention, and, as I said, I am sorry he is not here yet.

Mrs. HAWKINS. I'll leave it here for educational purposes.

Mr. ENGLISH. Thank you very much, Senator. I think that is very helpful.

Mrs. HAWKINS. Again, about the testimony we had yesterday, I might point out, that all the witnesses testified that we get very little cooperation if our ships go into the Mexican waters. So, smug-

glers obviously are going through that passage and going up into Mexico where they have safe harbor.

Mr. ENGLISH. Thank you very much. Mr. Kindness.

Mr. KINDNESS. Thank you. I have no questions, and appreciate your testimony this morning, Senator Hawkins.

Mr. ENGLISH. Senator Hawkins, I might say that should you have time either today or tomorrow, we would be delighted if you could join us. We would be happy to have you.

Mrs. HAWKINS. I will be back.

Mr. ENGLISH. All right. Thank you very much, Senator.

Our next witness is Lt. Gen. Dean Tice, who is the Director of the Task Force on Drug Enforcement within the Department of Defense.

General Tice, we want to welcome you here this morning. We appreciate you coming. If you would like to submit written testimony for the record, without objection that will be made a part of the record so you should feel free to summarize.

**STATEMENT OF LT. GEN. R. DEAN TICE, DIRECTOR, TASK FORCE  
ON DRUG ENFORCEMENT, DEPARTMENT OF DEFENSE**

General TICE. Yes, sir.

With your permission, sir, it is a great pleasure to appear before you. This is my first appearance. I will ask that my prepared statement be submitted for the record, and I would like to make a short oral statement in order to save more time for questions you may have.

Even though the Department of Defense has been engaged in military assistance to the drug enforcement community for many years, my involvement started on January 1, 1984, when I was recalled from retirement to head up the Department of Defense Task Force on Drug Enforcement.

My office was established to improve the coordination of the Department of Defense's support of the Federal strategy on drug interdiction and drug enforcement. I report directly to the Assistant Secretary of Defense for Manpower, Installations and Logistics and serve as the principal point of contact between the Department of Defense, other Federal agencies, State and local governments, and the Office of the Vice President, NNBIS, and the Congress on all matters relating to military assistance to drug enforcement.

I am responsible for ensuring that the DOD policy in this area is adequate to address the needs of the civilian law enforcement, that is, within the constraints of section 908 of Public Law 97-86; also ensuring that our policy complies with the intent of the Congress and satisfies the concerns of the administration.

In this capacity, I monitor all requests received from NNBIS for the services to ensure that readiness of the Armed Forces is not impaired through provision of support to law enforcement agencies, and where applicable, that reimbursement policies are carried out under provisions of the Economy Act.

In our view, the passage of Public Law 97-86, the DOD Authorization Act 1982, did much to clarify the role of DOD in support of civilian law enforcement activities. However, there are still some areas where the intent of the Congress is implicit rather than ex-

plicit. Therefore, the importance of consultation in the area of DOD's participation in drug interdiction and the oversight process mutually serves the interest of the Department of Defense and the Congress.

We believe that the Department of Defense has made a significant contribution in the fight against illicit drugs. Because each of the military departments will be testifying tomorrow, I will not cover the specifics of this assistance. I will say, however, that Defense systems engaged in drug enforcement activities in connection with our normal training missions have been substantial. Further, as NNBIS matures, I am confident that our support will continue to improve. The relationship with NNBIS is working for the Department of Defense.

We are now getting requests for assistance programmed 3 to 6 months in advance.

The bulk of our support is now being coordinated by the NNBIS staff.

NNBIS has made requests with technical precision as to the mission suitability of a resource.

And the strategy provided to DOD is both comprehensive and comprehensible, and written professionally, taking into consideration the location of our resources, thus minimizing time losses due to travel to the areas of operation.

With this type of close coordination and advanced planning, we have been able to improve both the quality and the amount of assistance given to the NNBIS operations. I should also mention that we have 31 personnel assigned full time in support of the NNBIS regional offices, and two are with the Washington NNBIS staff.

Finally, Mr. Chairman, I wish to make the point that DOD plans to continue our close cooperation with the NNBIS, other Federal agencies, local and State law enforcement agencies. Over the next year, the Department of Defense Task Force will review on a continuing basis the entire scope of involvement in drug enforcement assistance.

I would be pleased to take your questions, sir.

[The prepared statement of General Tice follows:]

STATEMENT OF

LIEUTENANT GENERAL R. DEAN TICE, USA

DIRECTOR, DOD TASK FORCE ON DRUG ENFORCEMENT

DEPARTMENT OF DEFENSE

BEFORE THE SUBCOMMITTEE ON

GOVERNMENT INFORMATION, JUSTICE & AGRICULTURE

HOUSE GOVERNMENT OPERATIONS COMMITTEE

MARCH 22, 1984

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## INTRODUCTION

Mr. Chairman, it is a great pleasure to make my first appearance before your Subcommittee. Even though DoD has been engaged in military assistance to the drug enforcement community for many years, my involvement started on 1 January 1984, when I was recalled from retirement to head up the Department of Defense Task Force on Drug Enforcement.

My statement today will focus on four characteristics which underscore DoD's participation in drug interdiction since the 1981 law was enacted:

## CONSULTATION, COORDINATION, COOPERATION, AND CONTINUATION

CONSULTATION

In our view the passage of public 97-86 (DoD Authorization Act, 1982) in December 1981 did much to clarify the role of DoD in support of civilian law enforcement activities. The contents of Section 908 to PL 97-86, which added Chapter 18, "Military Cooperation with Law Enforcement Officials," to Title 10 of the US Code, is so well known by the members of your panel, Mr. Chairman, that it serves no purpose to repeat it here. However, there are still some areas where the intent of the Congress is implicit rather than explicit. Therefore, the importance of consultation in the area of DoD's participation in drug interdiction and the oversight process mutually serves the interests of the Department of Defense and the Government Operations Committee; allow me to quote the oversight mission of the Committee from the Rules of the House of Representatives:

The committee on Government Operations shall review and study, on a continuing basis, the operation of government activities at all levels with a view to determining their economy and efficiency. (Rule X, cl. 2, Rules of the House, emphasis added).

Although your review authority was conferred in the 1946 Legislative

Reorganization Act, and reiterated in the 1970 update to the statute, I recognize that oversight is a much more serious business in Congress today than it was a generation ago.

The consonance of our objectives leads us to emphasize three words in your cited Rule authority: "continuing," "economy," and "efficiency." First, I want to demonstrate that our formal and informal relations have been indeed continuous, especially over the past year. And, second, consultation with your committee, its staff, as well as with other members, committees and staffs reflects DoD's determination to provide military assistance in the most economical and efficient manner possible.

The scope of our consultation and oversight activity deserves cataloging since it evidences the point that I have been making: that we take our drug assistance role very seriously.

We have actively participated in formal hearings before a diverse number of panels and in several locations:

- o On the Senate side:

- oo Dr. Korb appeared before joint Appropriations Committee and Drug Enforcement Caucus meetings in both Biloxi, Mississippi, in July, and Phoenix, Arizona in September.

- oo He also testified before the Senate Foreign Relations Committee earlier this month.

- o On the House side; our participation in policy review activities has been equally extensive:

- oo Since May 1982, Defense witnesses have been before your Subcommittee four times - May and August 1982, February 1983 - in Miami, and today. The Services also appeared before your panels in field hearings in July in New Orleans, El Paso and San Diego.

- oo In February 1984, Dr. Korb testified before the House Foreign Affairs Committee Task Force on International Narcotics Controls.

Perhaps of equal significance has been the informal consultation - this has been extensive, intensive and continuous with both the Senate and House.

o My office as well as the Services have met for discussions, as well as specialized briefings on such assistance arrangements as attempts to transfer C-12 aircraft; the Navy P-3 and Air Force radar configuration; aerostat radar assistance in Florida all for Customs; and Navy hydrofoil support of the Coast Guard in the Gulf. These meetings on equipment and personnel support occurred with the Senate and House Armed Services Committee staffs and with your Subcommittee minority and majority staff, Mr. Chairman.

o But, in addition, my staff has met with the Select Committee on Narcotics as well as the Subcommittee on Crime of the House Judiciary Committee to discuss other problems and issues in military assistance. Although informal, these meetings have involved, in some cases, both members as well as staff.

To close the subject of consultation, Mr. Chairman, let me reiterate that DoD's interest is synonymous with that of your panel: we both seek an optimal drug assistance policy. We try to involve Congress before we finalize many of our assistance arrangements, and informing Congress broadly and continuously on virtually all types of support arrangements, including those with the National Narcotics Border Interdiction System.

#### COORDINATION

For DoD, coordination means assuring managerial economy and efficiency in the development, execution, and follow-through of our support programs. There are four sets of management functions that we perform to assure coordination:

First, to the maximum extent possible, we encourage close coordination of training and operations schedules of certain types of military activities with the appropriate component of the drug enforcement community.

- o In January 1983, a planning group was organized at Norfolk to coordinate Coast Guard and Customs Service requests for Navy fleet and Reserve Support.

- o The Air Force's Tactical Air Command has hosted meetings at Langley AFB, VA between NNBS and officials responsible for AWACS and aerostat operations.

- o On a continuing basis, my staff and Service representatives meet with NNBS planners on a wide variety of operations, often projected four to six months into the future.

Second, I organized the DoD Task Force on Drug Enforcement to monitor policy coordination in and out of DoD.

Third, DoD and Service representatives (to include our respective staffs have made numerous field visits:

- o To all NNBS regional sites.
- o To OPBAT operations

- o And, in particular, to the South Florida Task Force - in fact, in May 1983, Dr. Korb decorated the Coast Guard leadership in the Miami district in recognition of their support and leadership in anti-drug efforts. This was in consideration of the training provided to Navy crews by the Coast Guard.

Fourth, DoD participates in numerous interagency groups at the Federal level.

- o We have two military representatives on the Washington NNBS staff and thirty-one military personnel assigned fulltime in the NNBS regional offices.

Fifth, we are making the greatest possible effort to inform state and local governments of the availability of our assistance. This represents our greatest challenge, Mr. Chairman, and one which requires still more work - principally because of the size of our nation and the widespread practice of illicit drug trafficking.

- o In this regard, NNBS has been of value to us in the border areas. We are encouraging state and local law enforcement agencies to coordinate their requests for assistance through the regional centers.

- o Our provost marshal, security police and staff judge advocates in the field have always maintained close cooperation with their local community counterparts.

- o And, we are making every attempt to use the relatively new Law Enforcement Coordinating Committee (LECC) as still another vehicle to reach state and local officials. As the LECC program develops, we hope that it will become a permanent link between the military and the very broad civilian law enforcement community.

- o Finally, we have met with numerous state and local enforcement officials as well as some state National Guard Adjutants General under the aegis of the National Governors' Association winter meeting in Washington.

#### COOPERATION

Cooperation involves the direct provision of military assistance to the law enforcement community. Let me say a word at the outset on how DoD manages drug assistance between the Office of the Secretary of Defense (OSD) and the Services.

The relationship of OSD to the Services and JCS on military assistance policy is similar to that which applies to major mission organization and management in DoD.

- o OSD provides drug policy development, resource management and drug program evaluation functions - principally through DoD Directive 5525.5.

- o The Service secretariats, which are organized identically to OSD, integrate and coordinate policy.

- o The Service or military staffs are functionally structured to organize, equip, and execute drug interdiction assistance to the law enforcement community.

My boss, the Assistant Secretary for Manpower, Installations and Logistics, is responsible for monitoring drug assistance policy. As head of the DoD Task Force on Drug Enforcement, I have a mandate to report to the Assistant Secretary of Defense (MIA&L) on the progress of DoD cooperation as well as DoD compliance with law and policy.

We in DoD have effected a broad cooperation network outside of DoD to facilitate program planning and execution at all levels, and I have attached a management model which reflects these arrangements.

Since the purpose of this hearing is to present the ways that we, and other agencies, cooperate with NNBS, let me preface my comments on that topic with a delineation of what we at Defense consider to be the required criteria for a good military assistance program;

- o A good plan, involving the best possible analysis of the drug trafficking threat.

- o A central planning and control mechanism for the coordination and confirmation of requests for DoD assistance, projected as far in advance as possible.

- o Sufficient technical as well as planning expertise to assure basic economies and efficiencies of force, such as the assurance that the best available piece of equipment is used for the mission.

The relationship with NNBS seems to work well for DoD:

- o We are now getting requests for assistance programmed three to six months in advance.
- o The bulk of our support is now being coordinated by NNBS.
- o NNBS has made requests with technical precision as to the mission suitability of a resource.
- o The strategy provided to DoD is both comprehensive and comprehensible, and written professionally, taking into consideration the location of our resources - thus minimizing time losses due to travel to the area of operations.

While I am unable to disclose the precise types of support that we are providing, and the time and place of their use - something which the Services and I would be pleased to do in executive session, Mr. Chairman, I will mention some of the types of assistance that are being provided.

THE ARMY is providing occasional radar support in the Southwest, and has further requested the National Guard and the Army Reserve to make contact and to continue close coordination with the NNBS regional centers.

THE NAVY is providing fleet and Reserve E-2C aviation support in the Southeast, Southwest, Gulf and the Pacific. Other support includes:

- o Hydrofoils in the Southeast and Gulf regions.
- o P-3 fleet and Reserve aircraft off the East Coast, in the Gulf, Caribbean and, with S-3, in the Pacific region.
- o PBR's will be used for river surveillance in certain regions.
- o Navy and Marine radar support is found in the Caribbean, East Coast and Southwest.
- o Marine Corps' OV-10's are used in the Southeast and Southwest.

THE AIR FORCE will continue to provide AWACS support as well as C-130, aerostats and A-10 aerial surveillance. Other radars will be used as well. The Air Force has also agreed to keep its OPBAT helicopter force in the Bahamas for the foreseeable future. Finally, you will be pleased to know, Mr. Chairman, that the plan is progressing to colocate Customs radars with the NORAD Regional Operations Control Centers at March and Tyndall AFB.

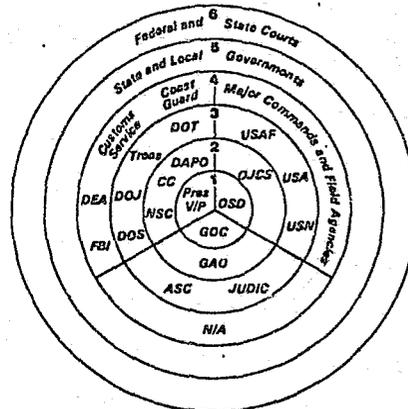
CONTINUITY

Finally, Mr. Chairman, I wish to make the point that DoD plans to continue its support indefinitely in every manner and method envisioned by administration policy and the law. More specifically:

- o We are in the so-called "drug war" for the duration.
- o In the case of the Air Force, not even the sacrifice of life has deterred that service from reaffirming its commitment to this effort.
- o Over the next year, the DoD Task Force on Drug Enforcement will review on a continuing basis the entire scope of our involvement in drug enforcement assistance.

Thank you for the privilege of appearing before the Subcommittee on Government Information Justice and Agriculture, Mr. Chairman; I would be pleased to take your questions.

**Figure 1**  
**Major Players in Posse Comitatus Policy:**  
**The Complex Management Model from the DoD Perspective**



**Codes**

- (1) Central policy guidance sources
- (2) Principal advisory agents
- (3) Cabinet and sub-cabinet level departments/Other congressional committees
- (4) Major operational agencies
- (5) & (6) Self-explanatory

**Abbreviations**

V/P - Vice President  
 OSD - Office of the Secretary of Defense  
 GOC - Government Operations Committee  
 OJCS - Office of the Jt Chiefs of Staff  
 GAO - Government Accounting Office  
 NSC - National Security Council  
 FBI - Federal Bureau of Investigation  
 DEA - Drug Enforcement Agency

CC - Cabinet Council on Legal Policy  
 DAPO - Drug Abuse Prevention Office  
 USAF/A/N - Air Force, Army, Navy  
 ASC & JUDIC - Armed Services and Judiciary Committees  
 DOS/DOJ/Treas/DOT - Departments of State, Justice,  
 Treasury and Transportation

Mr. ENGLISH. Thank you very much, General Tice.

As I understand it, you do have the authority to speak for the Department of Defense in this matter, is that correct?

General TICE. Yes. I am representing the Assistant Secretary of Defense for Manpower, Installation and Logistics today.

Mr. ENGLISH. General, are you aware of the statements made to the subcommittee by Deputy Treasury Secretary McNamar yesterday concerning the new expectations of the Department of Defense?

General TICE. Yes, sir, I am.

Mr. ENGLISH. And, of course, I mean specifically that he has developed as a part of the Treasury Department's strategy on the war on drugs that DOD will assume the entire detection role on a permanent basis. When were you first told of Mr. McNamar's scheme?

General TICE. We discussed this with representatives of the Treasury Department on Monday of this week.

Mr. ENGLISH. Did you or anyone else in the Department of Defense consent to, or approve, this rearrangement of DOD's interdiction role?

General TICE. I don't think we were asked to approve it at the time that this was presented. It was open for discussion and we were asked to take a look at this request.

Mr. ENGLISH. Then, I assume that you did not get consent to it, is that correct?

General TICE. Yes. Not at that time, sir.

Mr. ENGLISH. Mr. McNamar's plan assumes that the Department of Defense can dedicate on a permanent basis hundreds of additional AWACS and E-2C hours per month over and above what the Air Force and the Navy are currently flying in support of Customs.

What is the position of the Department of Defense on the impact on combat readiness that such a dramatic increase in AWACS and E-2C flights would cause?

General TICE. The information that I have received from both the Department of the Navy and the Department of Air Force indicates that the flying hours that we have allocated to the NNBIS operation are close to the maximum amount that is going to be available. Part of the problem, of course, is whether those flights are involved in an area which would assist in the detection process.

Mr. ENGLISH. We in Congress, of course, drafted and passed the Posse Comitatus law to ensure that the law would prohibit the use of Department of Defense assets in support of civilian law enforcement if that use would degrade the combat readiness of the Armed Forces.

Secretary Weinberger referred to that provision in refusing Mr. McNamar's first move on the Department of Defense last week and did so, I suppose, in response to Secretary Regan's letter as well. Now, he is back, again, this time asking the Department of Defense to assume the entire burden of detection of drug smugglers. Will the same provision of the law continue to apply?

General TICE. Of course, it would. But I think that the proposal made by Treasury at this time was one for discussion and was not submitted as a formal proposal to the Secretary of Defense. That is my understanding of it, Mr. Chairman.

Mr. ENGLISH. Well, I would have to say that it was presented to this committee and presented in public yesterday as a proposal. We were told that it was a proposal. And as a proposal then, are you telling me that the law then would apply on these counts?

General TICE. It certainly would, sir.

Mr. ENGLISH. At the present time as far as the E-2C is concerned and AWACS, are those presently flying, say, for instance, where Senator Hawkins pointed out the choke points are concerned? Those points that you would need to identify drug smugglers coming through? Do we have AWACS and E-2Cs flying in the Yucatan Channel and the Windward Passage?

General TICE. On the normal AWACS runs there would be some coverage on the northern tip of the Yucatan. Off of the east coast—off of the Caribbean there, there would be some E-2C coverage, but most of the E-2C coverage is in the southwest, sir.

Mr. ENGLISH. Well, with regard to the Yucatan and the Windward Passage, they are certainly the main points of passage that aircraft must take in coming not only into Florida, but also into the gulf coast States, the entire Texas area as well into my home State of Oklahoma. All those flights must come through those two points because of navigational requirements.

Are you telling me then that the majority of AWACS and E-2C time that the Department is now providing is covering that area the majority of the time?

General TICE. I would say that we are not covering that the majority of the time because the use of the AWACS and E-2C is provided to the NNBIS organization for further allocation to other agencies such as Customs or the DEA, and I guess the time on station there would probably be 20 or 30 percent of the total time.

Mr. ENGLISH. One final question. If we are to be effective, and certainly if we are to have detection capability that would enable timely response, obviously the farther away that you get from the mainland, namely those choke points, that is what you need. You need time in order to scramble those interceptors; get them up in the air to meet those people as they are coming in and to plan for the arrest.

What would it take to put AWACS and E-2C's in those points? Could they go down there unescorted?

General TICE. There are certain restrictions on the use of the AWACS. There would have to be fighter escort provided.

Mr. ENGLISH. Placing them in those positions, would they require fighter escort under those requirements?

General TICE. The difficulty in supporting that mission would be the logistical tail, the fighters and all the other support that would have to accompany those flights.

Mr. ENGLISH. Is the answer, yes, then?

General TICE. I would say so.

Mr. ENGLISH. So, in order to cover what everyone who is involved in this problem agrees are the major choke points that have to be addressed if we are to substantially increase our effectiveness as far as drug interdiction is concerned, not only would we have to put AWACS and E-2C's over those positions, but we would have to have fighter escorts. Could those fighters—would they have the

fuel consumption to be out there on their own, or would they require tanker service?

General TICE. No, sir. All the flights that we conduct with the AWACS have to have fighter training wings to accompany them because that is how they get the training.

Mr. ENGLISH. What we are talking about now though is completely new tracks. What we are talking about here obviously, General, is the dedicated service that is envisioned by Mr. McNamar. We are not talking about the training flights which you can do. And is it not true that for the training flights that you now have, none of the tracks are down in that area? What you are talking about is you would have to have fighter escort to put that AWACS and E-2C in those positions, is that not correct?

General TICE. That is correct.

Mr. ENGLISH. Would you also not have to have tanker service then to keep those fighters in the air?

General TICE. It depends on the time on station. If they are operating too far offshore; then, there would be a requirement to have tanker resupply, and that's the part of the logistical tail that I was mentioning.

Mr. ENGLISH. Is it not also true that the Navy, when requested by the Customs Service to put E-2C's, particularly in the Windward Passage, refused to do so because of that very fact?

General TICE. That is correct.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman, and thank you, General Tice, for your testimony here this morning. I would like to clarify a little bit exactly what was discussed on Monday evening with the Customs Service. What was contained in the proposal, as you recall those discussions?

General TICE. We were asked to look at five options that we might undertake in discussions with Treasury and the Customs Service. And what areas—what further areas that we are doing now that the Department of Defense might do to assist them in their detection role.

Mr. KINDNESS. Could you enumerate those five areas?

General TICE. I'm not sure—I don't have the specific items, but they dealt with taking a look at the networking requirements in the ROCC. They dealt with taking another look at the rules of engagement that we have in the air sovereignty role for the North American Defense Command. They dealt with reopening again, trying to get assistance in adding C-12's. As you know, they fell out in the last session. And also asked us to take a look whether we could support the third balloon.

I may have left something out, but that was the framework for the discussion.

Mr. KINDNESS. Was there an ability to respond definitively to any of those points, or did they all remain open for discussion?

General TICE. We responded in a fairly frank way on some of them, but I think in receiving those on Monday, in fairness to both parties—the Treasury Department and also the Department of Defense—that we would expect to have more time to make a thorough evaluation of some of those recommendations.

Mr. KINDNESS. Was there any discussion in that connection with the need for legislation, actual change in the law in order to allow the Department of Defense to carry out what was being suggested?

General TICE. I don't recall that we discussed that.

Mr. KINDNESS. Although that would be something to be considered down the line presumably if consideration went further, I take it? That there would have to be legislative—

General TICE. If it involved complete dedicated missions to support only the Customs' detection role, I am sure we would have to reevaluate our authorization that we have now.

Mr. KINDNESS. With regard to the air sovereignty proposal, are you able, at this time, to state in more detail what was proposed?

General TICE. Yes, we—I personally discussed this with Customs representatives before and the Air Force has discussed it. I think it is a point for open discussion as to what our capability is to assist that agency with reference to detection. But, as you recall, on the air sovereignty, when we gave up the SAGE system, it was decided that the rules of engagement were changed and that the survivability of permanent installations on the ground could be in jeopardy; therefore, they made a choice to go to more or less the air mobile concept of using the AWACS for the control in the air defense system. And, therefore, they no longer track specifically penetrations below 10,000 feet or those aircraft that fly under 180 knots.

Mr. KINDNESS. Was there any discussion about what action or at what level might be required in the executive branch in order to effect such a proposal, such as a Presidential directive?

General TICE. I am not sure on that, sir. I was in the room, but I am not sure what all was discussed there; maybe privately between the Secretary.

Mr. KINDNESS. Thank you, sir. I yield back to the chairman.

Mr. ENGLISH. Mr. Coleman

Mr. COLEMAN. Thank you, Mr. Chairman. Let me welcome you, General Tice, to this committee today. I notice from yesterday—let me just say to you that Mr. McNamar told the subcommittee that the aerostat program was not cost effective. I notice on page 8 of your testimony today that you said, "The Air Force will continue to provide AWACS support as well as C-130, aerostats and A-10 aerial surveillance." Could you explain the DOD position with respect to the aerostats and whether or not you feel they are cost effective?

General TICE. Sir, I think the challenge for all of us is to determine under the detection process how many actual hits or arrests that have derived from that kind of detection. And I believe out of the one balloon in southern Florida, since it has been there, we have had eight hits or eight arrests. I think it is an area in which it is tough to determine the cost-effectiveness of employing one system versus another one. We do have a commitment through 1985 to go ahead and continue to operate those two aerostats.

Mr. COLEMAN. And so the Department of Defense's position is that, at least, they are worth trying?

General TICE. Yes, sir. I think the difficulty, of course, is the number of hours that the radar systems remain operational on the balloon. You have more success with keeping the balloon up there than you do of keeping the radar systems up. And until you can

get the total integration of a digitizing capability; then, the reactive mode is slowed when you can't get that information from the radar system.

Mr. COLEMAN. I understand from staff that that balloon is averaging about 19 hours per day of operational time, is that a fair statement or do you have figures like that?

General TICE. I don't. I can provide that specifically for the record. I think the aerostat balloon has more direct relationship in the role or the mission that we have given the U.S. Coast Guard in those waters with reference to detection and interception than it does with the interest of the Department of Defense.

[The information follows:]

Since 1 January 1984, the Cape Canaveral aerostat has been operating twenty-four hours a day, five days a week. Operational ready rate for January was 62.9%. The aerostat was down 17.2% for maintenance and 18.9% for weather. During February the Cape Canaveral aerostat operational ready rate was 53%. The aerostat was down 10.1% for maintenance and 33.5% for weather. Difference in operational rate was largely due to weather. The Cudjoe Key aerostat is operational twenty-four hours a day, seven days a week. Average operational rate for this system for FY83 was 61%. During FY83 the aerostat was down an average of 9.4% for maintenance and 25.6% for weather.

Mr. COLEMAN. On page 7 of your testimony you said that the Navy is providing P-3 fleet and Reserve aircraft. Are you aware that the P-3 program is being scuttled today because of the Customs Service is cutting off payments for the modification of the aircraft?

General TICE. I am not aware that the Customs or the Treasury has cut off payments for the conversion of the P-3 test.

Mr. COLEMAN. On the final page of your testimony, you have a figure entitled, "Major Players in Posse Comitatus Policy." For the record, and for members of this subcommittee, could you explain your figure? And, after that, give us your perception of posse comitatus and what limitations you in DOD believe it places on further involvement by the military from this point? By that I mean from this point forward with respect to additional capability?

General TICE. I think those of us who are in uniform have thought, for almost 200 years, that the posse comitatus made sense with reference to keeping us from any direct confrontations in the arrest and seizure of civilians within this country. And I think—we don't need to explain why we feel that way. On the other hand, I think the passage of the law for the 1982 budget authorization opened up an area in which we felt that we could provide assistance and still not create perhaps an adverse image of the Armed Forces. This position is one which was agreed upon in concert with the House Armed Services Committee and the Senate Armed Services Committee that as long as we could provide this assistance under a training mission then we would be willing to undertake it. And I think that is the way we would hope to continue to operate. The bottom line, of course, is readiness.

And, as you know, you read where there was a recent deployment of the AWACS to Egypt, and things like that. The permanency of some of the support that we have there would not be available based on contingency actions that we may have to take.

Mr. COLEMAN. Just one other question, if I might, Mr. Chairman.

At one point in your answer to a previous question you had said that you would have to look at a different authorization in the Defense Department request as I understood it, if indeed you were to take on the additional responsibility of operation and maintenance, particularly maintenance costs alone. Do you know whether or not, or do you know of any move on the part of the Department of Defense to make such a request to the Armed Services Committee in their authorization process?

General TICE. Not that I am aware of, sir.

Mr. COLEMAN. Thank you very much, Mr. Chairman.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

General, if we are talking about new tracks for the AWACS, what is the time and cost involved in preparation and actual flying?

General TICE. We use a figure of about \$4,917 an hour for flying the AWACS, not including overhead.

Mr. LEWIS. Does that include manpower?

General TICE. No, sir. It does not include the crew. That's operational—the O&M cost associated with that flying time.

Mr. LEWIS. You had stated, I believe, that the AWACS hours already given to NNBIS are close to the maximum?

General TICE. Yes, sir. We have provided to them the maximum that the Air Force feels that they can provide as a part of their training mission. The hours that we provide to NNBIS are associated with the number of flying hours that we have associated with the training mission or the operational mission of those aircraft.

Mr. LEWIS. I wonder and I would like for you to explain to the committee why the Department of Defense doesn't feel that it can take up the slack by the Treasury in reducing their operation. How do you feel that you can do that? Did you get into any detailed conversation on the Treasury's proposal?

General TICE. Not at this time, sir.

Mr. LEWIS. It would seem to me that if one department is going to tell the other department that you are going to take up the slack and do the job that we can't do anymore, that they would discuss that with you before they would make the conclusion that you are going to do it?

General TICE. I can't judge whether they have made that conclusion or not, sir. It was discussed with us on Monday evening as an alternative to some of the problems that that agency was faced with.

Mr. ENGLISH. Would the gentleman yield very briefly?

Mr. LEWIS. Yes, Mr. Chairman.

Mr. ENGLISH. Mr. McNamar said yesterday that they had. This was their decision. They were acting on it. They were reprogramming the money—that was the decision.

General TICE. I am not privy to that inside decision.

Mr. ENGLISH. Well, it wasn't inside, it is on public record, General.

Thank you.

Mr. LEWIS. Well, General, in your responsibility, and I certainly am an admirer of yours, how do you feel that the Department of

Defense can step in and pick up the slack that we are concerned about?

General TICE. I think at this time that we don't feel that we have the ability to move into this area. The tough challenge is how do you provide enough radar coverage with followon support to detect aircraft penetrating the borders within the limits of the air sovereignty understanding that we have today, and that is below 10,000 feet and less than 180 knots.

We think that we are meeting the major threat to this Nation as determined by national security.

Mr. LEWIS. Do you feel that the radar coverage in the two areas that we have been discussing this morning is sufficient at this point in time, and do you support the aerostat philosophy?

General TICE. I don't think we have enough evidence to date to determine the true cost effectiveness of the aerostat. But up to this point, I think that we were willing to support it until we have a good test of it. The difficulty is, of course, the slant range for the radar systems mounted on the balloon, as I understand, about 150 miles. And they have to be pretty low on the deck for you to identify them at that level.

Mr. LEWIS. Well, as we are set up now in the Caribbean are you satisfied that we have sufficient coverage? Radar coverage?

General TICE. I don't think I am in a position to comment on that with reference to the drug detection. We feel we have complete coverage with regard to our national security role.

Mr. LEWIS. Yes. I am speaking of specifically the Drug Interdiction Program?

General TICE. I don't think I am in a position to comment on that, sir. I think the NNBIS representatives or others who work with it on a day-to-day operational basis would be in a better position to respond to that question, sir.

Mr. LEWIS. Well, I guess what I would be concerned about is that if we are going to have a reduction in the operation by the Customs Service, you or your staff, or somebody on your staff should be able to plug in whether or not today we have sufficient drug interdiction operations and equipment for surveillance and if it is reduced by the Treasury Department, what is going to happen? What is going to be the result?

General TICE. And I think that is something for the Cabinet-level people to sort out.

Mr. LEWIS. Thank you, General.

Mr. ENGLISH. Mr. MacKay

Mr. MACKAY. General Tice, I want to say at the outset that I think your written and verbal presentation is excellent. It seems to me that you have outlined the information that you anticipated we wanted in a way that is really useful to us. And I appreciate that.

General TICE. Thank you, sir.

Mr. MACKAY. I want to try to summarize for my own purposes. You are the person within the Department of Defense who has the responsibility of trying to make the Posse Comitatus Act mean something?

General TICE. As it pertains specifically to the drug enforcement role, sir.

Mr. MACKAY. That is correct.

General TICE. We give a lot of assistance to local and State law enforcement agencies, and most of that is handled in another office although I do get involved.

Mr. MACKAY. It seems to me that you are saying that the NNBIS effort and the coordination with NNBIS seems to be working well, and you have detailed the ways that you would evaluate whether it is working; whether they are asking for the help in advance to give you time; whether they are taking into account your constraints on whether it is written technically so that it can fit into your operational needs?

General TICE. Yes, sir. As I mentioned, I think, that for our role as mainly a resource agency in providing either equipment and some personnel, and training missions to support the drug interdiction and the drug enforcement role that we are beginning to feel more comfortable with having a central office process those requests. When you consider what short timeframe that they have been operating on a national basis. I read with interest the GAO report and they guarded their response, as I suspected they would do, but they did say that they thought that we were making some headway in having a coordinating agency to bring these agencies, the Federal agencies together as well as the local law enforcement agencies to put more pressure and more concerted effort in trying to limit the illicit drug traffic.

Mr. MACKAY. And you mentioned that you are attempting now to work through the Law Enforcement Coordinating Committees which are, with some lack of uniformity, beginning to get underway?

General TICE. Yes, sir. We have—as they hold their conferences around the country now—attended and made presentations at 12 LECC meetings. We work with the U.S. attorneys mainly as an educational process as to what assistance we can give. And we have some very good success stories to tell about the immediate kind of responses that we have been able to bring about in loaning equipment to help local law enforcement agencies meet a specific kind of request.

Recently in Miami, we helped fly some materials there, and it was on a reimbursable basis in compliance with the Economy Act, but the main thing we are trying to do through the LECC is educational. There is a lot of misinformation about what the amendment or the changes to the posse comitatus allows the State and local agencies. Any changes that we might have toward those State and local law enforcement agencies.

Mr. MACKAY. I would like to characterize the problem that we seem to be confronting now and see if you would agree with this characterization. It seems to me that over the whole spectrum, which would include the Coast Guard and the surveillance that goes into their efforts and their interdiction, the airborne interdiction, the actual coordination with State and local governments, that the one problem we have run into is airborne detection. And it seems to me we've got to make a decision, or this committee's responsibility requires it to make a recommendation as to whether airborne detection responsibility should be placed with the DOD, and in the event we made that recommendation, we would then have to make further decisions about where you needed additional

equipment or whether the Posse Comitatus Act had to be changed, or we need to make a decision as to whether that responsibility should be lodged in some other agency which would have that responsibility and would then rely on you within the limits that are inherent in your existing definition of your responsibility and the Posse Comitatus Act?

General TICE. Well, we think within the role of the definition we have today that our primary emphasis just has to be on national security matters, sir.

Mr. MACKAY. Absolutely. So, then basically seems to be the decision we have to make with the subordinate decision being which agency should have that primary detection role?

General TICE. Yes, sir, and I think there has to be some understanding as to what the real threat is from air smuggling and air trafficking before a decision is made on the total outlay. For example, insuring that no one penetrates by air our borders, bringing drugs into the country. And that's a tough one to get a handle on, and I am not sure Mr. Mullin or somebody from the Drug Enforcement Agency can—I think they have a pretty good idea of the amount of traffic that comes in by air, but I think such information enters into the decision as to how comprehensive your effort is going to be to stop this. Or to detect it, not stopping it, sir, but detect it.

Mr. MACKAY. With the long-range planning that obviously is taking place and the possibility of cruise missiles and low level airborne intrusion into our air space, I would gather that the military would have an interest in trying to develop better capabilities whether it be aerostat or otherwise?

General TICE. Yes, sir. But, see, the key point there is the decision that was made for the air sovereignty is mission based on intelligence.

Mr. MACKAY. I am not sure I fully understand that.

General TICE. Well, our ability to integrate total intelligence information with reference to potential strikes against this country certainly would negate the requirement perhaps for having people out there, or some kind of system to detect that low level entry.

Mr. MACKAY. In other words, there is a better way to do it?

General TICE. That is what I am saying, sir. Or at least the decision was made that the risk was minimal in arriving at the kind of system that we have today.

Mr. MACKAY. So, you are saying that a decision was made that surveillance of this type at low level was not the most effective way to guard against something coming faster than 180 miles an hour. Would that not carry with it some indication that intelligence might be the best way to approach it for something coming slower?

General TICE. Sir, I think you have already exceeded my level of expertise on that kind of threat against our country, but the National Security Council, I think, is the agency or the office that must really determine the threat which we prepare to meet.

Mr. MACKAY. Thank you, General.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you, Mr. MacKay.

Very quickly, General Tice, did Mr. McNamar ask DOD if they could fund the Bahamas Radar balloon before he cut it out of the Customs' budget?

General TICE. I beg your pardon, sir?

Mr. ENGLISH. Did Mr. McNamar ask the Department of Defense if they could fund the balloon that is planned for the Bahamas before he cut it out of the Customs' budget?

General TICE. That was one of the subjects discussed, but I don't think that we made a decision at that time.

Mr. ENGLISH. Did you make him aware that it would be illegal for the Department of Defense to put such a facility on foreign soil?

General TICE. I don't think that the discussion progressed that far, sir.

Mr. ENGLISH. Is it?

General TICE. There would have to be some kind of bilateral agreement.

Mr. ENGLISH. As it stands now, is it illegal?

General TICE. It would be, yes, sir.

Mr. ENGLISH. It is illegal. Mr. McNamar stated with great assurance that he canceled the P-3/F-15 project because drug smuggler detection is the responsibility of the Department of Defense and not the Customs Service. What is your understanding of the congressional enabling legislation which assigns that responsibility?

General TICE. Well, I think that is the point that I have been trying to make here this morning, Mr. Chairman. The enabling legislation both for the Department of Defense and for the U.S. Customs Service spells out the specific roles that they expect of those agencies.

Mr. ENGLISH. Will you tell us what those roles are?

General TICE. You mean for the Customs or the Treasury? As I recall reading, it is for the detection and interception of people who smuggle things into this country.

Mr. ENGLISH. General, Mr. McNamar also assumed that the Department of Defense would redefine its air sovereignty priorities to suit the Customs Service. This assumes the integration of land based radars not presently integrated into the ROCC sites. The best estimate available to us at this time is that it will cost between \$47 and \$83 million. Additionally, that it still will not provide the low level early detection covering the air defense identification zone.

Assuming that the Air Force did do this, isn't it true that they would be required to reposition fighter aircraft to support the early warning system that is unnecessary from the standpoint of the Department of Defense's mission? Wouldn't this further require modification of existing international defense agreements?

General TICE. I would have to answer that: "yes" and "maybe." What we have—since we do have such a variance in costs, we have asked that in cooperation with the U.S. Customs Service they fund a study that would once and for all try to identify both the cost resource requirements for this increased coverage of radar and the ancillary logistical support, that would be necessary to go in the ROCC's should Customs undertake this operation. And I think that we were very specific about the kind of things that the contract

ought to cover. Since that is a contract under consideration at this time, and it will probably go out—

Mr. ENGLISH. And so the plan, General, would be for the Department of Defense to pay for it?

General TICE. Sir?

Mr. ENGLISH. I am asking: Under the agreements that you have—with the international agreements that you have, and assuming that Mr. McNamar's scenario is followed through and the Department of Defense would be paying for it, would this not require a change, a modification in those agreements?

General TICE. Yes, sir, it would if we were required to undertake the—

Mr. ENGLISH. Well, that is Mr. McNamar's plan. He is not planning on picking it up for Customs, I guarantee you that.

Wouldn't this also be a direct contradiction to the present Air Force plans to provide a real low level early warning detection system in the 1990's if he went this direction?

General TICE. That is affirmative.

Mr. ENGLISH. Also, General, there is the question of interceptors. There was a plan that the Department of Defense would agree to provide 8 to 13 C-12's, older C-12's from the Army once an agreement has been worked out within the Congress, which still requires a couple acts to be done by the Congress.

Is the Department of Defense still standing behind that agreement?

General TICE. That is correct.

Mr. ENGLISH. I have one final point I would like to make, and that has to do with the statement from the Chief of Naval Operations. He is referring to the E-2C's flight time and that roughly 50 hours per month of E-2C time had been taking place since October of 1981. I would like, without objection, to make the complete statement a part of the record.

It states:

However, E-2C operational capabilities should not be degraded, providing the maximum of 10 missions and 50 hour limits are not exceeded for these units. The most important consideration with regard to E-2C utilization in the national drug interdiction effort is the number of missions which require out-of-area or away-from-home-field stationing and employment. The E-2C transit time is high, four hours from Norfolk to Miami. These transit times are absorbed over and above the dedicated mission requirements. E-2C logistic support is the major problem which increases dramatically with the distance from the supporting agency. To soften the logistics problems when out-of-area, two aircraft are routinely provided. The most effective way to use the Navy airborne early warning is obtained only through the employment of E-2Cs close to, or directly from, the normal operating bases, which are San Diego and Norfolk.

As the national drug interdiction program matures, every effort must be made to ensure that dedicated E-2C support does not exceed the present levels.

Are you in agreement with that statement from the Chief of Naval Operations, General?

General TICE. I would not be in a position to disagree with the CNO on that.

Sir, I would like to just correct one thing where we were talking about the AWACS, and I hope I didn't mislead the committee. The fact that we have fighters with the AWACS is to provide the training for those aircraft. It's the fact that the fighters are moving around the area and they are observing and trying to detect them.

When you start operating too far offshore, you have to have a logistical base or a training—air training wing, or something out there to support the fighters who would be there to help with the training of the AWACS—

Mr. ENGLISH. Is that AWACS or E-2's?

General TICE. Sir?

Mr. ENGLISH. Are you talking E-2's or AWACS?

General TICE. AWACS.

Mr. ENGLISH. With regard to the choke points that we mentioned to you, did you not state that it would be required to have a fighter escort if we were going to provide that coverage down in that area? And I am talking about a dedicated mission down there now, General.

General TICE. Yes. When I talk about the fighter escort, it is where the training mission is down there.

Mr. ENGLISH. You are talking about training mission. I am talking about a dedicated mission.

General TICE. A dedicated mission.

Mr. ENGLISH. If we are picking up Mr. McNamar's plan, we are talking about a dedicated mission in which we're going to send an AWACS down either in the Windward Passage or the Yucatan Peninsula, off the Yucatan Peninsula.

Will a fighter escort be required for security according to DOD requirements?

General TICE. I would like to take that one for the record, sir. I don't think you have to have fighter escort in those waters.

I would like to take that one for the record, if I might, sir?

Mr. ENGLISH. All right. I believe the Navy has already stated for the record as far as they are concerned in the E-2C's, it would require fighter escort. And that is exactly the reason they refused to operate off that.

Would you disagree with that? That's what the Navy said for the record.

General TICE. I wouldn't—no, I would not disagree with the Navy on that one, but it is—

Mr. ENGLISH. And are—

General TICE. I will provide you a clarifying response for the record.

Mr. ENGLISH. So, you simply do not know as far as AWACS is concerned if a fighter—what would be the difference between the Navy's requirement for a fighter escort for its early warning aircraft and the Air Force AWACS?

General TICE. But, Mr. Chairman, this would be a new mission for the AWACS, as we understand it, in support of the Drug Detection Program. Right now we have no dedicated mission specifically, only for the Drug Detection Program.

Mr. ENGLISH. Well, let's quit tippytoeing around. You are going to be patrolling off the Coast of Cuba. Would you need a fighter escort to put AWACS and E-2C's off the coast of Cuba?

General TICE. I cannot respond to that to you today, sir. I would have to provide that for the record.

Mr. ENGLISH. You've got the Air Force seated behind you and they are nodding their head.

Colonel VERNAMONTI. If you make the assumption, sir, that if you were patrolling off the coast of Cuba, you most likely would need a fighter escort.

Mr. ENGLISH. You most likely would need a fighter—

Colonel VERNAMONTI. It is correct sense that you would always need one whenever AWACS goes—

General TICE. That is Colonel Len Vernamonti, and he used some adjectives and adverbs to describe "most likely," and that is why I would like to provide you for the record an official position on that, sir.

Mr. ENGLISH. OK. Thank you, General.

[The information follows:]

The large E-3 surveillance volume enables positioning of the airborne platform sufficient distance away from the Yucatan or the passages so that fighter escort is not required while providing low-to-medium altitude coverage. AWACS currently has two established orbits in the Gulf of Mexico for weapons training activity which provide partial coverage of low/medium altitudes over the passages. These orbits are flown on a recurring basis without fighter escort.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman. This might be considered to be nit-picking, but although the answers have been displayed in the press, I don't believe our record contains them. So I would like to ask you, General Tice, the Department of the Treasury's budget submission for fiscal year 1985 contains an assumption that the Department of Defense would provide \$11 million for operation and maintenance of Customs' Air Interdiction Program. Is there \$11 million contained in the Defense Department budget submission for fiscal year 1985 for that purpose?

General TICE. No, sir. And the Secretary of Defense so informed Mr. Regan on that.

Mr. KINDNESS. Thank you. I think that it is good to have that clear on our record.

I yield back, Mr. Chairman.

Mr. ENGLISH. Mr. Coleman.

Mr. COLEMAN. Nothing further.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. No questions.

Mr. ENGLISH. General Tice, we appreciate you coming forth today and we appreciate your testimony. It has been very helpful to us. Thank you, again.

General TICE. Thank you.

Mr. ENGLISH. And we would like you to supply that information as far as what the Air Force policy is, and we will let the "most likely" stand until you give us something firmer. We assume that that will either be "yes" or "no" rather than "most likely." We appreciate that. Thank you very much.

[The information follows:]

Would have to look at capability. The peacetime capability for air sovereignty is very austere. DoD has chosen to minimize the cost of the peacetime mission so that more resources can be directed to tactical warning and more survivable C<sup>2</sup> for limited air defense. Emphasis has been placed on joint use of ground-based radars with the FAA. Military radars are only used where necessary to make the peripheral coverage contiguous at 10,000 feet and above or to cover training areas. Only 11 military radars remain from a system which at one time contained over 60. Command and control for peacetime air sovereignty is provided by four ROCCs in the

CONUS, two in Canada, one in Alaska, and one in Hawaii. The ROCCs replace a system which once consisted of only 22 SAGE control centers. The difference is that SAGE had a wartime air defense mission; however, its survivability was questionable. Now, the E-3A provides the more survivable war fighting capability. To link ground radars, as suggested by Treasury, would represent a costly expenditure and reverse a philosophy endorsed by three administrations.

Mr. ENGLISH. Our next witness returns from yesterday. We will have the Honorable R.T. McNamar, who is the Deputy Secretary of the Treasury.

Mr. McNamar, do you have any comments you would care to make before we return to discussion of yesterday with additional questions.

**STATEMENT OF R.T. McNAMAR, DEPUTY SECRETARY OF THE  
TREASURY, DEPARTMENT OF THE TREASURY**

Mr. McNAMAR. One question I might make, Mr. Chairman, when I listened to the exchange between Mr. MacKay and General Tice, I hope I did not mislead the committee yesterday into thinking that I was suggesting that the Defense Department or the Air Force or the Navy was not performing their national security mission. I did not mean to suggest that they were not complying with the National Security Council directives that have come down over the years in terms of the altitude or the speed limits with which they do patrol, process signals, and evaluate them.

If I gave that impression either through carelessness or something else, I owe the committee and the Defense Department an apology. That certainly was not my intent.

Mr. ENGLISH. OK. We will pass on your apologies to the Department of Defense then, if any was needed.

Mr. McNAMAR, in the discussion of—I should say in your actions towards the Customs' air support budget request for 1985, for fiscal year 1985, you seem to assume many things that I think any informed person who is familiar with this subject knew pretty much could not happen. You cut the budget, and you told the Congress DOD was going to make up the difference. Of course, we all know now that after listening to General Tice that that's not so, and he was empowered to speak for the Department of Defense. There is no way that they can do that. And I think that if you would have looked into this entire matter a little more carefully, you would have known this, and you would have found it out in very short order.

As I understand what took place on Monday, you informed them of what you had in mind, you didn't really discuss it with them. And it didn't sound like you asked very many questions. He could have told you very quickly such things as under the present agreements that we have, it would be illegal, for instance, for them to install a balloon in the Bahamas.

Mr. McNAMAR. I believe it would be illegal for the Customs Service to do the same.

Mr. ENGLISH. I don't think it would because we already have a request from the Vice President's office and discussions have been underway.

Mr. McNAMAR. There would have to be an agreement as there would with the Defense Department.

Mr. ENGLISH. If you would hold there just a minute, the site is privately owned property. It is leased by a U.S. corporation and is presently being used for those purposes, for demonstration purposes. The agreements—the discussions that are taking place with the Bahamian Government are a matter of courtesy, not a matter of law. And I have talked to Mr. Pindling myself about that.

So, that's the fact.

Mr. McNAMAR. That may be the fact, sir.

Mr. ENGLISH. Well, it is the fact. I am telling you it is the fact because I had the discussion with Mr. Pindling about it. He is the Prime Minister. So, as I said, little things like that if you had bothered to take the time to look into this matter, you would have known.

The whole discussion that took place yesterday and the proposal that you put forth, you know, really reeks of a lack of homework. You simply did not do your homework. You evidently didn't discuss this proposal with people. You told them what your proposal was. What your idea was. You didn't ask anybody anything.

Mr. McNAMAR. I think that is really not an accurate characterization.

Mr. ENGLISH. Well, certainly, from what we are hearing from General Tice this morning, it was certainly true with the Department of Defense and it certainly has earmarks as far as others. And what I would like to ask you—

Mr. McNAMAR. Let me address that, if I may?

Mr. ENGLISH. Sure. Go ahead.

Mr. McNAMAR. As I said yesterday, I think that one of the beneficial outcomes of your deciding to hold these hearings, and the committee deciding to hold these hearings is that we did go back and take a look at the Customs' Air Interdiction Program. And I made it very clear that it was as a result of that preparation that we undertook to get ready for these hearings, and as a result of your personal initiatives that we concluded that the previous budget which had been prepared; gone through OMB; we had taken to our appropriations committees, and indeed, we had testified in front of our appropriations committees as recently as last week. We decided that we needed to take another look at it. This came in part because we finally received the Defense Department turn down on the \$11 million. We understand why. We don't disagree with that decision, and we understand it better.

And if you want to criticize us for not having anticipated the legalities on that, I accept that criticism, but—

Mr. ENGLISH. Well—

Mr. McNAMAR [continuing]. But it was as a result of preparing for this hearing that we decided that in our judgment we need to go back and take another look at this.

Now, we still support the budget as it is on the Hill today. That is what is in our appropriations committee. We have informed them that we want to revisit this question. I told you yesterday that we had a very short verbal discussion with OMB. We have not gone back through the OMB budget amendment process. We have not submitted a budget amendment to the appropriation committees. I wish Senator DeConcini were here to understand that and make that very clear.

So, that is where the matter stands today.

Mr. ENGLISH. Well, first of all, let me say that I wish you had gotten interested in hearing No. 1 instead of hearing No. 10. Maybe you would have learned a lot and we could have cut through a number of these problems and you wouldn't be having this difficulty that you are having.

Second, the letter to request those funds went to the Department of Defense after the President's budget had been submitted to Congress. After it had already been provided to Congress. Even as late as last Thursday, the Secretary of the Treasury was making statements before the Senate Appropriations Committee committing that we will find the money to fund the aircraft; so——

Mr. McNAMAR. I think that statement was made in response to the question of what happens if the Defense Department turns down——

Mr. ENGLISH That's exactly right.

Mr. McNAMAR [continuing]. And we will try to find that money. I am confident that we can find that money.

Mr. ENGLISH. Well, I am hopeful that you will and I wish we——

Mr. McNAMAR. So, I——

Mr. ENGLISH. Well, just let me finish here, Mr. McNamar.

Mr. McNAMAR. Excuse me.

Mr. ENGLISH. We would all feel a whole lot better if you would have had this thought out and had the money in hand before you tried to make this kind of a move. You are scrambling around now trying to come up with it. But I have a number of questions here and we will discuss all of this a little later, if you don't mind.

The question I have right now concerns the approach that you've used here with regard to this budget. Is that typical for the Treasury Department as far as their effort on the role on the war on drugs is concerned? Is this typically the way that you approach the budget of the Treasury Department?

Mr. McNAMAR. I am sorry. You will have to be more specific. I don't understand the question.

Mr. ENGLISH. Well, the manner in which you formally submit a budget, then you write another agency and say, will you cover us here? Then you have the Secretary of the Treasury coming up and saying we are going to find the money somewhere. Then you come up to a hearing and you can't even get the testimony together in time to get it before the members so that they have an opportunity to read it the night before? And you are making decisions. And you come before us and lay out a whole new plan after your budget had been before the Congress for over a month? Is that typically the way that you do business?

Mr. McNAMAR. Well, it is not a whole new plan. We typically submit a number of budget amendments during the year as we learn from experience, some favorable, some unfavorable, so it is not at all atypical, particularly if you recall that we are only a quarter into fiscal year 1984, and we are talking about the fiscal year 1985 budget amendments.

We have a very good relationship with our Appropriations Committees. They have been quite helpful to us——

Mr. ENGLISH. I've been hearing about it.

Mr. McNAMAR [continuing]. On the law enforcement—on the law side.

Mr. ENGLISH. We heard from Senator DeConcini yesterday of what a great relationship you've got with the Senate Appropriations Committee.

Mr. McNAMAR. It was unfortunate that Senator DeConcini had to leave, and it is unfortunate that he was called out of town and couldn't be here today because I'd like to have an opportunity to discuss it with him, and I will.

Mr. ENGLISH. Well, you are going to have an opportunity to discuss it with him, I understand, over in the Senate Appropriations Committee.

Mr. McNAMAR. We will be going to the Senate Appropriations Committee, that's correct.

Mr. ENGLISH. And you can take the matter up with him.

All right. Did you get OMB approval of this plan that you proposed here yesterday?

Mr. McNAMAR. As I said yesterday, I had a verbal discussion with OMB—

Mr. ENGLISH. I asked, did you have an OMB approval? I didn't ask you if you had a discussion.

Mr. McNAMAR. By OMB approval, I would mean a budget amendment, and we do not have a budget amendment, no.

Mr. ENGLISH. Did you have OMB approval of your testimony?

Mr. McNAMAR. No, I did not have OMB approval of my testimony because I was unable to get it prepared in time, as you know.

Mr. ENGLISH. Did you have approval of the Secretary of the Treasury, Secretary Regan, for your testimony yesterday?

Mr. McNAMAR. Secretary Regan was in China at the time. He did not get the exact text of my testimony. He was aware that we were undergoing this reevaluation. He was aware of the conclusions we had come to. And he—

Mr. ENGLISH. Did he approve your plan?

Mr. McNAMAR. I'm sorry?

Mr. ENGLISH. Did he approve your plan?

Mr. McNAMAR. He approved our going back to the Defense Department with modifications. He did not know the details of those. He approved the shift and he thought it was appropriate—between a P-3A and acquiring four additional interceptors.

Mr. ENGLISH. So you are saying—

Mr. McNAMAR. That is the level of his involvement.

Mr. ENGLISH [continuing]. The Secretary of Defense approved the cancellation of the P-3's, and he approved the cancellation of the—

Mr. McNAMAR. The Secretary of the Treasury.

Mr. ENGLISH [continuing]. Approved the cancellation of the P-3's, approved the cancellation of the aerostat, is that what you are telling me?

Mr. McNAMAR. He approved—this is a verbal conversation in China. He approved our going back to get a formal budget amendment and to take it to the Appropriations Committee.

Mr. ENGLISH. He approved it?

Mr. McNAMAR. He approved going back through the OMB process, and back through the formal congressional process.

Mr. ENGLISH. Did he approve the cancellation of those P-3's, that is what I am asking you? Did he or did he not?

Mr. McNAMAR. We have not canceled the P-3's.

Mr. ENGLISH. You canceled the P-3's in a schedule that is being modified. According to the Navy, that was to be canceled today. Now, it was not until—

Mr. McNAMAR. I have not given any order to cancel, proceed, or modify that in any way. That is incorrect, Mr. Chairman.

Mr. ENGLISH. All right. Did you not cancel the aerostat?

Mr. McNAMAR. The aerostat, I believe, is for fiscal year 1985, which will begin on October 1, 1984.

Mr. ENGLISH. Have you canceled it?

Mr. McNAMAR. I have not canceled it, no. We have not done anything yet. Whether—

Mr. ENGLISH. There is 1984 money starting that aerostat. Have you cancelled that?

Mr. McNAMAR. I don't know about the 1984 moneys, I'm sorry.

Mr. ENGLISH. There is \$3 million for that purpose.

Mr. McNAMAR. I can't answer that. I believe that money has not been spent to date and was not scheduled to be spent to date.

Mr. ENGLISH. It is supposed to be spent tomorrow. Have you canceled it or not?

Mr. McNAMAR. I have not canceled it, no.

Mr. ENGLISH. OK.

Mr. McNAMAR. And it is not scheduled to be spent yet; that is my understanding.

Mr. ENGLISH. You said yesterday that you were going to cancel it.

Did the Vice President know about your plan?

Mr. McNAMAR. We informed the Vice President's staff of what we were intending to say. And I understand that the Vice President was told what we intended to say.

Mr. ENGLISH. Did he approve it?

Mr. McNAMAR. He was not asked for a decision to approve or disapprove, and that is not the level of detail that one would expect the Vice President to be involved in. It is not a Presidential-level decision.

Mr. ENGLISH. Well, that's the centerpiece of the NNBIS Program.

Mr. McNAMAR. The NNBIS Program is for coordination of intelligence, I believe. And to—

Mr. ENGLISH. I believe you are in error.

Mr. McNAMAR [continuing]. And to make an effort to coordinate the departmental efforts between Customs, DEA, FBI, DOD, Coast Guard, and DOT.

Mr. ENGLISH. Did you check it out with the State Department? Did you check this plan with the State Department at all?

Mr. McNAMAR. No, I did not.

Mr. ENGLISH. Did you check the plan at all with the National Security Council?

Mr. McNAMAR. No, I did not.

As I say, we have not gone back through the formal budget amendment process and gone to our appropriations committees to secure their approval.

Mr. ENGLISH. My time is up here, and I am going to let Mr. Kindness visit with you. We will come back and visit on this some more. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman.

Mr. McNamar, I'm sorry I wasn't able to be here yesterday. I was opposing the administration's position on something else: bankruptcy. But I would like to clarify for our record a particular point on the P-3A matter.

As I understand it, a payment is due to Lockheed today or tomorrow, sometime very contemporaneously with this hearing, for the ongoing conversion of the Navy P-3A to accept the F-15 radar. Funds to cover that payment were appropriated through the Operations and Maintenance Air Interdiction Program account of the Customs Service.

Will the Customs Service be making that payment whenever it is due, today or tomorrow?

Mr. McNAMAR. I'm not sure whether that payment is in fact being made by the Navy or the Customs Service, but let me ask the Commissioner to respond to that. That's not the kind of detail I usually carry around.

Mr. KINDNESS. It is very much in question here.

#### STATEMENT OF WILLIAM VON RAAB, COMMISSIONER, U.S. CUSTOMS SERVICE

Mr. VON RAAB. There is a contract between the Navy and Lockheed for the modification of the P-3A. The Customs Service is funding that contract through its 1984 appropriations.

The Customs Service actually ran through its 1984 appropriations for that project sometime ago and came back to the Senate Appropriations Committee for more money in order to continue to operate that contract. As a matter of fact, the estimate of the contract which, interestingly enough, has gone from February 4 in the amount of \$3 million, it is now up to amount through successive increases because it is a cost plus contract to \$5.8 million, which is one of the things that makes us very nervous and hesitant to continue to pay this money without questioning it quite carefully. The money that we have paid to date on the cost plus contract will carry the work through the 23d. In order to enable for Lockheed to continue to do the work past the 23d, the Customs Service will necessarily be required to contribute more money to the Navy which it in turn will turn over to Lockheed.

We have made our concerns known to the Navy who, I assume, have made them known to Lockheed that this contract appears to be endless in terms of the funding requirements. We have also made it known to Lockheed, and also the Navy is aware that we will continue to fund this contract. However, in the light of the continually escalating costs, we are shipping our funds out of Customs as slowly as possible. We will be passing about another \$400,000 to the Navy in order to allow this contract to continue 4 more weeks. So, we have not cancelled the contract and plan to continue to fund it.

Unfortunately, the bad news is we are going to be back up again before the Senate Appropriations Committee asking them for yet

more money in order to pay for a continuation of this contract because we have run through the moneys in the line item. This is not more money overall to Customs, but it is money that would have been used for other purposes, probably the C-12s that we are not getting. But the contract will continue to be funded, but we are trying to go as carefully as possible given the fact that the dollars keep going up.

Does that—I can give you the names of the people at Navy and Lockheed that we've talked to. I have to ask someone for them.

Mr. KINDNESS. A couple of things I would like to clarify further. One of them is: is there any dispute that has been made a matter of any sort of record between the United States of America or whatever department it might be and Lockheed with respect to the amount of cost accumulating under the contract?

Mr. VON RAAB. I am not an expert in Defense contracting. This is a cost plus contract. The Navy is managing the cost plus contract and the amount of money that has to be paid, the way I understand those things work, they do the work and they bill you for it. And if they don't have money on account, they will stop doing the work. We are certainly very concerned with the fact that this is going up. For example, although the 5.82, which is the latest quote, the Navy has actually agreed to provide about \$250,000 so that the actual cost to Customs at this point in time are \$563,200. But, yes, we are worried about these costs. As to whether we have made a formal complaint, no, we haven't because we are working through people that we trust at the Navy, but it is a problem and we are worried about the continuing escalating costs.

Mr. KINDNESS. I guess really in everyday life, the contracting officer of the Navy isn't quite that docile with respect to the cost and the administration of the contract. But I just wanted to know whether there is any dispute there, and perhaps we ought to be—

Mr. VON RAAB. I wouldn't call it a dispute, but I will say that we have made our concerns known to the Navy, and they are operating on that basis.

Mr. KINDNESS. Well, at this point are you able to say that the payment that would continue the contract, if it were to be paid in a timely manner, will be made late?

Mr. VON RAAB. Now, we are not late at this point. We would be late if we didn't make a payment. I can't talk for the bureaucratic paperwork that is involved. I personally had to take my retirement fund out of the Government, and I haven't gotten it yet, and I did that four months ago. So, I don't know how long the paperwork will take to get to the Navy—

Mr. KINDNESS. It is really sticky about the decision—

Mr. VON RAAB [continuing.] But as far as Customs is concerned—

Mr. KINDNESS. Let's get down to the policy.

Mr. VON RAAB [continuing.] The decision is done. It is just a question of getting the paperwork done, but there is no one in the Navy at this point and, I understand, no one at Lockheed that is concerned that the work that will be done after the 23d will not be covered at least for 3 weeks, at which point we will continue to

fund it, but continue to keep very close tabs on the amount of money that is being put into it and what it is being spent for.

Mr. KINDNESS. I guess I don't understand your answer then. What is the decision?

Mr. VON RAAB. The decision is to continue to fund the Lockheed contract with a very close eye on how much it is costing.

Mr. KINDNESS. And that is the decision of the Customs Service as to—

Mr. VON RAAB. That is my decision, but obviously it is one which I wouldn't take without the full support of my bosses.

Mr. KINDNESS. Well, I mean—OK, my next question is: is there any contrary decision on the part of the Navy, or are you in agreement?

Mr. VON RAAB. They are basically a conduit for this, although they are technically—and they are the contact with Lockheed. Yes, there were a lot of people at Navy nervous because I was asked to come up with \$1½ million about 2 weeks ago, and I said no. And there's a memorandum in the files saying no. But we have made it clear to the Navy, since I signed that memorandum which I did in order to make a point, that we are worried about the expenses of this contract. We have since that time told the Navy that we will fund the contract.

Mr. ENGLISH. Will the gentleman yield?

Mr. KINDNESS. I yield to the chairman.

Mr. ENGLISH. There are points I think need to be brought out very quickly, and one is that much of this additional cost the Commissioner is talking about is the result of Customs add-ons?

Mr. VON RAAB. That is true. Some of it is, that's true.

Mr. ENGLISH. Right. So, I don't see that the Customs Service really, has a whole lot of room to do a whole lot of complaining whenever they are adding on equipment and then complaining about the cost.

The second is that we have been informed definitely by the Navy who, as you say, is your conduit to Lockheed that the work stops tomorrow. That's it.

Mr. VON RAAB. If we don't pay. And I believe that Captain Vanatta is in this room, and we can ask him to speak to this issue as to whether Customs has informed him that we will continue to pay this money.

Mr. ENGLISH. But Mr. McNamar has already canceled it. Why would you pay if you have already canceled? That is what he said yesterday.

Mr. McNAMAR. I have to go back to that, Mr. Chairman. You said I had canceled the areostat. You said I had canceled the P-3A. I don't believe I have done that, and I thought I made it very clear yesterday. These are Appropriations Committee matters. I made it very clear, I did not have a budget amendment with which to go back to the Appropriations Committees, but I said that I would be doing that. And I told you the timeframe within which our reevaluation took place. I was unaware of this specific payment situation with Lockheed.

As to the aerostat money, you know, there is no contract let on it or anything, so, I don't see how I could have canceled it.

Mr. ENGLISH. Well, if the gentleman will yield, I would simply point out to you, you do have a contract that is underway. You have a P-3 that is presently being reconfigured that—

Mr. McNAMAR. I'm sorry, speaking of the aerostat, there is a contract on the P-3A, that is correct.

Mr. ENGLISH. That is exactly right. And you are scheduled to release the contract on the aerostat tomorrow. And I would assume then that if you are not going to have that in your 1985 budget that you would not pay out the rest of 1984 money for that aerostat.

The Commissioner is concerned about the cost of P-3, and I would agree that I am equally concerned. But that's going to, as I said, get into the question of how much we should have been paying for Customs' add-ons, of how many gadgets we should have been putting on, and we can get into that later. You were certainly stating that you were cancelling the P-3.

Mr. McNAMAR. Well, I would be delighted to go back to the transcript and if I misspoke in a contracting sense, I would stand to be corrected. I'm quick to admit my mistakes, Mr. Chairman, but—

Mr. ENGLISH. If the gentleman will yield again. I'm sorry to keep imposing on his time, but the simple question then comes down to where in the world are we? Do we have a plan or not? And where is the plan?

Mr. McNAMAR. Where we are, Mr. Chairman, is that because of your hearings and the salutary benefit they have had, which occurred at the same time that we received the declinations from the Defense Department on the \$11 million, we went back, relooked at the Customs' air program and how it might be funded, and approached the Defense Department with a proposal on Monday. We have reached the conclusion in looking at the air support and all, that we would like to have more interdiction and arrest capability, and that we do not need the P-3A or the aerostat. That a higher priority and a better use of the taxpayers' money would be to have more interdiction and arrests.

Mr. ENGLISH. Do you recognize this?

Mr. McNAMAR. Sure, I recognize that.

Mr. ENGLISH. What is that?

Mr. McNAMAR. That is a chart that I gave your committee yesterday and talked from.

Mr. ENGLISH. It is part of your testimony, isn't it?

Mr. McNAMAR. It is part of my testimony.

Mr. ENGLISH. It states right here for fiscal year 1984 for aerostat, \$3 million. For 1985, you have nothing.

Mr. McNAMAR. No money has been appropriated yet.

Mr. ENGLISH. Well, this is your plan. This is what you requested. This is the way you are laying out your chart. This was what you were proposing yesterday.

Mr. McNAMAR. That is what I am proposing. That is correct. And that is what I will go back with and seek a budget amendment from the Office of Management and Budget, and I will seek the concurrence of the House and Senate Appropriations Committees to make that modification. That is correct.

Mr. ENGLISH. I am going to yield the gentleman additional time. I've certainly used far too much of his. Mr. Kindness.

Mr. VON RAAB. If I might just——

Mr. ENGLISH. I will pick this up when it gets back to me.

Mr. VON RAAB. May I just respond to one issue, and that has to do with the escalation of the P-3 contract. I am always reluctant to throw stones in this glass house we're operating, but the approximate \$3 million escalation that has taken place, about \$1 million of it has been due to Customs' add-on, I'm informed. The other \$2 million has been a general sort of growing, apparently typical Defense contracting growth that takes place in one of these situations. I just wanted to clarify that.

Mr. KINDNESS. Well, I appreciate that because I wanted to return to that subject for a moment, and ask whether either now or for the record we could have an indication of what the add-ons requested by Customs have been?

Mr. VON RAAB. I would like to give this for the record so we can be absolutely accurate. As a matter of fact, why don't I provide for the record the P-3A cost history as it has grown to describe, as we see it, why the estimates have changed over time.

Mr. KINDNESS. I think it would be very important to this subcommittee to learn of that in detail because, as we started out in this matter, it was contemplated that possibly the cost might be underestimated a little bit and it is somewhat developmental in nature, although it is not possible to foresee these things with 100 percent accuracy. Naturally it is good to evaluate what is happening in such a program, and I think it would be helpful to the subcommittee because if there are to be other P-3A conversions to accept the F-15 radar, we need to know what kind of history we're going to have after it is done. It might be better to know it before it is done, in other words.

[Mr. Kindness submitted the following correspondence for the record.]

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NINETY-EIGHTH CONGRESS

## Congress of the United States House of Representatives

COMMITTEE ON GOVERNMENT OPERATIONS

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, D. C. 20515

April 2, 1984

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Honorable William von Raab  
 Commissioner  
 U.S. Customs Service  
 1301 Constitution Avenue  
 Washington, DC 20229

Dear Commissioner von Raab:

This is to follow up on the request I made of you during the course of the Government Information Subcommittee's hearings last week.

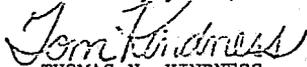
What I would like for the Subcommittee's record is an itemization of the costs to date (and estimated completion costs) of the conversion by Lockheed of the first P-3A to accept the Air Force F-15 radar package. In that itemization, I would like to have those items which are Customs Service "add ons" clearly identified.

With respect to those "add ons", I would appreciate it if you could provide the justification for those "add ons" and whether, in each case, they were initially suggested by Customs or by Lockheed.

I would certainly welcome any other information that you believe would be helpful in understanding the escalation of cost in the conversion of that first P-3A. If you have any questions, please call John Parisi at 225-2738.

Thank you in advance for your assistance.

Sincerely yours,



THOMAS N. KINDNESS  
 Ranking Minority Member  
 Government Information, Justice,  
 and Agriculture Subcommittee

TNK:jp:sc



**THE COMMISSIONER OF CUSTOMS**

WASHINGTON, D.C.

BUD-1-CM:F:B DC

APR 23 1984

APR 30 1984

Dear Mr. Kindness:

In response to your letter of April 2, 1984, I am providing the Subcommittee with information for the record on the conversion of the first P-3A. Included you will find a summary and a detailed chronology of P-3A cost growth, along with a listing of items added by the Customs Service mainly consisting of equipment to improve operational performance. To date the Customs Service has obligated \$5.4 million, of which \$5.1 million has been transferred to the contractor to cover the estimated \$5.6 million required to complete the conversion. I appreciate this opportunity to provide the Subcommittee with additional information on the Customs Service Air Program.

If I can be of any further assistance, please let me know.

Yours faithfully,

*William R. Board*

The Honorable  
 Thomas N. Kindness  
 Subcommittee on Government Information,  
 Justice and Agriculture  
 Committee on Government Operations  
 House of Representatives  
 Washington, D.C. 20515

Enclosures

## CUSTOMS ITEMS ADDED TO THE P-3A

The following items were added by Customs to the radar-equipped P-3A.

<u>ITEM</u>	<u>FUNCTION</u>
Infrared Detecting Set (IRDS)	To permit visual identification of radar targets as an aid to sorting suspect vs. non-suspect targets and to improve description of suspect aircraft.
Radar repeater and IRDS display in cockpit	Assists pilot in maneuvering aircraft to acquire and hold target.
Identification - Friend or Foe (IFF)	Added to F-15 radar as an aid to sorting targets. Similar system included on aft marine radar.
Inertial Navigation Set (INS)	An aid to navigation over long distances. INS included in F-15 radar system is dedicated to the operation of the radar.
VOR/ILS System	Updated navigation system similar to P-3C system.
Wulfsberg Radio	For access to Customs law enforcement communications systems.
Radome	New radome needed for IRDS installation.
Sensor Manual Publication	New equipment installations require manuals for users.
Painting	Involves replacing Navy insignia with the U.S. Customs Service seal.

SUMMARY OF P-3A COST GROWTH  
(Detailed Chronology Attached)

CURRENT COST PLUS FIXED FEE PROPOSAL BY LOCKHEED ( 3/6/84 )	\$ 5,632,024.
INITIAL COST ESTIMATE BY NAVY FOR CONGRESSIONAL STAFF ( 2/4/83 )	\$ <u>3,075,000.</u>
DIFFERENCE	\$ 2,557,024.

## REASONS FOR CHANGE

First proposal by Lockheed to Navy; based on Customs requirements for aircraft including IRDS and other avionics not considered in initial Navy estimate.	\$ 846,581.
Equipment initially expected to be provided by Government and subsequently to be provided by Lockheed because neither Navy nor Customs could obtain.	\$ 450,000.
Items subsequently added by Customs	\$ 227,000.
Navy decision to bail aircraft	\$ 212,000.
Technical support for installation of radar, not included in initial proposal	\$ 404,000.
Increase in estimated cost of modification	\$ 378,000.
Allowable spares to support test program	\$ 40,000.
 OTHER COSTS PAID BY CUSTOMS	 \$ 862,000.
Purchase of IRDS (FY-83 funds, diversion to P-3A program of system purchased as spare)	\$ 428,000.
Reserve for unscheduled maintenance by Lockheed during flight test	\$ 250,000.
Navy travel	\$ 25,000.
Contract support for flight test and travel	\$ 159,000.

## CHRONOLOGY OF P-3A COST GROWTH

Feb. 4, 1983 Initial Navy estimate for installation of F-15 radar in first P-3A \$ 3,075,000.

July 5, 1983 Lockheed unsolicited proposal to install F-15 radar, IRDS, and other required avionics \$ 3,921,581.  
 INCREASE: \$ 846,581.  
 Navy estimate without Customs input on operational requirements, necessary equipment beyond F-15 radar, etc. Lockheed proposal based on Customs specifications and more time to analyze the work required.

Sept. 2, 1983 Lockheed Rough-Order-of-Magnitude (ROM) estimate submitted to Navy. (ROM = + 15 %) \$ 4,800,000.  
 INCREASE : \$ 878,419  
 Navy decision to bail aircraft to Lockheed (\$ 212 k)  
 Equipment required by Customs and included in Lockheed proposal as Government Furnished Equipment (GFE) but now to be provided by Lockheed because Navy or Customs were unable to provide. Total = \$ 440 k.  
 IRDS installation kit (\$ 170 k)  
 Inertial navigation set (\$ 85 k)  
 VOR/ILS/Marker Beacon (\$ 125 k)  
 IFF Interrogator (\$ 23 k)  
 Radome (\$ 37 k)  
 Items not previously identified by Customs and now to be provided by Lockheed. Total = \$ 227 k.  
 Sensor manual publication (\$ 27 k)  
 Painting (\$ 15 k)  
 Install Wulfsberg radio (\$ 85 k)  
 Radar repeater and IRDS display in cockpit (\$ 100 k)

Jan. 31, 1984 Lockheed Cost Plus Fixed Fee (CPFF) Proposal \$ 5,882,024.  
 INCREASE: \$ 1,082,024.  
 Contractor support for F-15 radar. (\$ 404 k)  
 Increase in IFF interrogator cost. (\$ 10 k)  
 Increase in modification cost. (\$ 378 k)  
 Spares for test program. (\$ 290 k)

Mar. 6, 1984 Revised Lockheed CPFF Proposal to Navy \$ 5,632,024.  
 DECREASE: \$ 250,000.  
 Reduction in allowable cost for spares. (\$ 250 k)

Mr. VON RAAB. I might point out in that respect that there are additional P-3s that are anticipated and I, too, am mystified by the degree to which the Defense Department is able to assist and not assist, but I would point out that at least the appropriations language, as I understand it, of the Defense Department is that the Department is expected to provide some assistance in the additional P-3A's, and there was money appropriated for that purpose. So, the modifications to any subsequent P-3A's would be done by the Defense Department. To me that indicates maybe there's a possibility that they can do a fair amount with the assistance of Congress in terms of additional help to the Customs Service.

Mr. KINDNESS. Well, it is well to consider just where these things will fall, but, hopefully, we can learn from our experience with this P-3A and with the current controversy here and go on from there in a constructive manner. That is what I would hope. And I would yield back, Mr. Chairman.

Mr. ENGLISH. Mr. Coleman.

Mr. COLEMAN. Commissioner, I was concerned in your testimony when you suggested that these costs were a problem for you, and I would like to have your response to the statement about all of these costs. I understand the Air Force though is picking up the cost for the other five aircraft, is that right?

Mr. VON RAAB. Part of the cost. I believe that the plan is—

Mr. COLEMAN. Any additional add-ons that you might make yours?

Mr. VON RAAB. This is the capital cost, right.

Mr. COLEMAN. Such as that \$1 million that you just suggested on this one?

Mr. VON RAAB. No, no, no. That is coming out of the Customs' budget.

Mr. COLEMAN. That's right. That is an add-on. And if you continue to do that with the other five aircraft that would also be your responsibility?

Mr. VON RAAB. No, no.

Mr. COLEMAN. But they're providing a total of six aircraft for the cost of one plus your add-ons? It seems to me that's not a bad bargain for Customs.

Mr. VON RAAB. No one has suggested that the capital moneys involved are not a good deal for the Customs Service. I think the issue is the cost of the operation and maintenance, and the mission that these machines can perform. I think that is the issue.

Mr. COLEMAN. As I understand it, just on March 13, you sent a letter to Chairman Abdnor of the other body, the Senate, the Appropriations Subcommittee on Treasury, Postal Service and General Government, and in that letter you enclosed a chart wherein you had asked for a remix of the funds and requested, or had suggested that you wanted the money to be utilized, \$1.87 million, for P-3 aircraft modification; \$3 million for the aerostat.

Have you changed your mind in the last 9 days?

Mr. VON RAAB. We have looked at this again. Those are the numbers that are in the Senate bill, and as we progress, we must be prepared to make the decisions that are in the Senate bill. So, those numbers are there should we contract to have the aerostat, and also to continue to outfit the P-3A's.

Mr. McNAMAR. Let me reinforce that point, if I may, because I think it goes to Chairman English's point. The President's 1985 budget contains no money for the aerostat and this would be a modification that would respond to a Senate initiative, or whoever's initiative it is to put in the aerostat if it went in in 1984.

Mr. COLEMAN. That is correct. My only problem is that we show a chart that has zero in place of these numbers and I—

Mr. VON RAAB. Those are 1984 numbers.

Mr. ENGLISH. Will the gentleman yield very quickly?

Mr. COLEMAN. These will show 1985 numbers?

Mr. ENGLISH. Will the gentleman yield very quickly?

Mr. COLEMAN. Yes, sir.

Mr. ENGLISH. I think one point we better make very quick. Would you like to compare that number with what you submitted to the Office of Management and Budget?

Mr. VON RAAB. I believe my number is 1984. I haven't sent any numbers on 1985.

Mr. ENGLISH. Would you care to compare that number with what was approved by the Office of Management and Budget initially? Would you care to do that, Mr. McNamar, with regard to the aerostat that you just commented on?

Mr. McNAMAR. Of course, that is fair to do that.

Mr. ENGLISH. All right.

It is unfair to do that?

Mr. McNAMAR. No, I said, of course, that's fair to do that.

Mr. ENGLISH. All right. Then it did contain the money for that when it came out of OMB, did it not?

Mr. McNAMAR. For 1985?

Mr. ENGLISH. For 1985, that's correct.

Mr. McNAMAR. Now, are you talking about the President's budget?

Mr. ENGLISH. No, I'm talking—

Mr. McNAMAR. The President's budget as submitted to the Congress?

Mr. ENGLISH. I'm talking about the President's budget—

Mr. McNAMAR. As submitted to the Congress?

Mr. ENGLISH [continuing]. That was submitted to Congress compared to what the Office of Management and Budget approved at the request of the Treasury Department before the Secretary of the Treasury took out \$18 million for his office?

Mr. VON RAAB. He did not—the aerostat was never in any submissions that went to OMB. The reason is that the aerostat was a development subsequent to the submissions as they went to OMB.

Mr. ENGLISH. Then the question arises, I suppose, then why is it being funded for 1984?

Mr. VON RAAB. The reason it is being funded for 1984 is that there were moneys put in the continuing resolution, which was passed after the budget documents had been submitted to OMB.

Mr. ENGLISH. Then it is the plan of the Treasury then to install that aerostat. Then in 1985, you are going to take it out, is that what you had in mind, Commissioner?

Mr. VON RAAB. No; we are taking this as a developmental program and we are trying to make these decisions as we move forward.

Mr. ENGLISH. Very simply, Commissioner, you had the money. You stated it was put in. The contract for the balloon is set to be let tomorrow. The balloon was going to be installed and you are telling me that it was never in the plans of Customs, in the budget that was approved by the Office of Management and Budget to remain up after October 1, 1984?

Mr. McNAMAR. No; it developed subsequently. The President's budget came down.

Mr. ENGLISH. Just a second, Mr. McNamar, we're trying to get to the bottom of this as to exactly what the Customs' plans were with regard to aerostat.

Mr. VON RAAB. If we let a contract for the aerostat, on which, you are right, the decision is ripe to be made within the week.

Mr. ENGLISH. It was planned to be let tomorrow; is that not correct?

Mr. VON RAAB. I did inform Senator DeConcini that we would try to let the—

Mr. ENGLISH. You said you would let it.

Mr. VON RAAB. Would, fine.

Mr. ENGLISH. And you have also notified the contractors that it would be let tomorrow?

Mr. VON RAAB. I haven't dealt with the contractors.

Mr. ENGLISH. Well, they have been notified by the Customs Service.

Mr. VON RAAB. It is quite possible.

Mr. ENGLISH. So, here you have notified the Congress and you have notified the contractors it is going to be let tomorrow. You are going to let the contract. You're going to use the money and then, according to your plans, if we follow the scenario that is being laid out here for us, that the Customs Service then plans to—

Mr. VON RAAB. I agree.

Mr. ENGLISH [continuing]. End that in October 1, 1984?

Mr. VON RAAB. If a decision is made that—a decision through all of the processes, including NNBIS and OMB, and what have you, not to go through with the aerostat, it wouldn't make much sense to let the contract. So, I will certainly be advising the people working for me—

Mr. ENGLISH. You have been told by the Congress to fund it. That is what you stated earlier. You said that was the reason it was going up. It was included in that appropriations bill. You were told by Congress to fund it. And now what you are telling me evidently is that you are deciding on your own, or you think Mr. McNamar has the authority, to impound funds. Is that what you're stating?

Mr. VON RAAB. No, sir.

Mr. McNAMAR. That is wrong, Mr. Chairman.

Mr. VON RAAB. No, sir.

Mr. ENGLISH. Well, that is exactly what you are saying.

Mr. McNAMAR. No; it is not what we are saying and that is a mischaracterization, and I don't think the Commissioner should be subject to this abuse, quite frankly.

Mr. ENGLISH. Well, I'm sorry, but—

Mr. McNAMAR. We have—

Mr. ENGLISH. That is what it comes down to. This committee, feels like we've been subject to abuse for the last couple of days.

Mr. McNAMAR. Well—

Mr. ENGLISH. The point that we are trying to get down to, Commissioner—

Mr. McNAMAR. What we are trying to get is the most effective Drug Enforcement Program that we can.

Mr. ENGLISH. Well, can you lay that program out for us here today? What is the most effective program? What is the decision of the Secretary of Treasury? Tell us what that program is, Mr. McNamar?

Mr. McNAMAR. The most effective program, in our judgment, would be to (a) defer letting this contract for the aerostat until we are sure that the budget amendment and the Appropriation Committee process agrees with the decision that we have made to change funds from the P-3A and the aerostat and (b) to put it into more interdiction and arrest capability supported by the maximum amount of Defense Department training effort that is congruent with supporting air interdiction by the Customs. We believe that we have learned. We believe that it is time to try to improve the program, and we are looking forward to working with our Appropriations Committees to do that. They may make a contrary judgment, in which case we will fund the aerostat for 1984, and if they put in the money for 1985, we will fund it for 1985.

Mr. ENGLISH. OK. Very quickly, I want to ask you this, Mr. McNamar. Where in the law do you get the authority to tell Congress that you will not—that you will not construct the aerostat when it was directed to you in the supplemental on the appropriations bill for 1984 that you would? You were directed by Congress to do that. Now, tell me—show me where it says in that law that you can make that kind of a decision?

Mr. McNAMAR. It says that I can go back for a budget amendment and go back to my Appropriations Committees if that—

Mr. ENGLISH. Not for fiscal year 1984 you can't.

Mr. McNAMAR. Yes, sir, I can. That's incorrect. I am going back to those committees, and if those committees approve the proposed change, we will change the action. If they do not approve, we will let the contract for the aerostat; we will fund it.

Mr. VON RAAB. May I—

Mr. McNAMAR. This is an effort to work with the Congress to provide the best possible drug interdiction program that we can put together.

Mr. ENGLISH. And you have just been told by the Department of Defense this morning that they cannot take care of your plan with regard to Drug Enforcement Program.

Mr. McNAMAR. Well, I wasn't sure that that was what I heard this morning.

Mr. ENGLISH. Well, that's what you heard.

General Tice, do we need to have you go through this again and inform me exactly where combat readiness is and what the situation is as far as the law is concerned?

Mr. McNAMAR. Well, let me raise a question as to the law, because you asked me about that yesterday, Mr. Chairman, and I was inadequately prepared.

Mr. ENGLISH. Now, look, I am not going to get into this again with you, Mr. McNamar. General Tice has testified that under the circumstances you are requesting that as the law stands today that the Department of Defense cannot carry that out. Now, I am not going through—

Mr. McNAMAR. Well, I think that is a key question.

Mr. ENGLISH [continuing]. A word game with you, and I think you know that as well as I do.

Mr. McNAMAR. And I did not hear all of General Tice's testimony unfortunately, but it is not at all clear to me that the requests that we have made to the Defense Department subsequent to their rejection of the \$11 million, which we agree was proper on their part. It is not at all clear to me that they cannot provide additional support to air interdiction efforts consistent with readiness, consistent with their training mission.

Mr. ENGLISH. I just read from the Chief of Naval Operations his statement with regard to the number of hours that he is covering and what he says with regard to the matter. I have had the Chief of Tactical Air Operations tell us the same thing with regard to the Air Force.

We have had General Tice testify and lay this out again this morning.

Now, Mr. McNamar, you seem to have a difficult time understanding when you are told no. You had a difficult time with regard to the \$11 million. You didn't know it when you were told then, and evidently you are having the same kind of a problem here.

Now, I am not going to spend the rest of this day going through and debating with you with regard to whether you do or do not believe it. That's the fact. And that's the way it is.

Mr. McNAMAR. Well, reasonable men can differ on these matters, Mr. Chairman.

Mr. ENGLISH. No. This is not a case of reasonable men, Mr. McNamar, and you know that.

Mr. McNAMAR. Well, I think that it is. I don't happen to think that regarding the existing E-2N coverage, for example, the E-2C coverage, which you cited yesterday. As a matter of fact, you put it out in this report. I do not think that the proportion of time that is devoted to onsite, onsite drug enforcement efforts indicates that one—

Mr. ENGLISH. That's your—

Mr. McNAMAR. That 1.8 percent—

Mr. ENGLISH. Is that your judgment?

Mr. McNAMAR. Of that effort, it is a judgment of mine that it is a prima facie indication—

Mr. ENGLISH. You have already shown, Mr. McNamar, that your judgment is not based on knowledge. Mr. Coleman?

Mr. COLEMAN. Mr. McNamar, I guess one of the problems that I have had in these hearings is trying to understand the \$11 million that you're saying you are going to find somewhere. What does Customs at this stage do, and I guess I should ask you, from your standpoint, what does Customs at this stage do with respect to planning for fiscal year 1985 in terms of their budget? They are left right now with a problem, but we don't know exactly at what time

the President will come back with a budget amendment, if that is what it is, and we're talking about the President, whether OMB does it, or whoever—

Mr. McNAMAR. Yes, right.

Mr. COLEMAN [continuing]. We are assuming that will be an add on to the President's budget sent to us, and that may be a bad presumption. It didn't happen last year, that I recall, with respect to the cut that you all recommended in Customs' agents, but maybe you can tell us what does Customs do for next year?

Mr. McNAMAR. As we have indicated, the Secretary has testified in both the House and the Senate, before the Appropriation Committees, that we we will endeavor to find the \$11 million necessary to support this effort within the Treasury Department. We have made that very clear that this request to DOD, which was made in good faith which was made on a verbal conversation that I had with someone who is no longer there, perhaps, as the Chairman suggests, was ill advised. Perhaps it was illegal and I should have known and was careless, but I relied on that conversation.

Now that it has developed that DOD cannot do that, we are going to find the money necessary to support that—\$11 million in the Treasury's budget. That is what we are trying to do. That is what we will do for 1985. That is a commitment. That is a commitment that the Secretary has made; it is a commitment that I have made. It has always been the case. It does not impinge, reduce, impede, or ameliorate an iota of effort in the Customs' air program. We have two particular priorities in the Treasury Department that I suggest are the two highest priorities that we have overall in the law enforcement area. One is the export of critical technology and the other is the drug program. Now, we are committed to those. We are going to fund those, and I think the Congress should not worry about that.

Now, we will have to go back to our Appropriations Committees and we will have to say, we want to cut X out of something else and Y out of something else to put that money in there. And if those Appropriations Committees approve it, and I think they will, we will get it done.

Mr. COLEMAN. But for purposes of this committee, I would hope—well, I am going to make a request of the Commissioner of Customs because now we are talking about \$28 million, as I understand it, for this air interdiction issue and this particular area. I would like to have Commissioner von Raab, if he would, submit to us what he intends to do with the \$28 million so that—you can do it in a letter form like you did for the Senate with respect to your rerequest, or new mix of dollars. I would like to see how you would do that, for the record, for this committee.

Do you understand, Commissioner von Raab, that this is \$3 million less than last year in terms of the \$31 million, as I understand, that was last year?

Mr. VON RAAB. The total amount in that category called air—although, I would point back to the charts, which are not here—

Mr. COLEMAN. That was a terrible chart, Commissioner.

Mr. VON RAAB [continuing]. That the \$3 million less—

Mr. COLEMAN. I didn't—I noticed—

Mr. VON RAAB [continuing]. Overall, but it is a higher operational level and less capital investment.

Mr. COLEMAN. That's what it amounts to?

Mr. VON RAAB. Yes.

Mr. COLEMAN. I say it was terrible advisedly, but I have to say that I didn't, you know, I just didn't accept the issue of how we got the \$28 million out of Treasury and we didn't. And if we do it now, I would like to see a letter from you with respect to that.

Mr. VON RAAB. Yes, sir. We will provide you with that letter.

[The material follows:]

ANSWER: Customs has prepared a projected spending plan at the \$28.1 million operational level for FY 1985 for the air program. The estimated expenditures are detailed below. In addition, the Customs Service will be requesting an amendment to its FY 1985 budget request of \$17,070,000 which not only includes the \$11.0 additional to bring the total to \$28,070,000, but also \$4.0 million to lease and operate an aerostat balloon in the Bahamas. The amendment will bring the air program operating level to \$32,000,000.

The projected costs for FY 1985 are as follows:

PROJECTED FY 1985 AIR PROGRAM COSTS

<u>A. OPERATIONS AND MAINTENANCE REGULAR AIR PROGRAM</u>	
Contracts and Services for Repairs and Support	\$10,387,000
Transportation of Engines and other equipment	185,000
Utilities, Communications and rents	892,000
Equipment purchase (aircraft engines, parts, etc.)	1,980,000
Training, Special Enforcement Operations, etc.	1,628,000
Fuel, Supplies, etc.	<u>4,198,000</u>
Subtotal	\$19,270,000
<u>B. LEASE AND OPERATIONS OF CESSNA CITATIONS (4)</u>	
O&M	\$ 1,800,000
Lease	<u>2,200,000</u>
Subtotal	\$ 4,000,000
<u>C. P-3A OPERATIONS</u>	
Operation, Maintenance, and Equipment	\$ 4,600,000
<u>D. REGIONAL OPERATIONS CONTROL CENTER (ROCC)</u>	
	\$ 200,000
TOTAL	<u><u>\$28,070,000</u></u>

Mr. COLEMAN. We had some testimony also this morning, Mr. McNamar, with respect to the effectiveness of aerostat, because I think that was a question you talked about in terms of cost-effectiveness yesterday. Is your recollection of that the same? Did you suggest that aerostat, as well as P-3 were not cost effective, or am I incorrect?

Mr. McNAMAR. We are talking about the overall efforts of the United States Government, and what I suggested was that what we need in the Customs Service to do our part to minimize the amount, particularly of cocaine that comes in, since that is particularly what we are talking about in the Air Program, was to have more interceptors and tracking planes and arrest planes. And to rely more on the Defense Department.

The chairman introduced testimony yesterday saying that we could only respond with intercepts to 50 percent of the AWACS or radar signals, intercepts that the Defense Department provided us with now. So, they are consistent with—

Mr. COLEMAN. Well, let me advise you, General Tice this morning suggested that it is tough. You know, they talked about eight hits with the aerostat that's up, and it is hard to say whether that is truly cost-effective in terms of its down time as well as—I've suggested, and the general agreed to get me the information that I had read, that it was available for 19 hours out of the day, we are going to get that information, but the point is—it was in use 19 hours per day. If I could just for a second, his testimony was also that, in his view, it might still be worth utilizing. And that because it has not been up very long that maybe we'd have a real overall test of its effectiveness in terms of putting your cost-effective numbers to it. It might be worth continuing.

I just wonder whether or not you might not take that testimony and perhaps reevaluate your position with respect to aerostat.

Mr. McNAMAR. Quite the contrary. If there are additional data relating to the effectiveness of the aerostat either as an interdiction tool, or on a cost-effective basis, we obviously want to take that in. It is precisely because of new information that came up that we propose this modification in our program.

Let me say that the two existing aerostats that are up, it is my understanding, are in the Defense Department budget, not in the Treasury Department budget.

Mr. COLEMAN. That's right.

Mr. McNAMAR. And if the Appropriations Committees think it is appropriate to put one in the Defense Department budget, and the Defense Department thinks that is cost-effective, I am sure that would be helpful to the Customs Service. But I raise the question as to whether the Customs Service should be in that particular role. That's the point that I raised yesterday.

Mr. COLEMAN. We have other members here. Just one last thing. Captain Schowengerdt yesterday testified that he didn't know about the cut in budget authority for the operation and maintenance of the air interdiction program until two days ago. Neither was he aware that the P-3 program funding was to be discontinued.

I would submit that at least from the Treasury Department's standpoint, even laying aside the whole issue of the Commissioner

of Customs and the Customs folks, it seems to me that the kind of coordination that we ask NNBIS to do, we ought to ask the Treasury Department to do, and I would just, as one member, hope that there are more meetings, more discussions; among those, NNBIS. We are all working toward the same goal. I guess that is the hardest thing for me to understand. We get tense and we have problems, but we are all working for the same goal, and to me it just seems extremely important that we all get together more often. Certainly, I have had this feeling in these hearings that there has not been enough communication, and I think it was evidenced from the different members who have testified, the different witnesses who have testified here yesterday and today that we need more of that. And I just hope that you would make a concerted effort to do just that.

Mr. McNAMAR. I couldn't agree more with that, Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. McNamar, when you drafted your proposal for submission to this hearing, in how much detail did you evaluate it; that is, the studying of maps such as the one we have over here that Senator Hawkins left? Do you show the choke points and are you aware of the extensive area that has to be provided with surveillance? And what additional areas will require this coverage as we go along? Were you aware of this before you decided not to go along with the Bahamas balloon and give full responsibility to the Air Force for surveillance for interdiction?

Mr. McNAMAR. I think that I was unaware before this committee hearing was scheduled, as we have gone through the evaluation because of this committee hearing, I have been continually educated. These are not details that I would normally be involved in; that is, the range of an aerostat balloon, and so on. I think that I relied upon the conversations that I had with the head of the air program for Customs, with Commissioner von Raab, a number of other people. It was when the Defense Department turned down our \$11 million request—and, again, if you weren't here when I said this yesterday, I have no quarrel with that now that I understand why they did it—that we decided that if what we were learning was correct, that rather than the Customs Service trying to, in many ways, replicate the role of the Coast Guard or the Defense Department, that the better strategy overall for the Government would be to try to maximize the Defense Department involvement to the extent possible. And as I said yesterday, they have been responsive. They have tried to work in good faith. They have made progress. Whether the statement of the Chief of Naval Operations is ironclad and correct, or not, I don't know. We have not been provided with their numbers.

The chairman had a number of analyses and numbers yesterday that we had not been provided with and privy to. So, we did not have all of the data that various people have had, particularly in the Defense Department. But it was our judgment that one of the things that we needed to do was to provide more interdiction capability on the west coast, Arizona, Texas, Florida, the whole gulf, and that that is a higher priority than an experimental program

with the P-3A. There's a question about the radar. As you've heard, there are questions about the cost. Minimal additional support from the Air Force and the Navy would provide us with much better coverage when they are going to be flying the training flights anyway.

The chairman raised some questions about that, but I think there are additional things that they can do, and we have asked them to go back and look at that, and I think they will. I have no question about that. We can improve their capture of radar signals that we process and that we have to go up and track and bring in. We are trying to increase our arrest rate, and we had a lengthy discussion yesterday. Why are we trying to increase the Customs' detection and surveillance capabilities when apparently the justifiable criticism is that we don't interdict enough. And that's what we want to improve.

And it is as a result of this committee scheduling these hearings that we have, in effect, suggested that the P-3A and the aerostat were not as high a priority as gaining four additional tracker interceptor planes. And that is this shift that we are talking about. That's all.

Mr. ENGLISH. Will the gentleman yield very quickly on that point?

Mr. LEWIS. Yes, sir, Mr. Chairman.

Mr. ENGLISH. I'd like to—you've been wanting to get to that interceptor thing for the last 2 days, and I am going to let you do it here very quickly.

Mr. McNamar, how many interceptor aircraft that are properly equipped does the Customs Service have?

Mr. McNAMAR. What is your definition of properly equipped, sir?

Mr. ENGLISH. Contain radar, FLIRS, that can be proper interceptors, Mr. McNamar?

Mr. McNAMAR. It would be the Citations that we have. There's one Citation I that does not have the best possible radar. Two Citation IIs. We also, as you know, use the five King Airs that we have, and we have two Mohawks, which are not as good and that is why we are interested in adding the additional—

Mr. ENGLISH. Do the Mohawks contain radar?

Mr. McNAMAR. I don't know the answer to that, sir.

Mr. ENGLISH. They don't contain anything other than FLIRS?

Mr. McNAMAR. Sorry?

Mr. ENGLISH. They don't contain anything other than FLIRS?

Mr. McNAMAR. I—

Mr. ENGLISH. You know what a FLIR is, don't you?

Mr. McNAMAR. Yes. I know what a FLIR is, yes. I don't know the answer to that.

Mr. ENGLISH. Well, I'll tell you. You've got eight aircraft. Five C-12's, three Citations. What you want to do is add four more. So, that would bring you up to, what, 12?

Mr. McNAMAR. Well, if you had 8 and you added 4 more that would be 12. It would be a 50 percent increase.

Mr. ENGLISH. You have 12 aircraft. You are going to stretch them across the entire southern border of the United States. You have no detection capability. What do you figure the chances are of those interceptors going out and actually making interceptions?

Mr. McNAMAR. If we continue to work with the Defense Department as we have—

Mr. ENGLISH. No, that's been ruled out, Mr. McNamar.

Mr. McNAMAR. No, it hasn't been ruled out, Mr. Chairman.

Mr. ENGLISH. As far as detection is concerned, the look down capability—and that's what you are going to have to have. You are going to have to have either AWACS or E-2C's. You've got to have look down capabilities to have a detection capability.

Mr. McNAMAR. I believe we agree on that.

Mr. ENGLISH. All right. Now, what we have just been told this morning is that you're not going to get additional hours unless there is a major change in the law and unless there is a major change in the job of the Department of Defense, you are not going to have additional capability over and above what you presently have. And as was pointed out also this morning, you are not going to have aircraft that are going to be down there in those choke points that are identified on that map over there, and it is those choke points that you have to have detection aircraft to be able to route interceptors in to make their interceptions. And it is that fact.

So, without detection, four more aircraft scattered somewhere along the southern border simply doesn't cut the mustard, Mr. McNamar.

Mr. McNAMAR. Our analysis that led us to the conclusion to modify our position, Mr. Chairman, I am sure you would be interested in this, assumed that we took all six P-3As and assuming they worked 80 hours a month of flight time, which was the operative assumption. The P-3 radar covers about 5,000 square miles in an 120-degree arc.

Mr. ENGLISH. Will the gentleman yield?

Mr. LEWIS. Yes, Mr. Chairman.

Mr. ENGLISH. All right. Let's take a look at that. What you are looking at is a radar—

Mr. McNAMAR. No; I want to go—excuse me, Mr. Chairman. I want to go ahead with this analysis to show you our concerns about the P-3A.

Mr. ENGLISH. Go ahead and complete your analysis.

Mr. McNAMAR. The P-3 radar covers about 5,000 square miles in a 120-degree arc that is about 100 miles wide. That is a 70 degree radius, and that gives you about 100 miles.

Assume that the southern coast of the United States for round number purposes is 3,000 miles along, and I think we need to be concerned about all of it. If we had the six P-3s at 80 hours a month, this would be equivalent to one airplane for 16 hours a day, or six planes times 80 hours divided by 30 days times 24 hours.

Five thousand square miles is 1.6 percent of the 300,000 square mile territory associated with 100 mile wide bank along a 3,000 mile border. So, if we had all the P-3s, I have a concern about our coverage. And I have a real concern as to whether that would be—whether we should spend the \$27 million or so to—

Mr. ENGLISH. What do you have now?

Mr. McNAMAR [continuing]. Do that.

Mr. ENGLISH. What do you have right now?

Mr. McNAMAR. We have less than that. No, I'm sorry, that's not true. Yes, we do have less than that in terms of Defense Department support.

Mr. ENGLISH. All right. Let's go through this very quickly. We have a vote and I'll recess. Mr. Lewis is going to have some additional time when we get back and we will pick this up.

The point I want to make is this. There is no question if you want to put APS-125 radar on a P-3 or any other platform, you know, there's no question. The problem is the cost. The cost is \$40 million for an APS-125, and the cost is the difficulty that you run into. What we are attempting to do is to get something the Customs Service can handle, something that they can afford.

Now, with regard to this particular radar, which is an F-15 radar, it comes out of an F-15 fighter, pretty good radar. And granted, it looks forward. But we checked this out with the Customs people, the people that are going to be working with it. We said, OK, what if we gave you that radar and you put it down on the Yucatan, for instance, for New Orleans? Do you know what they said? I guarantee you we will catch every guy coming through there. That is what they said.

With that, we will recess for the vote and let you think about that, Mr. McNamar.

[Recess taken.]

Mr. ENGLISH. Mr. McNamar, what is the surface detection capability of an AWACS?

Mr. McNAMAR. Sorry?

Mr. ENGLISH. The surface detection capability of an AWACS?

Mr. McNAMAR. I don't know the answer to that question.

Mr. ENGLISH. What is the surface detection capability of a P-3?

Mr. McNAMAR. I don't know the answer to that question.

Mr. ENGLISH. Do you want to ask around to see if you can get any help on that issue?

Mr. McNAMAR. I'm sorry, sir, I'm having trouble hearing you.

Mr. ENGLISH. Would you like to ask somebody behind you and get a little help on that issue?

Mr. McNAMAR. We can supply it for the record, or whatever you would prefer.

Mr. ENGLISH. Well, I'll tell you what, I'll supply it for you. The surface detection capability of an AWACS is limited to those models that are specially outfitted, most of which are for overseas use.

As far as the P-3 is concerned—

Mr. McNAMAR. Excuse me, Mr. Chairman, the Defense—I was told the Defense Department says this information is classified information.

Mr. ENGLISH. Oh, really.

Mr. McNAMAR. The precise ranges, and such as that, they said, is classified.

Mr. ENGLISH. Well, I am not getting into range. All I am talking about is that some are specially outfitted, others are not. And that is not classified information, as I understand it, is that correct?

Mr. McNAMAR. No, sir.

Mr. ENGLISH. I've been assured that it is not.

For those that would be available for use, those that we presently have that would be available for use, and unless you are assuming that they are going to go out and purchase additional aircraft specifically for this purpose, there are seven AWACS, as I understand, that would be available in the United States. Only seven. That not one of those would have this capability, but a P-3 does.

It has a surface detection capability which means that it can also do work with regard to boats and assist the Coast Guard as well as assisting in the air interdiction program.

The point that we come down to, of course, is that we have a dual mission for the P-3 and particularly any that would be stationed off the U.S. coast down in those slots. But you weren't aware of that, were you?

Mr. McNAMAR. No, sir, I wasn't aware of that. That's not the kind of detailed information I would ordinarily have.

Mr. ENGLISH. Well, that's the point though, again, Mr. McNamar. You need that kind of detailed information before you go revising plans. Before you go throwing things in the trash. Junking programs. Eliminating concepts that have been devised between not only the Congress, but also the Customs Service, the Vice President's Office, the Department of Defense. That is the sort of information you need to know.

Have you had any different thoughts with regard to how well you could perform interdiction without detection?

Mr. McNAMAR. We obviously need detection. As you said yesterday, it is the backbone of a program. The Defense Department can do that. They cannot and should not interdict under the posse comitatus law, and I think we need to continue with the efforts that have been made to date. We need to add more interdiction and tracking capability. And I think that that is a higher priority.

Mr. ENGLISH. Are you convinced, or do you believe, or is there any question in your mind whether or not the Department of Defense can provide that?

Mr. McNAMAR. Any question in my mind that they can supply—

Mr. ENGLISH. Do you believe that the Department of Defense—let me ask you just flat out. Do you believe the Department of Defense is going to provide the detection capability for the Customs Service?

Mr. McNAMAR. I think the Department of Defense is going to continue to make the kind of effort that they have to provide the maximum that they can. I think it will continue to increase in absolute terms. I don't know what the upper limit will be.

Mr. ENGLISH. Well, General Tice has testified that they are at that limit.

Mr. McNAMAR. Well, I am not sure that General Tice testified to that. I think you introduced some evidence from the CNO that indicated they are, and that may be—that may be correct. I am not in a position to judge that. I simply suggested there is, in effect, a—

Mr. ENGLISH. General Tice—

Mr. McNAMAR [continuing]. Prima facie case that when you are talking, 1, 1½, 2 percent of available hours, I question whether that is a decrement to readiness.

Mr. ENGLISH. General Tice, would you please come forward?

Am I correct in making the statement that as the law stands at the present time, and given the efforts the Department of Defense is making in behalf of detection for the Customs Service through AWACS and E-2C's, that both the Navy and the Air Force are at the limit that they can operate under the law? In other words, could they substantially increase the number of hours that they could provide in detection coverage for the Customs Service without violating the law?

General TICE. They have informed me that they are performing now at the maximum number of sorties that they can perform without degrading readiness, ergo, if readiness is violated then there has to be some kind of interpretation made with respect to the law.

Mr. ENGLISH. Thank you very much, General Tice, I appreciate that.

Mr. McNAMAR. And I think the next question is: Are we making the maximum use of that detection capability? And you entered evidence yesterday from the same source—from the Air Force—that indicates that we are only answering 50 percent of the radar intercepts. We would like to have more interdiction capability, Mr. Chairman.

Mr. ENGLISH. Mr. McNamar, you must have four months advance notice to position airplanes to use the AWACS service. And I'm going to get into that with Mr. von Raab when we get to the Customs Service. They aren't doing it. And the reason—we are going to try and find out why they are not doing it.

You've got to plan four months in advance to position those aircraft. As I mentioned, you only have seven AWACS in this country that are available for those kinds of flights. You only have 28 E-2C's that are available for the whole Navy. So, you've got a very limited number of resources. Part of the idea and the concept of NNBIS, of course, is to bring those resources together to do that planning ahead of time. And that is what they are presently doing, and that is one of the things that we find encouraging about NNBIS. But the fact is that the schedules are out and evidently we are not taking advantage of it. As you pointed out, you've got five C-12's and three Citations that should be available and being used for that purpose.

As General Tice testified, unless you would like to contest that as well, we also have the General's testimony that they would in fact honor the commitment that they have made to the Congress and to the Customs Service to provide anywhere from 8 to 13 additional C-12's as soon as the Congress fulfills its portion of the agreement. We intend to do that. We certainly see no reason why that should not be done this year. Those are the facts.

Mr. McNAMAR. I didn't suggest it shouldn't be done this year. We would welcome that. We are supportive of that. We agree with the Congress. We appreciate your committee's efforts to make that happen. We think that some additional—

Mr. ENGLISH. You said yesterday that DOD has refused it.

Mr. McNAMAR. DOD informed us on Monday that those would not be forthcoming because the Congress had not acted and I believe they said they did not know when the Congress might act.

Mr. ENGLISH. General Tice just said that that agreement still goes. We fully expect that it will be done.

Mr. McNAMAR. They fully expect that it will be done. I am questioning the timing as to when it will be done, Mr. Chairman, not the DOD commitment. The DOD commitment is solid and they will honor it. I have no doubt about that.

Mr. ENGLISH. Well, we can—the point that I'm making is this. The chances of gaining a great increase in interceptors lies with those C-12's, not with four Citations. I would be delighted to have the additional four Citations, but that is going to be a costly road to go. And if we are trying to maximize the use of the resources that Customs has, certainly, it is far, far cheaper to loan 8 to 12 C-12's as opposed to leasing, as I understand the cost would be between \$5 and \$6 million a year for Citations.

Mr. McNAMAR. I think it was a little less than that, but in the \$4 to \$6 million range, yes, sir.

Mr. ENGLISH. That is counting the operation and maintenance?

Mr. McNAMAR. Yes, sir, in the four to six range.

Mr. ENGLISH. Between \$5 and \$6 million.

Mr. Kindness.

Mr. KINDNESS. Mr. Chairman, I have no further questions at this point. I admit being a little confused, if not befuddled by some of what we have heard today. And I am sure that in the followup in further hearings we will come to the bottom of this, but I appreciate the testimony of our witnesses this morning, I think.

Mr. ENGLISH. Thank you very much, Mr. Kindness.

I think the point that we have reached—it should be clear to you, Mr. McNamar—without a shadow of doubt, right now we are at the limits as far as E-2C and AWACS protection, the coverage that they can provide for the Customs Service. That is a fact.

It also should be very clear to you that the addition of those four interceptors without increased detection capability isn't going to do much to affect the war on drugs. And as I said earlier, the Customs Service and its air interdiction effort has been the centerpiece of the administration's program.

I understand that Captain Schowengerdt may have a little information to give us, additional information to give us about that executive meeting. I am hopeful at that meeting that perhaps we will see that commitment reaffirmed by the President.

Mr. McNAMAR. Mr. Chairman, let me make something clear. The administration is committed to the most cost effective and vigorous air interdiction program possible, and we think that additional interceptions and arrests are what the American people would want. And we think the committee's hearing record indicates that we need more drug enforcement moneys put into interception and arrest, not into additional detection capabilities that we can't fully utilize, by the chairman's own testimony. And we would like the committee's support.

Mr. ENGLISH. Well, Mr. McNamar, what you said is absolutely untrue. Absolutely untrue. The point of the matter is that you left out the word "doable" and that has been the theme that has been running through these last 2 days of testimony. It has been laid on the record—

Mr. McNAMAR. I think—

Mr. ENGLISH [continuing]. Very clearly by General Tice who is sitting right next to you as to what the facts are with regard to that matter.

Now, we are not going to have you come up here and lecture this committee—

Mr. McNAMAR. I'm not lecturing—

Mr. ENGLISH [continuing]. About trying to implement—

Mr. McNAMAR [continuing.] I'm not lecturing the committee. I have the same objectives that the chairman does.

Mr. ENGLISH. You are—you were lecturing this committee, Mr. McNamar, and I am not going to tolerate it. This committee has been aggressive. It has put forth a maximum effort in trying to cooperate with the various agencies and committees of Congress, and put together—

Mr. McNAMAR. And I commended this committee yesterday for your efforts.

Mr. ENGLISH [continuing]. And putting together the most effective and doable program and one that fits within the President's budget. And, quite frankly, to have one who can only be characterized as a Johnny-come-lately as far as this issue is concerned, to come up here and lecture us about that, I simply do not—I refuse to accept it.

Now, I am hopeful that you will take an interest in this matter. I am hopeful that you will learn about this matter. I am hopeful that you will go down on the level of customs agents themselves and spend some time with them and talk to them about what their needs are. As it has been said time and time again up here, they are a commendable group. They are doing an outstanding job with the very limited resources available.

Mr. McNAMAR. And I made that point yesterday. That is exactly right.

Mr. ENGLISH. Mr. Kindness?

Mr. KINDNESS. Thank you, Mr. Chairman. I would just observe that surely we're all hopefully aiming in the same direction in terms of achieving the results of the best law enforcement capabilities that can be employed in order to reduce the amount of illicit drugs coming into the United States. And there is room for people to differ and argue about strategies and tactics. The one thing that keeps coming to my mind though is that the limited resources that we have available, it seems to me causes us to have to look at those choke points and determine how best we deal with what passes through or near to those choke points which are there because navigational aids are available that cause that to be a kind of a highway situation. And it does seem to many of us who have been studying the situation for a time that that's a point of the greatest capability in terms of beginning to track aircraft. To obtain information that could lead to the employment of assets that could result in interception following those aircraft and then making the final step workable and possible, and that is employing the law enforcement assets at the closest level to where the aircraft might land or dump its load, or what have you.

So, I think a good bit of thought is due before a precipitous change in policy is brought about. And I think we would all like to see the results of a careful look at where we go from here, from the

executive branch viewpoint following the meeting of the Executive Board of NNBIS early next week. I think that can be very constructive. But we certainly will be following closely on that to make sure that the continuity is not lost. And I would certainly encourage for the future the consideration of as close a communication as possible between the legislative branch and the executive branch on changes in direction and policy and budget that might have the sort of effects that have been produced here in the last couple of days. We might spend our time more constructively arriving at the same point in a shorter period of time possibly with some discussions that could cut out some of the controversy. So, I would encourage that—that is really consistent with the whole NNBIS concept, but it is difficult to keep the communications 100 percent clear all the time. I think maybe we've clouded them up a little bit in the last few days, and I hope we can get them cleared up.

Mr. ENGLISH. Thank you very much, Mr. Kindness.

OK, Mr. McNamar, I think that that will take care of the questioning that we have for you today.

Mr. McNAMAR. Thank you, Mr. Chairman. I appreciate your interest in this matter.

Mr. ENGLISH. Captain Schowengerdt, we will let you, if you would, give us any information that you have with regard to the anticipated meeting. We appreciate you volunteering to keep the committee informed on this matter. We appreciate the cooperation of the Vice President's Office.

#### STATEMENT OF CAPT. L.N. SCHOWENGERDT, JR., STAFF DIRECTOR, NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

Captain SCHOWENGERDT. Thank you, Mr. Chairman.

As the ranking minority member, Mr. Kindness, noted earlier today, since the issues we've been discussing today and yesterday cross substantially over agency and department lines, some interdepartmental coordination is appropriate to resolve the issues on the executive branch side.

Accordingly, the Vice President has called for a meeting early next week of the NNBIS Executive Board to provide that coordination. You will recall that the Vice President chairs that Board and that it is composed of the Secretaries of Treasury, Transportation, State, Defense, the Attorney General, the Director of Central Intelligence, the counselor to the President and the director of the White House Drug Abuse Policy Office.

I think the Board will be able to resolve the issues in a proper fashion and therefore arrive at a formal and appropriate administration position.

Thank you, sir.

Mr. ENGLISH. Thank you very much. Mr. Kindness requested earlier that we, after hearing our witnesses tomorrow, recess this committee until shortly after the first part of April when we will meet again, and, of course, continue our discussion with regard to conclusion three. I think the administration at this point is going to have an ample opportunity to prove that there really is "some beef in the bun" as far as the war on drugs is concerned. That the ad-

ministration is deeply committed to the war on drugs; so, actions speak louder than words, and we're looking forward to action by the executive committee.

Thank you very much.

Captain SCHOWENGERDT. Thank you, Mr. Chairman.

Mr. ENGLISH. Do you have anything, Mr. Kindness, you would care to say?

Mr. KINDNESS. I appreciate the information that has been conveyed, and thank you very much, Captain.

Mr. ENGLISH. We will recess then until 2 o'clock when we will continue with our other witnesses.

[Whereupon, at 12:58 p.m., the subcommittee recessed, to reconvene at 2 p.m., the same day.]

#### AFTERNOON SESSION

Mr. ENGLISH. This afternoon we will have a panel of three witnesses, made up of Mr. James Wait, who is the Coordinator of the Southwest Region of NNBIS, El Paso; Rear Adm. Frederick P. Schubert, who is the Coordinator of the Pacific Region of NNBIS, Long Beach, CA; Rear Adm. William H. Stewart, who is the Coordinator of the Gulf Region of NNBIS in New Orleans, LA.

I want to welcome you all here this afternoon. Please have a seat. If you would, have a seat in front of the microphones, so everybody will have a microphone.

Again, I want to tell you how much I appreciate your rearranging your schedules so you could stay over today and testify. I know that's a great inconvenience to you, and we really do appreciate it. Thank you very much.

Mr. Wait, why don't we start with you. You can go ahead and give us your testimony, and I will say, as I said earlier that if you would like to submit your written testimony for the record and simply summarize, please feel free to do so. Without objection, that will be made part of the record.

#### STATEMENT OF JAMES WAIT, COORDINATOR, SOUTHWEST REGION, NNBIS, EL PASO, TX

Mr. WAIT. OK, fine, thank you.

Mr. Chairman, members of the committee. As you know, I am the Coordinator of the Southwest NNBIS Region, and my territory is—my area of responsibility is from Brownsville, TX, Gulf of Mexico to the Arizona, western Arizona border, Yuma, AZ, on the Colorado River.

For the most part, we are—when we are in operation, it is over U.S. soil, and not like these gentlemen, over the ocean.

We began our activities in June 1983, coordinating—mostly coordinating and observing air operations. Some were coordinations with the Pacific region, and some were on our own.

Between June and November, we coordinated five special operations, which is usually a duration of 1 to 5 days, and during that time, we only made two seizures and four arrests.

And we were experimenting at that time with different types of DOD resources, mostly portable ground radar. In December and January, we began using the lookdown radar, and met with some-

what more success. We had sudden legitimate targets during those operations, and made two narcotic seizures, two vehicle seizures, one aircraft, and eight arrests.

We utilized the E-2C's from the Navy, OV-10's from the Marine Corps, and FAA radar and Customs aircraft on those operations, and some local and State law enforcement officers.

From those, we had post-op and pre-op meetings, tried to clean up our mistakes, and let the other NNBIS regions know what worked and what didn't work. We have gone to the Air Force and the Army to see what types of assets they had that could be used in law enforcement. We tested several mobile ground radars, and selected some that could be useful in law enforcement, and others that were not suitable. And we have met with the Air Force at Bergstrom Air Force Base, and have found some of their training operations that we can utilize to get up-to-date intelligence, to be utilized by our air support branches. And we will analyze that and give it to the air support branches where it will be needed.

And we are continuing to look for and identify other military assets that would be useful in the law enforcement areas.

The intelligence side has been gathering intelligence for specific operations from the air support branches, from San Bernadino County sheriff's office, from State and local law enforcement officers, and using that to target and determine the type of operation that we will do in these small, special operations. And this is being passed on to the other air support branches after the intelligence has been analyzed.

We are becoming a little more successful with our operations, and expect after—at the current time and up to date, we have not been able to get any assistance from the intelligence community, because of the fact that we are in a building that is not secure, and they do not want to put anybody in with us in order to give us any assistance. We are, however, expected to be in a new facility by the end of June, it's supposed to be ready by the end of June, and we hope at that time we'll be able to get national intelligence assistance. That's about it from mine.

Mr. ENGLISH. Thank you very much.

[The prepared statement of Mr. Wait follows:]

## CONGRESSIONAL COMMENTS

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM JAMES WAIT, COORDINATOR OF THE SOUTHWEST REGION OF THE VICE PRESIDENT'S NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, LOCATED IN EL PASO, TEXAS, AND THE AREA SPECIAL AGENT IN CHARGE FOR THE U.S. CUSTOMS SERVICE. I AM PLEASED TO HAVE THIS OPPORTUNITY TO APPEAR BEFORE YOU TO DISCUSS THE SW REGION OF NNBIS. MY NNBIS AREA OF RESPONSIBILITY IS THE LAND BORDER WITH THE REPUBLIC OF MEXICO FROM THE SOUTHERN TIP OF TEXAS NEAR BROWNSVILLE WESTWARD TO THE COLORADO RIVER AT YUMA, ARIZONA. THIS INTERNATIONAL BORDER IS APPROXIMATELY 1,810 MILES LONG. THE TERRAIN IS BASICALLY ROUGH, ARID, IN MOST CASES MOUNTAINOUS, AND EXCEPT FOR A FEW CITIES AND TOWNS, THE AREA IS TYPICALLY REMOTE AND UNPOPULATED. UNLIKE REGIONS WITH MARITIME BORDERS OUR EFFORTS ARE, FOR THE MOST PART, LIMITED TO ACTIVITIES ON OR OVER UNITED STATES SOIL.

SINCE THE ESTABLISHMENT OF SW NNBIS IN JUNE 1983, WE HAVE WORKED TO COORDINATE NARCOTIC INTERDICTION EFFORTS IN OUR REGION. WE HAVE APPROACHED THIS MISSION IN BOTH THE AREAS OF INTELLIGENCE AND OPERATIONS. OUR MISSION IS TO ACT AS THE INTERFACE BETWEEN DOD ASSETS AND THE CIVILIAN LAW ENFORCEMENT COMMUNITY, AND TO COORDINATE ACTIVITIES AMONG THE VARIOUS LAW ENFORCEMENT AGENCIES. WHILE WE HAVE ONLY BEEN IN OPERATION FOR EIGHT MONTHS, I WOULD LIKE TO GIVE SPECIFIC EXAMPLES OF OUR ACTIVITIES. TO DATE I FEEL WE ARE MAKING PROGRESS, FILLING A NEEDED ROLE IN NARCOTICS INTERDICTION AND DEVELOPING EFFECTIVE MEANS OF ADDRESSING THIS PROBLEM.

OUR INITIAL APPROACH TO THE PROBLEM HAS BEEN TO COORDINATE CONCENTRATED LAW ENFORCEMENT EFFORTS BASED ON DOD SUPPORT ASSETS. THESE EFFORTS ARE CALLED SPECIAL OPERATIONS. THESE OPERATIONS ATTEMPT TO UTILIZE DOD AND CIVILIAN LAW ENFORCEMENT ASSETS IN A JOINT EFFORT TO DETECT AND INTERDICT NARCOTICS BEING SMUGGLED ACROSS THE SOUTHWEST BORDER.

FROM JUNE 1983 WHEN SW NNBIS WAS FIRST ESTABLISHED THROUGH NOVEMBER 1983, FIVE OF THESE SPECIAL OPERATIONS WERE CONDUCTED IN AREAS ALONG THE BORDER WITH THE REPUBLIC OF MEXICO. THE OPERATIONS UTILIZED A VARIETY OF DOD RESOURCES [PRIMARILY GROUND MOBILE RADAR] AND WERE IN SOME CASES JOINTLY COORDINATED BY SW AND PACIFIC NNBIS. TWO SEIZURES AND FOUR ARRESTS WERE MADE AS A DIRECT RESULT OF DOD SUPPORT. VALUABLE EXPERIENCE AND INFORMATION WAS ALSO GAINED THROUGH PLANNING AND EXECUTION OF THESE OPERATIONS. THE INFORMATION GAINED PERTAINS NOT ONLY TO THE AIR SMUGGLER'S RESOURCES AND METHODS BUT ALSO TO INTERDICTION RESOURCES AND METHODS. APPLICATION OF THE LESSONS LEARNED BEGAN TO PAY OFF IN THE DECEMBER 1983 AND JANUARY 1984 OPERATIONS.

PLANNING FOR OUR DECEMBER 1983 OPERATION BEGAN BACK IN OCTOBER AND BROUGHT TANGIBLE RESULTS. ON THE SECOND DAY OF THE OPERATION A SUSPECT TWIN ENGINE AIRCRAFT WAS DETECTED ENTERING THE UNITED STATES WEST OF NOGALES, ARIZONA. WITH THE ASSISTANCE OF THE FAA FACILITIES AND THE USN E-2C, USMC OV-10 AND USCS AIRCRAFT WERE DIRECTED TO THE RADAR TARGET. THE USCS AIRCRAFT OBSERVED THE SUSPECT AIRCRAFT LAND ON A REMOTE STRIP IN ARIZONA. A USCS HELICOPTER ATTEMPTED TO BLOCK THE SUSPECT AIRCRAFT ON THE GROUND; HOWEVER, THE EFFORT WAS NOT SUCCESSFUL AND THE AIRCRAFT

WHICH WAS APPARENTLY STILL LOADED WITH CONTRABAND TOOK OFF AND WAS FOLLOWED BACK TO MEXICO. THE THREE-MAN GROUND CREW WAS ARRESTED AND TURNED OVER TO THE LOCAL SHERIFF. THIS WAS THE FIRST OPERATION IN THE SW AREA WHERE THREE USCS ASB'S, TWO USMC UNITS, AND ONE USN E-2C SQUADRON AND LOCAL AUTHORITIES HAD BEEN COORDINATED INTO AN EFFECTIVE AIRBORNE STRIKE FORCE. THREE OTHER SUSPECT INTRUSION TARGETS WERE DETECTED, TWO OF WHICH PROVED TO BE LEGITIMATE. THE OTHER TARGET RETURNED TO MEXICO.

THE JANUARY OPERATION WAS SPECIFICALLY PLANNED WITH THE DECEMBER EXPERIENCES AS A GUIDE AND RESULTED IN THE FOLLOWING INCIDENTS. AN E-2C ACQUIRED A TARGET AND PROVIDED POSITIVE CONTROL TO THE OV-10 AND USCS AIRCRAFT. THE SUSPECT AIRCRAFT WAS FOLLOWED TO A REMOTE STRIP IN ARIZONA WHERE IT LANDED. DUE TO THE LACK OF SUFFICIENT LIGHTING ON THE REMOTE STRIP THE USCS AIRCRAFT ELECTED NOT TO LAND. ON THE GROUND THE LOCAL SHERIFF'S OFFICE ARRESTED THE GROUND CREW, SEIZED THREE VEHICLES AND APPROXIMATELY 2,300 POUNDS OF MARIJUANA.

THE NEXT DAY ANOTHER TARGET WAS DETECTED CROSSING THE BORDER AND AGAIN THE E-2C PROVIDED RADAR COVERAGE AND POSITIVE CONTROL FOR THE USCS INTERCEPT AIRCRAFT. THE AIR CHASE RESULTED IN CUSTOMS AIR OFFICERS SEIZING ONE AIRCRAFT AND APPROXIMATELY 1,000 POUNDS OF MARIJUANA. TWO SUSPECTS WERE ALSO ARRESTED [SEVERAL DAYS LATER A THIRD MAN WAS ARRESTED IN A LAS VEGAS MOTEL ROOM AS A DIRECT RESULT OF INFORMATION AND EVIDENCE ACQUIRED IN THE AIRCRAFT SEIZURE]. WHILE THE ARRESTS WERE OCCURRING ON THE GROUND, YET ANOTHER SUSPECT AIRCRAFT FLEW OVER THE BORDER AT APPROXIMATELY THE SAME LOCATION. AGAIN THE E-2C PROVIDED RADAR

COVERAGE AND POSITIVE CONTROL FOR THE USCS INTERCEPT AIRCRAFT. THE TARGET WAS TRACKED NORTH TO LAS VEGAS, NEVADA THEN BACK SOUTH, ULTIMATELY RETURNING TO MEXICO WITHOUT ATTEMPTING TO LAND ANYWHERE WITHIN THE UNITED STATES.

THE MENTIONED INCIDENTS ARE INDICATORS OF THE DRUG THREAT IN THE SOUTHWEST REGION AS WELL AS THE RESULTS THAT CAN BE ACCOMPLISHED WITH PROPER PLANNING, FACE TO FACE DISCUSSIONS AND JOINT COOPERATION BETWEEN DOD, USCS, AND LOCAL LAW ENFORCEMENT AGENCIES. DURING THE DECEMBER AND JANUARY AIR INTERDICTION OPERATIONS THE USN E-2C'S AND THE USMC OV-10'S PLAYED A KEY ROLE IN THE LAW ENFORCEMENT EFFORT IN THE SW NNBIS REGION. IN EACH OF THESE OPERATIONS THE E-2C COVERAGE WAS LIMITED TO 20 HOURS IN DURATION. IT IS SIGNIFICANT THAT 40 HOURS OF COVERAGE OVER A TWO-MONTH PERIOD COVERING A 200-MILE SECTION OF THE ARIZONA/MEXICO BORDER RESULTED IN THE AFOREMENTIONED ARRESTS AND SEIZURES AND A TOTAL OF SEVEN AIRCRAFT INTRUSION SIGHTINGS.

IN EARLY FEBRUARY 1984 AWACS AND E-2C ASSETS WERE EMPLOYED IN AN OPERATION OFF THE TEXAS COAST AND OVER SOUTH TEXAS WITHIN THE GULF REGION. MEMBERS OF MY STAFF ASSISTED IN COORDINATION AND MONITORED THE OPERATION. THIS OPERATION RESULTED IN SEVERAL TARGETS BUT NO SEIZURES. LESSONS LEARNED BY MY REPRESENTATIVES IN THE GULF OPERATION ARE BEING INCORPORATED INTO OUR COORDINATION PROCEDURES.

EARLIER THIS MONTH WE COORDINATED A SPECIAL OPERATION CENTERED OVER YUMA, ARIZONA. THE OBJECTIVES OF THE MARCH OPERATION WERE TO: 1) ESTABLISH DATA FOR AN ACCURATE ASSESSMENT OF THE AIR THREAT ALONG THE CALIFORNIA AND WESTERN ARIZONA

SOUTHERN BORDERS; 2) DETERMINE USEFULNESS OF GROUND RADAR TO ESTABLISH A LOW-ALTITUDE GAP FILLER NET TO MEET USCS'S NEEDS. [SEVERAL DOD RADAR ASSETS THAT HAVE NOT BEEN PREVIOUSLY EMPLOYED WERE USED.]; AND 3) THE INTERDICTION OF SUSPECT AIRCRAFT PENETRATING THE SOUTHERN BORDER.

IN ADDITION TO DIRECT COORDINATION OF SPECIAL OPERATIONS SW NNBIS PERSONNEL HAVE INITIATED CONTACT WITH VARIOUS DOD COMMANDS FOR LAW ENFORCEMENT BRIEFINGS AND EQUIPMENT EVALUATIONS. IN OCTOBER OF 1983 SW NNBIS COORDINATED AN EVALUATION OF THE USEFULNESS TO LAW ENFORCEMENT OF USA AIR CAVALRY TRAINING OPERATIONS IN WEST TEXAS. PLANS HAVE BEEN MADE TO INCORPORATE THESE HELICOPTER TRAINING EXERCISES INTO A LAW ENFORCEMENT OPERATION WHEN THE EXERCISES ARE HELD NEAR THE BORDER.

IN NOVEMBER 1983 SW NNBIS AND EL PASO ASB PERSONNEL WORKED WITH AN ARMY HAWK RADAR SYSTEM IN THE FIELD AT FT. BLISS, TEXAS. AFTER THE FIELD TEST THE LAW ENFORCEMENT PERSONNEL FELT THAT AN AIR DEFENSE SYSTEM SUCH AS THE HAWK WAS NOT WELL SUITED FOR BORDER LAW ENFORCEMENT OPERATIONS. IT WAS FELT THAT A MOBILE AIR TRAFFIC CONTROL RADAR SYSTEM MIGHT PRODUCE BETTER RESULTS.

IN JANUARY 1984 SW NNBIS SAN ANTONIO ASB PERSONNEL EVALUATED SUCH AN AIR TRAFFIC CONTROL RADAR UNIT AT FT. HOOD, TEXAS. THIS SYSTEM IS SMALL, MOBILE AND APPEARS MORE PROMISING FOR OUR NEEDS. ADDITIONALLY, A MARINE CORPS RADAR SYSTEM HAS PROVEN CAPABILITIES APPLICABLE TO LAW ENFORCEMENT SUPPORT. SW NNBIS PERSONNEL HAVE ALSO EVALUATED THE RADAR SYSTEM WHICH SUPPORTS THE WHITE SANDS MISSILE RANGE AND HOLLOMAN AFB, NEW MEXICO.

IN DECEMBER OF 1983 A MEMBER OF MY STAFF VISITED BERGSTROM AFB, TEXAS TO PARTICIPATE IN LAW ENFORCEMENT ASSISTANCE BRIEFINGS AND TO EXPLORE LAW ENFORCEMENT APPLICATIONS FOR RF-4 TRAINING FLIGHTS. AS A DIRECT RESULT OF THIS VISIT A PROGRAM HAS BEEN INITIATED IN WHICH RF-4 DATA, ACQUIRED DURING ROUTINE TRAINING, IS PROVIDED TO MY INTELLIGENCE STAFF.

DURING JANUARY AND FEBRUARY 1984 REPRESENTATIVES OF THE MAJOR USA INSTALLATIONS IN OUR REGION VISITED THE NNBIS OFFICE IN EL PASO, TEXAS. THE NNBIS MISISON AND THE USA ASSETS WERE DISCUSSED. POINTS OF CONTACT WERE ESTABLISHED AS WELL AS THE MAKING OF PLANS FOR AN EXTENSIVE BRIEFING PROGRAM FOR USA PERSONNEL.

CONTACT HAS ALSO BEEN MADE BY SW NNBIS REPRESENTATIVES WITH THE TEXAS AND ARIZONA NATIONAL GUARD. A MEETING WITH THE NEW MEXICO NATIONAL GUARD IS PLANNED. THESE MEETINGS EXPLAIN OUR MISSION AND EXPLORE POSSIBLE ASSETS THAT MAY BE AVAILABLE FOR LAW ENFORCEMENT SUPPORT.

NNBIS BRIEFINGS WERE GIVEN IN JANUARY AND FEBRUARY TO THE TEXAS NARCOTICS OFFICERS ASSOCIATION AND THE WEST TEXAS INTELLIGENCE OFFICERS ASSOCIATION. BRIEFINGS SUCH AS THESE WILL BE GIVEN THROUGHOUT OUR REGION IN AN EFFORT TO BETTER COORDINATE CIVILIAN LAW ENFORCEMENT NEEDS WITH DOD ASSETS.

MY STAFF IS CURRENTLY EXPLORING ADDITIONAL AREAS OF DOD SUPPORT FOR THE NARCOTICS INTERDICTION EFFORT. REQUESTS HAVE BEEN MADE OF FT. SAM HOUSTON, FT. BLISS AND FT. HUACHUCA TO LOAN NIGHT VISION GOGGLES TO THE USCS AIR UNITS IN OUR REGION.

CONTACT HAS BEEN MADE WITH THE USAF AT TINKER AFB, OKLAHOMA. WE HAVE DEVELOPED BETTER WAYS TO COORDINATE AWACS AIRCRAFT TRAINING WITH LAW ENFORCEMENT NEEDS IN OUR REGION.

AS I HAVE SAID OUR OFFICE WAS ESTABLISHED APPROXIMATELY EIGHT MONTHS AGO. IN THAT TIME WE HAVE ESTABLISHED POINTS OF CONTACT WITHIN THE DOD CHAIN OF COMMAND AND HAVE MADE PROGRESS IN COORDINATING A MULTI-AGENCY EFFORT AGAINST NARCOTICS SMUGGLING ACROSS THE BORDER IN OUR REGION. GOOD LINES OF COMMUNICATIONS ARE NOW ESTABLISHED. I CAN SAY THAT MY REGION ENJOYS VERY GOOD RELATIONS WITH THE DOD UNITS INVOLVED IN OUR ACTIVITIES. THIS IS MOST APPRECIATED.

SW NNBIS IS DIVIDED INTO TWO SECTIONS - INTELLIGENCE AND OPERATIONS. SO FAR MY DISCUSSION HAS CENTERED ON THE OPERATIONS SIDE OF THE OFFICE. THE INTELLIGENCE FUNCTION IS EQUALLY IMPORTANT. ANY LONG-TERM LAW ENFORCEMENT ACTIVITY REQUIRES SOLID INTELLIGENCE SUPPORT. BY ITS NATURE, INTELLIGENCE TAKES TIME TO DEVELOP. AT THIS TIME THERE IS AN IMMENSE LACK OF INTELLIGENCE ABOUT THE NARCOTICS SMUGGLING THAT CROSSES THE BORDER IN THE SOUTHWEST REGION.

WE AT SW NNBIS ARE FORTUNATE TO BE LOCATED IN THE SAME CITY AS EPIC. MY INTELLIGENCE STAFF IS IN DIRECT CONTACT WITH EPIC THROUGH THE DEA ANALYST ASSIGNED TO SW NNBIS. THIS DIRECT CONTACT WILL HELP REDUCE ANY DUPLICATION OF EFFORT AND ASSIST IN FORMING A COMPLEMENTARY RELATIONSHIP BETWEEN EPIC AND SW NNBIS. ALREADY, PRODUCTS FROM INTELLIGENCE SOURCES THAT HAVE BEEN LOCATED BY MY STAFF ARE BEING GIVEN TO THE EPIC DATA BASE. THE SW NNBIS STAFF IS A CENTER FOR LOCATING AND REQUESTING AND

ANALYZING INTELLIGENCE ASSISTANCE THAT IS SPECIFICALLY TARGETED AT THE SMUGGLING PROBLEMS OF OUR REGION. THIS INCLUDES INFORMATION GATHERED BY DOD SOURCES DURING THEIR ROUTINE OPERATIONS.

MY INTELLIGENCE STAFF IS NOW DIRECTLY EMPLOYED IN PROVIDING AN INTELLIGENCE PRODUCT FOR THE PLANNING AND EXECUTION OF SPECIAL OPERATIONS. THE MARCH 1984 SPECIAL OPERATION IS AN EXAMPLE OF THIS INTELLIGENCE SUPPORT. MY INTELLIGENCE STAFF GATHERED AIR SMUGGLING INTELLIGENCE FROM USCS HEADQUARTERS, EPIC, SAN BERNARDINO COUNTY SHERIFF'S OFFICE, CALIFORNIA, AND USCS SAN DIEGO ASB. THEY THEN CORRELATED AND REFINED ALL OF THE ABOVE INTELLIGENCE DATA INTO A USEABLE INTELLIGENCE PRODUCT. THIS INTELLIGENCE WAS PRESENTED TO THE DOD CREWS FLYING MISSIONS FOR THE MARCH OPERATION IN PRE-FLIGHT BRIEFINGS. THE BRIEFINGS WERE UPDATED EACH DAY.

THIS REPRESENTS AN EXAMPLE OF THE NNBIS INTELLIGENCE ROLE, BRINGING TOGETHER INTELLIGENCE FROM MANY AND VARIED SOURCES, COMBINING THEM INTO A USEFUL PRODUCT AND PRESENTING THIS PRODUCT IN A TIMELY FASHION. TO THE BEST OF OUR KNOWLEDGE, THIS HAS NEVER BEEN DONE ON SUCH A LARGE SCALE.

IN CLOSING I WOULD LIKE TO SAY THAT I CONSIDER THE PRIMARY PROBLEM IN THE AIR INTERDICTION EFFORT TO BE THE LACK OF RESOURCES AVAILABLE. THE REGION HAS FEW LAW ENFORCEMENT AIRCRAFT AND PEOPLE, LITTLE LOW LEVEL RADAR COVERAGE ON THE BORDER AND RELATIVELY LITTLE ROUTINE COVERAGE OF THE AREA BY DOD ASSETS IN A MODE THAT IS OF DIRECT LAW ENFORCEMENT ASSISTANCE. I SEE THE NNBIS ROLE AS ONE OF IDENTIFYING AND BRINGING THE AVAILABLE

ASSETS TO BEAR ON THE PROBLEM. THIS ROLE REQUIRES OPERATIONAL AND INTELLIGENCE COORDINATION THAT IS REGION SPECIFIC AND CONSTANTLY ON-GOING AND DEVELOPING. I FEEL WE HAVE MADE PROGRESS IN THAT DIRECTION, FILL A NEEDED ROLE AND WILL CONTINUE TO DO SO. THAT CONCLUDES MY PREPARED TESTIMONY. I'D BE HAPPY TO ANSWER ANY QUESTIONS YOU MAY HAVE, MR. CHAIRMAN.

Mr. ENGLISH. Admiral Schubert.

**STATEMENT OF REAR ADM. FREDERICK P. SCHUBERT,  
COORDINATOR, PACIFIC REGION, NNBIS, LONG BEACH, CA**

Admiral SCHUBERT. Good afternoon, Mr. Chairman. I am Rear Adm. Frederick P. Schubert, Pacific Regional Coordinator for NNBIS.

As you know, the Pacific region includes the United States-Mexican border area from the Colorado River to the Pacific Ocean, the entire west coast of the United States, the States of Alaska and Hawaii, and the rest of the Pacific basin. It encompasses a land and water area larger than all the other regions combined. Since I know that the concern of the subcommittee is primarily air threat, I will confine my testimony this afternoon specifically to that problem. I think it's no secret that the geographical characteristics of our southern border seem to invite smuggling by air in both the Southwest and Pacific NNBIS regions.

The ruggedness of the terrain impedes good radar surveillance and the general north-south orientation of mountain ranges and valleys combined with the availability of clandestine airstrips in both the United States and Mexico have made air smuggling one of the popular methods of trafficking in the Pacific region.

The air shipments from Mexico often attempt to penetrate the border in a manner intended to end-run ground radars and confuse surveillance operations. Those who decide to break the border on a northwest track from Mexico to California can do so with very little concern about detection or apprehension.

Even with prior intelligence and detection, the vast remote areas of our western deserts combined with the literally hundreds of clandestine landing sites make the interception and apprehension of these smugglers difficult at best.

The air smuggling picture is not just limited to Mexico as a point of origin. Evidence has clearly shown that Columbia is a popular source country for air smuggling into California. In this type of venture, Mexico is used merely as a transshipment point, or for longer range aircraft, a convenient point of entry into the United States. Because aircraft from both Mexico and the Caribbean bound for Pacific region markets often penetrate the border in the southwest region, as Mr. Wait has indicated, our respective NNBIS centers maintain very close liaison.

Whenever possible, we plan an operation to include State and local law enforcement agencies. They have excellent intelligence of the smuggling activity in their area, and with that intelligence, we feel that the military resources that we have access to can be used to maximum benefit.

The most ambitious operation that we've put together so far in the Pacific region has been just such a case. At the request of the Riverside and San Bernardino County Sheriff's Departments, the Customs Service spent 3 months gathering intelligence in the Riverside-San Bernardino area. This effort clearly identified significant smuggling activity. A meeting was held at which representatives of Customs, DEA, FBI, INS, the Coast Guard, the Los Angeles Police Department, the Riverside, San Bernardino, and Los Ange-

les Sheriff's Offices, and the Western States Information Network developed a plan to deal with the problem.

A threat area was defined and resources were committed for a weeklong interdiction effort. NNBIS arranged to have Marine Corps aircraft and mobile radars available for a 5-day period, and the Air Force Regional Operations Control Center at March Air Force Base was brought in to assist in monitoring existing fixed radars. Arrest crews made up of Riverside and San Bernardino County deputy sheriffs and Customs officers were pre-positioned in the desert, while WSIN provided equipment and funds for overtime that would be needed. The coordination achieved in this operation was unmatched in any previous cooperative effort.

Between September 1st and December 31, 15 aircraft were seized in the Pacific region for trafficking violations, along with 4,535 pounds of marijuana. These seizures also resulted in nine arrests. These seizures, along with sighting reports and crashes, represent a significant increase of activity in the Pacific Region as compared to the same period in 1982.

Mr. Chairman, it's been a pleasure to give you this synopsis of my very brief and very general overview of the air smuggling problem and NNBIS activities in the Pacific region.

I will be happy to answer any questions that you may have at this time.

[The prepared statement of Admiral Schubert follows:]

STATEMENT OF REAR ADMIRAL F. P. SCHUBERT  
COORDINATOR, PACIFIC REGION  
NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM  
BEFORE THE  
SUBCOMMITTEE ON GOVERNMENT INFORMATION,  
JUSTICE AND AGRICULTURE  
MARCH 21, 1984

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM REAR ADMIRAL FREDERICK P. SCHUBERT, PACIFIC REGIONAL COORDINATOR FOR THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS).

I HAVE HELD THIS POSITION SINCE THE INCEPTION OF NNBIS ON JUNE 17TH OF LAST YEAR.

AS YOU ARE AWARE, NNBIS WAS ESTABLISHED TO COORDINATE FEDERAL LAW ENFORCEMENT EFFORTS DIRECTED AT INTERDICTIONING THE FLOW OF ILLEGAL NARCOTICS INTO THE UNITED STATES BY LAND, SEA AND AIR. EACH OF THE SIX NNBIS REGIONS HAS ITS OWN UNIQUE SMUGGLING SCENARIO AND THE PACIFIC REGION IS NO EXCEPTION.

THE PACIFIC REGION INCLUDES THE U.S./MEXICAN BORDER AREA FROM THE COLORADO RIVER TO THE PACIFIC OCEAN, THE WEST COAST OF THE UNITED STATES, AND THE STATES OF ALASKA AND HAWAII AS WELL AS THE REST OF THE PACIFIC BASIN. IT ENCOMPASSES A LAND AND WATER AREA LARGER THAN ALL OF THE OTHER REGIONS COMBINED. THIS LARGE GEOGRAPHICAL EXPANSE POSES A SPECIAL SET OF PROBLEMS FOR BOTH LAW ENFORCEMENT AND THE

OPTIONS NOT AVAILABLE IN THE OTHER REGIONS. FOR EXAMPLE, SHIPMENTS OF HEROIN AND MORPHINE FROM THE GOLDEN TRIANGLE HAVE BEEN INTERDICTED ON BOTH COMMERCIAL SHIPS AND AIRCRAFT AS WELL AS IN THE MAILS. HAWAII AND THE ISLANDS OF MICRONESIA HAVE RECENTLY EMERGED AS SOURCES OF HIGH QUALITY MARIJUANA WHICH IS SHIPPED TO THE CONTINENTAL U.S. BY MAIL AND PRIVATE OCEAN GOING YACHTS. MARIJUANA, COCAINE, HEROIN AND ILLEGAL PHARMACEUTICALS REGULARLY CROSS THE U.S./MEXICAN BORDER BY LAND, SEA AND AIR TO SUPPLY THE MAJOR DRUG MARKETS IN LOS ANGELES AND SAN FRANCISCO. THERE IS ALSO SOME INDICATION THAT THESE MARKETS ARE IN PART BEING SUPPLIED THROUGH TRANSCONTINENTAL SHIPMENTS OF NARCOTICS THAT HAVE BEEN SMUGGLED INTO OTHER PARTS OF THE COUNTRY. THE PACIFIC REGION NNBIS CENTER IS WORKING ON ALL OF THESE THREAT SCENARIOS TO DETERMINE SPECIFIC TRAFFICKING PATTERNS, TO DEVELOP SMUGGLING PROFILES AND TO DEVISE INTERDICTION STRATEGIES TO MAKE OUR OVERALL EFFORT MORE EFFECTIVE.

SINCE I KNOW THAT THE CONCERN OF THIS SUBCOMMITTEE IS PRIMARILY THE AIR THREAT, I WILL CONFINE THE REST OF MY TESTIMONY SPECIFICALLY TO THAT PROBLEM. IT IS NO SECRET THAT THE GEOGRAPHICAL CHARACTERISTICS OF OUR SOUTHERN BORDERS SEEM TO INVITE SMUGGLING BY AIR IN BOTH THE

SOUTHWEST AND PACIFIC NNBS REGIONS. THE RUGGEDNESS OF THE TERRAIN IMPEDES GOOD RADAR SURVEILLANCE AND THE GENERAL NORTH-SOUTH ORIENTATION OF MOUNTAIN RANGES AND VALLEYS COMBINED WITH THE AVAILABILITY OF CLANDESTINE AIRSTRIPS IN BOTH MEXICO AND THE UNITED STATES HAS MADE AIR SMUGGLING ONE OF THE POPULAR METHODS OF TRAFFICKING IN THE PACIFIC REGION.

AIR SHIPMENTS FROM MEXICO OFTEN ATTEMPT TO PENETRATE THE BORDER IN A MANNER INTENDED TO "END RUN" GROUND RADARS AND CONFUSE SURVEILLANCE OPERATIONS. THOSE WHO DECIDE TO BREAK THE BORDER ON A NORTHWEST TRACK FROM MEXICO TO CALIFORNIA DO SO WITH VERY LITTLE CONCERN ABOUT DETECTION OR APPREHENSION. EVEN WITH PRIOR INTELLIGENCE AND DETECTION, THE VAST REMOTE AREAS OF OUR WESTERN DESERTS COMBINED WITH LITERALLY HUNDREDS OF CLANDESTINE LANDING SITES MAKE INTERCEPTION AND APPREHENSION OF THESE SMUGGLERS DIFFICULT AT BEST.

THE AIR SMUGGLING PICTURE IS NOT JUST LIMITED TO MEXICO AS A POINT OF ORIGIN. EVIDENCE HAS CLEARLY SHOWN THAT COLOMBIA IS ALSO A POPULAR SOURCE COUNTRY FOR AIR SMUGGLING INTO CALIFORNIA. IN THIS TYPE OF VENTURE, MEXICO IS USED MERELY AS A TRANSSHIPMENT POINT.

OR FOR LONGER RANGE AIRCRAFT, A CONVENIENT POINT OF ENTRY INTO THE UNITED STATES. BECAUSE AIRCRAFT FROM BOTH MEXICO AND THE CARIBBEAN BOUND FOR THE PACIFIC REGION MARKETS OFTEN PENETRATE THE BORDER IN THE SOUTHWEST REGION, OUR RESPECTIVE NNBIS CENTERS MAINTAIN VERY CLOSE LIAISON.

PERHAPS THE MOST IMPORTANT CONTRIBUTION AGAINST THIS THREAT THAT PACIFIC REGION NNBIS HAS MADE THUS FAR HAS BEEN AS AN INFORMATION AND INTELLIGENCE CLEARING HOUSE AND THE SINGLE POINT OF CONTACT FOR MATCHING AVAILABLE MILITARY RESOURCES TO CIVIL INTERDICTION REQUIREMENTS. EACH MONTH A MAJOR LAW ENFORCEMENT EFFORT IS UNDERTAKEN SOMEWHERE IN THE REGION INVOLVING MILITARY RESOURCES. THESE OPERATIONS ARE TARGETED AGAINST EITHER THE MARITIME OR THE AIR THREAT.

WHENEVER POSSIBLE WE PLAN AN OPERATION TO INCLUDE STATE AND LOCAL LAW ENFORCEMENT AGENCIES. THEY HAVE EXCELLENT KNOWLEDGE OF SMUGGLING ACTIVITY IN THEIR AREA AND WITH THAT INTELLIGENCE WE FEEL THAT THE MILITARY RESOURCES CAN BE USED TO MAXIMUM BENEFIT.

THE MOST AMBITIOUS OPERATION WE HAVE PUT TOGETHER SO FAR HAS BEEN JUST SUCH A CASE. THE CUSTOMS SERVICE SPENT THREE MONTHS GATHERING INTELLIGENCE IN THE RIVERSIDE/SAN BERNARDINO AREA. THIS EFFORT CLEARLY IDENTIFIED SIGNIFICANT AIR SMUGGLING ACTIVITY. A MEETING WAS HELD AT WHICH REPRESENTATIVES OF CUSTOMS, DEA, FBI, INS, COAST GUARD, THE LOS ANGELES POLICE DEPARTMENT, THE RIVERSIDE, SAN BERNARDINO AND LOS ANGELES SHERIFF'S OFFICES, AND THE WESTERN STATES INFORMATION NETWORK DEVELOPED A PLAN TO DEAL WITH THE PROBLEM. A THREAT AREA WAS DEFINED AND RESOURCES WERE COMMITTED FOR A WEEK-LONG INTERDICTION EFFORT. NNBIS ARRANGED TO HAVE MARINE CORPS AIRCRAFT AND MOBILE RADARS AVAILABLE FOR A FIVE DAY PERIOD AND THE AIR FORCE REGIONAL OPERATIONS CONTROL CENTER WAS BROUGHT IN TO ASSIST IN MONITORING EXISTING FIXED RADARS. ARREST CREWS MADE UP OF RIVERSIDE AND SAN BERNARDINO SHERIFFS AND CUSTOMS OFFICERS WERE PRE-POSITIONED IN THE DESERT WHILE WSIN PROVIDED EQUIPMENT AND FUNDS FOR THE OVERTIME THAT WOULD BE NEEDED. THE COORDINATION ACHIEVED IN THIS OPERATION WAS UNMATCHED IN ANY PREVIOUS COOPERATIVE EFFORT.

ANOTHER OPERATION THAT WAS CONCEPTUALLY SIMILAR HAS JUST BEEN COMPLETED AND IS NOW BEING EVALUATED BY NNBIS AND THE PARTICIPATING AGENCIES.

I WOULD LIKE TO INTERJECT HERE, MR. CHAIRMAN, THAT IN THE PACIFIC REGION WE HAVE MADE LOCAL LAW ENFORCEMENT A FULL TIME PARTNER IN NNBIS. WE HAVE REPRESENTATIVES FROM THE LOS ANGELES POLICE DEPARTMENT AND SHERIFF'S OFFICE PERMANENTLY ASSIGNED TO THE NNBIS STAFF. WE ALSO MAINTAIN CLOSE WORKING RELATIONSHIPS WITH SHERIFF'S DEPARTMENTS IN OTHER COUNTIES WHERE AIR SMUGGLING IS PREVALENT. THESE HIGHLY PROFESSIONAL AGENCIES HAVE BEEN STRONG SUPPORTERS OF NNBIS AND HAVE PROVIDED INVALUABLE ASSISTANCE TO OUR REGIONAL CENTER.

BETWEEN SEPTEMBER 1 AND DECEMBER 31ST, 15 AIRCRAFT HAVE BEEN SEIZED IN THE PACIFIC REGION FOR TRAFFICKING VIOLATIONS ALONG WITH 4535 POUNDS OF MARIJUANA. THESE SEIZURES ALSO RESULTED IN 9 ARRESTS. THESE SEIZURES ALONG WITH SIGHTING REPORTS AND CRASHES REPRESENT A SIGNIFICANT INCREASE IN ACTIVITY AS COMPARED TO THE SAME PERIOD IN 1982.

AS I INDICATED IN MY RECENT LETTER TO YOU, MR. CHAIRMAN, THE STRUCTURE OF NNBIS MAKES IT DIFFICULT TO CLEARLY CITE SPECIFIC CASES WHERE THE PARTICIPATION OF NNBIS WAS THE SOLE CONTRIBUTING FACTOR IN A GIVEN SEIZURE. CLEARLY, WE ARE STILL LEARNING HOW THE AIR SMUGGLER OPERATES IN THE PACIFIC REGION. SIMILARLY, WE ARE STILL LEARNING HOW NNBIS CAN MOST EFFECTIVELY HELP THE OPERATING AGENCIES COUNTER THE AIR SMUGGLING THREAT.

AN INTERESTING SIDE BENEFIT OF NNBIS THAT WE HAVE OBSERVED IS THE CATALYTIC EFFECT THAT THE EXISTENCE OF NNBIS HAS SEEMED TO GENERATE AMONG THE OPERATING AGENCIES IN TERMS OF COOPERATION AND INNOVATION. IN SUMMARY, I AM PROUD OF THE NNBIS CONTRIBUTIONS MADE THUS FAR IN ADDRESSING THE ENTIRE NARCOTICS TRAFFICKING PROBLEM ON THE WEST COAST AND I ASSURE YOU WE WILL GET MUCH BETTER AT OUR JOB AS WE GAIN EXPERIENCE.

MR. CHAIRMAN, IT HAS BEEN A PLEASURE TO GIVE YOU THIS VERY BRIEF AND VERY GENERAL OVERVIEW OF THE AIR SMUGGLING PROBLEM AND NNBIS ACTIVITIES IN THE PACIFIC REGION. I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU OR OTHER MEMBERS OF THE SUBCOMMITTEE MAY HAVE AT THIS TIME.

Mr. ENGLISH. Thank you very much.  
Admiral Stewart.

**STATEMENT OF REAR ADM. WILLIAM H. STEWART,  
COORDINATOR, GULF REGION, NNBIS, NEW ORLEANS, LA**

Admiral STEWART. Good afternoon, Mr. Chairman, members of the committee. I am Rear Adm. William H. Stewart, the Regional Coordinator for the National Narcotics Border Interdiction System in the gulf region.

I assumed the duty of Regional Coordinator for the NNBIS System on June 17 of last year, and I welcome the opportunity again to discuss our interdiction effort with this committee as I did before you in New Orleans in July of last year. I'm also glad to see present today a Member of Congress from my home State, Mr. Coleman.

The New Orleans center, completed on September 1, 1983, is now fully manned. We currently have 31 people on board from Coast Guard, Customs Service, Department of Defense, the Drug Enforcement Administration, the Federal Bureau of Investigation, the New Orleans Police Department, and the Louisiana State Police.

People from each of the Federal agencies have a role in drug interdiction, as well as State and local representatives are actively engaged in a coordinated drug interdiction effort in the gulf region. To ensure coordination with the law enforcement agencies, NNBIS gulf region has established a board of directors much like the headquarters NNBIS executive board, comprised of participating law enforcement agency heads within the gulf region. In addition, I have added the U.S. attorney, the Bureau of Alcohol, Tobacco, and Firearms, and the Internal Revenue Service to my board of directors, for I think some very obvious reasons.

I have met with the Governor of the State of Texas, and I did so in conjunction with Mr. Jim Wait of the Southwest region; the past Governor of Louisiana; and will meet with the Governors of Alabama and Mississippi; and the new Governor, Mr. Edwards of Louisiana in the very near future. I have asked each Governor to designate a contact point in the State agency responsible for drug enforcement. In Louisiana, that person works at the present time in the center.

In other States, the person designated will remain in the home State, and the designated contact person will also provide us with the State and local intelligence needs to round out our intelligence picture.

Information is exchanged on a continual basis, with both the other regional NNBIS centers, and the El Paso Intelligence Center [EPIC]. EPIC's role in intelligence has not been decreased, but as I indicated to you in July, it is increasing as they coordinate the nationwide assessment. They will provide the strategic information necessary to meet changes in the tactics by the opposition.

Members of my staff have exchanged visits with EPIC to ensure close coordination of this very valuable asset. NNBIS has had and will continue to promote extraordinary cooperation, not only across all Federal-civil law enforcement agencies, and the Defense Department's military services, but also across all State and local enforce-

ment agencies, their National Guards, and their Air National Guards.

Education of the different agencies and the general public about the NNBIS role is an additional task to which I and my staff will continue to devote a great deal of attention.

As in 1982, and during 1983, the Yucatan Pass was a major choice of maritime smugglers, with about 35 percent of all mother ships seized during the period, seized in that area. Once in the gulf, the pattern remains the same. They fan out to almost any location, from Florida to the coast of Texas.

Aircraft also use the gulf as a successful smuggling route, and once overland, they can proceed almost anywhere at will within the continental United States.

We are looking forward to a very close working relationship with the newly formed Customs Regional Operational Control Center or ROCC site at Tyndall Air Force Base for air interdiction, and continued cooperation from the U.S. Air Force.

To give a brief overview of the variety of past NNBIS coordinated operations, participating agencies have successfully interdicted aircraft with loads of cocaine and marijuana, a container from a commercial vessel also containing marijuana, a tug with a barge-load of marijuana, fishing vessels with marijuana, two coastal freighters also loaded with marijuana, sailboats also loaded with marijuana, cocaine concealed on people, a shipment of cocaine concealed in a water tank on a commercial vessel.

Interdictions within the gulf region since June 15 include 40 seizures, over 240 tons of marijuana, and almost 1 ton of cocaine. A conservative estimate of the value of the contraband seized is in excess of \$300 million.

In a vessel interdiction case, air resources were required from DOD to accomplish the mission. The request was processed promptly, and the Air Force aircraft successfully located the target for interdiction the same day by a Coast Guard cutter. A Coast Guard vessel, Customs aircraft, DEA and Customs personnel located and subsequently interdicted a mother ship in the gulf recently.

In a recent air interdiction case, which has already been commented on before this committee, Air Force AWACS aircraft detected an aircraft over the gulf. They notified the Customs air branch in New Orleans, and they in turn intercepted the aircraft. When the aircraft crossed over the Texas border, the Customs air branch in New Orleans handed off successfully to the Customs air branch in Houston, who followed the aircraft until it landed at an airfield about 35 miles southwest of Houston. Resulting inspection revealed 600 pounds of marijuana, resulting in the seizure of the aircraft, and the arrest of two people.

I could continue with illustrations of extensive cooperation between various agencies and the military services. Let me simply emphasize, Mr. Chairman, how pleased I am with the continued commitment of all the participating agencies.

And, sir, at this time, I would be happy to answer any questions you or the committee might have.

[The prepared statement of Admiral Stewart follows:]

PREPARED STATEMENT OF RADM WILLIAM H. STEWART, USCG  
REGIONAL COORDINATOR, GULF REGION  
NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

MISTER CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM REAR ADMIRAL WILLIAM H. STEWART, REGIONAL COORDINATOR FOR THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM, GULF REGION. I ASSUMED THE DUTY OF REGIONAL COORDINATOR FOR THE NNBIS SYSTEM ON 17 JUNE OF LAST YEAR. I WELCOME THE OPPORTUNITY AGAIN TO DISCUSS OUR INTERDICTION EFFORT WITH THIS COMMITTEE AS I DID BEFORE YOU IN NEW ORLEANS IN JULY OF LAST YEAR.

AS YOU KNOW THE GULF REGION OF NNBIS ENCOMPASSES A LARGE AREA, 111,500 SQUARE MILES OF THE GULF OF MEXICO, YUCATAN PENINSULA AND CARIBBEAN SEA. IT INCLUDES THE BORDER AREAS OF THE STATES OF ALABAMA, LOUISIANA, MISSISSIPPI, TEXAS AND PART OF THE STATE OF FLORIDA.

THE NEW ORLEANS CENTER IS NOW FULLY MANNED. WE CURRENTLY HAVE 31 PEOPLE ON BOARD FROM COAST GUARD, CUSTOMS SERVICE, DEPARTMENT OF DEFENSE, THE DRUG ENFORCEMENT ADMINISTRATION, THE BORDER PATROL, THE FEDERAL BUREAU OF INVESTIGATION, NEW ORLEANS POLICE DEPARTMENT AND THE LOUISIANA STATE POLICE. PEOPLE FROM EACH OF THE FEDERAL AGENCIES WHO HAVE A ROLE IN DRUG INTERDICTION, AS WELL AS STATE AND LOCAL REPRESENTATIVES ARE ACTIVELY ENGAGED IN A COORDINATED DRUG INTERDICTION EFFORT IN THE GULF REGION.

THE CONSTRUCTION OF THE REGIONAL CENTER WAS ESSENTIALLY COMPLETED ON THE FIRST OF SEPTEMBER. AS YOU KNOW IT IS LOCATED ON THE 13TH FLOOR OF THE HALE BOGGS FEDERAL BUILDING IN NEW ORLEANS.

THE CENTER IS DIVIDED ORGANIZATIONALLY INTO TWO PARTS: OPERATIONS INFORMATION CENTER (OIC) AND INTELLIGENCE INFORMATION CENTER (IIC). THE TWO SECTIONS REPORT TO A STAFF DIRECTOR WHO IN TURN REPORTS TO ME. THE IIC LOOKS AT THE TOTAL TACTICAL INTELLIGENCE PICTURE FOR THE GULF REGION WITH THE INFORMATION FROM ALL POSSIBLE SOURCES AND PRESENTS THE OIC A PICTURE OF THE CRIMINAL ACTIVITY IN THE AREA. THE OPERATIONS INFORMATION CENTER RELAYS THE INTELLIGENCE TO THE APPROPRIATE AGENCY, COORDINATES THE RESOURCES AND RECOMMENDS ACTION TO THE COMMAND AND CONTROL ELEMENT OF THE RESOURCE.

TO ENSURE COORDINATION WITH THE LAW ENFORCEMENT AGENCIES, NNBIS GULF REGION HAS ESTABLISHED A BOARD OF DIRECTORS, MUCH LIKE THE HEADQUARTERS NNBIS EXECUTIVE BOARD, COMPRISED OF KEY LAW ENFORCEMENT AGENCY HEADS WITHIN THE GULF REGION.

I HAVE MET WITH THE GOVERNOR OF TEXAS, THE PAST GOVERNOR OF LOUISIANA AND WILL MEET WITH THE GOVERNORS OF ALABAMA AND MISSISSIPPI AND THE NEW GOVERNOR EDWIN EDWARDS OF LOUISIANA IN THE NEAR FUTURE. I HAVE ASKED EACH GOVERNOR TO DESIGNATE A CONTACT POINT IN THE STATE AGENCY RESPONSIBLE FOR DRUG ENFORCEMENT. IN LOUISIANA THAT PERSON WILL WORK IN THE CENTER. IN OTHER STATES, THE PERSON DESIGNATED WILL REMAIN IN THE HOME STATE. THE DESIGNATED CONTACT PERSON WILL ALSO PROVIDE US WITH THE STATE AND LOCAL INTELLIGENCE NEEDED TO ROUND OUT THE PICTURE.

INFORMATION IS EXCHANGED ON A CONTINUAL BASIS WITH BOTH THE OTHER REGIONAL NNBIS CENTERS AND THE EL PASO INTELLIGENCE CENTER. EPIC'S ROLE IN INTELLIGENCE HAS NOT BEEN DECREASED BUT AS I INDICATED TO YOU IN JULY IS INCREASING AS THEY COORDINATE THE NATIONWIDE ASSESSMENT. THEY WILL PROVIDE THE STRATEGIC INFORMATION NECESSARY TO MEET THE CHANGES IN TACTICS BY THE OPPOSITION. MEMBERS OF MY STAFF HAVE EXCHANGED VISITS TO ENSURE CLOSE COORDINATION WITH THIS VALUABLE ASSET.

THE OVERALL NNBIS MISSION IS TO COORDINATE THE EFFORTS OF LAW ENFORCEMENT AGENCIES, THE MILITARY AND THE INTELLIGENCE COMMUNITY IN A COMBINED ATTACK AGAINST DRUG TRAFFICKING AT THE BORDERS OF THE UNITED STATES. THIS MISSION IS ACCOMPLISHED BY MAKING THE MAXIMUM EFFECTIVE USE OF ALL OUR NATIONAL ASSETS IN A FULLY COORDINATED, SYSTEMATIC APPROACH TO THIS PROBLEM.

WE HAVE MADE AND WILL CONTINUE TO MAKE EXTENSIVE USE OF AVAILABLE INTELLIGENCE DATA AND OUR DEFENSE RESOURCES WITH THE ASSURANCE THAT WE WILL NOT ADVERSELY IMPACT ON DEFENSE PREPAREDNESS. THE KEY IS COORDINATION -- TAKING ADVANTAGE OF AVAILABLE ASSETS WITHOUT DUPLICATING EFFORTS BETWEEN AGENCIES AND WITHOUT LEAVING AREAS OF INTEREST UNCOVERED.

NNBIS HAS HAD AND WILL CONTINUE TO PROMOTE EXTRAORDINARY COOPERATION NOT ONLY ACROSS ALL FEDERAL CIVIL LAW ENFORCEMENT AGENCIES AND THE DEFENSE DEPARTMENT'S MILITARY SERVICES, BUT ALSO ACROSS ALL STATE AND LOCAL ENFORCEMENT AGENCIES AND THIER NATIONAL GUARDS AND AIR NATIONAL GUARDS. EDUCATION OF THE DIFFERENT AGENCIES AND THE GENERAL PUBLIC ABOUT THE NNBIS ROLE IS AN ADDITIONAL TASK TO WHICH I AND MY STAFF WILL CONTINUE TO DEVOTE A GREAT DEAL OF ATTENTION.

DURING 1983 THE YUCATAN PASS WAS A MAJOR CHOICE OF THE MARITIME SMUGGLERS. 35% OF ALL MOTHERSHIPS SEIZED DURING THE PERIOD WERE SEIZED IN THAT AREA. ONCE IN THE GULF, THE VESSELS MAY THEN PROCEED TO THE SOUTHWEST COAST OF FLORIDA, THE BAYOUS OF LOUISIANA, THE COASTS OF MISSISSIPPI, ALABAMA OR TEXAS TO OFFLOAD. AIRCRAFT ALSO USE THE GULF AS A SUCCESSFUL SMUGGLING ROUTE. ONCE OVER LAND, THEY PROCEED TO REMOTE AIRSTRIPS IN OR NORTH OF THE GULF STATES TO REFUEL OR OFFLOAD. WE ARE LOOKING FORWARD TO A CLOSE WORKING RELATIONSHIP WITH THE NEWLY FORMED CUSTOMS REGIONAL OPERATIONAL CONTROL CENTER (ROCC) SITE AT TYNDALL AFB FOR AIR INTERDICTION AND CONTINUED COOPERATION FROM THE UNITED STATES AIR FORCE.

TO GIVE A BRIEF OVERVIEW OF THE VARIETY OF PAST NNBIS COORDINATED OPERATIONS, PARTICIPATING AGENCIES HAVE SUCCESSFULLY INTERDICTIONED AIRCRAFT WITH LOADS OF COCAINE AND MARIJUANA, A CONTAINER FROM A COMMERCIAL VESSEL, A TUG WITH A BARGE LOAD OF MARIJUANA, TWO FISHING BOATS OF MARIJUANA, TWO COASTAL FRIEGHTERS, A SAIL BOAT WITH MARIJUANA, COCAINE CONCEALED ON A PERSON AND A SHIPMENT OF COCAINE CONCEALED IN A WATER TANK OF A COMMERCIAL VESSEL. BORDER INTERDICTIONS WITH THE GULF REGION SINCE 15 JUNE INCLUDE THE FOLLOWING: 40 SEIZURES, OVER 243 TONS OF MARIJUANA AND 1812 LBS OF COCAINE. A CONSERVATIVE ESTIMATE OF THE VALUE OF THE CONTRABAND SEIZED IS 327 MILLION DOLLARS.

IN A VESSEL INTERDICTION CASE, AIR RESOURCES WERE REQUIRED FROM DOD TO ACCOMPLISH PROSECUTE THE MISSION. THE REQUEST WAS PROCESSED PROMPTLY AND THE AIR FORCE AIRCRAFT SUCCESSFULLY LOCATED THE TARGET FOR INTERDICTION LATER THAT SAME DAY BY A COAST GUARD

CUTTER. A COAST GUARD VESSEL, CUSTOMS AIRCRAFT, DEA AND CUSTOMS PERSONNEL LOCATED AND SUBSEQUENTLY INTERDICTED A MOTHERSHIP IN THE GULF RECENTLY. IN A RECENT AIR INTERDICTION CASE AND AIR FORCE AWACS AIRCRAFT DETECED AN AIRCRAFT OVER THE GULF. THE AWACS NOTIFIED THE CUSTOMS AIR BRANCH AT NEW ORLEANS AND THEY IN TURN INTERCEPTED THE AIRCRAFT. WHEN THE AIRCRAFT CROSSED OVER THE TEXAS BORDER THE CUSTOMS AIR BRANCH AT HOUSTON WAS BROUGHT INTO THE CHASE. THE PLANE OUT OF HOUSTON FOLLOWED THE AIR SMUGGLER UNTIL IT LANDED AT AN AIRFIELD ABOUT 35 MILES SOUTHWEST OF HOUSTON. THE RESULTING INSPECTION REVEALED 600 POUNDS OF MARIJUANA. I COULD CONTINUE WITH THE ILLUSTRATIONS OF EXTENSIVE COOPERATION BETWEEN VARIOUS AGENCIES AND THE MILITARY SERVICES. EVEN BEFORE NNBIS, WE IN THE NEW ORLEANS AREA RECOGNIZED THE NEED FOR A COORDINATED EFFORT AND WERE CONSTRUCTING A JOINT CENTER ON A SMALLER SCALE. THE LARGER EFFORT NOW IN PROGRESS WILL SIGNIFICANTLY ENHANCE OUR ABILITY TO STEM THE TIDE. I BELIEVE WE ARE ABLE TO WORK ALOT "SMARTER" THEN WE HAVE IN THE PAST.

THAT CONCLUDES MY PREPARED TESTIMONY, MISTER CHAIRMAN. I WOULD LIKE TO COMMENT ON HOW PLEASED I AM WITH THE CONTINUED COMMITMENT OF THE PARTICIPATING AGENCIES. WORKING TOGETHER THERE IS NO DOUBT IN MY MIND THAT WE CAN AND WILL CONTINUE TO MAKE THE SYSTEM WORK! I WILL BE HAPPY TO ANSWER ANY QUESTIONS YOU OR THE OTHERS MAY HAVE.

Mr. ENGLISH. Thank you very much, Admiral, I appreciate your testimony. I will ask questions, and ask each of you to comment. We will just move along in the order of testimony, if you don't mind. I would encourage you, if you would, to keep your answers as brief as possible, so that we can move through the questions as quickly as possible, but at the same time, I don't want to discourage you from fully explaining the situation as you see it.

The coordination of tactical intelligence is one of NNBIS's primary responsibilities. Can you describe your source for such intelligence, and how it's done on a regional level, as it relates to an air threat? Mr. Wait, go ahead.

Mr. WAIT. Well, we get information from each of the air support branches. We have an air officer in our intelligence unit. We have an FBI officer and an Immigration officer. We have each of them go to their respective units, and get whatever they can when we are preparing for an operation and in general, to have on hand to prepare for the next operation. They then bring it back, and we have an analyst from DEA that analyzes it, and collates it, and puts it out in an intel document to be used for our special operations. If we get intelligence that would be useful to other areas like land border ports or even interior local and State law enforcement, we pass that on to them.

Mr. ENGLISH. Would that not, Mr. Wait, be a description of strategic intelligence? I was asking about tactical intelligence.

Mr. WAIT. We get very little tactical intelligence.

Mr. ENGLISH. OK.

Admiral SCHUBERT. Mr. Chairman, I would have to agree with Mr. Wait that, from the tactical standpoint, we get very little real-time intelligence. That is usually obtained by the operating agencies themselves. We try not to get involved in their operations. One of the things we found initially when we started to use the ROCC at March Air Force Base was that they had to pass information through NNBIS in order to work with the air support branch in San Diego. San Diego, at the same time, was receiving reports from their airborne aircraft as to the activities of the suspect target. At times we were anywhere from 2 to 5 minutes behind the action just because of delays in the phone lines. As a resort we try not to get involved in the gathering of tactical intelligence itself or the real-time activity of ongoing operations. We concentrate mainly on the strategic intelligence area. We receive our intelligence from Customs, from the air support branch, from the Customs intelligence branch and from EPIC. A very important source of intelligence is the local law enforcement agencies.

As I mentioned in my testimony, the San Bernardino County sheriff has vast areas of open desert where smuggling activities go on regularly. They have a very complete data bank of this activity. We rely on them very heavily.

Mr. ENGLISH. That would be again, though, strategic intelligence as opposed to tactical, and I don't think that we could categorize radar hits as being intelligence, that would be detection. What we're looking for here is the type intelligence that would indicate to you that such-and-such aircraft is going to be flying into such-and-such an airport tonight, or is going to be coming across the border at a certain point so that you could pre-position the re-

sources in time to make an arrest. That's what I think would fit more into tactical intelligence. Is that not correct?

Admiral SCHUBERT. We get very little of that type of intelligence. I won't say that we get no intelligence of that type, but we get very little of it.

Mr. ENGLISH. Admiral Stewart?

Admiral STEWART. Mr. Chairman, I have a number of sources of tactical intelligence, and I'm hearing you say this is real-time reaction type intelligence information. I get it from street through the New Orleans Police Department. I get it from Louisiana State Police on a real-time basis where they detect that there will be a rendezvous at such and such a time on such and such a date by such and such a people. I receive information from the Bureau of Alcohol, Tobacco, and Firearms. I receive it from the other Federal law enforcement agencies. And I also receive it from, let's just say the intelligence community by means that I would prefer to discuss with this committee in closed session, if I may, sir.

But it's real time, it's useful, and we do make interdictions on it.

Mr. ENGLISH. I haven't heard any of the three of you mention foreign intelligence; namely, through DEA. What role has DEA played in providing tactical intelligence to your regional efforts? How many DEA agents are assigned full time to your operation, and are they there every day? Mr. Wait.

Mr. WAIT. We don't have any agents assigned full time. We have one DEA intelligence analyst that is there part time.

Mr. ENGLISH. And does the DEA provide you with tactical intelligence on foreign operations?

Mr. WAIT. They have not so far.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. We initially started with two full time DEA personnel, one an analyst, and one an agent. At the present time, the analyst position is vacant, and we have the agent on a part-time basis. That is being corrected, though. It's just a temporary situation.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. When I mentioned that I received tactical intelligence from the other Federal law enforcement agents, I included the Drug Enforcement Administration in that very general statement. Yes, I do receive tactical intelligence from DEA, and I receive it on a continuing basis. And in answer to your question concerning the presence of DEA people on my staff, I have two, both are part time. I have never had a dedicated DEA person on the staff, nor do I have any indication that that will occur. One is an analyst and one is a special agent. Both are part time.

Mr. ENGLISH. Would you come up here and describe to us very briefly exactly what it is, what tactical intelligence that you have, that you've received from DEA?

Admiral STEWART. Yes, sir.

Mr. WAIT. May I come forward, too?

Mr. ENGLISH. Sure.

[Off the record.]

Mr. ENGLISH. I think that what we have established is that Admiral Stewart is receiving some tactical intelligence through DEA

sources that other regions are not. Would that be an accurate characterization?

Admiral SCHUBERT. Yes, sir.

Mr. WAIT. Correct.

Mr. ENGLISH. With regard to air, I should say.

You told us that—you told us in the past that DEA still is not providing your office with NADDIS, the narcotics and dangerous drug information system terminal. Your characterization of this, I believe, is that it is inconvenient not to have a NADDIS terminal. The NNBIS staff in Miami has told us that this is critical. The situation being that you have to phone the information in much of the time, but that this would be a considerable volume of information that has to be checked out; that if DEA is busy with the equipment at the station, they won't take the NNBIS request. If it's a large volume of information, as it usually is, they will not take it in many cases. And I suppose—and of course, if they're busy somewhere else, they're not going to do it either.

I suppose what all this amounts to is that it's extremely inconvenient and extremely difficult for NNBIS to have access to that information. And of course, the question occurs why you can't have a NADDIS terminal, since Treasury provides you with TECS system in the NNBIS centers. Would you care to respond to that, Mr. Wait?

Mr. WAIT. I don't know what the reason is. It is an inconvenience to us. It's not extremely critical. They allow our analysts to query their NADDIS system. But it is an inconvenience.

Mr. ENGLISH. Would you characterize it as being anything more than being inconvenient, would you say it's critical?

Mr. WAIT. No, I would not say it's critical. We can get the information, it just takes a little more time, that's all.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. I would have to agree with Mr. Wait. As I indicated in my recent letter to you, we do get the information by sending the DEA agent that is assigned to us at the present time, even though he's part time, to collect any information that would be pertinent to our interests. As long as that type of support continues, I think we can survive. Obviously, we don't have the volume of information needs that they have in Miami. As far as the decision not to have NADDIS, we are not privy to that information. I did query NNBIS headquarters in Washington, and was informed that a DEA headquarters decision had been made on NADDIS, and that it would be honored.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. Mr. Chairman, as long as I have the level of manning from DEA in my NNBIS Center, I can live without the NADDIS terminal. It's inconvenient, and yes, it's time-consuming to send someone over to get the information and bring it back from the local DEA office, but it has not proved to be an insurmountable or even a serious obstacle, so far.

Mr. ENGLISH. Mr. Coleman.

Mr. COLEMAN. Thank you, Mr. Chairman.

Let me just get to a specific question. Mr. Wait, I understood that El Paso does not yet have a deputy coordinator. You might have referred to that in your testimony, if it was other than what you

turned in, but I was unaware that we were still lacking that. What is the status of that at the present time?

Mr. WAIT. There is still no deputy coordinator. Immigration was asked to provide one. Coast Guard didn't feel because of the location that it would be appropriate. And all the other NNBIS Centers, if you have a Customs man in charge, then Coast Guard provides a deputy, and vice versa. If the Coast Guard is in charge, Customs provides a deputy. We have three Coast Guard people there, and Coast Guard didn't feel it would be appropriate in that location to supply a deputy. We requested Immigration to fill in with a deputy, and they declined. And it has not been filled.

Mr. COLEMAN. Who's in charge of making the selection?

Mr. WAIT. For deputy?

Mr. COLEMAN. Yes.

Mr. WAIT. It would be someone above me. I would imagine that if Immigration filled the position, that they would be in charge of making the selection.

Mr. COLEMAN. Well, assuming that Immigration has turned it down, who's out seeking another deputy, I guess that's my question.

Mr. WAIT. The Staff Director at NNBIS, Nick Schowengerdt.

Mr. COLEMAN. Good. What about the secure operating facility? We heard testimony yesterday you were still lacking that. What's the holdup?

Mr. WAIT. Funding has been approved for that recently and the completion date is supposed to be at the end of June.

Mr. COLEMAN. Did that funding come through Customs?

Mr. WAIT. That's from Customs, yes. It's going to house the Office of Investigations, the Office of Patrol, and NNBIS.

Mr. COLEMAN. Your contact with EPIC from that standpoint, is that there is a secure communication or not? Or will you just have to do that by messenger.

Mr. WAIT. With EPIC?

Mr. COLEMAN. Yes, sir.

Mr. WAIT. My understanding is that EPIC has not been—their facility has not been approved as far as security is concerned.

Mr. COLEMAN. At the cryptic level.

Mr. WAIT. Yes, right now we're going through Fort Bliss. Then this new location, in the meantime, if we have trouble getting security clearance, we'll be a lot closer to Fort Bliss then.

Mr. COLEMAN. OK. The GAO testified yesterday also that you've done a commendable job bringing in other local law enforcement agencies as well as State law enforcement agencies in terms of involvement with NNBIS from our region. With particular respect to Mexico, have you had dealings there with law enforcement?

Mr. WAIT. With Mexican law enforcement?

Mr. COLEMAN. Yes, sir.

Mr. WAIT. No, sir.

Mr. COLEMAN. Is there a reason specifically for that or is that something for which you just rely on other agencies?

Mr. WAIT. If we get any intelligence out of Mexico, we would rely on other agencies. As to our reasons for not contacting them ourselves, I would rather approach the bench.

Mr. COLEMAN. OK. Why don't you do that right at this time, I would like to get an answer to that question.

[Off the record conference held with Mr. Coleman.]

Mr. COLEMAN. Mr. Wait, I ask in terms of cooperation with the State law enforcement agencies, has that been good?

Mr. WAIT. Yes, that's been very good.

Mr. COLEMAN. You deal with the director of the department of public safety in Texas?

Mr. WAIT. They have an officer, a sargeant, in our Intel Unit. It's been working out very well. We have one member of the El Paso PD in cooperation with the Department of Defense. All of the DOD personnel have been really great.

Mr. COLEMAN. Do you believe that you're able to achieve the mission? I know you're fairly early in the process, that you've not been there that long. Are there things that we should know about how you get to the point where you are fully operational? What do you have to do to feel that you've got things clicking along at a fairly steady pace?

Mr. WAIT. Well, I think that we are doing fairly well now. It's a lot slower process than I like to see. I think once we're able to get assistance from the national intelligence agencies, I think it will help a lot. I think we can get, probably, tactical intelligence from them, and that would be very helpful. I would feel then that we are in full operation.

Mr. COLEMAN. Mr. Chairman, I yield back to you.

Mr. ENGLISH. Mr. Wait, how many air seizures has NNBIS coordinated in your region as a direct result of tactical intelligence that you received from DEA?

Mr. WAIT. As a direct result of tactical intelligence?

Mr. ENGLISH. Correct.

Mr. WAIT. Actually, NNBIS itself never makes a seizure. We coordinate operations in which seizures are made. but I don't believe that any of the seizures that have been made in one of our coordinated operations had been due to tactical intelligence. We've used strategic intelligence that we have developed, and I think that has helped.

Mr. ENGLISH. Admiral Schubert, have you had any occasions where tactical intelligence has resulted—

Admiral SCHUBERT. No, sir, we have not. We have the same situation that Mr. Wait described.

Mr. ENGLISH. Admiral Stewart, have you?

Admiral STEWART. This is aircraft seizures, Mr. Chairman?

Mr. ENGLISH. Yes.

Admiral STEWART. I will verify this for the record, but I know of at least four seizures where we have used tactical intelligence.

Mr. ENGLISH. From DEA?

Admiral STEWART. No, sir, not from DEA. But from all sources.

Mr. ENGLISH. Yes, this would be from DEA—

Admiral STEWART. I know of none from DEA, Mr. Chairman.

Mr. ENGLISH. In June 1983, in a speech at the National Press Club, the Vice President stated, and I read this earlier, and I'll read it again. In fact, it was in my opening statement:

With the help and support of CIA Director Bill Casey and the entire intelligence community we expect to be better informed and more knowledgeable regarding the

acts and activities of smugglers in order to position our resources in the right place at the right time.

We recently held a number of closed hearings on this specific subject, and we found no evidence of any increased tactical intelligence support from DEA. To what degree has DEA contributed to the flow of air smuggling tactical intelligence in each of your regions? Mr. Wait.

Mr. WAIT. To what degree—would you repeat the last part again?

Mr. ENGLISH. Excuse me?

Mr. WAIT. Would you repeat the last part again?

Mr. ENGLISH. To what degree have you had any DEA—has DEA contributed to the air smuggling tactical intelligence in your region? I think you said earlier that you hadn't had any, so it's zero, isn't it?

Mr. WAIT. None.

Mr. ENGLISH. Admiral Schubert, the same?

Admiral SCHUBERT. Zero.

Mr. ENGLISH. Admiral Stewart, you're the only one that seems to have had some. Would you give us a percentage, roughly? Not exact—

Admiral STEWART. It's very hard, Mr. Chairman, to quantify. Let's just say that, I would say probably, this would be a very gross estimate, probably in 20, 25 percent of the seizures we've had some measure of tactical intelligence from DEA that has assisted in the case.

Mr. ENGLISH. OK.

Another stated mission of NNBIS is the coordination of special air operations. How many special air operations did you conduct in the regions which were designated to interdict aircraft, Mr. Wait?

Mr. WAIT. Seven.

Mr. ENGLISH. Seven.

Admiral SCHUBERT. We have had two specifically targeted against air smuggling.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. Three, sir.

Mr. ENGLISH. What was the intelligence basis for those special operations?

Mr. WAIT. We used Headquarters Air Support Branch and the individual Air Support Branch, intelligence based on sightings that had been reported to them, and EPIC's information on air crashes, and past intelligence from years past as to areas that had the heaviest concentration during that period of time.

Mr. ENGLISH. OK, that would be strategic again.

Mr. WAIT. All strategic.

Mr. ENGLISH. All strategic. What about tactical?

Mr. WAIT. No tactical.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. Both of our operations were based on strategic information that was collected from a variety of sources; the sheriff's department, Customs, EPIC, and historical practices as Mr. Wait described. We picked the most likely area and planned the operation accordingly. No tactical intelligence was involved.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. None from the gulf region in terms of tactical intelligence, Mr. Chairman, if you're speaking only of air interdiction now.

Mr. ENGLISH. That's what I'm speaking of.

Admiral STEWART. No tactical, all strategic intelligence.

Mr. ENGLISH. So I don't suppose then that there would be any DEA input as far as tactical intelligence is concerned in any of the regions, then. Is that correct, no tactical intelligence?

Admiral STEWART. Not for those air interdictions involved in special operations.

Mr. ENGLISH. What about DEA strategic intelligence, more of a strategic nature?

Mr. WAIT. If you consider what we get from EPIC as DEA strategic intelligence, we get the crash sites and reported seizures and sightings.

Mr. ENGLISH. OK.

Admiral SCHUBERT. Same here. We get most of our information through EPIC, and also through Customs intelligence. We find that the customs officers that have been in this business a long time have an awful lot of corporate knowledge on local smuggling patterns, which is very useful in planning these operations.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. Primarily from EPIC, sir, in terms of strategic intelligence.

Mr. ENGLISH. Have you developed an air smuggling threat assessment for your region, and have you received any strategic intelligence from DEA that defines the most likely avenues of approach in your region? Mr. Wait.

Mr. WAIT. No, sir, not from DEA. We are in the process of developing and updating intelligence on air intrusions at the present time. It's continuing.

Mr. ENGLISH. Is that an air smuggling threat assessment that you're doing, is that correct?

Mr. WAIT. Yes.

Admiral SCHUBERT. We are also putting together our own air assessment threat. We have found that previous attempts at this by any agency have been somewhat incomplete and inconclusive, and we are working on our own assessment at this time.

Mr. ENGLISH. Is DEA providing the intelligence for that?

Admiral SCHUBERT. Again, the information that we receive from EPIC is what we're getting.

Mr. ENGLISH. So you're primarily relying on EPIC with regard to that?

Admiral SCHUBERT. Yes, sir.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. In the gulf region, the same, sir.

Mr. ENGLISH. The same thing. What kind of resources are required in your regions to establish an effective threat against the airborne air drug smuggler? Mr. Wait.

Mr. WAIT. Resources to establish threat assessment?

Mr. ENGLISH. Yes. What kind of resources are required in your region to establish an effective threat against the drug smugglers as it stands now, the airborne drug smuggler?

Mr. WAIT. Oh, a threat to the smugglers. You mean in dollars?

Mr. ENGLISH. Well, whatever you feel you need. I suppose whatever it is you'd like to spend those dollars for.

Mr. WAIT. Oh, the types of resources.

Mr. ENGLISH. Yes, the types of resources, equipment—

Mr. WAIT. We have found through experience that the down-looking radar is the best way to detect the targets. We've had very minimal success with ground radar units. They are good for gap-filling when you are using the overhead. We use them in conjunction sometimes, but without the down-looking radar, your chances of success are very slim.

Mr. ENGLISH. So you're in desperate need of lookdown radars, is that it?

Mr. WAIT. Yes.

Mr. ENGLISH. OK. Admiral Schubert.

Admiral SCHUBERT. We have the same basic situation, since our problems are almost identical. I think, though, that now we're just talking about the detection problem. I think it's important to point out that the detection problem is only the beginning of the overall problem. We have literally thousands of flights a day of general aviation in the southern California area, and even though suspected smugglers are detected, we frequently lose them, either getting them confused with a number of other targets, or the smuggler in some way masks his presence such as flying behind a hill. And then even if you can follow him to where he lands or gets rid of his contraband, frequently you are not capable of making an arrest or seizure of the aircraft.

In those cases, we try to target the pickup crews, using local law enforcement. It's a very complex problem, and detection is just a part of it.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. I primarily require better detection capability, Mr. Chairman. I don't believe I could give you an assessment of whether I needed additional resources until I learn just exactly what I have out there facing me, and I try to reposition the resources I now have. And until I do that, I really can't give this committee an answer. But I do need badly to be able to determine in time to react that there is a potential border penetration by aircraft. And that's what I don't have, and the Vice President's staff is aware of that lack.

Mr. ENGLISH. So do I understand you're in agreement, then, that basically what you need is a lookdown radar?

Admiral STEWART. Some form of radar which will detect an aircraft of the profile of our typical light smuggler aircraft coming in from the south, sir.

Mr. ENGLISH. Are you talking about a low level, or are you talking about high flying?

Admiral STEWART. We don't normally see high flyers. We normally see flyers below 10,000 feet.

Mr. ENGLISH. So basically what you're looking for is low-level detection—

Admiral STEWART. Yes, sir.

Mr. ENGLISH [continuing]. So you've got to have a lookdown radar. Is that the No. 1 priority as far as the need in each of the three regions?

Mr. WAIT. May I add to all of our statements? We also need chase planes or interceptors with better radar than we have now. The two Citations that are in Miami do have decent radar. They can pick up targets 20 to 40 miles away. The ones that are being used in the rest of the air support branches have an effective range of about 5 miles, and it's difficult. The overhead radar may get a target, but it may get away before the chase plan can get within 5 miles of it. And we would need updated radar, to be effective.

Mr. ENGLISH. What would you classify as your No. 1 priority?

Mr. WAIT. Well, if you can't detect them in the first place, the radar is not going to do you any good, the chase radar is not going to do you any good. I would say the number one priority is to get the ability to detect the targets as they're coming in.

Mr. ENGLISH. Lookdown radar?

Mr. WAIT. Yes.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. I would say that it's probably evenly divided between the chase capability, whether it be ground or air pouncer capability, and the capability to detect. In the Pacific region where we're responsible for the air smuggling activity, there is considerable radar coverage, and as I indicated previously, part of the problem is to try and separate the smuggler from the legitimate air traffic in the area. And once you do detect him, how do you make the seizure and the arrest. So I would have to divide it equally between the two capabilities.

Mr. ENGLISH. And if you had only one choice?

Admiral SCHUBERT. I guess I would have to go with the detection capability.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. As I mentioned, sir, I believe detection is my first priority. I can't speak to whether or not I have sufficient assets for interception until I know what's out there.

Mr. ENGLISH. Have you requested that these resources be made available, and if so, how was the request transmitted and to whom?

Mr. Wait.

Mr. WAIT. Actually, we have requested—the only request that we have made is from military to provide the resources for the special operations. I have not gone forth and requested that Customs buy certain types of equipment. I don't think anyone else has either.

Mr. ENGLISH. But have you advised, look, I've got to have some detection, you know, I need detection capabilities, I need interceptors or I need this—

Mr. WAIT. We have advised that is necessary to have any kind of a success rate.

Mr. ENGLISH. OK. That has been transmitted to who?

Mr. WAIT. To NNBS Headquarters and to the Air Support Branch chiefs.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. Like the southwest region, we have up until now been confining our requests for military resources to special operations. I have an analytic effort going on right now to take a good hard look at this problem to see where the gaps are, and to see where the historical routes have been for the smugglers, and then examine just exactly what is needed. When we complete that

analysis, we will submit it to NNBIS Washington to see if they can provide us with necessary resources.

Mr. ENGLISH. So you're in the process of putting together a package of needs that you intend to transmit here to Washington?

Admiral SCHUBERT. Yes, sir.

Mr. ENGLISH. OK. Admiral Stewart.

Admiral STEWART. In specific answer to your question, sir, I did it in one of my periodic reports to NNBIS here in Washington, but I offer for the committee's consideration that, of course, NNBIS does not have a budget, as we've already discussed, and NNBIS is not in the business of procuring hardware or software, for that matter. So it's a question of trying find someone else that has something that would be able to assist us in this regard. And I'm sure Captain Schowengerdt's staff is working on that problem now.

Mr. ENGLISH. And you're working then with—OK.

Admiral STEWART. Yes, sir.

Mr. ENGLISH. Very good. Mr. Coleman.

Mr. COLEMAN. I understand the problem. It makes me wonder whether we ought to have a reorganization effort, coming from the Vice President's office, first maybe, as a priority. I won't ask any of you to necessarily comment on that. I'm sure those of you that have dealt with the Federal Government a number of times probably have a lot of suggestions about it. I was looking at the testimony we took last year. In the overall discussion, there's a chart concerning budgets that's fairly revealing when we discussed those at interdiction hearings at that time. And I think it would be appropriate probably to recall them.

When you look at the drug interdiction budget approval process, each of those blocks represents the process, which to me, is just absolutely phenomenal. We deal with DEA, Customs, Coast Guard, through the Justice, Treasury, and Transportation Departments; Personnel Management in OMB, their Treasury and General Government and their Transportation. The House Authorization Committees of course are Judiciary; Ways and Means; Merchant Marine and Fisheries. Senate Authorization Committees are Judiciary; Finance; and, Commerce, Science and Transportation. The House Appropriations Subcommittees are: Commerce, Justice, State, and Judiciary; Treasury, Postal Service, and General Government; and Transportation. In the Senate, it's Commerce, Justice, State and Judiciary; Treasury, Postal Service, and General Government, as well as Transportation.

I think the process is part of our problem. And I would hope that none of you would feel any inhibitions in advising this committee of your views in that regard. I think in the interest of time, we wouldn't want to go through them all right now. But I'd be more than happy, as one member of this committee, and I'm sure the staff would, to hear your suggestions about how the coordinating agency for drug interdiction could better coordinate the system by which the agency operates. I would hope that each of you would be willing to at least consider that, and submit it for the subcommittee. Thank you, Mr. Chairman, I have no further questions.

Mr. ENGLISH. Thank you very much, Mr. Coleman.

I do have one final question. Have any of the three of you received any tactical intelligence from EPIC? Mr. Wait.

Mr. WAIT. I am not aware of any. That we have received some tactical intelligence, that I don't know the source, that we put out in our TECH system, but I don't know if it came from EPIC or other sources.

Mr. ENGLISH. Admiral Schubert.

Admiral SCHUBERT. I am not aware of any in the air smuggling area. We do have considerable maritime tactical intelligence from DEA, but I couldn't say as far as the air tactical intelligence. I would have to provide that for the record.

[The information follows:]

Pacific Region NNBIS has no record of air smuggling tactical intelligence being received from EPIC.

Mr. ENGLISH. Admiral Stewart.

Admiral STEWART. I will check and provide any for the record, Mr. Chairman, but I am not aware of any tactical intelligence from EPIC in the air interdiction. I, like Admiral Schubert, receive a fair amount in terms of maritime interdiction mode, but not air.

[No tactical intelligence received in the gulf region from EPIC in air interdiction.]

Mr. ENGLISH. Also one other point I wanted to raise, particularly with you, Admiral Stewart, down in the gulf.

We do have a rather large E-2C training zone, which comes out from San Diego, about 500 miles west and about 500 miles south, in that zone, where we do have E-2C activity—we have some coverage as far as surface detection, but down in the New Orleans area, we don't have that. How valuable would it be for you, Admiral Stewart, and the Coast Guard in particular, to have that P-3 surface detection capability out of New Orleans?

Admiral STEWART. Mr. Chairman, I have P-3's that fly for me now from reserve squadrons in Memphis, and in New Orleans, and in Jacksonville. I will look and provide for the record if that particular model aircraft has look-down capabilities, but we do have a considerable support on the part of the Navy and P-3's. As a matter of fact, my records show eight missions and 44 hours of P-3 time.

Mr. ENGLISH. Well, of course, I would grant that what we're talking about would be helpful. We're talking about one that would be responsive to the Customs Service and therefore to NNBIS, as far as providing that type of surface detection as well as lookdown capability. And that's for air, of course, as well as surface.

Admiral STEWART. Yes, sir.

Mr. ENGLISH. Would that be of benefit to you?

Admiral STEWART. Mr. Chairman, I think that anything that would give me more eyes and more detection capability on the surface or on the water or above would be of help. But as I said to you in July when you asked me a similar question, I would like to defer to the Customs Service until they test the first aircraft, sir, because I really don't know what we have.

Mr. ENGLISH. Mr. Coleman, any further questions?

Mr. COLEMAN. Again I want to express my appreciation to each of the three of you for being very patient with us. We did have some developments over the past few hours that were unexpected, and that did throw us way off our schedule. And you're very kind

and considerate to adjust your schedules. But also I want to express the appreciation we have for, and I might say the admiration we have for, each of you. You folks are in the trenches, and you're on the front line, and we're depending very heavily upon you. And we want to make sure that you have the resources that are necessary to give you a real fighting chance in this war. I think the American people support that. And I have every indication to believe that most of the folks in the administration do, but I've got to admit that there are one or two that I've got some serious questions about. As for most of them I talk to, I think that there's no question about their support and dedication. I think that's true of the Congress.

Hopefully, we're going to see things develop over the coming days and coming months that will give you and all those who work with you the encouragement to put on a real war on drugs. And I think we've got a real fighting chance on this.

And again, I want to thank you very much, and as I said, I want to commend you on the fine work that you're doing.

Admiral SCHUBERT. Thank you.

Mr. ENGLISH. Thank you very much, and we'll recess until 10 a.m. tomorrow morning.

[Whereupon, at 3:05 p.m., the subcommittee adjourned, to reconvene at 10 a.m., Friday, March 23, 1984.]

## CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

FRIDAY, MARCH 23, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 2154, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Thomas N. Kindness, and Tom Lewis.

Also present: Theodore J. Mehl, professional staff member; William G. Lawrence, counsel; Euphon Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The committee will come to order.

We will continue today our series of hearings dealing with drug interdiction as it applies to the war on drugs. As I have stated earlier, I think that without question, the interdiction program has pretty much been the centerpiece, or at least the showpiece, of the war on drugs, and it has attracted a great deal of attention, not only here in Congress, but from around the Nation.

We are looking for methods to greatly strengthen the effort in the war on drugs.

First, we will hear from the Department of Defense. We will have Hon. E.C. Grayson, Acting Principal Deputy Assistant Secretary of the Navy for Manpower and Reserve Affairs; Hon. John W. Shannon, Deputy Under Secretary of the Army; and Hon. Karen R. Keesling, Principal Deputy Assistant Secretary of the Air Force for Manpower Reserve Affairs and Installations.

We welcome all of you today. We deeply appreciate the support that the Department of Defense has provided as far as the war on drugs is concerned, and particularly that is true of air interdiction efforts. They have been most supportive and helpful and cooperative in trying to work, not only with law enforcement, but also with the Congress, and that has been recognized and appreciated. So we will begin with Secretary Keesling. You may begin the testimony this morning.

If you would like to submit your written testimony for the record and to summarize that testimony, without objection, that complete written testimony will be made part of the record.

**STATEMENT OF KAREN R. KEESLING, PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (MANPOWER, RESERVE AFFAIRS AND INSTALLATIONS)**

Ms. KEESLING. Yes, I would like to do that, Mr. Chairman.

Mr. Chairman and members of the subcommittee, I am pleased to appear before this subcommittee to discuss the contributions that the Air Force has made in support of the antidrug trafficking campaign.

As evidence of its commitment to the antidrug trafficking efforts, the Air Force, in October 1982, loaned personnel on a rotational basis to provide expert advice to the South Florida Task Force, now a part of the National Narcotics Border Interdiction System.

Effective December 1983, eight Air Force personnel were permanently assigned to the six different NNBIS centers for a 3-year tour of duty. The Air Force has also assigned an officer to the vice president's NNBIS staff.

We have played a key role in monitoring sea and air traffic for suspected drug smugglers. Since September 30, 1983, both the Cudjoe Key and Cape Canaveral Seek Skyhook aerostat systems have been providing digitized radar data inputs to the U.S. Customs Service Miami Command, control and communications facility and the Tyndall Air Force Base, FL, Region Operations Control Center.

The installation at Cape Canaveral of the aerostat was a \$15 million Air Force investment with a continuing \$3 million a year outlay for operations and maintenance.

Augmentation to maritime surveillance has been provided by Military Airlift Command and Air Force Reserves C-130 and Strategic Air Command B-52 aircraft.

Their efforts have led to the confiscation of 100 tons of marijuana, estimated street value in excess of \$1 billion, by law enforcement authorities.

Additional surveillance support has been provided by the E-3 or AWACS aircraft. Since June 1983, the Air Force has scheduled with Customs Service an average of five specially designated flights per month.

Through advanced Air Force-Customs Service coordination during quarterly scheduling conferences, we have been able to optimize the mix of training and collateral drug enforcement surveillance support to preclude any E-3 aircrew readiness impact.

Significant contributions to the war on drugs have been provided by Operation BAT. This operation has supported seizures of over \$350 million worth of illegal drugs, 10 vessels and 12 aircraft and led to the arrest of 77 suspects.

These results have not occurred without significant losses to the Air Force. In January of this year, three Air Force crewmembers, a DEA agent, and a member of the Bahamian Police Force were killed in the crash of a UH-1N helicopter returning from a drug interdiction mission.

However, due to the success of Operation BAT, and in spite of approximately \$600,000 a year operations and maintenance cost to the Air Force, support of this operation is scheduled to continue through May 1985.

The Air Force has also provided two F-15 radars and associated equipment for outfitting a P-3 aircraft to test the concept of providing the Customs Service with an organic air surveillance and tracking capability.

The Air Force has also provided facilities to establish Customs' command, control, communications and intelligence centers. This centralized command and control concept will allow Customs to relocate operations from six FAA centers to two region operations control centers situated at Tyndall Air Force Base, FL, and March Air Force Base, CA. Three Customs operators have been in place at each ROCC since January 23, 1983.

In summary, Mr. Chairman, the Air Force has aggressively and unselfishly attempted to support the campaign against illicit drug trafficking.

In a relatively short time, the Air Force has provided approximately 1,100 E-3, C-130, B-52, and UH-1N sorties, accounting for thousands of flight hours on a nonreimbursable basis which have contributed to halting the flow of more than \$1.3 billion in illicit drugs into the country.

Mr. Chairman, with these significant achievements in mind, and with assurances that the Air Force will continue to provide collateral support to the national campaign against illicit drug trafficking, I will be glad to answer any questions that you may have.

[The prepared statement of Ms. Keesling follows:]

## PREPARED STATEMENT OF KAREN R. KEESLING

Mr Chairman and Members of the Committee:

I am pleased to appear before this Subcommittee to discuss the contributions that the Air Force has made in support of the anti-drug trafficking campaign.

Guidance provided in 1982 by the Department of Defense Authorization Act clarified DOD's authority to assist various law enforcement agencies in their fight against illicit drug trafficking. Military personnel and assets are utilized in limited roles, consistent with availability of requested resources, and without impact to national readiness and preparedness. I believe that the support which has been provided by the Air Force to curb drug smuggling has been significant.

As evidence of its commitment to the anti-drug trafficking efforts, the Air Force, in October 1982, loaned personnel on a rotational basis to provide expert advice to the South Florida Task Force now a part of the National Narcotics Border Interdiction System (NNBIS). Effective December 1983, eight Air Force personnel were permanently assigned to the six different NNBIS Centers for a three-year tour of duty. The Air Force has also assigned an officer to the Vice President's NNBIS Staff.

The Air Force has played a key role in monitoring sea and air traffic for suspected drug smugglers. Since September 30, 1983, both the Cudjoe Key and Cape Canaveral SEEK SKYHOOK aerostat systems have been providing digitized radar data inputs

to the U.S. Customs Service Miami Command, Control, and Communications facility and the Tyndall AFB, Florida, Region Operations Control Center. The installation of the Cape Canaveral aerostat was a \$15 million Air Force investment with a continuing \$3 million a year outlay for operations and maintenance.

Augmentation to maritime surveillance has been provided by Military Airlift Command and Air Force Reserves C-130 and Strategic Air Command B-52 aircraft. Approximately sixty B-52 and twenty-five C-130 sorties have supported monitoring of sea and air traffic. This support has been incidental to their normal operations and training missions. Their efforts have led to the confiscation of over one hundred tons of marijuana (estimated street value in excess of \$1 billion) by law enforcement authorities.

Additional surveillance support has been provided by the E-3 or AWACS aircraft. Since June 1983, the Air Force has scheduled with Customs Service an average of five specially designated flights per month. Through advanced Air Force/Customs Service coordination during quarterly scheduling conferences, we have been able to optimize the mix of training and collateral drug enforcement surveillance support to preclude any E-3 aircrew readiness impact. This coordination, and recently improved guidelines for providing real-time intelligence data for detection by the AWACS while airborne, have resulted in nearly \$1 million in drugs and vehicles being confiscated.

Significant contributions to the war on drugs have been provided by Operation BAT (Bahamas, Antilles, and Turks). Since May 3, 1983, the Air Force has furnished two UH-1N helicopters and approximately nineteen operations and maintenance personnel to support this effort. Transporting DEA and Bahamian Police into areas suspected of harboring or supporting drug operations, Operation BAT results have proven extremely impressive. This operation has supported seizures of over \$350 million worth of illegal drugs, ten vessels and twelve aircraft and led to the arrest of 77 suspects. These results have not occurred without significant losses to the Air Force. In January of this year, three Air Force crew members, a DEA agent and a member of the Bahamian Police Force were killed in the crash of a UH-1N helicopter returning from a drug interdiction mission. However, due to the success of Operation BAT, and in spite of approximately six hundred thousand dollars a year operations and maintenance costs to the Air Force, support of this operation is scheduled to continue through May 1985.

The Air Force has also provided two F-15 radars and associated equipment for outfitting a P-3 aircraft to test the concept of providing the Customs Service with an organic air surveillance and tracking capability. With direction from Congress to modify five additional P-3s for Customs use, total Air Force contributions in this endeavor range from \$32-40 million.

The Air Force has also provided facilities to establish Customs Command, Control, Communications and Intelligence (C3I) Centers. This centralized command and control concept will allow Customs to relocate operations from six FAA Centers to two Region Operations Control Centers situated at Tyndall Air Force Base, Florida, and March Air Force Base, California. Three Customs Operators have been in place at each ROCC since January 23, 1983.

In summary, Mr Chairman, the Air Force has aggressively and unselfishly attempted to support the campaign against illicit drug trafficking. In a relatively short time the Air Force has provided approximately eleven hundred E-3, C-130, B-52 and UH-1N sorties accounting for thousands of flight hours on a non-reimbursable basis which have contributed to halting the flow of more than \$1.3 billion in illicit drugs into this country.

Mr Chairman, with these significant achievements in mind and with assurances that the Air Force will continue to provide collateral support to the national campaign against illicit drug trafficking, I will be glad to answer any questions that you may have.

Mr. ENGLISH. Thank you very much. We appreciate that testimony, Madam Secretary.  
Secretary Grayson.

**STATEMENT OF E.C. GRAYSON, ACTING PRINCIPAL DEPUTY ASSISTANT SECRETARY OF THE NAVY (MANPOWER AND RESERVE AFFAIRS), DEPARTMENT OF THE NAVY, ACCOMPANIED BY CAPT. J.L. VANATTA, OFFICE OF THE CHIEF OF NAVAL OPERATIONS, LIAISON/ACTION OFFICER FOR DOD ASSISTANCE TO LAW ENFORCEMENT**

Mr. GRAYSON. Mr. Chairman, Congressman Kindness, members of the subcommittee, although I am appearing before this committee for the first time, I have been involved with the Navy support in the war on drugs since 1982, and I am honored to be here today to update you on the Navy's participation and support of that effort.

Since the days of the South Florida Task Force, the Navy and Marine Corps team has provided a significant increase in its level of support to the drug interdiction effort. We have increased our commitment in all areas and our forces at sea are aware of the need and importance of their assistance.

There is not a surveillance aircraft flying nor a Navy ship sailing in the high interest areas that is not on the lookout for an airborne or surface ship drug smuggler. Our people are highly enthusiastic in their support of the program, and they receive great satisfaction when their efforts lead to the seizure of contraband.

In addition, the missions provide realistic training for the crews while supporting this high priority and worthy effort. I will cover the current level of Navy and Marine Corps support shortly, however, I would first like to address changes outside the Navy which enhanced our ability to increase our commitment.

Last year, exactly a year ago today, the National Narcotics Border Interdiction System was created and that system provided a central contact point for requesting and coordinating operational assets on a national scale.

The formation of this system has allowed our fleet commanders to be more responsive, since scheduling of desired Navy and Marine Corps assets could be coordinated in advance.

Last year, we were providing assistance without the benefit of knowing future plans, and therefore, our overlap of providing drug interdiction support concurrent with fleet support requirements was less than optimal.

Now, through the NNBIS, drug interdiction support requirements are presented in advance to the fleet commanders on a quarterly basis, which allows for a more methodical and responsive approach in scheduling.

In addition, the fleet commanders have been able to identify an average level of aircraft support that the NNBIS planners can expect in any quarter which facilitates the NNBIS planners.

This coordination effort is not limited to air assets only. Navy and Marine Corps surface and ground units are also scheduled through this system. With the NNBIS, the Fleet and Reserve Force commanders can now better respond to the needs of other agencies

for the unique Navy and Marine assets in support of the interdiction effort.

I will now address the current Department of the Navy commitment to the drug interdiction effort.

Since the inception of the NNBIS, Navy and Marine Corps aircraft support is being provided in the Atlantic and Pacific Oceans, Gulf of Mexico, and along the border and coastlines of the United States.

Land-based P-3 aircraft provide over-water-surface surveillance along both coasts as well as in the Hawaiian area. When available, the carrier-based S-3 also assists in over-water search. The carrier-based E-2s provide both air and surface surveillance and are used mostly along the coastlines and border regions.

The Marine Corps OV-10's are used to provide close-in identification and tracking of targets for final interdiction by a law enforcement agency. On an average, Navy and Marine Corps aircraft are capable of providing over 500 flight hours per month to the drug interdiction efforts while concurrently conducting fleet training.

The airborne effort is predominately performed by these aircraft; however, occasionally other air assets may be used if training requirements can also be performed.

For example, Naval Reserve A-7's and Marine Reserve helicopters have been used in conjunction with routine Reserve training.

At the request of the Congress, a Navy P-3 is currently being modified to accept an Air Force F-15 radar. This aircraft is the first of six P-3's to be transferred to Customs for their use in the Drug Interdiction Program.

The modification of the lead aircraft is scheduled to be completed about May 24 with limited flight testing to be scheduled in June and July. Of the remaining five, three are to be modified in fiscal year 1985 and two in fiscal year 1986.

Additionally, Navy is assisting Customs in establishing follow-on support and logistics for these aircraft.

When available, and upon request, the Marine Corps has provided mobile air surveillance radars for use along specific coast and border areas.

In addition, Marine Corps antiintrusion sensors have been loaned to the Drug Enforcement Agency for use outside the U.S. borders.

Navy surveillance radar at Guantanamo Bay, Cuba, is used on a not-to-interfere basis to detect and track suspect aircraft operating in that area, and Navy is exploring ways to provide additional radar support.

Naval vessels provide sighting information of special interest ships as listed in routine Ship Sighting Program summaries issued by the NNBIS. Coast Guard law enforcement boarding teams are embarked on Navy ships to make arrest of suspect vessels, and Navy ships will escort or tow seized vessels when requested by the Coast Guard.

On a not-to-interfere basis, transiting CVBG's will provide air and surface search in high suspect areas and may have a law enforcement team on board during the area transit. A Navy hydrofoil patrol ship at Key West is maintained on a "ready alert" status, and, when called, embarks a law enforcement team for drug interdiction.

In addition, Navy and Coast Guard are conducting a joint test program, as directed by the Congress, to examine the utility of PHM's in drug interdiction. This test will be conducted in the northern gulf area during the next 3 months, and the report of the result will be forwarded by September.

In June 1983, the Deputy Secretary of Defense approved military staffing of the six NNBIS centers. The Navy has established 12 enlisted and 2 officer billets, and the Marine Corps has established 4 enlisted billets, all to be spread among the 6 regional NNBIS centers.

In conclusion, I would like to say that our support today is more effective and enhanced over the levels provided a year ago. We will continue to provide support to the best of our ability and to the maximum extent possible.

As in the past, our fleet commanders closely monitor Navy and Marine Corps participation in this program and will restrict unit availability only when they feel that participation will adversely impact national security or operational preparedness.

Thank you for your attention and the opportunity to present the Navy and Marine Corps Drug Interdiction Program efforts. I will be pleased to answer any of your questions at this time.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Grayson follows:]

STATEMENT OF  
MR. E. C. GRAYSON

Mr. Chairman and members of the Subcommittee -- Although I am appearing before this committee for the first time, I have been involved with the Navy support in the war on drugs since 1982, and I am honored to be here today to update you on the Navy's participation and support of that effort.

Since the days of the South Florida Task Force, the Navy and Marine Corps team has provided a significant increase in its level of support to the drug interdiction effort. We have increased our commitment in all areas and our forces at sea are aware of the need and importance of their assistance. There is not a surveillance aircraft flying nor a Navy ship sailing in the high interest areas that is not on the lookout for an airborne or surface ship drug smuggler. Our people are highly enthusiastic in their support of the program and they receive great satisfaction when their efforts lead to the seizure of contraband. In addition, the missions provide realistic training for the crews while supporting this high priority and worthy effort. I will cover the current level of Navy and Marine Corps support shortly, however, I would first like to address changes outside the Navy which enhanced our ability to increase our commitment.

Last year, the National Narcotics Border Interdiction System (NNBIS) was created and that system provided a central contact point for requesting and coordinating operational assets on a national scale. The formation of this system has allowed our fleet commanders to be more responsive since scheduling of desired Navy and Marine Corps assets could be coordinated in

advance. Last year, we were providing assistance without the benefit of knowing future plans, and therefore, our overlap of providing drug interdiction support concurrent with fleet support requirements was less than optimal. Now, through the NNBIS, drug interdiction support requirements are presented in advance to the fleet commanders on a quarterly basis which allows for a more methodical and responsive approach in scheduling. In addition, the fleet commanders have been able to identify an average level of aircraft support that the NNBIS planners can expect in any quarter which facilitates the NNBIS planners. This coordination effort is not limited to air assets only. Navy and Marine Corps surface and ground units are also scheduled through this system. With the NNBIS, the Fleet and Reserve Force Commanders can now better respond to the needs of other agencies for the unique Navy and Marine assets in support of the interdiction effort.

I will now address the current Department of the Navy commitment to the drug interdiction effort.

#### AIRCRAFT

Since the inception of the NNBIS, Navy and Marine Corps aircraft support is being provided in the Atlantic and Pacific Oceans, Gulf of Mexico and along the border and coastlines of the United States. Land based P-3 aircraft provide over water surface surveillance along both coasts as well as in the Hawaiian area. When available, the carrier based S-3 also assists in over water search. The carrier based E-2's provide both air and surface surveillance and are used mostly along the coastlines and

border regions. The Marine Corps OV-10's are used to provide close-in identification and tracking of targets for final interdiction by a law enforcement agency. On an average, Navy and Marine Corps aircraft are capable of providing over 500 flight hours per month to the drug interdiction efforts while concurrently conducting fleet training. The airborne effort is predominately performed by these aircraft; however, occasionally other air assets may be used if training requirements can also be performed. For example, Naval Reserve A-7's and Marine Reserve helicopters have been used in conjunction with routine Reserve training.

At the request of the Congress, a Navy P-3 is currently being modified to accept an Air Force F-15 radar. This aircraft is the first of six P-3 to be transferred to Customs for their use in the drug interdiction program. The modification of the lead aircraft is scheduled to be completed about 24 May with limited flight testing to be scheduled in June and July. Of the remaining five, three are to be modified in FY 85 and two in FY 86. Additionally, Navy is assisting Customs in establishing follow-on support and logistics for these aircraft.

#### GROUND SUPPORT

When available, and upon request, the Marine Corps has provided mobile air surveillance radars for use along specific coast and border areas. In addition, Marine Corps anti-intrusion sensors have been loaned to the Drug Enforcement Agency for use outside the U.S. borders. Navy surveillance radar at Guantanamo

Bay, Cuba is used on a not-to-interfere basis to detect and track suspect aircraft operating in that area and Navy is exploring ways to provide additional radar support.

#### FLEET SUPPORT

Naval vessels provide sighting information of special interest ships as listed in routine Ship Sighting Program summaries issued by the NNBIS. Coast Guard Law Enforcement boarding teams are embarked on Navy ships to make arrest of suspect vessels, and Navy ships will escort or tow seized vessels when requested by the Coast Guard. On a not-to-interfere basis, transiting CVBG's will provide air and surface search in high suspect areas and may have a law enforcement team on board during the area transit. A Navy Hydrofoil Patrol Ship at Key West is maintained on a "ready alert" status, and, when called, embarks a law enforcement team for drug interdiction. In addition, Navy and Coast Guard are conducting a joint test program, as directed by the Congress, to examine the utility of PHM's in drug interdiction. This test will be conducted in the Northern Gulf area during the next three months and the report of the result will be forwarded by September.

#### PERSONNEL SUPPORT

In June 1983, the Deputy Secretary of Defense approved military staffing of the six NNBIS centers. The Navy has established eleven enlisted and two officer billets, and the Marine Corps has established four enlisted billets, all to be spread among the six regional NNBIS centers.

In conclusion I would like to say that our support today is more effective and enhanced over the levels provided a year ago. We will continue to provide support to the best of our ability and to the maximum extent possible. As in the past, our Fleet Commanders closely monitor Navy and Marine Corps participation in this program and will restrict unit availability only when they feel that participation will adversely impact national security or operational preparedness.

Thank you for your attention and the opportunity to present the Navy and Marine Corps drug interdiction program efforts. I will be pleased to answer any of your questions at this time.

Mr. ENGLISH. Thank you very much, Mr. Grayson.

I wanted to make one point of correction in your testimony, if I could be so bold to do so. On page 3, in the middle of the page, you state, "At the request of Congress, a Navy P-3 is currently being modified."

I believe that was at the request of the Treasury Department. I do not believe that the Congress made that request of you.

I believe Secretary Walker is the one who wrote that letter to the Department of Defense making that request.

Mr. GRAYSON. I stand corrected, then, Mr. Chairman.

Mr. ENGLISH. Mr. Shannon?

**STATEMENT OF JOHN W. SHANNON, DEPUTY UNDER SECRETARY OF THE ARMY, DEPARTMENT OF THE ARMY**

Mr. SHANNON. It is a pleasure as always for me to appear before the committee. The last time that I had the opportunity to appear before you was in Texas, and earlier in Florida. I was hoping you would move out of Washington, DC, for this hearing.

In the past year, the Army has done some things that we said we would do, and we have accomplished a few other things that we did not know we would be able to do.

If I may, Mr. Chairman, with your permission, I would like to submit my statement for the record and just talk about a few things that I think are of importance to the subcommittee.

Mr. ENGLISH. Without objection, so ordered.

Mr. SHANNON. The first thing the Secretary of the Army considered important in developing the NNBIS centers, was to make personal contact with each center. The Army staff has visited each of the NNBIS centers and has had personal contact with the people who run the centers. My personal staff has visited most of the centers, and I have personally visited all but two. I told the committee that I would visit the NNBIS centers when we were in Texas last year.

As regards some equipment that we have loaned to the Federal law enforcement agencies over the year, the important thing to the committee is the Black Hawk. We were able to deliver that piece of equipment early because of multiyear contracting capability. As regards the maintenance of that particular aircraft, we have an interservice agreement with Customs to take care of that. I am sure that the committee staff would know better the terminology, but as an infantry soldier, I would say organizational, and unit maintenance is taken care of by Customs and intermediate maintenance is taken care of by the Army, via a contract agreement between Customs and the Army.

The Customs Service has been issued a code which allows them to enter into the military supply system and get necessary parts to make the necessary repairs on the Black Hawk.

In addition to the Black Hawk, I thought you would like to know that some of our old aircraft that are no longer of use to us, and are excess to our needs, have been issued to the Border Patrol at no cost.

Trainingwise, we continue to do what training we can for local law enforcement agencies, and we do that all the time. It is just

that we have been able to do a little more. We are also able to loan some equipment such as night vision devices and bulletproof vests.

I talked to you last summer in Texas about some exercises we were going to try to accomplish. One would be the use of the air defense artillery radar. It didn't do too well, Mr. Chairman.

We found that that was not the best use of that particular radar. We called that Operation Quick Look. It was conducted along the Mexican-United States border. The troops at Fort Bliss will continue to work with the NNBIS El Paso Center, and we will see if we can be of some assistance in detecting aircraft coming across the border.

Hawkeye was the other exercise. This is where we use our Mohawk aircraft at Fort Huachuca, AZ, to fly the border and use the imagery to help our intelligence troops, going through the intelligence school, to improve their ability to read photo imagery.

We have flown quite a number of missions along that particular border, and we will try to do about six of those a month.

The Groundhog exercise took a little while to get started. It is costing us approximately \$290,000, and I had to go find some civilian spaces. Three days ago we started that exercise, we will take our students in the intelligence school, go to the field, and train primarily during the hours of darkness for about a week. Using their radar, they detect individuals crossing the border. In our operations center is a Border Patrol individual who receives the information and they disseminate that information as he sees fit.

Those are the exercises that we have going. Customs thinks Exercise Hawkeye is going quite well.

An initiative that the Army has undertaken is the assignment of individuals to the NNBIS centers. They were on temporary duty when NNBIS was started. The first of the year, I asked the Army staff to handpick the best people qualified to permanently staff those centers. Of the newly assigned noncommissioned officers that we picked, five of those noncommissioned officers were selected for promotion ahead of their contemporaries. This is another indication that we are putting the best people possible in the NNBIS centers.

I met with those people the first of the year. We had an open discussion about what they could do for their country and for the Army.

We—along with the Air Force—initiated a memorandum of understanding with all the NNBIS Centers to better take care of the service people and to make sure they are administratively and logistically supported.

We have done some things we wanted to do. There are other things we want to try, and the Secretary of the Army is committed to supporting this effort, and the Army of excellence will continue to do what it can. I appreciate the opportunity to continue to work with your subcommittee and your staff, and I stand ready to answer questions, Mr. Chairman.

[The prepared statement of Mr. Shannon follows:]

## STATEMENT BY

MR. JOHN W. SHANNON

Mr. Chairman, distinguished members of the subcommittee, I am particularly pleased to present this report today because the Army's efforts in support of the National Narcotics Border Interdiction System (NNBIS) and its drug interdiction mission have been quite successful again this past year. The Army accomplished everything it said it would and more. Members of the Army Staff have personally visited each NNBIS center to receive a first-hand look at the center's operation, how Army personnel are employed and how Army resources can better support the center's mission. Additionally, members of my personal staff or I have visited each of the centers. These visits along with monthly reports from Army representatives assigned to the centers have made it possible for the Army to take a proactive support role. My statement will cover four major areas recapping these accomplishments:

1. Army equipment leased or loaned.
2. Army training provided to other federal/state law enforcement agencies.
3. Army operational exercises in support of NNBIS.
4. Initiatives designed to enhance Army support to the drug interdiction effort, particularly the flow of information to the NNBIS centers.

ARMY EQUIPMENT LEASED OR LOANED

The Army's greatest contribution to the drug interdiction effort is in the loan of equipment. The Army has loaned several different types of aircraft to Federal law enforcement agencies for use in drug interdiction.

Currently, the Army has on loan to the US Customs Service two OV-10 (Mohawk) fixed-wing aircraft, four Cobra helicopters and four Black Hawk helicopters. Loans of this type are normally for a two year period. Additionally, the Army has 11 OH-6's (LOH) on loan to the Border Patrol. Most of the LOH's have been on loan since 1977. We loaned the Drug Enforcement Administration (DEA) two Army UH-1H helicopters, which have since been returned.

These are just a few of the items of Army equipment loaned for drug interdiction. On a daily basis, the Army loans installation and unit equipment such as, night vision goggles, protective vests and weapons to federal and state law enforcement agencies. The Army is also in the process of loaning ground sensors to the Drug Enforcement Administration to facilitate drug interdiction.

We will continue to loan equipment to the maximum extent possible consistent with maintenance of our readiness posture. In addition, the Army was able to transfer five UH-1M helicopter gunships to the US Customs Service. Since this particular model has become excess to the Army's

needs, the transfer was accomplished on a permanent basis without reimbursement.

#### TRAINING

The Army has provided extensive training support to the US Customs Service. We have trained 18 pilots and 12 mechanics to date and will train six more Customs pilots by the end of FY 84. The pilots and mechanics received training to fly and maintain the Black Hawk and Cobra helicopters. This training has been designed for them to receive only that instruction specifically applicable to their needs and requirements.

Army aviation training resources are limited and a training allocation shortage is created when the Army trains Customs pilots. For each Customs pilot trained, one less training space is available for Army Aviation personnel. The Army will continue to work with the Customs Service to ensure its training needs are satisfied while the Army readiness posture is maintained.

In addition to training provided by the Army in special courses, we also provide training at installation level on a daily basis to other law enforcement agencies.

#### OPERATIONAL EXERCISES

I will now highlight a number of operational exercises conducted by the Army in support of NNBS.

Operation QUICK LOOK I and II:

Air Defense Artillery units from Fort Bliss, Texas employed Hawk ground mobile radar units along the US-Mexican border during two exercises in July and August 1983. The mission was to track low flying, non squawking aircraft fitting the profile of suspected drug smugglers which would then be reported to the Customs Service. Customs officials would then be vectored in behind the suspect aircraft by the military radar operator and would take appropriate action to effect an apprehension.

These exercises did not produce the desired results for this particular law enforcement mission and there are no scheduled plans for additional exercises involving Hawk radar units.

Air Traffic Control Radar Operation:

Since the Hawk ground mobile radar unit did not produce the desired results, the Army and the El Paso NNBIS center decided to try an Army air traffic control radar for a similar operation along the US-Mexican border during 3rd Quarter FY 84. Preliminary review of the radar and its capabilities by the El Paso NNBIS center indicates this radar system should be more conducive to NNBIS needs. The Army will continue to work with each NNBIS center and employ as many resources as can practically be determined as useful in supporting drug interdiction efforts.

Operation HAWKEYE:

Operation HAWKEYE is a training initiative, developed by the US Army Intelligence Center and School, Ft Huachuca, AZ, designed to present real-world situations in a training environment. By modifying selected flight tracks as part of the OV-1D Mohawk training program, students are now required to conduct missions along the US-Mexico border between Douglas and Nogales, Arizona. During these missions, selected target areas (new paths, fences, etc.) are imaged with the Mohawk's KS-113 camera system. Information collated from comparative analysis of the imagery, as well as selected photographic prints, is provided to the Patrol Division of the Customs Service (USCS) for its use.

Several new potential border crossing areas have been identified by HAWKEYE photography and provided to the Patrol Division, USCS. From 1 October 1983 to 1 March 1984, thirty HAWKEYE missions have been flown. The US Customs patrol is extremely pleased with the support rendered.

The US Army Intelligence Center and School plans to continue flying six HAWKEYE training missions per month. Information gained will continually be provided to the USCS for its use.

Drug Eradication Information:

During CY 1983, the National Guard was very active in supporting states in their drug enforcement operations; for example, the California National Guard used 777 flying hours in assisting in the eradication of 218,500 pounds of marijuana and the Hawaii National Guard used 377 flying hours in assisting in the eradication of 47,800 pounds of marijuana. From 1979-1983, the Hawaii National Guard performed a total of 53 missions in support of law enforcement drug control operations, and the net results were eradication of 632,400 marijuana plants, a gross weight of 228,900 pounds valued at \$45,789,300.

The Georgia National Guard, while on Mohawk training flights, reported 32 sightings of suspected drug carrying ships to the Coast Guard and the Kentucky and Indiana National Guard units have reported sightings of marijuana fields to drug enforcement officials. This diversity of support exemplifies not only the willingness to assist, but also an increasing level of awareness.

ARMY INITIATIVES

The Army has further concentrated its initiatives in developing a solid working relationship with each NNBS center, assigning quality personnel to each center, and developing a workable and functional information exchange. The newest Army initiative commenced just three days ago - Operation GROUNDHOG.

Operation GROUNDHOG:

GROUNDHOG is an End-of-Course Comprehensive Test (EOCCT) developed by the US Army Intelligence Center and School at Fort Huachuca, AZ. Operation GROUNDHOG places ground surveillance radar students in a real-world, high stress training environment on the US-Mexico border in the vicinity of Yuma, Arizona. The students spend one week in the field conducting the majority of their training during the hours of darkness. The AN/PPS-5 ground surveillance radar is used to vector and track targets crossing the border. As targets are detected, information is passed to the US Border Patrol for action. At no time will US Army personnel be involved in the apprehension or detention of detected targets.

The initial iteration of Operation GROUNDHOG started 20 March 1984. The start-up cost for this training initiative was \$293.9K. Additionally, one civilian space was authorized. All associated costs have been absorbed within the Army's FY 84 budget. Operation GROUNDHOG will be conducted 18-24 times during the remainder of FY 84 (depending on student fill).

Memorandums of Understanding:

Memorandums of Understanding (MOU) are being developed between the Army/Air Force and each NNBS center. The agreements concern total support provided each center

and the Departments of Army and Air Force, such as, mission, staffing, pay and reimbursement, and administrative support. Conceptual approval of the MOUs have been obtained from all centers. The MOUs are being administratively finalized for signature by May 1984.

In June 1983, the National Guard Bureau sent a letter to all State Adjutants General encouraging their full support and assistance to civilian law enforcement officials in their drug enforcement operations. To date, 16 State Adjutant Generals have signed MOU's with law enforcement agencies, five are in the process of developing MOU's, and 14 states are engaged in discussions on possible National Guard support. These formal agreements indicate the willingness of the Army to assist in combating drugs.

Permanent Army Personnel at Each Center:

In June 1983, the Army, in less than two weeks, provided five of the six NNBIS centers with seven noncommissioned officers (NCO's) (flight operation coordinators) in a TDY status for six months. As of 1 February 1984, all NNBIS centers have been staffed with nine permanent, senior NCO's. Five of the nine NCO's have been selected for early promotion to Master Sergeant (E-8), thereby placing them in the top 5% of their contemporaries. All of the new personnel came from a select group of volunteers

who had received a very favorable personal indorsement by their losing commander. The Army is committed to providing the NNBIS centers with excellent soldiers.

1st Annual Army NNBIS Representatives Conference:

In January 1984, a two-day Army NNBIS representatives conference was held at the Pentagon. All Army personnel assigned to NNBIS centers attended. They received briefings and orientations from logisticians, legal advisors, and personnel offices as well as a tour and briefing of the Vice President's NNBIS operation. I also met with these soldiers and we had a frank and open discussion of what they could do for their country and the Army. This conference provided the opportunity for the exchange of ideas as well as the development of better ways to enhance Army support for their particular center. This conference was very well received by all representatives and helped establish a comradery within the Army NNBIS family.

Information Exchange:

To enhance the effectiveness of NNBIS by a more extensive knowledge and understanding of their programs and objectives, I asked commanders or their representatives from 16 major Army installations and the commanders of US Army Criminal Investigation Command (CID) regions in border/maritime states to visit and establish liaison with the closest NNBIS center. This was accomplished in

January and February 1984. These commanders/representatives provided the NNBIS coordinator an overview of their mission capabilities, resources and possible training initiatives that could be used to support NNBIS programs and objectives. In turn, the NNBIS coordinators explained their mission and requirements. This information exchange effort was mutually beneficial with firm points of contact established to facilitate a responsive exchange of information and resources.

The CID Command, in an effort to further share drug-related information, has directed their regional drug coordinators, area drug suppression team chiefs and local CID commanders/special agents to visit the appropriate NNBIS centers, to open lines of communication, and to encourage long-term on-going information exchange at the working level.

Because of the success of these visits, 33 National Guard state military headquarters and representatives of the Reserves located in border/maritime states have been asked to visit and establish liaison with the closest NNBIS center. All visits will be completed by end of FY 84.

Mr. Chairman, these information exchange initiatives overall have been one of our most successful efforts to date.

On behalf of the Secretary of the Army and his dedication to an Army of Excellence, the Army is proud of its accomplishments in supporting NNBS. Loans of equipment, new and innovative training initiatives, support of operational missions, and the enhanced flow of information clearly indicate our willingness to do our share in combating the illicit flow of drugs into the US. Mr. Chairman, the Army pledges its continued support consistent with our mission of military preparedness. I appreciate this opportunity to appear before the subcommittee, and shall be happy to answer your questions.

Mr. ENGLISH. Thank you very much, Mr. Shannon. We appreciate the Army's support.

They were, of course, providing equipment all through last year, and also we appreciate the innovation that has been shown by the Army. We have been impressed by the fact that they have gone out and taken the initiative and attempted to come up with some new methods that could be helpful on this war on drugs.

It is my understanding the operational maintenance that you discussed, operational versus intermediate, that that is basically filling the aircraft with gas, checking the oil, that sort of thing, is that correct?

Mr. SHANNON. I am going to have to say that is correct, since you have an expert sitting next to you who used to fly helicopters.

Mr. ENGLISH. Therefore, when we talk about that intermediate maintenance that you are mentioning, such things as expertise, personnel and equipment, and training, as far as providing that maintenance, that is already being done by the Army as it stands now under contract; in other words, on a reimbursable basis, is that correct?

Mr. SHANNON. It is on a reimbursable basis, Mr. Chairman. We trained 18 Customs pilots and mechanics to date. The maintenance that is performed by Customs is that which is necessary to keep the aircraft operational. If it becomes necessary to perform intermediate maintenance, we could perform onsite maintenance from Fort Rucker. We have a contract with a civilian firm to do that.

I know of no problems in that area. As far as I know, the maintenance is going well. If it is not, I will correct it immediately.

Mr. ENGLISH. That is at DOD standards; is that correct?

Mr. SHANNON. We wouldn't let them fly the aircraft if it weren't up to DOD standards.

Mr. ENGLISH. What Secretary Regan was asking for on February 6, that is what is taking place. He asked since only the military could provide the expertise, training to carry out the maintenance, they would have to carry it out themselves, and that was already being done and a part of the agreement that the Army already has with Customs?

Mr. SHANNON. We train their pilots and mechanics. We have an interservice agreement to provide maintenance. I know of no difficulty in that particular area right now.

Mr. ENGLISH. Very good.

Thank you, Mr. Shannon.

Madam Secretary, what is the NORAD position on its national defense role concerning the altitudes and the areas that it monitors?

Ms. KEESLING. There is no requirement on the altitude. It depends on what system we have to support the effort. We have no minimum altitude levels. What we have planned, as far as our NORAD system, over the horizon back scatter radar.

We have identified a need for 12 E-3 survivable radar platforms and our long-term objective is to employ a space-based system for detection and tracking.

As far as the speed is concerned, the Canadian Government has identified a request for a higher speed and not a lower speed, so I would say the NORAD position is to stay as we are currently.

Mr. ENGLISH. Basically, it depends on the limits of the equipment as to what altitudes that you can monitor and the areas that you monitor in.

Ms. KEESLING. Correct, Mr. Chairman.

Mr. ENGLISH. What is your assessment of the advantages of lowering the speed and the altitude requirements of NORAD in terms of any increased advantage to detect the target for Customs?

Ms. KEESLING. Lowering the air speed, the surveys we have done and we have provided a copy to the staff—if not we would be glad to—we do not believe there will be any additional targets for Customs, to change that, and again, as far as the altitude is concerned, that depends on the availability of the system.

Mr. ENGLISH. Also the physical limitations of the equipment?

Ms. KEESLING. Correct.

Mr. ENGLISH. It is a question whether you have the ability to lower it and slow down the speed and still perform the job that you are required to do from a national defense standpoint; is that correct?

Ms. KEESLING. Yes, and we cannot now.

Mr. ENGLISH. What would be the impact of such a change from a military standpoint, if you did lower it down as far as you could get it, and slow down the speed below where it is now?

Ms. KEESLING. The expense would be much greater than the expense of the program that I outlined earlier, and also even if we could do that, we don't have the resources.

We only have 15 squadrons currently to try and intercept.

If we had more targets, we are limited on the intercept capability.

Mr. ENGLISH. You would have to relocate interceptors to carry out that kind of a mission?

Ms. KEESLING. No, we don't have enough interceptors.

Mr. ENGLISH. If you don't have interceptors, it doesn't do a whole lot of good.

Ms. KEESLING. We only have 15 squadrons.

Mr. ENGLISH. In unclassified terms, what is the future low level detection plan which is being considered by NORAD?

Ms. KEESLING. Currently, our plan is to use the over-the-horizon back scatter radar to cover the East, West, and South. We have identified a planning need for 12 additional E-3 aircraft and our long-term objective is a space-based system for detection and tracking.

Mr. ENGLISH. What would be the earliest date that that entire system would be in place?

Ms. KEESLING. I would say, what, probably the midnineties.

Mr. ENGLISH. So we are talking about at least another 10 years?

Ms. KEESLING. Correct.

Mr. ENGLISH. Is that a complete, total system in place?

Ms. KEESLING. Yes, of those three that we have identified.

Mr. ENGLISH. OK, what would be the impact on the tactical air command and the national military needs of the country if you were required to assume the entire detection role needed by the Customs with your current AWACS assets?

Ms. KEESLING. AWACS assets, as you know, our commander of the tactical air command has made an agreement with the NNBS

to provide four to six specially designated missions per month, with an agreement for additional watch missions when our E-3 is in the area of interest to the Customs.

We have flown about 30 specially designated sorties over the last 6 months, or about five per month. After that agreement was reached, we had a request for an additional AWACS mission that was staffed with the command, the Tactical Air Command.

Their indication was that any more than the six would have an adverse impact on our training, and that position was endorsed by the Joint Chiefs of Staff in September of last year.

So we believe there would be an impact to our training to do more than six.

Mr. ENGLISH. So, am I correct in assuming what you are telling me is that you have reached the limit now?

Ms. KEESLING. Yes, as far as our planning, we have.

Mr. ENGLISH. As far as assuming the entire detection role by Customs, what would be your assessment of the impact on that?

Ms. KEESLING. It would be detrimental to our training.

Mr. ENGLISH. Did the Joint Chiefs agree with that?

Ms. KEESLING. They agreed to doing just the six in September of this past year.

Mr. ENGLISH. They agree to exceed that would be detrimental to combat readiness?

Ms. KEESLING. Yes, they did.

Mr. ENGLISH. They would not even go one extra mission?

Ms. KEESLING. That is correct.

Mr. ENGLISH. Mr. Kindness?

Mr. KINDNESS. Thank you for your testimony. It is helpful in filling out what we have been pursuing here, and more peaceful today than it was yesterday.

Secretary Grayson, concern was expressed by Commissioner von Raab of the Customs Service over the escalation of costs for the conversion of the first P-3A to accept the F-15 radar.

It was mentioned that some of the escalation would be due to add-ons requested by Customs, and Commissioner von Raab has indicated that he will provide the history of that cost buildup.

I wonder if it would be possible, if following the receipt of that information, if your staff, having responsibility for that contract, would review that submission, and see whether the Navy agrees with the Customs Service about the apportionment of cost as to add-ons requested by Customs?

I would like to get that sorted out and understand where the costs originated, so that we can get a better idea of what the other P-3As are likely to cost.

Mr. GRAYSON. We will be happy to provide that to you, Congressman.

[The information follows:]

The Customs Service has informally advised that they have not yet completed their analysis of Customs add-on cost apportionment for the P-3A prototype modification. When the information is made available, Navy will review the submissions and submit comments for the record by separate correspondence.

Mr. KINDNESS. I appreciate that. We always understand that when the first one is done, you get some unexpected things arising, and the estimate made as to the cost of the additional one, the

P-3A conversions, is not any more reliable than what human beings do in the interim.

Mr. GRAYSON. It is like building a house.

Mr. KINDNESS. I have no further questions, and would yield back, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kindness. That is an excellent point, and I would agree.

I, too, would like to see that information, and particularly it would be helpful if the Navy looked over it and saw if there was an agreement as to what these add-ons were.

But the other point that might be helpful, too, to keep everything in perspective, is it not true that the first P-3 will be more expensive than those that would follow—the conversion of the first one would be more expensive than those that follow, because of the technical data package that would be included?

Mr. GRAYSON. Mr. Chairman, that is normally the case, and we anticipate that to be the case.

Mr. ENGLISH. So with each one that follows then, the cost of each would be—on an average, it would be reduced.

Mr. GRAYSON. We would hope so.

Mr. ENGLISH. One of a kind would be far more expensive than doing several?

Mr. GRAYSON. Yes, sir. There are six, and the first we would anticipate being the most expensive for the modification.

Mr. ENGLISH. According to staff, the next five, the total cost would be \$11 million more for all five; is that correct? Is that your understanding?

Mr. GRAYSON. I don't think we really know at this point, Mr. Chairman.

Mr. ENGLISH. OK. The Navy has a copy of the letter, so if you would submit that for the record, any documents that you might have relating to the cost of this, they would be helpful to us.

Mr. GRAYSON. Yes, sir.

[The information follows:]

The Lockheed-California Company letter of 15 February 1984, which projects a planning estimate for the modification of 5 P-3A aircraft, is provided for the record.

It should be noted that Navy has identified additional costs that must be included in total planning estimates associated with the additional 5 aircraft modification. The costs are itemized below and are predicated on assumptions at attachment (1) and the planning schedule at attachment (2).

	<u>FY-85</u>	<u>FY-86</u>
Modification of 5 P-3A aircraft	\$7.08M	\$4.72M
Inspection and repair of aircraft prior to delivery to the Contractor	\$1.245M	\$0.83M
Management and administrative costs	\$0.12M	\$0.08M
Unscheduled maintenance of A/C during life of the contract	\$0.750M	\$0.50M
Aircraft transport costs to and from contractor	\$0.075M	\$0.05M
Maintenance of AN/APG-63 radar during life of contract	\$0.15M	\$0.10M
	<u>9.42M</u>	<u>\$6.28M</u>
	TOTAL	

NOTE 1. Based on experience with the prototype Customs P-3A and P-3A aircraft used in the derivative programs, inspection and repair of the aircraft is essential prior to delivery to the contractor in order to minimize possible schedule and cost impact. It is recommended that each aircraft receive a full SDLM prior to delivery to the contractor. The estimate of \$415K represents the current SDLM contract price for P-3A aircraft. Unscheduled maintenance of the aircraft and GFE during the life of the contract represents a bailment cost for the contractor to maintain and repair the aircraft and avionics exclusive of the APG-63 radar. The estimate of \$250K represents a contingency fund which would be used to fund the contractor on an as required basis.

NOTE 2. The above estimate is a Rough Order of Magnitude (ROM) figure which is considered to be within 15%. The program contemplated is identical to the current installation of the AN/APG-63 radar and other avionics in BuNo 150514.

NOTE 3. The schedule shown in attachment (2) is predicated on sole source procurement to Lockheed-California Company and funding availability by 1 October 1984. A Basic Ordering Agreement (BOA) can not be used as a vehicle to execute the subject modification.


**Lockheed-California Company**

A Division of Lockheed Corporation  
Burbank, California 91520

LAC/081616

15 February 1984

To: The Honorable Glenn English  
U. S. House of Representatives  
2235 RHOB  
Washington, D. C. 20515

Subj: Installation of AN/APG-63 Radar and Other Avionics  
in Five (5) P-3A Aircraft, Submittal of Estimate for

Encl: (1) Program Premises

1. Based on the premises listed in enclosure (1), the following planning purpose estimate was developed for the subject program and is submitted in response to your informal request:

Modification of Five (5) P-3A Aircraft      \$11,800,000

2. The unit price of the above five aircraft is expected to be very much the same from the first to the last modification due to the mutually offsetting effects of inflation and learning. Any variance would be anticipated to fall within an accuracy range of + 15% of the above estimate.

3. The program contemplated is a follow-on to the current installation of the AN/APG-63 radar and other avionics in BuNo 150514. In order to control costs, I suggest that the five government-furnished P-3A aircraft be inspected and repaired by a Navy team prior to being delivered to Lockheed.

4. I recognize the need and welcome the opportunity for further program discussions. Upon request, I will be happy to arrange a meeting to present a detailed, comprehensive program for the radar installation as proposed by Lockheed.

LOCKHEED-CALIFORNIA COMPANY



B. D. O'Laughlin  
Vice President and Program Manager

cc: Robert E. Mills  
Minority Professional Staff Member  
500B Rm. 150  
Washington, D. C. 20515

NAVAIR  
AIR-21425  
ATR-54931  
Cdr. Vance Adler

U. S. Customs Service  
Research and Development Section  
Attn: Mr. Don Titus  
Mr. Ray Mintz  
1301 Constitution Avenue  
Washington, D. C. 20229

NAVFRO, Burbank

## PROGRAM ASSUMPTIONS

Sole source procurement justification be provided by Executive or Legislative Branch of the Government no later than 30 April 1984.

Financing will be received by 1 October 1984.

This program consists of five (5) aircraft - three (3) in FY-85 and two (2) in FY-86.

The aircraft configuration will be identical to S/S 5040 (BuNo 150514). The government-furnished P-3A aircraft used for this program shall be bailed to the contractor.

The aircraft to be modified will be P-3A aircraft which have recently completed Standard Depot Level Maintenance (SDLM).

Installation of the APG-63 Radar System shall include a functional and operational verification only.

The radar will be subject to an acceptance test on the test bench at McDonald Douglas, St. Louis, Mo.

Government Furnished Equipment (GFE) shall include the AN/APG-63 Radar Set, and necessary spares in support of the program schedule during installation and flight test by the Contractor. U.S. Customs Service will furnish the AAS-36 (IRDS) and Wulfsburg Comm RT-1600 (VHF-FM).

Contractor Furnished Equipment (CFE) shall include the LTN-72 Inertial Navigation System (INS), 618M3 VHF-FM Radio VIR-31A Instrument Landing System (ILS), APX-76 Interrogator (IFF), Lockheed Designed Interface "A" Boxes, and spares for these systems to support modification. All CFE equipment, less the "A" Boxes, shall be "off-the-shelf" qualified production units.

A suitable turnaround schedule to support the program schedule for APG-63 component replacements in the event of failure shall be established with the U.S. Government as GFE.

Any required special APG-63 Ground Support Equipment (GSE) shall be made available to support the program schedule.

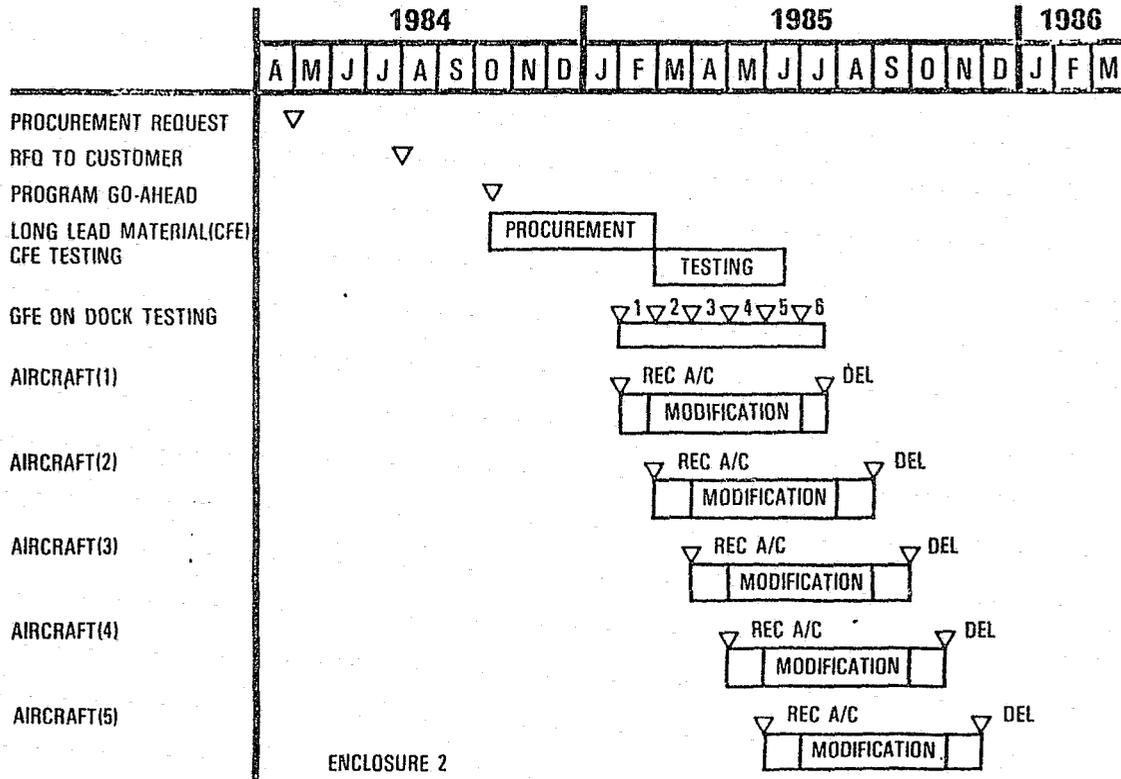
Technical support for Government Furnished Equipment shall be made available at no cost to Lockheed for the life of the modification program.

Receiving inspection, inventory and avionic condition checks will be accomplished at the Contractor's Facility.

This estimate excludes any Engineering, Logistics or other follow-on support to the aircraft or the newly installed systems subsequent to delivery to NATC or any other customer designated delivery destination.

This schedule is based on MIL Strip priority which is similar to that used on S/S 5040 (BuNo 150514).

# U. S. CUSTOMS P-3A/APG-63 RADAR



Attachment (2)

Mr. ENGLISH. Mr. Secretary, is the Navy able to dramatically increase the number of hours that the E-2C's support in the Caribbean?

Mr. GRAYSON. Clearly, no.

Mr. ENGLISH. Would it have an impact on the combat readiness of the E-2C squadrons?

Mr. GRAYSON. Yes, yes.

Mr. ENGLISH. Would such an increase be legal under the Posse Comitatus Act?

Mr. GRAYSON. We do not believe we are really under posse comitatus. We have really been following the spirit of posse comitatus. We abide by the policy.

Mr. ENGLISH. You are following under the regulations, and it has been the position of the Department of Defense that the posse comitatus then, the rules of posse comitatus would apply to the Navy, as well as the Air Force and the Army.

Mr. GRAYSON. We are following that policy.

Mr. ENGLISH. Does the Navy see its military defense, E-2C detection role as being identical to the needs of the Customs?

Mr. GRAYSON. No, not at all; totally different tactical mission for the E-2C's. We have 28 E-2C's on each coast, 4 on each carrier, and it is quite a different mission.

Mr. ENGLISH. Could you elaborate as to what the difference is between what their role is and what the needs of the Navy are?

Mr. GRAYSON. The surveillance mission in NNBIS and the E-2 was ideally utilized to track aircraft. It is not a surface ship surveillance instrument, but it is utilized in directing fighters, aircraft bombers, in a carrier battle group environment, and so this is quite a different mission.

It is beautifully suited. It is a very expensive platform to track, to utilize a radar with that range.

Mr. ENGLISH. I would want a little more detail on that. You have someone with a little more expertise on this?

Captain, identify yourself.

Captain VANATTA. I am Captain Vanatta. I work for the Chief of Naval Operations.

Could you state your question again?

Mr. ENGLISH. The question was, does the Navy see that its military defense, E-2C detection role as being identical to the needs of Customs, and the Secretary said that it does not, and I wonder if you could elaborate a little as to the differences between those two roles.

Captain VANATTA. Mr. Chairman, the E-2's are aboard ship, early warning detection, and they also participate in directing the fighter aircraft, as Mr. Grayson said.

They have training missions, however. They have to train their radar operators, and we use these training missions in conjunction with the drug interdiction types of flights.

I am not sure that I have answered totally your question.

Mr. ENGLISH. What I wanted to narrow in on is that training that you talk about. What kind of training do the E-2C's normally do?

Captain VANATTA. They do participate in air combat maneuvering with fighter aircraft. That is one of their big missions. Howev-

er, they do long-range surveillance around carrier battle groups. The same would apply for a drug interdiction.

If we have a mock exercise in the Caribbean, they can detect aircraft at fairly long ranges and pass that information on. Their operators are gaining training during this time, but not with the use of any of our fighter aircraft, so from that standpoint, it is limited.

We try to tailor that type of training flight with a syllabus flight.

Mr. ENGLISH. Is it true that there would be a certain percentage of time, the E-2C training time, that would be set out for surveillance time as opposed to that time in which you are in effect directing fighter aircraft in a live maneuver, supersonic aircraft?

Captain VANATTA. Mr. Chairman, I would have to provide that information. I don't have details of their actual training syllabus. It would not sound unreasonable to me, but I would have to provide that.

[The information follows:]

The initial training of an E-2C crewmember in basic surveillance is accomplished in a replacement training squadron prior to fleet squadron assignment. A synthetic trainer is utilized for this elementary training in recognition of a significant cost-of-benefit advantage over utilization of the aircraft.

After fleet assignment, most E-2C training missions are complex and require the full attention of the relatively small crew. Surveillance refresher training is then integrated into most coordinated battle group training missions. Basic elementary surveillance training (comparable to drug interdiction operations) is not scheduled as a primary mission by a fleet E-2C squadron. Such a single-mission training requirement does not provide any significant increase in E-2C aircrew combat training readiness.

Mr. ENGLISH. It is my understanding that is true with the Air Force, and I would assume that the Navy's training time, it would be rigidly set up such as the Air Force's time; in other words, so many hours would be spent involving fighter activities, so much training for different skills that would be needed, one of which would be surveillance.

The point I was going to try to make is that the one area that they have the least amount of difficulty in getting training time for is, namely, surveillance. In fact, they get an abundance for surveillance, as opposed to having fighter resources that are at hand so that they could carry out the training in that area.

I know one of your people made the comment that, particularly involved in the role of surveillance, many times it is like watching the grass grow. They felt like they got about as much training out of it. That was the point I wanted to make.

I appreciate that, Captain.

Was the Navy consulted before the Treasury Department witness testified and laid out his plan on Wednesday, Mr. Secretary?

Mr. GRAYSON. No; it was not, Mr. Chairman.

Mr. ENGLISH. Therefore, you had no opportunity to so much as give an opinion, much less consent to it.

Is it true that there are areas in the Caribbean, specifically areas near Cuba, in which the E-2Cs are not flown without protective fighter escorts?

Mr. GRAYSON. Yes; that is really a fleet commander's decision, an operational decision. We are concerned, Mr. Chairman, about putting an E-2C near the Cuban borders or air space.

The radar has a good range, as you know, but again the decision truly rests with the fleet commander, and I am sure he takes into account the threat analysis and other factors.

Mr. ENGLISH. Has it not been the position of the Atlantic Fleet Commander that that is going to be the rule as far as Cuba is concerned, the standing rule at this time?

Mr. GRAYSON. I am not aware of that fact.

Mr. ENGLISH. Please check that, and supply it for the record.

[The information follows:]

At the present time, the Commander in Chief, U.S. Naval Air Forces, Atlantic, has issued no policy that would prohibit E-2C aircraft, operating either independently or with escort, from operating in air space over Caribbean international waters. Operations required within 15 miles of the Cuban land mass must comply with special procedures promulgated by the Joint Chiefs, but are not prohibited. Additionally, the Fleet Commander closely monitors geographic intelligence and world events related to this area and remains prepared to issue appropriate guidance which recognizes current and projected real-time threats.

Mr. ENGLISH. Can the Navy deploy—excuse me; I got that question. Has the Navy offered to provide maintenance support on a reimbursable, noninterference basis for all six of the P-3's?

Mr. GRAYSON. We have. We are working with Customs, establishing a maintenance logistics support arrangement at this time. We have made that offer.

Mr. ENGLISH. This was agreed to, I believe, back in 1983—

Mr. GRAYSON. Yes, sir.

Mr. ENGLISH. In discussions between Customs and the Department of Defense?

Mr. GRAYSON. Yes.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. I have no further questions. I would like to, without appearing to express favoritism, particularly commend the Army on the initiatives that have been undertaken on cooperation within the area of drug interdiction activities that have been enumerated in Secretary Shannon's testimony today. That is the sort of cooperation very much needed and very much appreciated.

The Air Force and the Navy, I think, have been providing exemplary activities in this area too. But I realize that the functions of the Army perhaps provide some more opportunities for this interaction, and we are very happy to see the kind of attitude that the leadership is exhibiting with respect to this concern. We would like to commend and thank, as well as to condemn.

Mr. SHANNON. Mr. Kindness, I will pass that on to Secretary Marsh. I appreciate it.

Mr. ENGLISH. One last question with regard to the Navy. Can the Navy deploy E-2C's assets on a protracted operation in the Caribbean area for detection purposes for the Customs Service without having a substantial impact on maintenance and training in the E-2C program, for an extended period of time, a substantially increased period of time over and above what the President is doing?

Mr. GRAYSON. I would have to say, clearly, no, using your words "protracted" and "substantial." It is a very limited asset. There are 28 in LANT and 28 in PAC, and their commitment to the carrier battle groups is substantial. A protracted and substantial measure, I would say no.

Mr. ENGLISH. You would be in agreement with the statements that I made earlier. Are you aware of the statements I made earlier, quoting from the Chief of Naval Operations?

Mr. GRAYSON. Yes.

Mr. ENGLISH. Were you in favor of the proposal presented by the Treasury Department and Customs for you to assume their detection role, and were you consulted for an impact statement on their proposal? Were you consulted at all about this?

Mr. SHANNON. No; I wasn't aware of that.

Mr. ENGLISH. You were not in any way asked to comment? You were not even informed about it; is that correct?

Mr. SHANNON. Mr. Chairman, if that took place with any representative from the Army, I am unaware of it.

Mr. ENGLISH. Secretary Regan—

Mr. SHANNON. But that is not uncommon.

Mr. ENGLISH. I am disappointed to hear that, Mr. Secretary.

Mr. Secretary, Secretary Regan, in his March 6 letter to Secretary Weinberger, indicated that one of the critical justifications for his request was the inability of the Customs Service to duplicate the Department of Defense capability to maintain the loaned aircraft.

I know we touched on this question a minute ago, about how the Army is not only training the pilots for the Customs Service but also training those people, civilians, and most of them are not employees of the Customs Service—maybe I am in error on that—but that they are very rigidly training those people to maintain that equipment at DOD standards, and the Department of Defense is maintaining—is monitoring, I should say, the method in which that equipment is being maintained. Is that correct?

Mr. SHANNON. It would be unwise for anyone not to maintain those aircraft to acceptable standards, and I am not aware that that is not being done.

As I said, we train their pilots. We have an interservice maintenance agreement with them. They are in the supply system, and if they ever call on us for help, we will be glad to help them.

As far as I know, the equipment is being maintained well, specifically, the state-of-the-art aircraft, the Black Hawk.

Mr. ENGLISH. Have you heard of any problems with this arrangement at all?

Mr. SHANNON. No; I have not.

Mr. ENGLISH. No complaints from any of the Army personnel as to the method in which the equipment is being maintained?

Mr. SHANNON. No, sir. I am sure I would have heard of it if there had been a problem.

Mr. ENGLISH. Secretary Keesling, how many AWACS or aircraft are available on a daily basis in the United States, and what are these used for?

Ms. KEESLING. Mr. Chairman, there are 10 aircraft on the average. Five are used for initial upgrade training and are not available for other missions. Five are available to support continuation training, NORAD alerts, exercises and testing, and other contingencies.

Mr. ENGLISH. Is there any slack at all in this program that would allow the Air Force to triple or quadruple the number of hours they are flying for protection purposes for Customs?

Ms. KEESLING. No. Mr. Chairman, I believe, as I indicated earlier, the Tactical Air Command in agreement with the Joint Chiefs of Staff believe the six we have committed to is the maximum that we can do.

Mr. ENGLISH. Were you in favor of the proposal presented by the Treasury Department and Customs for you to assume their detection role?

Ms. KEESLING. Mr. Chairman, as the other two witnesses, we were not consulted or aware of the proposal until it was presented to you.

Mr. ENGLISH. Without being in violation of the law is there any way in which you could assume that role, quadrupling the number of hours?

Ms. KEESLING. As I recall, part of the posse comitatus requirements is that it cannot impact on readiness. We believe if we flew more than the six that there would be a detrimental impact on readiness.

Mr. ENGLISH. Messrs. McNamar and von Raab equate national defense roles to the mission of Customs detecting smugglers. They have testified they are one and the same. Are the roles the same?

Ms. KEESLING. We don't believe so. Our mission is to identify hostile aircraft. As we understand the Custom's mission, it is to detect and identify potential smugglers. They are primarily focusing on low-speed, low-altitude aircraft. We have not identified any low-speed, low-altitude military threat, so we see those as two separate missions.

Mr. ENGLISH. Secretary Regan, in his March letter to Secretary Weinberger, indicated one of the critical parts of the request was the inability of Customs to duplicate DOD's ability to maintain loaned aircraft. Isn't it true the Air Force, this committee, Appropriations Committees, and Customs have already worked out logistic support which the Air Force is prepared to provide to the F-13 radars, for example, if there is a problem, such things, for instance, as supply of parts?

Ms. KEESLING. Yes, Mr. Chairman, you are correct. There is an agreement. As I wrote to Commissioner von Raab in February, just to quote two sentences:

It continues to be our position after delivery of the final surveillance aircraft spare support will be a Customs Service responsibility. We will, of course, assist on a case-by-case, extraordinary basis; however, Customs-funded contractor support remains the primary objective to preclude any readiness impact.

Mr. ENGLISH. Mr. Kindness?

Mr. KINDNESS. No questions.

Mr. ENGLISH. Mr. Lewis?

Mr. LEWIS. No questions, Mr. Chairman.

Mr. ENGLISH. I want to thank each of you. Again, I want to commend each of the services for the assistance that they provide in this program. Your cooperation has been deeply appreciated, and we appreciate your continued efforts in this area, particularly any innovative thoughts you may have on how we can improve this program.

Our next witness will be Rear Adm. D.C. Thompson, coordinator of the southeast region of NNBIS in Miami.

**STATEMENT OF REAR ADM. D.C. THOMPSON, COORDINATOR,  
SOUTHEAST REGION, NNBIS, MIAMI, FL**

Admiral THOMPSON. Good morning, Mr. Chairman.

Mr. ENGLISH. We appreciate your coming, Admiral. I want to tell you the same thing I have told our other witnesses. If you would like to submit your written testimony for the record and summarize, without objection, that written testimony will certainly be made a part of the record.

Admiral THOMPSON. Yes, sir, I will try to summarize and condense a little bit.

I am Adm. D.C. Thompson, and appear before you today as coordinator for the Vice President's Southeast Regional Center for NNBIS, as well as on-scene coordinator for the South Florida Task Force. I have had those two responsibilities since June 1983.

I think you are quite familiar with the creation of the South Florida Task Force in the beginning of 1982. At that time, probably 70 to 80 percent of the marijuana, cocaine, and methaqualone entering the United States was estimated to come through south Florida. The community appealed for help and the administration established the task force.

One of the very first objectives of the task force, in addition to coordinating the law enforcement agencies, was to establish linkages between the Federal law enforcement agencies and military for the assistance now available under posse comitatus. I might add we are still reaping the benefits of those changes. There have been some impacts because of the addition of the Department of Defense assets being employed. We see a reticence on the part of some of the air intruders to enter our continental airspace. We see some changes to the tactics that the maritime drug smugglers have been using.

We suggest the changes in air tactics are a result of the efforts of NNBIS and South Florida Task Force. As time has now shown, the smuggler has had to react to us, and I think we put them at risk for a longer period of time. Certainly there has been some displacement of the trafficking. That is synonymous with disruption in my judgment. We are not resting on our laurels. While I can't quantify the incidents, in the overwhelming number of cases that occur outside of the southeast region there is a south Florida connection: Either the violators are from Florida or the deal was put together down there. Nowhere else that I am aware of have we seen the concentration of narcotics smuggling activity that has been experienced in the Southeast—Florida, specifically.

In making the smuggler sail or fly longer distances, we put them at risk a little longer. Yes; they use larger, different ships; perhaps larger, longer range aircraft. While in transit he gives us the opportunity to find, track and apprehend him. So in its own way displacement and disruption in a smuggling activity has been beneficial and the experiences have been made known to the other regions of the NNBIS system.

The southeast region was the model, if you would. The South Florida Task Force was the origin of the southeast NNBIS region. The task force has now been extended to the Maryland-Delaware borders, part of the southeast NNBIS region.

The primary purpose is to assure a cooperative, coordinated approach to the problem, not only among Federal and military but State and local enforcement representatives, also. As coordinator, it is my purpose to assure a cohesive, unified effort by all the participating agencies and their resources. Toward that goal I meet with the managers and leadership of the Federal agencies and State and local agencies attempting to develop as much harmony as we can.

The Vice President recognizes the Federal Government cannot stand alone in interdiction. One of the primary purposes is to assure a cooperative, coordinated approach to the smuggling problem, and we have drawn in State enforcement representatives. To achieve that goal we have an active outreach program to contact those people to pool the intelligence capabilities and work with the additional law enforcement resources up and down the coast.

We do have a State policy advisory board on drug interdiction that we have established. They provide open communications with NNBIS. It is a two-way street, so that we can get down to the various county and city police agencies, of which there are a significant number in my region. I know you have visited our interdiction operation center, intelligence center, and air communications and control center, called C-3, in Miami, so I won't go into detail. But I would like to say the coordination of the interdiction effort is continuing to improve.

We have a lot of examples of multiagency operations, both Federal and State units working together to seize the intruders. We have been seizing an increasing number of vessels. Our goal, of course, is on the maritime side to catch them on mother ships prior to off-loading from other vessels. I would just recall one classic example of a cooperative, coordinated operation that took place, which exemplifies the air interdiction effort.

The seizure took place in Georgia. The information was picked up by the Georgia Bureau of Investigation that an aircraft was headed south for the purpose of picking up a load of cocaine. Information came into NNBIS, southeast region, where plans for deployment of the necessary resources and detection and pursuit were coordinated and finalized. I am happy to report to you, Mr. Chairman, this case had a successful conclusion with the arrest of a pilot, six Colombians, the aircraft, and over 700 pounds of cocaine.

I refer to it as classic in that it involved, in addition to the southeast region of NNBIS, the NNBIS gulf region, U.S. Customs, the Drug Enforcement Administration, FAA, and the Georgia Bureau of Investigation. This is but one in a growing list of successful endeavors.

The primary purpose of NNBIS is to ensure a cooperative and coordinated approach to the narcotic smuggling problem not only between and among Federal enforcement agencies and the military, but with other special Federal efforts, such as the Attorney General's drug task forces, as well as State and local law enforcement

representatives. The goal will not be achieved overnight. However, on a daily basis, we are seeing advances.

That concludes my prepared remarks. I stand ready, at this time, to answer any questions and concerns you might have with regard to this undertaking.

[The prepared statement of Admiral Thompson follows:]

## PREPARED STATEMENT OF REAR ADM. D.C. THOMPSON

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM D. C. THOMPSON. WHILE I HOLD THE RANK OF REAR ADMIRAL AND POSITION OF COMMANDER OF THE 7TH COAST GUARD DISTRICT, I APPEAR BEFORE YOU TODAY AS THE COORDINATOR FOR THE VICE PRESIDENT'S SOUTHEAST REGIONAL CENTER OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS), AS WELL AS THE ON-SCENE COORDINATOR FOR THE VICE PRESIDENT'S SOUTH FLORIDA TASK FORCE. I ASSUMED THE DUTIES OF THE LATTER TWO ASSIGNMENTS ON JUNE 17, 1983, IN ADDITION TO MY PERMANENT POSITION WITH THE COAST GUARD.

THE PRESIDENT CREATED THE SOUTH FLORIDA TASK FORCE ON JANUARY 28, 1982, AND ASKED VICE PRESIDENT BUSH TO SERVE AS THE HEAD OF THAT EFFORT. AT THE TIME THIS WAS UNDERTAKEN, THERE WAS A GENERALLY ACCEPTED ESTIMATE THAT 70 TO 80 PERCENT OF ALL THE MARIJUANA, COCAINE, AND METHAQUALONE ENTERING THE UNITED STATES WAS ENTERING THROUGH SOUTH FLORIDA. THAT IS NOT TO SAY THAT CONSUMPTION OF THOSE ILLEGAL COMMODITIES IN FLORIDA WAS AT THAT LEVEL, BUT THE DISTRIBUTION SYSTEMS FOR MOVEMENT OF THESE DRUGS STARTED IN THAT AREA. WHILE THE APPEAL FOR HELP CAME FROM THE LOCAL CIVIC LEADERS WHO HAD COALESCED TO CREATE THE MIAMI CITIZENS AGAINST CRIME, THE ADMINISTRATION RECOGNIZED THAT THE PROBLEM WAS OF A NATIONAL SCOPE WITH ITS FOCAL POINT BEING FLORIDA.

ONE OF THE VERY FIRST OBJECTIVES UNDERTAKEN BY THE SOUTH FLORIDA TASK FORCE, IN ADDITION TO THE COORDINATION AMONG THE LAW ENFORCEMENT AGENCIES WORKING THE NARCOTICS PROBLEM, WAS THE ESTABLISHMENT OF PROTOTYPE LINKAGES BETWEEN THE FEDERAL ENFORCEMENT AGENCIES AND THE

MILITARY FOR ASSISTANCE NOW ALLOWABLE UNDER THE REVISIONS TO POSSE COMITATUS, SIGNED INTO LAW BY THE PRESIDENT IN 1981. WE ARE STILL REAPING THE BENEFITS OF THOSE CHANGES. WHEREAS, BEFORE THE NEW OPERATIONAL ORDERS WERE FORGED AND IMPLEMENTED, THE SMUGGLER KNEW HE HAD ONLY TO STAY AWAY FROM THE COAST GUARD'S WHITE SHIPS; THE SMUGGLERS NOW HAVE LEARNED THAT THE GRAY SHIPS OF THE U. S. NAVY ARE ALSO APT TO CAUSE THEM CONCERN. THEY CAN NO LONGER SAIL PAST THEM WITH THE SENSE OF IMPUNITY THEY ONCE ENJOYED. EQUALLY, THE SMUGGLER HAS ACQUIRED A RETICENCE FOR PENETRATING AIR SPACE OF THE CONTINENTAL UNITED STATES DUE TO THE PRESENCE OF VARIOUS AIRBORNE RADARS IN THE FORMS OF AWACS, E2'S AND TETHERED AEROSTATS. IT IS ESTIMATED IN OUR REGION THAT BETWEEN 80 AND 90 PERCENT OF THE SMUGGLING AIRCRAFT DETECTED DO NOT PENETRATE U.S. AIR SPACE WITH THEIR CONTRABAND.

THIS NEW "ALLIANCE" PROVIDED SOME VERY DISTINCT REACTIONS FROM THOSE ATTEMPTING TO SMUGGLE DRUGS INTO THIS COUNTRY. INITIALLY THERE APPEARED TO BE A CESSATION OF SMUGGLING ATTEMPTS, AS THOUGH THE SMUGGLERS BELIEVED THAT THIS WAS A HOLLOW SPECIAL EFFORT BY THE FEDERAL GOVERNMENT. IT WAS AS THOUGH THEY -- THE SMUGGLERS -- BELIEVED THAT THEY COULD OUT-WAIT THE GOVERNMENT PER DIEM. AS TIME PROGRESSED, WE BEGAN TO SEE, WHAT I WOULD CONSIDER, A MAJOR CHANGE IN THE SMUGGLERS ACTIVITY AND PATTERNS THROUGH THE USE OF THE MANY UNINHABITED ISLANDS IN THE BAHAMIAN CHAIN AS DROP AND OFF-LOAD SITES. AS WELL, WE BEGAN TO SEE "MINOR" PROBES OF THE NEW DEFENSES IN OTHER STATES, PARTICULARLY WITHIN THE SOUTHEAST U.S. AS A PART OF THAT EARLY PROCESS, WE ALSO SAW UNIQUE SEIZURES OCCURRING IN NEW PLACES OUTSIDE OF THE AREA GENERALLY BELIEVED TO BE THE TARGET AREA. AS I

PREVIOUSLY STATED, IT WAS ESTIMATED THAT 70 TO 80 PERCENT OF MARIJUANA, COCAINE, AND QUAAALUDES WERE ENTERING THE UNITED STATES THROUGH SOUTH FLORIDA. CONVERSELY, THAT MEANT THAT 20 TO 30 PERCENT OF THE DRUGS WERE COMING IN ELSEWHERE. AT THAT EARLY DATE, IT WAS NOT POSSIBLE TO DETERMINE WHETHER THAT WHICH WAS BEING SEIZED ELSEWHERE WAS JUST PART OF THAT SMALLER PERCENTAGE OR HAD BEEN DISPLACED BY VIRTUE OF THE FLORIDA EFFORT.

AS TIME HAS NOW SHOWN, THE EFFORTS PUT FORTH IN FLORIDA HAVE, FOR THE FIRST TIME, PUT THE SMUGGLER IN A POSITION OF HAVING TO SERIOUSLY REACT TO LAW ENFORCEMENT. UNTIL 1982 AND THE VICE PRESIDENT'S INITIATIVES, LAW ENFORCEMENT WAS REACTING TO THE SMUGGLERS. WE BELIEVE THAT WE HAVE FORCED SOME DISPLACEMENT BY THE SMUGGLERS.

MR. CHAIRMAN, LET ME POINT OUT HERE THAT IT WAS NEVER THE ADMINISTRATION'S INTENT TO MERELY MOVE THE PROBLEM FROM ONE LOCATION TO ANOTHER -- NOR DO WE FEEL THAT THAT IS OUR ONLY ACCOMPLISHMENT. FOR EXAMPLE, WHETHER ENTERING THE STATE OF NORTH CAROLINA DIRECT FROM A FOREIGN COUNTRY OR ENTERING THROUGH FLORIDA, DRUGS ARE STILL COMING INTO THE UNITED STATES. THEY WILL FIND THEIR WAY TO WHEREVER THERE IS A DEMONSTRATED DEMAND. WE WHO HAVE BEEN CONNECTED WITH THE SOUTH FLORIDA EFFORT HAVE BEEN ENCOURAGED BY THIS DISPLACEMENT. IT IS SYNONYMOUS WITH DISRUPTION.

BUT WE, IN THE SOUTHEAST REGION, CAN NOT REST ON OUR LAURELS OR ON THE "GOOD NEWS" DISPLACEMENT MAY APPEAR TO OFFER. WHILE I CAN NOT QUANTIFY THE INCIDENTS, IN AN OVERWHELMING MAJORITY OF THE CASES

OCCURRING IN OTHER STATES/AREAS, THERE IS A SOUTH FLORIDA CONNECTION -- THE VIOLATORS ARE FROM FLORIDA OR THE DEAL WAS PUT TOGETHER THERE. ADDITIONALLY, DESPITE THE DISPLACEMENT FACTOR, NOWHERE ELSE HAVE WE SEEN THE CONCENTRATION OF NARCOTIC SMUGGLING ACTIVITY THAT HAS BEEN EXPERIENCED IN THE SOUTHEAST, AND FLORIDA SPECIFICALLY.

IN MAKING THE SMUGGLER SAIL OR FLY LONGER DISTANCES, WE ARE FORCING HIM TO USE LARGER SHIPS AND LARGER AND LONGER-RANGE PLANES, REQUIRE BETTER AND MORE COSTLY NAVIGATIONAL DEVICES AND EXPERTISE, PAY MORE TO THOSE WILLING TO ASSUME THE VENTURE, AND, WHILE IN TRANSIT OVER THESE LONGER ROUTES, ALLOW US GREATER TIME TO FIND, TRACK, AND APPREHEND THEM. THE CHANGES ALSO FORCE THEM OUT OF AN ENVIRONMENT OF THEIR CHOOSING AND INTO NEW TERRAIN, THUS CAUSING MISTAKES ON THEIR PART.

IN ITS OWN WAY, IT WAS THAT DISPLACEMENT/DISRUPTION IN SMUGGLING ACTIVITY AND THE LESSONS LEARNED THROUGH THE SOUTH FLORIDA TASK FORCE EXPERIENCE WHICH GAVE RISE TO THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS).

IN ESTABLISHING THE SIX NNBIS REGIONAL CENTERS AND CREATING THE SOUTHEAST REGION, THAT PORTION OF THE SOUTH FLORIDA TASK FORCE WHICH HAS DEALT ALMOST EXCLUSIVELY WITH THE INTERDICTION OF SMUGGLING SINCE 1982 HAS BEEN WOVEN INTO THE NNBIS SYSTEM. WHILE THE SOUTH FLORIDA TASK FORCE REMAINS FUNCTIONING AND VIABLE, OUR INTERDICTION EFFORTS NOW EXTEND FROM THE MARYLAND/DELAWARE LINE SOUTH TO KEY WEST, BACK UP

THE WEST COAST OF FLORIDA TO THE PANHANDLE, AND INCLUDES PUERTO RICO AND THE U. S. VIRGIN ISLANDS.

ONE OF THE PRIMARY PURPOSES OF NNBIS IS TO ENSURE A COOPERATIVE AND COORDINATED APPROACH TO THE NARCOTIC SMUGGLING PROBLEM NOT ONLY BETWEEN AND AMONG FEDERAL ENFORCEMENT AGENCIES AND THE MILITARY, BUT WITH OTHER SPECIAL FEDERAL EFFORTS, SUCH AS THE ATTORNEY GENERAL'S DRUG TASK FORCES, AS WELL AS STATE AND LOCAL LAW ENFORCEMENT REPRESENTATIVES.

AS THE COORDINATOR, IT IS MY PURPOSE AND OBJECTIVE TO ENSURE A COHESIVE, UNIFIED EFFORT BY ALL PARTICIPATING AND SUPPORTING AGENCIES AND THEIR RESOURCES. TOWARD THAT GOAL, I MEET WITH THE SENIOR MANAGERS OF THE MEMBER AGENCIES TO ENSURE THE COMMUNICATION OF OUR COMMON GOALS AND TO RESOLVE PROBLEMS SHOULD THEY ARISE. I ALSO MONITOR ROUTINE AND SPECIAL OPERATIONS FOR LESSONS LEARNED AND WAYS TO IMPROVE OUR EFFECTIVENESS. ADDITIONALLY, I MEET WITH MILITARY COMMANDS TO EXPLORE AND IMPLEMENT THEIR ASSISTANCE AND PARTICIPATION IN OUR EFFORTS TO THE EXTENT ALLOWED BY POSSE COMITATUS.

THE VICE PRESIDENT RECOGNIZES THAT THE FEDERAL GOVERNMENT CAN NOT STAND ALONE IN THESE INTERDICTION EFFORTS. ONE OF THE PRIMARY PURPOSES OF NNBIS IS TO ENSURE A COOPERATIVE AND COORDINATED APPROACH TO THE NARCOTIC SMUGGLING PROBLEM NOT ONLY BETWEEN AND AMONG FEDERAL ENFORCEMENT AGENCIES AND THE MILITARY, BUT WITH STATE AND LOCAL LAW ENFORCEMENT REPRESENTATIVES. WE ARE ACTIVELY ENGAGED IN AN "OUT-REACH" PROGRAM TO ESTABLISH WORKING RELATIONSHIPS WITH THE STATE AND

LOCAL LAW ENFORCEMENT AGENCIES -- BOTH FOR THE PURPOSE OF LISTING ADDITIONAL LAW ENFORCEMENT RESOURCES IN NNBS WHICH CAN BE BROUGHT TO BEAR ON THE SMUGGLERS AS WELL AS TO POOL THE INTELLIGENCE CAPABILITIES OF ALL AGENCIES ADDRESSING THE PROBLEM. FURTHERMORE, I HAVE MET WITH THE HEADS OF ALL STATE ENFORCEMENT AGENCIES WITHIN THE SOUTHEAST REGION. THIS HAS RESULTED IN THE CREATION OF WHAT WE HAVE COLLECTIVELY NAMED THE STATE POLICY ADVISORY BOARD ON DRUG INTERDICTION. IT IS A MULTI-PURPOSE BODY DESIGNED TO: OPEN AND ENSURE COMMUNICATIONS WITH NNBS; PROVIDE THE STATES WITH INTELLIGENCE KNOWN TO NNBS; PROVIDE NNBS WITH LISTS OF ASSETS, THEIR OWNERS AND OPERATORS WITHIN STATE AND LOCAL JURISDICTIONS TO BE USED FOR INTERDICTION; TO PROVIDE NNBS WITH INTELLIGENCE KNOWN WITHIN EACH RESPECTIVE STATE; AND PROVIDE A FOCAL POINT THROUGH WHICH WE CAN DIRECT AND RECEIVE INFORMATION WITH THE INNUMERABLE COUNTY AND CITY POLICE AGENCIES THROUGHOUT THIS REGION.

IN GENERAL, MY DUTIES AS COORDINATOR ARE TO ENSURE SMOOTH, COORDINATED OPERATIONS WITHIN THE SOUTHEAST REGION, EXPEDITE INTER-REGIONAL ENFORCEMENT ENDEAVORS, AS WELL AS MONITOR ROUTINE AND SPECIAL OPERATIONS AND TO IDENTIFY AND SEIZE TARGETS OF OPPORTUNITY FOR THE USE OF ADDITIONAL RESOURCES.

BECAUSE OF OUR PRE-EXISTENCE TO NNBIS NATIONWIDE, AS AN ORGANIZATIONAL ENTITY, AND BECAUSE THE SOUTH FLORIDA TASK FORCE, AS STATED, REMAINS IN EFFECT, YOU WILL FIND SOME DIFFERENCES IN OUR STRUCTURE, AS OPPOSED TO THE OTHER NNBIS REGIONS. WHILE WE HAVE FOLDED INTO THE NATIONWIDE NNBIS ORGANIZATION, WE HAVE A SOMEWHAT MORE DELINEATED SEPARATION AMONG OUR THREE PRIMARY FUNCTIONAL ENTITIES: THE INTERDICTION OPERATIONS INFORMATION CENTER (IOIC), THE INTERDICTION INFORMATION COORDINATION CENTER (IICC), AND THE AIR COMMUNICATIONS AND CONTROL CENTER, OR C3.

THE PURPOSE OF THE IOIC IS TO COORDINATE AND MATCH INTELLIGENCE WITH EXISTING INTERDICTION RESOURCES, AND THEN TO RECOMMEND ACTION TO THE COMMAND AND CONTROL ELEMENT OF THOSE EXISTING RESOURCES, IN ORDER TO EFFECT INTERDICTION EFFORTS. THE IOIC USES ALL AVAILABLE INTELLIGENCE, BOTH TACTICAL AND STRATEGIC, TO ACCOMPLISH ITS STATED PURPOSE. THE IOIC IS COOPERATIVELY STAFFED BY REPRESENTATIVES OF ALL THE FEDERAL ENFORCEMENT AGENCIES, AS WELL AS ALL BRANCHES OF THE MILITARY. SIMILARLY, THE INTERDICTION, SURVEILLANCE AND PURSUIT RESOURCES PROVIDED ARE FROM ALL FEDERAL ENFORCEMENT AGENCIES AND THE MILITARY, AS WELL. I WOULD LIKE TO OFFER THE FOLLOWING AS AN EXAMPLE OF THE SUCCESS OF THE IOIC IN THE UTILIZATION OF ASSETS AND RECOMMENDATIONS TO AGENCIES. FOR MONTHS WE HAVE SEEN A TREND BY SMUGGLERS WHEREBY THEY HAVE BEEN SACRIFICING LARGER LOADS FOR THE SECRECY OFFERED BY FALSE COMPARTMENTATION. THIS HAD MANIFESTED ITSELF STATISTICALLY IN LARGER NUMBERS OF VESSELS SEIZED BUT LESSER AMOUNTS OF MARIJUANA. IN THE LAST TWO MONTHS, PRIMARILY THROUGH MORE

INTELLIGENT TASKING OF SUPPORTING U.S. NAVY P3 FLIGHTS, WE HAVE REVERSED THAT TREND AND HAVE SEIZED INCREASING NUMBERS OF VESSELS WITH LARGER AMOUNTS OF MARIJUANA. IN ESSENCE, WE HAVE BEEN CATCHING THE MOTHERSHIPS PRIOR TO THEIR OFF-LOADING TO OTHER VESSELS.

THE PURPOSE OF THE IICC IS TO PROVIDE THE NNBIS ORGANIZATION WITH A COMPLETE AND ACCURATE ASSESSMENT OF THE NARCOTICS SMUGGLING PICTURE AS IT EXISTS, AS IT CHANGES, AND AS IT PROJECTS FOR THE FUTURE. THE FIRST PRIORITY OF THIS ENTITY IS TO DEVELOP TACTICAL INTELLIGENCE, INCLUDING TRENDS, WHICH WILL BE USED BY NNBIS TO ATTACK THE SMUGGLING PROBLEM. THE IICC USES ALL-INTELLIGENCE SOURCES, BOTH DOMESTIC AND INTERNATIONAL, EXAMINES AND DEVELOPS THE GATHERED DATA AND INTELLIGENCE, AND DEVELOPS A "PICTURE" OF NARCOTICS SMUGGLING ACTIVITY. IN THE LAST TWO MONTHS, THE IICC HAS DEVELOPED "REAL TIME" INTELLIGENCE WHICH HAS RESULTED IN SEIZURES TOTALLING OVER 2,500 POUNDS OF COCAINE.

IN AN EFFORT TO BETTER COORDINATE THE SOUTHEAST REGION'S INTERDICTION ACTIVITIES, IN ADDITION TO A PERSONAL VISIT WITH THE LAW ENFORCEMENT COMMUNITY IN PUERTO RICO, I HAVE HAD PERSONNEL FROM BOTH THE IOIC AND THE IICC TRAVEL TO BOTH PUERTO RICO AND THE U.S. VIRGIN ISLANDS TO HOLD DISCUSSIONS WITH THE LAW ENFORCEMENT OFFICIALS IN THOSE LOCATIONS. THE PURPOSE OF THOSE TRIPS WAS TO BETTER INFORM THE LAW ENFORCEMENT COMMUNITY ABOUT NNBIS AND ITS OBJECTIVES, TO ENSURE THAT THERE IS DIALOGUE AMONGST THE AGENCIES OF THOSE ISLANDS, TO INITIATE COMMUNICATION AND THE FLOW OF INTELLIGENCE WITH NNBIS AND TO IDENTIFY THEIR NEEDS AND PROBLEMS.

C3 (COMMUNICATIONS AND CONTROL CENTER) IS ACTUALLY THE HEART OF OUR AIR OPERATIONS EFFORT. WHILE THE OPERATION OF C3 IS PRINCIPALLY UNDER THE CONTROL OF THE CUSTOMS SERVICE, I HAVE A CONTINUING DIALOGUE WITH THE MANAGERS INVOLVED CONCERNING THE AIR THREAT AND INITIATIVES TO ADDRESS THAT THREAT. USING VARIOUS DETECTION AND COMMUNICATION RESOURCES, BOTH CIVILIAN AND MILITARY, C3 ADVISES AND VECTORS A WIDE RANGE OF FIXED WING AND HELICOPTER RESOURCES TO THE LOCATION OF SUSPECT AIR TARGETS FOR INTERCEPT, IDENTIFICATION, SURVEILLANCE AND SEIZURES, IF APPROPRIATE. WHILE IDENTIFICATION AND INTERDICTION OF AIR TARGETS IS THE PRIMARY PURPOSE OF C3, I WOULD HASTEN TO ADD THAT WITHIN THE SPIRIT OF THE COOPERATIVE NATURE OF THIS ENTIRE EFFORT, THESE AIR ASSETS ARE ALSO USED IN THE IDENTIFICATION AND SURVEILLANCE OF KNOWN OR SUSPECT MARITIME SMUGGLERS. EARLY THIS MONTH, A MARINE OV-10, FLYING IN SUPPORT OF OUR EFFORT, ON TWO SEPARATE DAYS, WAS THE CATALYST FOR TWO SEPARATE SEIZURES: ONE BOAT AND ONE PLANE.

A RECENT CLASSIC EXAMPLE OF A COOPERATIVE AND COORDINATED OPERATION TOOK PLACE IN GEORGIA. INFORMATION WAS PICKED UP BY THE GEORGIA BUREAU OF INVESTIGATION (GBI) THAT AN AIRCRAFT WOULD FLY SOUTH FOR THE PURPOSE OF PICKING UP A LOAD OF COCAINE. THE INFORMATION CAME IN TO NNBIS WHERE PLANS FOR DEPLOYMENT OF THE NECESSARY RESOURCES, DETECTION AND PURSUIT WERE COORDINATED AND FINALIZED. I AM HAPPY TO REPORT TO YOU, MR. CHAIRMAN, THAT THIS CASE HAD A SUCCESSFUL CONCLUSION WITH THE ARREST OF THE PILOT, SIX COLOMBIANS, THE AIRCRAFT AND 708 POUNDS OF COCAINE. I REFER TO IT AS CLASSIC IN THAT IT INVOLVED, IN ADDITION TO THE SOUTHEAST REGION OF NNBIS, THE GULF

REGION, U.S. CUSTOMS, THE DRUG ENFORCEMENT ADMINISTRATION, FAA AND THE GEORGIA BUREAU OF INVESTIGATION. THIS IS BUT ONE IN A GROWING LIST OF SUCCESSFUL ENDEAVORS.

THE PRIMARY PURPOSE OF NNBIS IS TO ENSURE A COOPERATIVE AND COORDINATED APPROACH TO THE NARCOTIC SMUGGLING PROBLEM NOT ONLY BETWEEN AND AMONG FEDERAL ENFORCEMENT AGENCIES AND THE MILITARY, BUT WITH OTHER SPECIAL FEDERAL EFFORTS, SUCH AS THE ATTORNEY GENERAL'S DRUG TASK FORCES, AS WELL AS STATE AND LOCAL LAW ENFORCEMENT REPRESENTATIVES. THE GOAL WILL NOT BE ACHIEVED OVERNIGHT: HOWEVER, ON A DAILY BASIS, WE ARE SEEING ADVANCES.

THAT CONCLUDES MY PREPARED REMARKS. I STAND READY, AT THIS TIME, TO ANSWER ANY QUESTIONS AND CONCERNS YOU MIGHT HAVE WITH REGARD TO THIS UNDERTAKING. /

Mr. ENGLISH. Thank you very much, Admiral. Appreciate your testimony.

You have the most established NNBIS center in the country I think without question, since it is an offshoot of the South Florida Task Force. As a result of the experience with the task force, were any of the lessons that were learned put in writing and shared with the more recently established task forces or NNBIS centers?

Admiral THOMPSON. Yes, sir, they have been. Each time we run something different than the routine day-to-day interdiction operations, we critique it for lessons learned. That is provided to headquarters NNBIS here in Washington and distributed to the other NNBIS regions.

Additionally, I send a weekly report up here on significant seizures, identifiable shortcomings or lessons learned. That is shared with the other five regions.

Mr. ENGLISH. Were you aware of Operation Golden Palm before it was executed?

Admiral THOMPSON. Yes, I was.

Mr. ENGLISH. What is your opinion of the way in which it was conducted?

Admiral THOMPSON. Again, I think we learned some lessons there in terms of establishing different surveillance than we had had available to us. We learned that our operations security has to be increased in Puerto Rico. That is a building step in terms of additional operations that we have run down there subsequently.

Mr. ENGLISH. You say that you were aware of Operation Golden Palm in advance?

Admiral THOMPSON. I was, yes, sir. As a matter of fact, the Coast Guard was involved in some of the logistics before it started.

Mr. ENGLISH. What about the people in Puerto Rico? Was this coordinated with them?

Admiral THOMPSON. A limited number of people in Puerto Rico knew about it. Again, from an operational security standpoint.

Mr. ENGLISH. Could you identify for the record those people who had that knowledge in advance?

Admiral THOMPSON. I can, yes, sir.

Mr. ENGLISH. We would appreciate that.

Admiral THOMPSON. Yes, sir.

[The information follows:]

Copies of the Golden Palm Operation were provided to the following individuals prior to the start of the operation:

Capt. Walter Coburn, USCG, CO, USCG AS Borinquen.

Cdr. Ronald DiGennarro, USCG, Operations Officer.

Mr. Jaime Echevarria, USC, Area SAC, SJ.

Mr. Serrano, USC, SCPO, SJ.

Mr. William Jimenez, USC, SCPO, Mayaguez.

Additionally, oral briefings were provided to the following prior to the beginning of operations:

Diego Hernandez, Commodore, USN, Naval Forces Caribe.

Commander of Puerto Rico Air National Guard (PRANG), Borinquen.

Mr. Gene Parker, FAA.

Mr. ENGLISH. What information is available to confirm that Puerto Rico is or is not being used as a transshipment point for the continental United States?

Admiral THOMPSON. It is difficult to get a handle on just how large that problem might be. There have been threat analyses performed by the Customs Service and other agencies. We are continuously looking for indicators, whether there are additional clandestine strips, or increases in airdrops. The normal indicators of smuggling activity.

Mr. ENGLISH. What I am coming down to, do you know how much is coming into the Puerto Rico area? If so, what indicators were you using to determine how much is coming in?

Admiral THOMPSON. We don't know how much is coming in in a numeric or statistical number. We hear allegations of a very serious threat down there, but in the operations we have mounted to measure that we have been unable to confirm that volume of traffic people talk about.

Mr. ENGLISH. You really don't know, is that what you are telling me?

Admiral THOMPSON. We can't find it. We are looking, Mr. Chairman.

Mr. ENGLISH. On December 15 I was in Puerto Rico just to kind of get a feel for the situation down there. I came away with some pretty disturbing concerns. I want to share and discuss some of those points with you, if I could.

Is it true a smuggler can fly across the southern coast of Puerto Rico at an altitude of 5,000 feet and not be detected by radar?

Admiral THOMPSON. There are some places south of Puerto Rico where radar coverage has significant gaps, yes, sir.

Mr. ENGLISH. Is it correct that any shipment of goods departing Puerto Rico for the continental United States is not subject to Customs inspection?

Admiral THOMPSON. Normally it is not.

Mr. ENGLISH. Are there any cases where it is subject to Customs inspection?

Admiral THOMPSON. I think if the Customs Service had intelligence, and they do have intelligence agents down there and inspectors, if they thought there was a problem with a shipment, I would defer to Customs. I am sure, though, if they were aware of a shipment of contraband that they would inquire.

Mr. ENGLISH. Given those facts and that Colombia is only about 450 miles away from the Puerto Rican coast, has there been an assessment of the possibility of Puerto Rico as a major transshipment point?

Admiral THOMPSON. Yes, sir, there have been several threat assessments conducted beyond which we are sampling to see whether there is validity to those threat assessments. In our recent sampling efforts we have not been able to identify anywhere near the alleged threat to Puerto Rico.

Mr. ENGLISH. Who conducted that assessment?

Admiral THOMPSON. The Customs Service conducted one of them. I think the Drug Enforcement Agency has another variation.

Mr. ENGLISH. What were the criteria used in those assessments?

Admiral THOMPSON. It ranges from the number of crashed aircraft seen, activity at clandestine strips, offshore airdrops to fast boats, those types of indicators.

Mr. ENGLISH. It is my understanding Puerto Rico, according to that assessment, ranks third behind Florida and Texas. Is that not correct, in the assessment?

Admiral THOMPSON. In terms of the potential threat, it does. In terms of actual seizures and in terms of results from our special operations, it does not.

Mr. ENGLISH. The problem is, though, it depends, you are saying it depends on what you catch. That depends on how big an effort you make.

Admiral THOMPSON. Yes, sir.

Mr. ENGLISH. If you don't make an effort, you are not going to catch much. Therefore, you say, well, if we don't catch anything, then we don't have a problem. Is that correct? Isn't that the logic you are using?

Admiral THOMPSON. Not entirely. I think maybe our logic is a little different. My logic is that I have a limited amount of resources to deploy throughout the region from Delaware down through the Virgin Islands. We respond to what we think the threat assessment is. We test it. We do the same in North Carolina, South Carolina, when we think the threat is increased there. We go test it, stay there awhile, see what the activity level is. If it doesn't pan out, then we go where we know the action is.

Mr. ENGLISH. When was the last time you did one of those tests?

Admiral THOMPSON. In Puerto Rico? Just earlier this month. We were down there, we had Navy E2's with us. We did, I think, a very thorough job of evaluating the air intruder situation. I am disappointed to tell you we didn't find anything.

Mr. ENGLISH. How many days will that cover?

Admiral THOMPSON. About 5 days. Somewhere between 30 and 40 hours of valuable E2 time.

Mr. ENGLISH. Would you submit findings of that for the record, so we might have the benefit of that?

Admiral THOMPSON. Yes, sir.

[The information follows:]

The March 1984 special operation in Puerto Rico covered a period of four days during which USN E-2C aircraft flew a total of 36 hours supported by USC fixed wing aircraft deployed for that purpose. There were no intruders detected, no vectored intercepts and no seizures during the period in question.

Mr. ENGLISH. Perhaps he is not aware of that operation. However, the special agent in charge of the DEA there estimated as many as two to three smuggler aircraft a day were coming in down there. Even if that is only half correct, the question comes about, why does not NNBS have more resources shifted down into that great a threat area?

Admiral THOMPSON. Well, I don't think they are going to be shifted there on a permanent basis, Mr. Chairman, until we resolve the question of whether that threat of two or three a day is in fact a valid estimate. There are a lot of assessments there. But it is very hard to get anybody to come to the table with facts.

I have been down there, had discussions with Mr. Sutton and the group of people down there. We have kind of a mini-NNBS in Puerto Rico. We are concerned about the problem, but not ready in my judgment to commit large, long-standing forces down there without an adequate threshold of activity.

Mr. ENGLISH. What kind of operational communications do you use in Puerto Rico to interdict the air operations taking place down there?

Admiral THOMPSON. Anything we can get, Mr. Chairman. We use the law enforcement communications, Department of Defense, Coast Guard, whatever we can. And they are meager, but we are trying to improve them.

Mr. ENGLISH. Mr. Kindness?

Mr. KINDNESS. Thank you, Mr. Chairman.

Admiral Thompson, I am a little uncertain as to the conclusions to be reached about the estimates that are made about the activity in Puerto Rico. If DEA and Customs estimate separately two to three smuggler aircraft per day, the first question that comes to mind is, well, how do they know? And if they know, why are they not able to deal with that traffic? So obviously there has got to be some guesstimating and hearsay involved in their intelligence, naturally. That is the nature of it, I suppose.

Is there anything further that you can explain to us here about the difference in the threat assessment and the testing of it as you have been discussing it here? Anything further to help in developing understanding of how we reach these different assessments?

Admiral THOMPSON. Well, I think I can say in an unclassified sense that we are using much of the intelligence community to verify or to establish that this type of air traffic may indeed be going on. We used the carrier battle group when it went by there not too long ago, and used their sensors and their aircraft to help determine what might be there. We keep coming up dry. That doesn't mean we don't believe there is a threat there. We just haven't been able to substantiate it.

Mr. KINDNESS. It could indeed be a matter of timing and irregularity of activity, I suppose.

Admiral THOMPSON. Yes; sir. I think strategically it is a great place to have a transshipment operation going. Tactically we are hard-pressed to get the intelligence that will point to it.

Mr. KINDNESS. Are you receiving any intelligence from DEA or Customs about their ongoing assessment of that situation in Puerto Rico?

Admiral THOMPSON. Yes, sir.

Mr. KINDNESS. Is that on what one might call a daily basis, or weekly basis?

Admiral THOMPSON. It is on a daily basis when there is some new information. And certainly on a weekly basis. We send people from our intelligence center in NNBS down to Puerto Rico and the Virgin Islands to try to develop better linkages with what is known there.

Mr. KINDNESS. Thank you. I yield back, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kindness.

Admiral Thompson, how many Customs personnel are assigned to Puerto Rico to clear the traffic with cruise ships, airports and all kinds of surface and air traffic?

Admiral THOMPSON. I have the numbers here. I hope I don't do disservice to the good folks in Customs. The numbers I have, Tactical Enforcement Division would have something like 39 people. They would spread out at San Juan, Ponce, Mayaguez. They have

nine investigating agents. We have got about 83 inspectors in the Inspection and Control, which would be at both the airport and the seaport. So they have a respectably sized operation down there.

Mr. ENGLISH. What kind of tactical intelligence do you receive from the Bahamas?

Admiral THOMPSON. From the Bahamas we receive tactical intelligence from the Drug Enforcement Agency, for one.

Mr. ENGLISH. Is this air, tactical air intelligence?

Admiral THOMPSON. It can be, yes, sir. It can be tactical marine intelligence, also.

Mr. ENGLISH. Have you received tactical air intelligence from the Bahamas?

Admiral THOMPSON. Through our BAT we have, which is a DEA-Air Force operation. When they are out there and see something going on and tell us about it, I consider that to be tactical intelligence.

Mr. ENGLISH. I would agree. If they see an airplane heading your direction—

Admiral THOMPSON. Yes; we work on the problem closely. As you know, the distances are very short and timing is critical on the intercepts.

Mr. ENGLISH. We feel that is exactly what we mean by tactical intelligence. That is time sensitive, critical information we need more of. That is what we are pushing for. We would like to see more of that.

Does the IOIC play a role in the interdiction effort?

Admiral THOMPSON. It does. It plays a varying role, from being involved prior to the operation, and sometimes where it goes down real quick, almost in a sweep-up capacity. But we are involved.

Mr. ENGLISH. Have you ever received any air intelligence from the military forces on extended maneuvers down in Central America?

Admiral THOMPSON. Yes; we have some limited information.

Mr. ENGLISH. How essential is the E-2C capability of your air interdiction efforts?

Admiral THOMPSON. I think it is very critical to our program in south Florida and Caribbean.

Mr. ENGLISH. Would you be effective without that resource?

Admiral THOMPSON. We would be a lot less effective without it. As much as we get, we can always use more. They do fine work for us. I would really like to compliment the Navy squadrons.

Mr. ENGLISH. Yesterday we received testimony by three other NNBIS directors. They stated as their No. 1 priority on needs is more "look down" capability. Would you agree with that?

Admiral THOMPSON. I think I have about three or four number one priorities, Mr. Chairman.

Mr. ENGLISH. That wasn't the end of their list I can assure you. They had plenty of others. But I restricted them. If you had to be tied to one request, which one would you pick?

Admiral THOMPSON. If we don't make big gains on the intelligence side of the problem, then certainly it is the surveillance side is increasingly critical.

Mr. ENGLISH. I think that is two, but we will count it as one.

Admiral THOMPSON. They are inseparable.

Mr. ENGLISH. Mr. Kindness, further questions?

Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Admiral Thompson, the name Admiral Thompson is synonymous in south Florida with the fight on drugs, and you are to be commended for the fine job you are doing there. But I do have a couple questions I would like to ask you.

First, just by expanding your region, how much more difficult did this make your job? Did you receive additional support, personnel, and equipment, in order to handle the job?

Admiral THOMPSON. About the time it was expanded the NNBIS centers gained Department of Defense personnel to help us reach out into the military people in the new part of my region, so, yes, we did get an increase in people. It was actually a help because our air intruders and surface maritime flow didn't use to stop at the Coast Guard district boundary, so it is a natural to track them on up the east coast.

Mr. LEWIS. Early last year when we held a hearing in south Florida, Miami, I believe you were there when we were discussing the aerostat balloon in the Bahamas and also F-15 long-range radar. How much credence do you put into the ability of the aerostat system to provide you with better surveillance?

Admiral THOMPSON. I would like to have more of them. I am not sure that is the answer. Maybe it is too simple, but the more look down capability and more aerostats we have, I think the less vulnerability we will have along the coastline.

Mr. LEWIS. Senator Hawkins yesterday suggested the possibility of stationing, putting a ship on station, or a small boat on station and tethering these aerostats to that. Do you think that is a feasible approach to add more to the curtain?

Admiral THOMPSON. I think with the right size surface unit. I wouldn't want to see one tethered to a small craft. You might lose it.

Mr. LEWIS. Well, a tender-type, or something large enough.

Admiral THOMPSON. Well, for a fair size vessel it certainly has potential. There is a research and development evaluation going on with a tethered aerostat.

Mr. LEWIS. I see. I notice also in your report, on page 5, you are discussing your outreach program to an extent. Have you been able to expand that into the local areas with the larger cities in Florida, particularly on the southeast coast, with the police chiefs as well as sheriffs in those counties? Have you been successful in opening communications?

Admiral THOMPSON. I think we have been successful, Mr. Lewis, but we are continuing the outreach. We are not as successful as we would like to be. We had the benefit of having the South Florida Task Force already start part of that. There was a criticism that we hadn't reached out far enough. We are trying to use the Florida Department of Law Enforcement as a primary conduit to work the respective jurisdictions.

You know how many counties there are in Florida and how many jurisdictions under that. It is just awfully difficult to try to coordinate that from one central point. We will have in our intelligence center very soon a member of the Florida Department of

Law Enforcement, who will assist us in that outreach program, sharing intelligence.

Mr. LEWIS. The chairman asked you a question awhile back, and your answer was interesting, that you will take all the surveillance and additional equipment that you can receive. So it is very apparent that any reduction in flight time of E2's and AWACS is certainly going to be detrimental to the program in the Caribbean. Is that correct?

Admiral THOMPSON. Yes, sir; in my judgment it is.

Mr. LEWIS. Without full cooperation of the Department of Defense to pick up any low points, it would be detrimental?

Admiral THOMPSON. Yes.

Mr. LEWIS. Thank you, Admiral. Thank you, Mr. Chairman.

Mr. ENGLISH. We are presently awaiting our next witness, Commissioner von Raab, who I understand should be on his way. I think we will recess until he arrives, which should be within the next 15, 20 minutes.

I want to thank you very much, Admiral. We appreciate your coming very much.

[Recess taken.]

Mr. ENGLISH. The hearing will come to order.

Mr. von Raab, happy to have you here this morning. We are happy to take your testimony. If you would like to summarize that testimony, we would be happy to make the complete written text a part of the record without objection.

**STATEMENT OF WILLIAM VON RAAB, COMMISSIONER OF CUSTOMS, ACCOMPANIED BY ROBERT BATTARD, REGIONAL COMMISSIONER, MIAMI, AND NEIL LAGEMAN, DIRECTOR, OFFICE OF PATROL**

Mr. VON RAAB. Yes, sir.

Mr. ENGLISH. I might also state that Congressman Coleman wanted me to express his regrets he could not attend. He may want to submit some written questions to you. There will be other members, I am sure, who will also submit written questions.

Mr. VON RAAB. Thank you very much, Mr. Chairman. It is just like coming home to come up here. I have been able to spend as much time as I have here over the past few days.

Mr. ENGLISH. We will try to make your welcome warm.

Mr. VON RAAB. Thank you, but not too warm, I hope.

Mr. ENGLISH. It is all up to you.

Mr. VON RAAB. I would like to preface my comments by saying that the Customs Service is extremely grateful for all of the work and advice that your committee, particularly yourself and Ted Mehl and Bill Lawrence has provided on our air program. Without your assistance the program would not have certainly progressed to the advanced state at which it is at this time.

I am particularly thankful also for these hearings, because the more we go over these issues, the more clear and better understood they are to me. And the more adequate I become in terms of trying to make decisions and direct our resources as we move into what is a growing air program of the Customs Service.

I think it probably would be easiest if I read my remarks, because of the significance of some of the statements in the remarks. Before I do that, I would like to take the opportunity to introduce the two gentlemen that are seated at the table with me. Mr. Robert Battard is at my right. I believe that you know Mr. Battard. He is our regional commissioner in the southeast region. And then Mr. Neil Lageman, at my left, who is the director of our patrol under which the air program falls. He is in headquarters in Washington, although he had been at one point in the patrol in Florida, and just before coming to Washington was the assistant regional commissioner for enforcement in New Orleans, both of which gentlemen I believe will be able to bring more information to this discussion if you find it helpful.

As you are aware, Mr. Chairman, the U.S. Customs Service is an agency with a broad mission and considerable responsibilities, including the enforcement of our Nation's tariff and trade laws; the collection of Customs duties; the enforcement of export control laws, such as the Export Administration Act and the Arms Export Control Act; enforcement efforts directed toward instances of commercial fraud, which are damaging to domestic industry and commerce; and combating narcotics trafficking. All of these activities of the Customs Service are important to us, and of great interest to the Congress.

Given these vast responsibilities, under my tenure as Commissioner of Customs, I have tried to establish enforcement, as it relates to major instances of serious criminal activity as the major thrust of this agency. The emphasizing of enforcement generally, has been our major goal and within the enforcement area our efforts to combat narcotics trafficking are considered to be our number one priority.

Our efforts to combat drug smuggling are multifaceted and include currency investigations, inspection of passengers and cargo at airports, seaports, and at our land borders, marine patrol activities; a growing effort to interdict drugs being clandestinely smuggled into the country via aircraft, and our participation in a variety of joint enforcement efforts with other agencies.

With respect to our marine and air interdiction efforts in particular, the formation of the National Narcotics Border Interdiction System [NNBIS] has served as an enhancement to our activities.

NNBIS is not, in and of itself, an action agency, but rather serves to coordinate efforts to interdict the flow of narcotics into the United States, using the appropriate Federal resources along with resources from State and local governments, where possible.

Although NNBIS does not direct the activities of the participating agencies, it has helped improve cooperation and the lines of communication at the Federal and State level. Agency cooperation has been enhanced, a more unified focus to the problems involved with narcotics interdiction now exists. As an example, I think it fair to say that NNBIS has the capacity to cut across agency lines to identify and call on those resources that might be available to the Government to interdict a suspect target on the sea or in the air.

Under the NNBIS umbrella the Nation has been divided into regions and each regional NNBIS center assists in the collating of in-

telligence information; the assessing of the smuggling threat to that particular region, the prioritization of smuggling targets; and identifying resources available to interdict these targets and recommending enforcement actions to the participating agencies.

Under NNBIS, various joint agency special operations have been conducted in an effort to better assess the smuggling threat and to interdict the flow of narcotics across our borders. Currently Customs personnel from the Offices of Patrol, Investigations, Enforcement Support, and Inspection and Control have been assigned to staff the NNBIS centers.

I would like to make it clear that NNBIS is, by no means, an "end all" to the problems we face with narcotics smuggling by air and sea. However, I think it is fair to say that NNBIS is a very real enhancement to our efforts which has proven helpful to us in the past and should prove helpful to us in the future as well.

Another significant development which favorably impacts on our ability to combat air smugglers in particular, concerns the revisions to title 10, United States Code, sections 371-378—what we commonly refer to as posse comitatus. The revision of the posse comitatus statutes have helped make available valuable resources from the Department of Defense which has been incorporated into our efforts against the drug smugglers.

I hesitate to point this out to you, Mr. Chairman, because in many respects you and your committee are primarily responsible for this improvement in this particular law.

The Department of Defense has provided equipment such as the Air Force E3A AWACS and the Navy E2B and E2C Hawkeye aircraft which have provided airborne radar surveillance capabilities previously unavailable to Customs. Additionally they have provided the use of other DOD assets such as the U.S. Marine Corps OV10 Bronco aircraft, which have been used for target tracking, and the U.S. Marine Corps ground-based radars which are used for target acquisition.

These Department of Defense assets are used in special interdiction operations which complement existing Customs resources. Through February of this year the Air Force and Navy airborne radar platforms alone have been instrumental in the successful conclusion of 20 air interdiction cases. Additionally, the loan of Blackhawk helicopters has greatly assisted Customs in putting officers quickly on the ground to arrest violators and to seize aircraft and contraband.

I should add, Mr. Chairman, that the Blackhawk helicopters also offer our Customs personnel a greater margin of safety than the helicopters which were being employed previously.

In any event, Mr. Chairman, I would like to stress that DOD assistance to Customs, in its variety of forms, has certainly been helpful to the Customs Service and we are appreciative of all of those parties who were involved in helping to make this assistance available.

Recognizing the importance of Customs Air Interdiction Program, we have also initiated an internal reorganization of the program designed to make it more responsive and effective on a nationwide basis. Previously Customs air interdiction assets were managed and directed at the Customs regional level. Recognizing

that the air smuggling threat is a national threat, and one, because of its nature, can quickly shift from one region of the country to another, Customs management decided that the program should be centralized and that a national air interdiction strategy be developed.

The reorganization of the Customs Air Program calls for the establishment of an operations director for the Eastern half of the United States and a counterpart in the Western half of the United States. The concept ultimately envisions the establishment of two command and control facilities from which the real time interdiction activities of the air program will be directed. We believe that the reorganization of the air program in this manner will result in improvements to both operations and the administration of the program and allow for a more efficient utilization of our resources.

In a separate but related exercise we also recognized that if we were to improve our efforts to combat serious violations of our Nations laws, not only as they relate to narcotics smuggling, but to other areas of Customs jurisdiction as well, then we had to make an effort to improve our ability to collect, analyze, disseminate, and otherwise make use of our intelligence gathered from the field. In this regard our goal is to substantially improve our capabilities in this area, but in particular we hope to see an improvement in the gathering and use of what is called "real time" tactical intelligence.

Mr. Chairman, I am aware that a matter of particular concern to the subcommittee is the fiscal year 1985 budget submission for the Customs Service and how the budget submission would impact on our support of NNBIS and the development of our air program.

The administration is committed to a budget of \$28 million for the air program in fiscal year 1985. Of that amount, \$17 million was originally requested in the President's budget for the Customs Service, and Treasury requested DOD to provide the remaining \$11 million for fuel, maintenance and other support. That request was denied by DOD, and Treasury is now examining alternatives for funding this remaining amount.

As you heard in earlier testimony from Deputy Secretary McNamar and myself, Customs and Treasury feel that detection is not properly a function of the Customs Service. Rather, it should be conducted by the Defense Department as a part of its overall security mission. We feel that Customs responsibility for the Aerostat balloons and other detection capabilities is inconsistent with our view of Defense responsibility for detection, and we have proposed several actions which we feel DOD could take to assist Customs. As stated yesterday, the executive board of NNBIS will meet next week on this issue.

Again, Mr. Chairman, as many of these matters have previously been discussed before the committee, I will in the interest of time not elaborate further in my prepared testimony, but of course will be available to answer any questions you have regarding this matter.

Before concluding I would like to make a few points. No one to my knowledge would quarrel with the assertion that narcotics smuggling and drug abuse in this country is an enormous problem. Despite the enormous difficulties we face I believe that all of us in-

volved with Federal law enforcement, whether we are directing a program or whether we are in the Congress or whether we are out on the front line when it comes to this battle, simply must work together to do the very best possible job we can to solve these problems. We have been trying to do that and we want to continue to use whatever resources and collective genius at our disposal to do the best job we can in this area.

In reviewing our performance to date, I have no doubt that instances can be found in which we should have done a better job. There are, to be sure, weaknesses in our armor. However, if you were to ask the question, "Is Customs doing a better job today than we were doing 2 or 3 years ago?" I would say yes, and I would say so without hesitation.

[The prepared statement of Mr. von Raab follows:]

TESTIMONY FOR  
COMMISSIONER OF CUSTOMS  
WILLIAM VON RAAB  
BEFORE THE  
SUBCOMMITTEE ON GOVERNMENT INFORMATION AND  
INDIVIDUAL RIGHTS  
MARCH 23, 1984

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE I AM PLEASED TO HAVE THIS OPPORTUNITY TO APPEAR BEFORE THE SUBCOMMITTEE TODAY TO DISCUSS THE ACTIVITIES OF THE U.S. CUSTOMS SERVICE AS THEY RELATE TO THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS) AND TO THE INTERDICTION OF ILLICIT DRUGS AT OUR NATIONS BORDERS.

IN VIEW OF THE FACT THAT THE COMMITTEE HAS RECEIVED EXTENSIVE AND DETAILED TESTIMONY WITH RESPECT TO THE NNBIS PROGRAM AND MANY RELATED ACTIVITIES, I WILL, IN THE INTEREST OF TIME, TRY AND KEEP THIS STATEMENT AS BRIEF AS POSSIBLE.

AS YOU ARE AWARE MR. CHAIRMAN, THE U.S. CUSTOMS SERVICE IS AN AGENCY WITH A BROAD MISSION AND CONSIDERABLE RESPONSIBILITIES, INCLUDING THE ENFORCEMENT OF OUR NATION'S TARIFF AND TRADE LAWS; THE COLLECTION OF CUSTOMS DUTIES;

THE ENFORCEMENT OF EXPORT CONTROL LAWS, SUCH AS THE EXPORT ADMINISTRATION ACT AND THE ARMS EXPORT CONTROL ACT; ENFORCEMENT EFFORTS DIRECTED TOWARDS INSTANCES OF COMMERCIAL FRAUD, WHICH ARE DAMAGING TO DOMESTIC INDUSTRY AND COMMERCE; AND COMBATING NARCOTICS TRAFFICKING. ALL OF THESE ACTIVITIES OF THE CUSTOMS SERVICE ARE IMPORTANT TO US, AND OF <sup>great</sup> INTEREST TO THE CONGRESS.

GIVEN THESE VAST RESPONSIBILITIES, UNDER MY TENURE AS COMMISSIONER OF CUSTOMS, I HAVE TRIED TO ESTABLISH ENFORCEMENT, AS IT RELATES TO MAJOR INSTANCES OF SERIOUS CRIMINAL ACTIVITY AS THE MAJOR THRUST OF THIS AGENCY. THE EMPHASIZING OF ENFORCEMENT GENERALLY, HAS BEEN OUR MAJOR GOAL AND WITHIN THE ENFORCEMENT AREA OUR EFFORTS TO COMBAT NARCOTICS TRAFFICKING ARE CONSIDERED TO BE OUR NUMBER ONE PRIORITY.

OUR EFFORTS TO COMBAT DRUG SMUGGLING ARE MULTI-FACETED AND INCLUDE CURRENCY INVESTIGATIONS, INSPECTION OF PASSENGERS AND CARGO AT AIRPORTS, SEAPORTS AND AT OUR LAND BORDERS, MARINE PATROL ACTIVITIES; A GROWING EFFORT TO INTERDICT DRUGS BEING CLANDESTINELY SMUGGLED INTO THE COUNTRY VIA AIRCRAFT, AND OUR PARTICIPATION IN A VARIETY OF JOINT ENFORCEMENT EFFORTS WITH OTHER AGENCIES.

WITH RESPECT TO OUR MARINE AND AIR INTERDICTION EFFORTS IN PARTICULAR, THE FORMATION OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS) HAS SERVED AS AN ENHANCEMENT TO OUR ACTIVITIES.

NNBIS IS NOT, IN AND OF ITSELF, AN "ACTION" AGENCY, BUT RATHER SERVES TO COORDINATE EFFORTS TO INTERDICT THE FLOW OF NARCOTICS INTO THE UNITED STATES, USING THE APPROPRIATE FEDERAL RESOURCES ALONG WITH RESOURCES FROM STATE AND LOCAL GOVERNMENTS, WHERE POSSIBLE.

ALTHOUGH NNBIS DOES NOT "DIRECT" THE ACTIVITIES OF THE PARTICIPATING AGENCIES, IT HAS HELPED IMPROVE COOPERATION AND THE LINES OF COMMUNICATION AT THE FEDERAL AND STATE LEVEL. AGENCY COOPERATION HAS BEEN ENHANCED, A MORE UNIFIED FOCUS TO THE PROBLEMS INVOLVED WITH NARCOTICS INTERDICTION NOW EXISTS. AS AN EXAMPLE, I THINK IT FAIR TO SAY THAT NNBIS HAS THE CAPACITY TO CUT ACROSS AGENCY LINES TO IDENTIFY AND CALL ON THOSE RESOURCES THAT MIGHT BE AVAILABLE TO THE GOVERNMENT TO INTERDICT A SUSPECT TARGET ON THE SEA OR IN THE AIR.

UNDER THE NNBIS UMBRELLA THE NATION HAS BEEN DIVIDED INTO REGIONS AND EACH REGIONAL NNBIS CENTER ASSISTS IN THE

COLLATING OF INTELLIGENCE INFORMATION; THE ASSESSING OF THE SMUGGLING THREAT TO THAT PARTICULAR REGION, THE PRIORITIZATION OF SMUGGLING TARGETS; AND IDENTIFYING RESOURCES AVAILABLE TO INTERDICT THESE TARGETS AND RECOMMENDING ENFORCEMENT ACTIONS TO THE PARTICIPATING AGENCIES.

UNDER NNBIS, VARIOUS JOINT AGENCY SPECIAL OPERATIONS HAVE BEEN CONDUCTED IN AN EFFORT TO BETTER ASSESS THE SMUGGLING THREAT AND TO INTERDICT THE FLOW OF NARCOTICS ACROSS OUR BORDERS. CURRENTLY CUSTOMS PERSONNEL FROM THE OFFICES OF PATROL, INVESTIGATIONS, ENFORCEMENT SUPPORT, AND INSPECTION AND CONTROL HAVE BEEN ASSIGNED TO STAFF THE NNBIS CENTERS.

I WOULD LIKE TO MAKE IT CLEAR THAT NNBIS IS, BY NO MEANS, AN "END ALL" TO THE PROBLEMS WE FACE WITH NARCOTICS SMUGGLING BY AIR AND SEA. HOWEVER, I THINK IT IS FAIR TO SAY THAT NNBIS IS <sup>a very real</sup> ~~an~~ ENHANCEMENT TO OUR EFFORTS WHICH HAS PROVEN HELPFUL TO US IN THE PAST AND SHOULD PROVE HELPFUL TO US IN THE FUTURE AS WELL.

ANOTHER SIGNIFICANT DEVELOPMENT WHICH FAVORABLY IMPACTS ON OUR ABILITY TO COMBAT AIR SMUGGLERS IN PARTICULAR, CONCERNS THE REVISIONS TO TITLE 10, U.S.C.

371-378 -- WHAT WE COMMONLY REFER TO AS "POSSE COMITATUS". THE REVISION OF THE POSSE COMITATUS STATUTES HAVE HELPED MAKE AVAILABLE VALUABLE RESOURCES FROM THE DEPARTMENT OF DEFENSE WHICH HAVE BEEN INCORPORATED INTO OUR EFFORTS AGAINST THE DRUG SMUGGLERS.

THE DEPARTMENT OF DEFENSE HAS PROVIDED EQUIPMENT SUCH AS THE AIR FORCE E3A "AWACS" AND THE NAVY E2B AND E2C "HAWKEYE" AIRCRAFT WHICH HAVE PROVIDED AIRBORNE RADAR SURVEILLANCE CAPABILITIES PREVIOUSLY UNAVAILABLE TO CUSTOMS. ADDITIONALLY THEY HAVE PROVIDED THE USE OF OTHER DOD ASSETS SUCH AS THE US MARINE CORP OV10 "BRONCO" AIRCRAFT, WHICH HAVE BEEN USED FOR TARGET TRACKING, AND THE US MARINE CORP GROUND-BASED RADARS WHICH ARE USED FOR TARGET ACQUISITION.

THESE DEPARTMENT OF DEFENSE ASSETS ARE USED IN SPECIAL INTERDICTION OPERATIONS WHICH COMPLIMENT EXISTING CUSTOMS RESOURCES. THROUGH FEBRUARY OF THIS YEAR THE AIR FORCE AND NAVY AIRBORNE RADAR PLATFORMS ALONE HAVE BEEN INSTRUMENTAL IN THE SUCCESSFUL CONCLUSION OF 20 AIR INTERDICTION CASES. ADDITIONALLY THE LOAN OF BLACKHAWK HELICOPTERS HAS GREATLY ASSISTED CUSTOMS IN PUTTING OFFICERS QUICKLY ON THE GROUND TO ARREST VIOLATORS AND TO SEIZE AIRCRAFT AND CONTRABAND.

I SHOULD ADD MR. CHAIRMAN THAT THE BLACKHAWK HELICOPTERS ALSO OFFER OUR CUSTOMS PERSONNEL A GREATER MARGIN OF SAFETY THAN THE HELICOPTERS WHICH WERE BEING EMPLOYED PREVIOUSLY.

IN ANY EVENT MR. CHAIRMAN, I WOULD LIKE TO STRESS THAT DOD ASSISTANCE TO CUSTOMS, IN ITS VARIETY OF FORMS, HAS CERTAINLY BEEN HELPFUL TO THE CUSTOMS SERVICE AND WE ARE APPRECIATIVE OF ALL OF THOSE PARTIES WHO WERE INVOLVED IN HELPING TO MAKE THIS ASSISTANCE AVAILABLE.

RECOGNIZING THE IMPORTANCE OF CUSTOMS AIR INTERDICTION PROGRAM, WE HAVE ALSO INITIATED AN INTERNAL REORGANIZATION OF THE PROGRAM DESIGNED TO MAKE IT MORE RESPONSIVE AND EFFECTIVE ON A NATIONWIDE BASIS. PREVIOUSLY CUSTOMS AIR INTERDICTION ASSETS WERE MANAGED AND DIRECTED AT THE CUSTOMS REGIONAL LEVEL. RECOGNIZING THAT THE AIR SMUGGLING THREAT IS A NATIONAL THREAT, AND ONE, BECAUSE OF ITS NATURE, CAN QUICKLY SHIFT FROM ONE REGION OF THE COUNTRY TO ANOTHER, CUSTOMS MANAGEMENT DECIDED THAT THE PROGRAM SHOULD BE CENTRALIZED AND THAT A NATIONAL AIR INTERDICTION STRATEGY BE DEVELOPED.

THE REORGANIZATION OF THE CUSTOMS AIR PROGRAM CALLS FOR THE ESTABLISHMENT OF AN OPERATIONS DIRECTOR FOR THE EASTERN

HALF OF THE UNITED STATES AND A COUNTERPART IN THE WESTERN HALF OF THE UNITED STATES. THE CONCEPT ULTIMATELY ENVISIONS THE ESTABLISHMENT OF TWO COMMAND AND CONTROL FACILITIES FROM WHICH THE REAL TIME INTERDICTION ACTIVITIES OF THE AIR PROGRAM WILL BE DIRECTED. WE BELIEVE THAT THE REORGANIZATION OF THE AIR PROGRAM IN THIS MANNER WILL RESULT IN IMPROVEMENTS TO BOTH OPERATIONS AND THE ADMINISTRATION OF THE PROGRAM AND ALLOW FOR A MORE EFFICIENT UTILIZATION OF OUR RESOURCES.

IN A SEPARATE BUT RELATED EXERCISE WE ALSO RECOGNIZED THAT IF WE WERE TO IMPROVE OUR EFFORTS TO COMBAT SERIOUS VIOLATIONS OF OUR NATIONS LAWS, NOT ONLY AS THEY RELATE TO NARCOTICS SMUGGLING, BUT TO OTHER AREAS OF CUSTOMS JURISDICTION AS WELL, THEN WE HAD TO MAKE AN EFFORT TO IMPROVE OUR ABILITY TO COLLECT, ANALYZE, DISSEMINATE, AND OTHERWISE MAKE USE OF <sup>BUT</sup> INTELLIGENCE GATHERED FROM THE FIELD. IN THIS REGARD OUR GOAL IS TO SUBSTANTIALLY IMPROVE OUR CAPABILITIES IN THIS AREA, BUT IN PARTICULAR WE HOPE TO SEE AN IMPROVEMENT IN THE GATHERING AND USE OF WHAT IS CALLED "REAL TIME" TACTICAL INTELLIGENCE.

MR. CHAIRMAN I AM AWARE THAT A MATTER OF PARTICULAR CONCERN TO THE SUBCOMMITTEE IS THE FISCAL YEAR 85 BUDGET

SUBMISSION FOR THE CUSTOMS SERVICE AND HOW THE BUDGET SUBMISSION WOULD IMPACT ON OUR SUPPORT OF NNBIS AND THE DEVELOPMENT OF OUR AIR PROGRAM.

THE ADMINISTRATION IS COMMITTED TO A BUDGET OF \$28 MILLION FOR THE AIR PROGRAM IN FISCAL YEAR 85. OF THAT AMOUNT, \$17 MILLION WAS ORIGINALLY REQUESTED IN THE PRESIDENT'S BUDGET FOR THE CUSTOMS SERVICE, AND TREASURY REQUESTED DOD TO PROVIDE THE REMAINING \$11 MILLION FOR FUEL, MAINTENANCE AND OTHER SUPPORT. THAT REQUEST WAS DENIED BY DOD, AND TREASURY IS NOW EXAMINING ALTERNATIVES FOR FUNDING THIS REMAINING AMOUNT.

AS YOU HEARD IN EARLIER TESTIMONY FROM DEPUTY SECRETARY McNAMAR AND MYSELF, <sup>Customs and</sup> TREASURY AND ~~CUSTOMS~~ FEEL THAT DETECTION IS NOT PROPERLY A FUNCTION OF THE CUSTOMS SERVICE. RATHER, IT SHOULD BE CONDUCTED BY THE DEFENSE DEPARTMENT AS A PART OF ITS OVERALL SECURITY MISSION. WE FEEL THAT CUSTOMS RESPONSIBILITY FOR THE AEROSTAT BALLOONS AND OTHER DETECTION CAPABILITIES IS INCONSISTENT WITH OUR VIEW OF DEFENSE RESPONSIBILITY FOR DETECTION, AND WE HAVE PROPOSED SEVERAL ACTIONS WHICH WE FEEL DOD COULD TAKE TO ASSIST CUSTOMS. AS STATED YESTERDAY, THE EXECUTIVE BOARD OF NNBIS WILL MEET NEXT WEEK ON THIS ISSUE.

AGAIN, MR. CHAIRMAN AS MANY OF THESE MATTERS HAVE PREVIOUSLY BEEN DISCUSSED BEFORE THE COMMITTEE I WILL IN THE INTEREST OF TIME NOT ELABORATE FURTHER IN MY PREPARED TESTIMONY, BUT <sup>of course</sup> WILL BE AVAILABLE TO ANSWER ANY QUESTIONS YOU HAVE REGARDING THIS MATTER.

BEFORE CONCLUDING I WOULD, MR. CHAIRMAN, LIKE TO EMPHASIZE THE FOLLOWING POINTS...

NO ONE TO MY KNOWLEDGE WOULD QUARREL WITH THE ASSERTION THAT NARCOTICS SMUGGLING AND DRUG ABUSE IN THIS COUNTRY IS AN ENORMOUS PROBLEM. DESPITE THE ENORMOUS DIFFICULTIES WE FACE I BELIEVE THAT ALL OF US INVOLVED WITH FEDERAL LAW ENFORCEMENT, WHETHER WE ARE DIRECTING A PROGRAM OR WHETHER WE ARE IN THE CONGRESS OR WHETHER WE ARE OUT ON THE FRONT LINE WHEN IT COMES TO THIS BATTLE, SIMPLY MUST WORK TOGETHER TO DO THE VERY BEST POSSIBLE JOB WE CAN TO SOLVE THESE PROBLEMS. WE HAVE BEEN TRYING TO DO THAT AND WE WANT TO CONTINUE TO USE WHATEVER RESOURCES AND COLLECTIVE GENIUS AT OUR DISPOSAL TO DO THE BEST JOB WE CAN IN THIS AREA.

IN REVIEWING OUR PERFORMANCE TO DATE, I HAVE NO DOUBT THAT INSTANCES CAN BE FOUND IN WHICH WE SHOULD HAVE DONE A BETTER JOB. THERE ARE, TO BE SURE, WEAKNESSES IN OUR ARMOR. HOWEVER, IF YOU WERE TO ASK THE QUESTION; "IS CUSTOMS, DOING A BETTER JOB TODAY THAN WE WERE DOING TWO OR THREE YEARS AGO?", I WOULD SAY YES AND I WOULD SAY SO WITHOUT HESITATION.

ASIDE FROM THE ENFORCEMENT STATISTICS, WHICH I THINK WOULD BACK ME UP IN THIS, I FEEL WE ARE DOING A BETTER JOB TODAY. I THINK WE HAVE ESTABLISHED ENFORCEMENT AS A HIGH PRIORITY WITHIN THE AGENCY AND I BELIEVE THAT OUR PEOPLE ARE WORKING HARDER, I THINK THAT THEY ARE BEING MORE INNOVATIVE THAN EVER BEFORE, AND I THINK OUR PEOPLE WHO ARE ON THE FRONT LINE ARE MORE DETERMINED THAN EVER TO DO THE BEST JOB THEY CAN.

LOOKING AT THE ADMINISTRATION AS A WHOLE, I BELIEVE THAT ALL OF THE AGENCIES, COLLECTIVELY, ARE BETTER COORDINATED, AND DOING MORE IN THIS AREA, THAN EVER BEFORE. UNDOUBTEDLY WE HAVE A LONG WAY TO GO BEFORE YOU OR I WILL BE SATISFIED WITH THE RESULTS THAT WE WILL OBTAIN.

ASIDE FROM ANY DIFFERENCES ONE MAY HAVE, WITH RESPECT TO ANY OF THE PARTICULARS AS THEY RELATE TO THE PROBLEM OF NARCOTICS SMUGGLING, I BELIEVE WE SHARE A COMMON GOAL, AND IN THAT REGARD WE WILL CONTINUE TO WORK WITH ALL PARTIES INVOLVED TO DO THE BEST POSSIBLE JOB WE CAN TO HELP SOLVE OR REDUCE THIS TRAGIC PROBLEM.

I WILL NOW BE DELIGHTED TO ANSWER ANY QUESTIONS YOU MAY HAVE. IF I AM UNABLE TO ANSWER A PARTICULAR QUESTION TODAY WE WILL BE DELIGHTED TO SUBMIT INFORMATION FOR THE RECORD MR. CHAIRMAN. THANK YOU.

Mr. ENGLISH. Thank you very much, Commissioner.

Commissioner, as I understand it, your request to Department of Treasury for the operation and maintenance money for the Customs Service for fiscal year 1985 was approximately \$38 million, and that the Office of Management and Budget subsequently approved \$36 million; is that correct?

Mr. VON RAAB. That is what I understand.

Mr. ENGLISH. Subsequent to that, then, the Secretary of Treasury reduced that amount, cut it to approximately, between \$17 million and \$18 million, is that correct?

Mr. VON RAAB. Technically, that is correct, although the intention was never to reduce the level of spending to \$28 million.

I would have to say he split the budget, and 17 million would be paid directly by the Customs Service, and \$11 million would be requested by the Defense Department.

Mr. ENGLISH. The Secretary of the Treasury did not request that from the Secretary of Defense until after the budget had been submitted. February 6 is when his letter was written to the Secretary of Defense.

He did it before the President submitted the budget. He did go back to the OMB and request that amount be reduced to roughly \$18 million from \$36 million; is that not correct?

Mr. VON RAAB. Yes.

Mr. ENGLISH. Now, can you tell me what it is from the \$38 million to the \$36 million, what was cut out then from the \$38 million to the \$36 million, what items?

What items are we not going to operate and maintain?

Mr. VON RAAB. This is the best I can give you, because as you are aware, many of these conversations did not involve officers of the Customs Service, so I am relating to you information that I believe is the best information.

In other words, when OMB passes something back to Treasury, I am only informed by Treasury what took place, but these are my understandings, if you will, of what happened.

Mr. ENGLISH. If you would, submit that to the record, too.

Mr. VON RAAB. Let me try to explain it to you, and if it is not good enough, I will certainly submit it for the record.

The Customs request to OMB was \$38.1 million, or in effect, the Treasury request to OMB was \$38.1 million. The OMB gave us an allowance of \$35.9 million. Therefore, there was a reduction of \$2.2 million.

The explanation of the reduction was support for the additional DOD-loaned aircraft was decreased because it was felt there would be delays in delivery.

Mr. ENGLISH. What aircraft are they talking about?

Mr. VON RAAB. The P-3's and the C-12's.

Mr. ENGLISH. What was their schedule?

Mr. VON RAAB. The problem with this budget submission is it goes way back over time. At the time of the original submission, since this is a developing program, at the time of the original submission, it would have been in the summer of 1983, we were dealing with schedules that were still estimated, so my understanding of that reduction was that it was felt by OMB, based upon information that they had or that we even supplied to them, that there

were slippages in the delivery dates, \$2.2 million less would be needed to support the DOD aircraft.

Mr. ENGLISH. Was that an estimate to what they thought as far as these aircraft coming on line, or was this a statement as to when they could come on line in order to substantiate this budget?

Mr. VON RAAB. I believe that this was an estimate on their part as to when they would come on line.

Mr. ENGLISH. Simply their best guess as to when they were going to come on line, \$2.2 million out of \$38 million request?

Mr. VON RAAB. OK, the subsequent reductions from—

Mr. ENGLISH. The \$36 million, Commissioner, then would still contain the aerostat?

Mr. VON RAAB. The aerostat was never in any of these numbers.

Mr. ENGLISH. The budget put together, you had the aerostat being contracted for in 1984, and according to your 1985 budget, you were prepared to eliminate it after it was put in place is that correct?

Mr. VON RAAB. My understanding is there was no malevolence involved in this, but at the time the budget was submitted in the summer of 1983, we were not certain enough of the plans to have an aerostat.

It was not submitted in the Customs' papers at the time, and the certainty with respect to congressional intent, it did not, to the satisfaction of our budget people, really take place until 6 or 7 months later.

Therefore, it never got into the original submissions on the budget.

Mr. ENGLISH. Why don't you break out for us then that \$38.1 million request that you have, the items that you have requested in that, and submit that for the record, not now, for the record.

Mr. VON RAAB. Fine.

[The information follows:]

Breakout of \$38.1 million is as follows:

	<i>Millions</i>
Regular air program.....	\$14.5
O&M of Black Hawks and Cobras.....	4.8
O&M of one P-3A (delivery July 1984).....	4.6
O&M of four additional high performance aircraft.....	4.0
Subtotal.....	27.9
ROCC.....	.2
Congress subtotal.....	28.1
Increased utilization of Customs Air Fleet.....	1.5
Support of additional military aircraft.....	6.3
Subtotal.....	7.8
OMB allowance.....	35.9
Support for additional DOD loaned aircraft.....	2.2
Treasury subtotal to OMB.....	38.1

Mr. ENGLISH. OK, we are down to \$35.9 million. From the \$35.9 million down to roughly \$19 million, what was cut out of that?

Mr. VON RAAB. This is where you and I are going to have some semantic problems.

Mr. ENGLISH. As I said, let's follow the paper trail. We want some documentation, not "I saw John at the cocktail party and said, help me out," and he might have said, OK.

I want to know the specific requests, any requests. The President's budget was submitted at the end of January—February 1, I guess it was.

As of February 1, when that budget was submitted, what did you cut out between the \$35.9 and that \$17, \$18 million that was requested?

Mr. VON RAAB. All right, let me try to do this; there was a reduction from \$35.9 million to \$28.1 million, of which \$11 million of the \$28.1 million—

Mr. ENGLISH. What happened, Commissioner, to that \$35.9?

Mr. VON RAAB. I am trying to do this in stages. Let me go through it. Let's drop it in stages: \$35.9 goes to \$28.1. That explanation of that reduction was no increased utilization of Customs Air Fleet at a cost of \$1.5 million, and this was—these were increased flight hours to respond to increased detection capability.

Mr. ENGLISH. No increased flight hours?

Mr. VON RAAB. No increased utilization of Customs Air Fleet in order to respond to increased detection capability.

Mr. ENGLISH. What is the justification for that?

Mr. VON RAAB. The justification was that we didn't think the increased detection capability was going to be there, and therefore, that \$1.5 million necessary to support increased detection capability would not be necessary to support that.

Mr. ENGLISH. No increased detection capability. What reasoning did you have for increased capability?

Why didn't you think there was going to be increased detection capability? You already got one. You have three more scheduled to come on the end of January; the first third of the year. Why wouldn't you have more increased detection capability?

You have four new detection aircraft out there. Are you going to put one of those down there off the Yucatan; and we have been told by your own people down there in New Orleans that you set that thing down there, and as long as that thing is sitting there, we are going to get 100 percent of planes coming across.

Mr. VON RAAB. By explaining the other \$6.3 million, I believe I can explain the other \$6.5 million.

The other 6.5 related to the support, the elimination of support for additional military aircraft; that is two additional P-3A's and the five additional C-12's.

Mr. ENGLISH. You decided to scrap the P-3's?

Mr. VON RAAB. No, we felt we weren't going to have them in time in order to run them.

Mr. ENGLISH. How many are you talking about? You have one P-3 that is going to be scheduled on October 1. The scheduling calls for three more P-3's to come on line before the end of January.

Now, the question that I have, are you talking about that you are going to be eliminating two of the four P-3's that you will have by the end of January?

Mr. VON RAAB. The additional two P-3's would not have come on line in time, and therefore, the support for those additional two P-3A's was not necessary in 1985.

Mr. ENGLISH. What was the justification for that analysis?

Mr. VON RAAB. The feeling of our people that the schedules were such that they were not going to make it on time.

Mr. ENGLISH. Who wasn't going to make it on time?

Mr. VON RAAB. The other two P-3A's.

Mr. ENGLISH. Who has done that work to bring them on time?

Mr. VON RAAB. Lockheed and the Navy.

Mr. ENGLISH. Did Lockheed or the Navy tell you that those P-3's would not be ready on time?

Mr. VON RAAB. Yes.

Mr. ENGLISH. What was the schedule when they told you that these P-3's would be available?

Mr. VON RAAB. The best schedule would be toward the end of 1985.

Mr. ENGLISH. That is according to the Lockheed and the Navy, that they told you that those would not be available until that time?

Mr. VON RAAB. Telephone conversations, I am told, a written schedule that was prepared by the Navy together with Lockheed.

Mr. ENGLISH. What was the date on that?

Mr. VON RAAB. I am happy to provide it for your committee.

Mr. ENGLISH. Well, the interesting part of this is, Commissioner, we have got it in writing too, as far as that schedule, and it certainly does not coincide with—I was at the Lockheed plant, not only with the Lockheed people, but the Navy people as well as your people in December; and we were assured that it was going to be on schedule and on time.

Unless you have something in writing since the middle of December, I would say that something is seriously in error.

Mr. VON RAAB. We will provide you with the information that we have with respect to those schedules.

[The information follows:]

The P-3A aircraft delivery schedule provided to Customs by Navy denotes P-3A's #2 through 6 were to be delivered to Customs monthly, beginning in March through July 1986.

Mr. ENGLISH. Do you have something in writing from Lockheed and the Navy that that schedule has been altered since the middle of December?

Mr. VON RAAB. My understanding is that we have a schedule prepared by the Navy Department with Lockheed input. I don't know whether it is on Navy stationery or whether it is merely an informal sketch on a yellow pad.

We will find that out when we give it to you.

Mr. ENGLISH. Is that before or after the middle of December? Did you receive that before or after the middle of December?

Mr. VON RAAB. It was before December, and we were not given a revised schedule or we did not feel that there were grounds upon which to assume that there would be a revised schedule subsequent to that.

Mr. ENGLISH. The question arises, your people were along with me on that trip. They sat in on that briefing as did people from the Navy.

Now, the question arises then, if that is the case, unless your people are not reporting back to you what is taking place during these briefings, and I know that is not the case, the question arises then, why did not you either notify this committee or one of the other committees about the error in that matter or attempt to clear that matter up with Lockheed and the Navy?

Mr. VON RAAB. I don't have an answer for that, and I will try to get you an answer for the record.

Mr. ENGLISH. Since that issue came up out there, and since we not only were assured, we had it underscored that they would likely be early on the schedule, why did you not attempt to verify the information that you previously received?

Mr. VON RAAB. We will give you an answer. It is complicated at this point enough. We will try to give you an answer. The best initial response I can give to you is that I was under the belief as were the people who reported to me, that the scheduling that was discussed in the December meeting related only to the first P-3A and not to the second and third P-3A.

Mr. ENGLISH. That is not correct.

Mr. VON RAAB. All right. The other part—

Mr. ENGLISH. The question comes down to, when you saw that this was going to be a problem, and knowing the interest within Congress, not only of this committee but the Appropriations Committee, why didn't you informally contact us and tell us about that schedule of slippage, if you had that information?

Mr. VON RAAB. I will look into why that happened.

Mr. ENGLISH. I am asking you why you didn't.

Mr. VON RAAB. I didn't because I didn't know that the schedule for two and three—

Mr. ENGLISH. But you knew that the funds had been cut.

Mr. VON RAAB. Yes.

Mr. ENGLISH. Unless you didn't know anything about what is going on in your own budget.

Mr. VON RAAB. Fine.

The other part of the \$6.3 million were five C-12's that we thought were not going to make it, and therefore, did not need to be supported in the budget.

Mr. ENGLISH. How much was that?

Mr. VON RAAB. I don't know what the breakout between the P-3A's and the C-12's is.

Mr. ENGLISH. That leaves you short?

Mr. VON RAAB. \$1.5 million, which is the—

Mr. ENGLISH. \$7.8 million so far?

Mr. VON RAAB. That is right. The 1.5 for the increased flight hours to support the two P-3A's, and the the 6.3 for the two additional P-3A's and the five additional C-12's comes up to \$7.8 million.

Mr. ENGLISH. The overwhelming 99 percent, or 95 percent at least, of the money goes into the decision that was made that you were not going to have the P-3's on time.

Mr. VON RAAB. Right, yes.

Mr. ENGLISH. That is where the bulk of the money is based on that decision.

Mr. VON RAAB. Right.

Mr. ENGLISH. All right. Now, we still got another \$10 million to cut.

Mr. VON RAAB. That is the much famed \$11 million, and that money basically would have been the money that would not have been necessary in the Customs budget, had DOD agreed to maintain and support the aircraft which were—sorry, go ahead.

Mr. ENGLISH. The question arises, Commissioner, here we have got an item programmed, an effort that has been described by the President of the United States as being one of the top priority efforts of this administration, something that the President has focused a great deal of attention on, something that the President felt was important enough to appoint the Vice President to head that up.

And here either you or Mr. McNamar or whoever it was over at the Department of Defense—correct me—made the decision without any type of assurance, any type of guarantee of the Department of Defense that it was even feasible to consider, you independently went out and scrapped the program.

You eliminated that detection portion of the program, which is the backbone of the whole effort. If I were you, if I were the President of the United States, I would be pretty mad.

Here you have these guys identifying a problem, saying I want a war on drugs, I feel it is important, and I have told the American people how important it is, and we even had the Secretary of the Treasury make the statement, you know, as far as crime is concerned, this is the number one priority, and here you guys over there just decide, well, what the heck, I don't want to do that job, and I think the Department of Defense ought to do it, and we are going to notify them of that fact, and let's cut \$11 million out.

Mr. VON RAAB. The question is the degree of assurance which the Treasury Department received from the Department of Defense.

Mr. ENGLISH. What assurance and when did you get that assurance?

Mr. VON RAAB. I did not have conversations with the Department of Defense.

Mr. ENGLISH. You had no assurances given to you?

Mr. VON RAAB. Personally. In my conversations with Deputy Secretary McNamar, it was his impression from his conversations with Paul Thayer—

Mr. ENGLISH. Who? He is the fellow that left way back when, January or so?

Mr. VON RAAB. I don't know when he left.

Mr. ENGLISH. He is gone, isn't he?

Mr. VON RAAB. He is gone.

Mr. ENGLISH. That is kind of convenient.

Mr. VON RAAB. That doesn't detract from the fact that the exchange of information took place between Thayer and McNamar, and as Deputy Secretary McNamar did indicate that this was not a guarantee, not a final decision, but the Deputy Secretary felt comfortable enough.

Mr. ENGLISH. Who, McNamar? He is the man that has trouble hearing no? Let me ask you, When did this discussion take place?

Mr. VON RAAB. I don't know.

Mr. ENGLISH. You don't know?

Mr. VON RAAB. No.

Mr. ENGLISH. Well, did it happen before the 1st of December?

Mr. VON RAAB. I don't have any idea.

Mr. ENGLISH. You are the person the Vice President is going to be talking to when we need some air interdiction?

Mr. VON RAAB. I would love to talk to the Vice President, but I usually talk to Nick Schowengerdt or Admiral Murphy.

Mr. ENGLISH. When the Vice President's folks need some air interdiction, they come talk to you. Here you have been informed that you no longer need \$11 million in your program, because the Department of Defense is going to pick it up now.

When did you get that word? When were you told you were not going to need that \$11 million anymore?

Mr. VON RAAB. The information was passed to the Customs Service at the same time that the budget was resubmitted by the Treasury Department to OMB with this change in it.

Mr. ENGLISH. When was that?

Mr. VON RAAB. Sometime in December.

Mr. ENGLISH. December is when I understand it was resubmitted, then?

Mr. VON RAAB. Right.

Mr. ENGLISH. So we assume that this conversation took place before December 8; who informed you of that?

Mr. VON RAAB. Informed me of that conversation?

Mr. ENGLISH. Yes, the conversation that supposedly Mr. McNamar had with Paul Thayer.

Mr. VON RAAB. Mr. McNamar, it was subsequent, he had told me before that he felt he had assurances—I don't want to put words in his mouth, conversations were supportive enough that he felt this decision was a reasonable one.

Mr. ENGLISH. Did you impress upon him that this would mean that if that was not forthcoming that in fact there would be no war on drugs effort, that this was the backbone of the whole air interdiction effort?

Mr. VON RAAB. I personally was never concerned that the budget of the administration for this effort would ever go below \$28 million.

Mr. ENGLISH. You were told before December 8 that they just cut \$11 million out of that, based on a conversation with Mr. McNamar and Paul Thayer?

Mr. VON RAAB. That the Customs appropriation itself would be recommended, that it be reduced by \$11 million, but not that the operations that depended upon that \$11 million would be affected.

Mr. ENGLISH. How do you think they are going to buy gas and oil and maintain all those aircraft if you cut \$11 million out of their budget?

Mr. VON RAAB. At the time, it was felt the Defense Department would pay for that.

Mr. ENGLISH. Did you stress on Mr. McNamar, who has already demonstrated before this committee he has no knowledge about

what is going on in this program, did you impress upon him what he would be eliminating if this did not come through, as far as the Department of Defense is concerned; that he would be eliminating the backbone of the whole air interdiction effort?

Mr. VON RAAB. No, sir, I never felt that this would be eliminated, that the Administration would pay for it one way or another.

Mr. ENGLISH. I know some folks that would like to sell you a bridge, if you need that.

Mr. VON RAAB. If I get the assurance of Deputy Secretary McNamar that that is in good shape, I will buy it.

Mr. ENGLISH. You did. I hope you learned something in the last couple of days about taking Secretary McNamar's assurance about what you can rely on. He doesn't listen too good.

Mr. VON RAAB. I have complete confidence in the Deputy Secretary.

Mr. ENGLISH. You have complete confidence in him. Now you are stuck. You have got \$17 to \$18 million. You had \$11 million cut out of your budget.

On December 8, you are flying on blind faith that somebody told somebody that they are going to take care of you somewhere. We have had testimony yesterday, and we have had it underscored today that Department of Defense can't do it.

They state flat out they can't do it, and not only that, this brilliant idea that Mr. McNamar had is also endangering the detection coverage that you have been provided by Department of Defense because Mr. Daniel, Dan Daniel, came before this committee and stated that he is going to write it in the laws, because of the concerns that he has had given Mr. McNamar's attitude.

Mr. Lewis.

Mr. LEWIS. Mr. Commissioner, if you were a member of my staff, they would be here saying thanks, but no thanks, for all the phone calls they received after this news broke in south Florida that Customs is going to be severely curtailed.

I guess the Chairman has asked most of the questions, but after we received a number of calls in our office, we started looking into this and we found out that your equipment in south Florida is certainly in horrible shape.

You have equipment down there that cannot be run, and you are interchanging parts back and forth, not so much in air surveillance equipment, but in vessels and ground equipment. Did you have any input into this at all, to say that you needed more money to get your equipment up to snuff to do its job?

Mr. VON RAAB. I am aware that that problem arose, and that problem arose—

Mr. LEWIS. The problem has been there, Commissioner, as far as your equipment.

Mr. VON RAAB. Maybe it would be helpful if we gave you a rundown on the state of readiness of our marine resources.

Mr. LEWIS. That would be helpful.

Mr. VON RAAB. I will ask Mr. Lageman to give you a rundown of the state of our national marine resources, and then Mr. Battard can follow up with a more personal response, since he is responsible for the Florida area, among others, of the state of our marine resources in Florida.

Mr. LEWIS. I don't really think it is necessary to do that now, and take the time of the committee. Supply it to my office, I would be satisfied with that.

Mr. VON RAAB. They are not in the shape that has been described. There was a bureaucratic snafu that took place which resulted in the beaching of a number of our marine assets, as we call them.

That was unrelated to the 1985 budget exercise, and was largely a result of imperfect transmission of funds from the headquarters to Florida.

I believe we have corrected that, and we have also made systematic changes in the way that we provide our enforcement funds to the field, and I am confident that this kind of a snafu will not take place again, and I—

Mr. LEWIS. Don't apologize to me, apologize to the people of Florida.

Mr. VON RAAB. I don't believe it will happen again, and I will make certain that it will not.

Mr. LEWIS. I appreciate that.

Following the line of the chairman's questions, do you have any input into the budget process as Commissioner of Customs?

Mr. VON RAAB. We submit the budget to the Department. I submit it, more or less, joint to Assistant Secretary Walker, and at this point in time, Assistant Secretary Cora Beebe, who has since left the Department, and then they review my submission and they transfer it on to the Secretary, and they represent Customs' interests with the Secretary.

Mr. LEWIS. If they would come back with reductions, you use your best judgment when you submit what you need in order to do the job, which is the input you receive from the people under you, and they come back with an \$11 million cut, as we have here, and say, "Well, somebody else is going to do that job." Did you just blindly accept that, or did you question the wisdom of that decision without knowing whether the Department of Defense would actually take up that slack?

Mr. VON RAAB. I don't feel that it is my personal responsibility to try to call the Deputy Secretary of Defense and ask him whether the informal advice that has been relayed to me is correct.

I assume that if the Deputy Secretary of the Treasury feels that a correct judgment has been made with respect to what the response of another Department is going to be, then I assume that that is being worked out at that level.

I was not uncomfortable with the conversations that I had had with the likelihood of the \$11 million, particularly in light of the fact that I was further assured that if DOD could not come up with the \$11 million or would not come up with it, that the Treasury Department would look within the Department and try to provide that money out of the Department.

So either way, it was not an uncomfortable situation for me. It was either going to be supported by the Department of Defense or would be supported from within other funds of the Treasury Department, so given those, it didn't strike me that I should be concerned whether it came out of Defense or out of Treasury.

Mr. LEWIS. I have heard that comment several times in the past couple of days about, well, if the DOD would not pick up that slack, that we would find that \$11 million in the Treasury.

You know what that tells me, Commissioner, if you turn in a budget, you get the budget approved, and part of it is disapproved, and you can find the additional funds within that budget? There is something wrong with that budget.

Mr. VON RAAB. I didn't prepare the Treasury Department budget.

Mr. LEWIS. I understand that. I would like to know the status of the progress payment due on the Lockheed P-3's conversion job. What is the status of that today?

Mr. VON RAAB. We have transferred an additional \$400,000 to the Navy, which should carry us through the middle of April.

Mr. LEWIS. When did that happen?

Mr. VON RAAB. That money was transferred today.

Mr. LEWIS. Today?

Mr. VON RAAB. Yes, but based upon assurances that we had given to the Navy before, that the money would be transferred.

Mr. LEWIS. What are you going to do about that P-3 now?

Mr. VON RAAB. We are going to continue to develop the P-3A under the 1984 schedule.

Mr. LEWIS. Will you have that information supplied for the record, and also I would like a copy of it sent to my office, if you would, please, the information I have asked for on the Lockheed contract?

Mr. VON RAAB. We will give you a complete rundown on all the payments to Lockheed, on all payments made to Navy. We make the payments to Navy and they turn them over to Lockheed on the P-3A.

Mr. LEWIS. Please supply that in writing, as well as the marine information that I had asked of you.

Mr. VON RAAB. Yes, sir.

[The information follows:]

Customs payments to Navy in support of the P-3A Aircraft was as follows:

P-3A FUNDING SCHEDULE

Funds transferred from the Customs Service to the Naval Air Systems Command under Interagency Agreement No. 02121820:

Date:	Amount
July 21, 1983 .....	\$3,625,000
Sept. 7, 1983 .....	33,402
Feb. 22, 1984 .....	550,000
Mar. 22, 1984 .....	400,000
Apr. 5, 1984 .....	760,800
Total transferred to Navy .....	5,369,202

[Mr. von Raab's letter to Representative Lewis follows. See also Mr. von Raab's response to Representative Kindness printed at page 214.]

**THE COMMISSIONER OF CUSTOMS**

WASHINGTON, D.C.

MAY 11 1984

MAN-1 E:P:P:E

Dear Mr. Lewis:

As per your request of March 26, 1984, the following information is provided:

**GENERAL OVERVIEW OF THE CUSTOMS PATROL MARINE INTERDICTION PROGRAM**

The Customs Patrol Marine Interdiction Program is a comprehensive effort to integrate enforcement tactics and techniques, logistics/maintenance requirements and state-of-the-art technology in our fight to stem the flow of narcotics into the United States. Our ultimate objectives are to reduce the level of smuggling by vessel; to increase the cost and risks associated with smuggling by vessel; to improve the detecting, sorting, tracking and intercepting capabilities of marine enforcement units and to establish Servicewide standards for training and maintenance of vessels.

The focal point of this new strategy is the Marine Module. Each module consists of one supervisor, eight marine enforcement specialists and one clerical person. Marine officers will gather tactical intelligence and operate large "tracker" vessels in an offshore capacity as a detection and communication platform. Extensive use of the intelligence gathered will dictate the deployment of these vessels. As smuggling vessels are detected, other marine officers will respond to pursue and apprehend violators and seize their contraband. Those marine officers will utilize smaller "interceptor" type vessels more suitable for pursuit than the larger vessels.

Marine modules are scheduled for installation at Fort Lauderdale and Fort Myers, Florida, during the current fiscal year.

Marine interdiction resources currently include 723 Customs Patrol officers, and 116 vessels in some 40 different locations. Of these, 178

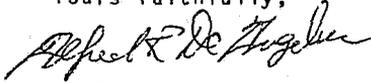
Customs Patrol officers and 36 vessels are located in 17 different locations within the State of Florida. A complete breakdown of Customs Patrol Marine resources is contained in the enclosed book, Marine Resource Readiness, March 1984, under resources, pages 1-2.

\*

The Customs Service anticipates the implementation of seven additional marine modules over the next three fiscal years within existing funding levels.

We thank you for affording us this opportunity to describe our Marine Interdiction Program. If you have any additional questions or comments, please feel free to contact my office.

Yours faithfully,



Acting Commissioner of Customs

The Honorable  
Tom F. Lewis  
Subcommittee on Government Information,  
Justice and Agriculture  
Committee on Government Operations  
House of Representatives  
Washington, DC 20515

Enclosure

\*NOTE: The enclosure, Marine Resource Readiness, is printed in Appendix 2.

Mr. ENGLISH. Thank you very much, Mr. Lewis.

Mr. von Raab, the other thing I think I find rather interesting about this, rather curious, you tell me that some time before December 8, and Mr. McNamar told you that he had a conversation with Paul Thayer, and Paul Thayer somehow—

Mr. VON RAAB. Mr. McNamar did not tell me of his conversation until more recently.

Mr. ENGLISH. Who told you, of course, before December 8?

Mr. VON RAAB. Mr. McNamar told me he felt comfortable that DOD would support this \$11 million. I didn't say prove it. I accepted his statements.

Mr. ENGLISH. Did you have any questions about that, any lights go off, whistles and bells, warnings of any type that maybe you might have a problem?

Mr. VON RAAB. Certainly. I mean, there is always a question as to whether DOD would agree to that proposal.

Mr. ENGLISH. All right.

Given the fact that you had some whistles, lights, and bells go off at that time—

Mr. VON RAAB. I didn't say whistles, maybe a small light bulb.

Mr. ENGLISH. Kind of a sickness down deep in your stomach, something of that sort. The question arises then, did you, in the discussions that you have either with—and you told me you don't talk to the Vice President—so Admiral Murphy, Mr. Schowengerdt, or anyone in the Vice President's Office, in your discussions, did you pass along that Mr. McNamar reached some kind of agreement with the Department of Defense, and they were going to cut out \$11 million to take care of detection?

Mr. VON RAAB. I wouldn't make this conversation with Mr. McNamar that significant. The Customs Department was made aware of the fact that its budget was being reprogrammed.

Yes, I passed this information on to Admiral Murphy, that the Customs budget was not in the original form in which it had been sent forward, but it was not in two pieces. A \$17 million piece which was going to be paid for by the Treasury Department, and an \$11 million piece for which the Treasury Department was expecting Defense support.

Mr. ENGLISH. Did Admiral Murphy ask you any questions about that?

Mr. VON RAAB. No.

Mr. ENGLISH. He just accepted it.

Mr. VON RAAB. Admiral Murphy is a much more important official in this administration than I am, and I didn't hound him about it. I merely passed the information off to him.

Mr. ENGLISH. Do you think he understood what you were saying?

Mr. VON RAAB. Admiral Murphy is a bright man. I have to assume that he understood exactly what I was saying.

Mr. ENGLISH. Assuming he understood what you were saying, he wasn't very bright if he didn't pick up on the fact that the Department of Defense might not carry that job out, particularly since he worked for 2 years in the Department of Defense and trying to make it possible within the law to provide additional assistance on air interdiction.

Mr. VON RAAB. You have to ask Admiral Murphy those questions.

Mr. ENGLISH. Looking at this program, you have 63 aircraft at the present time, not counting Department of Defense aircraft, I believe that are operating in this program?

Mr. VON RAAB. I thought it was—that includes the DOD aircraft.

Mr. ENGLISH. Does include the DOD aircraft?

Mr. VON RAAB. I am informed it includes the DOD aircraft.

It includes four Blackhawks and four Cobras.

Mr. ENGLISH. What does it cost to operate those aircraft?

Mr. VON RAAB. We estimate about \$16.5 million.

Mr. ENGLISH. \$16.5?

Mr. VON RAAB. Yes.

Mr. ENGLISH. All right, and you are leasing four more jets, I believe, for use as interceptors as part of the proposal?

Mr. VON RAAB. We are looking at the possibility and we would like to lease four more jets; that is correct.

Mr. ENGLISH. That is in fiscal year 1984 funding?

Mr. VON RAAB. We hope it will be a fiscal year 1984 expenditure; that is correct.

Mr. ENGLISH. You are going to lease those aircraft. How much do you figure it is going to cost you to operate those?

Mr. VON RAAB. \$4 million.

Mr. ENGLISH. That already then puts you over the \$17 million plus that you have, that you requested within the budget. You have \$16.5 million for the operation of those 62 or 63 aircraft. You have now \$4 million to operate those four jets, so that takes you over \$20 million, and you just have a budget request then of between \$17 and \$18 million.

Mr. VON RAAB. In the \$16.4 million is the support of some military aircraft, including the four Blackhawks and the four Cobras.

That amount would offset the additional amount for the four high performance aircraft.

Mr. ENGLISH. Are you telling me, Commissioner, that it was the intention as far as this budget is concerned, to turn back the Blackhawks and Cobras to get the four interceptors?

Mr. VON RAAB. The \$11 million request anticipated that the Blackhawks and Cobras would be supported. That was part of that \$11 million request made up—we were asking Defense to support the Blackhawks and Cobras.

Mr. ENGLISH. Even though you already have agreements with the Army and have had for the last year. You have had it for at least the last year, on operation and maintenance, because you were not doing any maintenance up until that time to speak of.

You are planning on abrogating that agreement that you have had for the last year; is that correct?

Mr. VON RAAB. I wouldn't call it abrogating the agreement. We were in effect requesting the Defense Department to amend the agreement so they would pick up more of the expenses of these aircraft.

Mr. ENGLISH. Your justification earlier was that DOD ought to pick up all the stuff because the detection is the responsibility of the Department of Defense. Now, you are saying that the responsibility of the Department of Defense is also for arrest. That is what

those helicopters are used for. They are used to get out there and make arrests, not for detection.

Mr. VON RAAB. I understand. There really are two separate issues here.

The first one was a request of the Defense Department to provide an equivalent amount of \$11 million to support our military aircraft.

The Defense Department turned that down. That was the request upon which the budget numbers were based.

That request has been turned down, in other words, a straight deal of \$11 million to the Customs Service has been turned down.

The Secretary indicated that we understand the reasons for that and although originally we thought our opportunity was to get it, we are not going to get it. That issue is closed.

Mr. ENGLISH. You understand that one. Even Mr. McNamar has accepted a no on that.

Mr. VON RAAB. He understands the Defense Department is not going to transfer \$11 million to the Customs Service.

The second issue is whether the Defense Department should play a greater role in the responsibility for detection. That is the second, and that is not a budget question; that is a policy question.

Mr. ENGLISH. You have got the answer on that, didn't you?

Mr. VON RAAB. No, we don't feel that we have gotten the answer on that.

Mr. ENGLISH. You heard General Tice yesterday say that he was empowered to speak for the Department of Defense before a public hearing.

Now, are you going to deny that he has that authority?

Mr. VON RAAB. Not at all.

Mr. ENGLISH. Are you going to deny what he said here yesterday?

Mr. VON RAAB. I have the greatest amount of respect for General Tice.

Mr. ENGLISH. Are you going to deny what the services have testified to here this morning?

Mr. VON RAAB. No, sir.

Mr. ENGLISH. What question remains in your mind, Commissioner, with regard to this issue?

Mr. VON RAAB. As to whether the Defense Department can be persuaded—

Mr. ENGLISH. To break the law?

Mr. VON RAAB. I don't personally believe it is a matter of breaking the law, but the issues will be presented at the meeting of NNBS next week.

Mr. ENGLISH. Would you describe for me what is entailed in the definition of combat readiness?

Mr. VON RAAB. No, sir.

Mr. ENGLISH. How in the world can you know about whether you are asking them to break the law or not?

Mr. VON RAAB. The advice that I have received from the Treasury Department—

Mr. ENGLISH. Is the Treasury Department representative who is giving you that fear, which I assume is Mr. McNamar, does he understand what goes in and what is a part of making combat readi-

ness, what that term means, and it is not just a judgment; it is quantifiable?

Mr. VON RAAB. I can't speak for the Deputy Secretary.

Mr. ENGLISH. How can you come before us and say, well, you still don't believe it?

Mr. VON RAAB. I believe Captain Schowengerdt testified to the fact that these issues will be discussed at NNBIS next week.

Mr. ENGLISH. Did you hear the services say today that they cannot do it without violating the law?

Mr. VON RAAB. No, sir.

Mr. ENGLISH. Did your representatives hear that?

Mr. VON RAAB. I was informed by my staff that they made statements. I don't know exactly what they said, but I assume they made statements from which that implication can be drawn.

Mr. ENGLISH. No implication. They stated it flat out. In fact, they went so far, as far as the Air Force was concerned, that the Joint Chiefs of Staff made the statement that they couldn't fly one more mission without violating the law.

Mr. VON RAAB. That is apparently the Defense's present position on this.

Mr. ENGLISH. That is their answer, isn't it?

The question to you is, what is plan No. 2?

Mr. VON RAAB. Plan No. 2 is to follow this issue up at the NNBIS meeting next week.

Mr. ENGLISH. What is your second plan, the alternative? You have been told by the Department of Defense it is in violation of the law. You have had the Joint Chiefs of Staff who made their position.

Now the question that you come down to is, given that answer, given that response, what is plan No. 2?

Mr. VON RAAB. My understanding is that this issue is still under review in the administration and that the Treasury Department is not satisfied that that is a final position of the Defense Department, and is waiting for the deliberations of the meeting of NNBIS next week.

Mr. ENGLISH. Again, I am asking you what is that judgment based on as far as Department of Treasury is concerned? What is it based on?

Mr. VON RAAB. That has been the subject of these 3 days of discussion.

Mr. ENGLISH. Is it based on legal interpretation of the law? Is it based on knowledge of the term "combat readiness?"

What is it based on?

Mr. VON RAAB. Obviously it is based upon a different interpretation.

Mr. ENGLISH. There is no different interpretation. It is quantifiable, I told you. It is clearly stated what goes into making up combat readiness.

Mr. VON RAAB. I am not going to present myself as an expert in this area.

Mr. ENGLISH. That is what troubles me so on this, Commissioner, because you are coming down and saying, we have been told by the experts that the law says that we can't do it. That is what the Department of Defense came up here and testified.

Unless you are willing to think the Department of Defense officials, as well as General Tice, came up here and lied to this committee, the question comes down to, why you refuse to accept their judgment.

If you have something to question that judgment on, if you can challenge that judgment, I would say, fine, go ahead.

What we are coming down to is that you don't have that and you don't have any knowledge in that area so the question I am asking you and I know that you are never going to—evidently you have got the McNamar sickness, you can't accept no—the question I am going to ask you now, assuming that that is the case, if this stands, the question then is, what is plan No. 2? What is it that the Customs Service is going to do now?

Mr. VON RAAB. Well, let me just go back first to the other issue, and that is that my understanding is that NNBIS, which is the coordinating mechanism for this, regards this as an open issue.

Mr. ENGLISH. Do they have the authority to change the law?

Mr. VON RAAB. Only the Congress acting with the acquiescence of the President has the authority to change the law, but they are offering differing opinions on what the law, how the law should be interpreted.

The matter is under review.

Mr. ENGLISH. I have told you as far as combat readiness is concerned, there is no interpretation. Those are five elements that make up the combat readiness.

That is the law.

Mr. VON RAAB. Obviously the Treasury Department does not feel that—

Mr. ENGLISH. No, obviously Mr. McNamar doesn't and obviously you have decided to follow in his footsteps.

Mr. VON RAAB. He is my boss.

Mr. ENGLISH. The point is—I am not going to get into that—but supposedly the issue is, you have been turned down at this hearing. The answer has been no. I don't care whether you accept it or not.

Now, the question I want to ask you, Commissioner, is, what is plan No. 2? Where do you go from here, assuming that the law is followed?

Mr. VON RAAB. We will then have to review the options before us with respect to detection.

Mr. ENGLISH. What options are those?

Mr. VON RAAB. Well, the one option that you deny me is increased Defense involvement in detection.

Mr. ENGLISH. I didn't deny you that.

Mr. VON RAAB. For purposes of this discussion.

Mr. ENGLISH. The law denied you that.

Mr. VON RAAB. You and I are in disagreement on that issue.

Mr. ENGLISH. Tell me about plan No. 2.

Mr. VON RAAB. We will have to review the detection capabilities of all of the government groups.

Mr. ENGLISH. Please go through those and give even your knowledge of the matter. Go through and give us those options.

Mr. VON RAAB. Give you the—

Mr. ENGLISH. The options that you have left open for you as far as detection.

Mr. VON RAAB. I don't have them written out.

Mr. ENGLISH. Surely you are familiar enough with them, Commissioner. You have been involved for 3 years in your job, air interdiction, and you have the responsibilities as far as NNBIS is concerned, and you have been looking at this program for years.

Mr. VON RAAB. Mr. Chairman, you are placing me in a little bit of a difficult position.

Mr. ENGLISH. I am placing you in a very difficult position, Commissioner? You put yourself there. I didn't put you there.

Mr. VON RAAB. You are asking me to make a judgment that is properly the judgment that should be made by NNBIS so you are—

Mr. ENGLISH. NNBIS does not make the decisions with regard to detection aircraft as far as Customs is concerned.

What options do you have left given the fact Department of Defense has stated that this is against the law? What are those options?

Mr. VON RAAB. Increased E-2C and E-3A coverage.

Mr. ENGLISH. That is against the law.

Mr. VON RAAB. I haven't been told that is against the law.

Mr. ENGLISH. Option 2.

Mr. VON RAAB. Increased radar.

Mr. ENGLISH. Does it have low-level capability?

Mr. VON RAAB. No.

Mr. ENGLISH. Option No. 3.

Mr. VON RAAB. Increase Coast Guard surveillance off the shores.

Mr. ENGLISH. What kind of detection do they have?

Mr. VON RAAB. I don't know exactly what detection equipment they have.

Mr. ENGLISH. They don't have any as far as radar.

Option No. 4?

Mr. VON RAAB. More lookdown radar provided by whatever agency it is.

Mr. ENGLISH. What agency is it?

Mr. VON RAAB. What agency is what?

Mr. ENGLISH. That you are going to be going to, that has the lookdown capabilities you talk about?

Mr. VON RAAB. The Defense Department.

Mr. ENGLISH. We are back to the same position, Commissioner.

Mr. VON RAAB. I am going to try to get back there every time I can.

Mr. ENGLISH. I keep telling you the fact of the matter is that the testimony before this hearing is it can't be done without violating the law. Surely you made this decision and changed this budget based on some knowledge of alternatives.

Surely there were some other options. Surely you took into consideration that if the Department of Defense can't do this, where do we go from here? Surely you didn't scuttle the whole thing on a pipe dream that hopefully somebody can do it without checking to see whether it is legal or not, much less whether it is feasible?

Mr. VON RAAB. Mr. Chairman, as I indicated, this matter is a matter that will be discussed next week.

Mr. ENGLISH. I want to know what the other option is, Commissioner. What is option No. 4?

Mr. VON RAAB. The other option is obviously this detection capability would be given to another department like the Treasury Department or like the Transportation Department, or like the FAA.

Mr. ENGLISH. Is there any other department that has aircraft equipped with a lookdown capability?

Mr. VON RAAB. Whatever department would get them would have to acquire them.

Mr. ENGLISH. So the taxpayers go out and buy some so you don't have to assume that responsibility; is that correct?

Mr. VON RAAB. No; I am not suggesting that.

I am just saying, even if the Customs Service were to run the P-3's, the taxpayer has obtained those P-3's for them at some point in time.

Mr. ENGLISH. With regard to the funding, what about the special operations money for south Florida?

Mr. VON RAAB. In 1985?

Mr. ENGLISH. How much money do you have in your \$17 million budget for that?

Mr. VON RAAB. 1984 or 1985?

Mr. ENGLISH. 1985.

Mr. VON RAAB. Approximately a half a million dollars.

Mr. ENGLISH. Is contained within that \$17 million?

Mr. VON RAAB. In the 17 for special operations.

Mr. ENGLISH. Are you absolutely sure of that?

Mr. VON RAAB. \$500,000 is correct.

Mr. ENGLISH. A cut from \$2.1 million?

Mr. VON RAAB. Well, Operation Florida as such is now an ongoing responsibility of the Customs Service, and so the moneys to fund what previously was called Operation Florida are no longer specially designated in order to support that operation, but have been made a permanent part of the Customs Service.

Special operations would be those activities that would not be a normal part of the activities of the Customs Service.

Mr. ENGLISH. According to your March 13, 1984, letter, Commissioner, you are requesting \$2.1 million.

A letter you sent on to the chairman of the Appropriations Subcommittee on March 13, 1984, and this is your supplemental request for \$2.1 million for the rest of this year, so you cut it from \$2.1 million for fiscal year 1984 for what you are requesting just as of March 13 down to \$400,000. You are cutting it by 75 percent?

Mr. VON RAAB. I am told that the asterisks to which you refer were put in the letter by the previous committee.

Mr. ENGLISH. We are talking about the special enforcement operations in air, not down at the bottom below that, Operation Florida.

Mr. VON RAAB. Is there a question?

Mr. ENGLISH. Yes; I am still asking you, is it not true that the operations in Florida, including air, have been cut from \$2.1 million down to what you say is \$500,000?

Mr. VON RAAB. In 1985 the Florida operations are not specialized. This letter—

Mr. ENGLISH. Is the total for the country \$500,000?

Mr. VON RAAB. Of special operations; that is correct.

Mr. ENGLISH. You have this year \$2.1 million for the State of Florida for special operations?

Mr. VON RAAB. This is—

Mr. ENGLISH. You are cutting it down to \$500,000 for the entire country, down from \$2.1 million so that is a cut of 75 percent?

Mr. VON RAAB. No, sir; we no longer are bookkeeping for Florida specially.

Mr. ENGLISH. Talk about the whole country.

Mr. VON RAAB. Florida operations are now a permanent part of the budget and are contained in all of the budget accounts of the Customs Service.

Mr. ENGLISH. All right. Talk about the whole country then.

The whole country, according to your request on March 13, 1984, for the rest of 1984 is \$2.1 million.

You have cut that down to \$500,000; isn't that correct?

Mr. VON RAAB. I am having a difficult time explaining this to you because of apparently a number of exchanges that have taken place between the budget staff and the Appropriations Committee staff.

Mr. ENGLISH. I am using your letter, Commissioner.

Mr. VON RAAB. My letter is 1984, not 1985.

Mr. ENGLISH. March 13, 1984.

Mr. VON RAAB. I am sorry. I thought you were talking about the 1985 budget.

Mr. ENGLISH. We are. We are comparing the two.

Mr. VON RAAB. They can't be compared because the categories are different.

We have \$500,000 in 1985 for air special operations, \$2 million in 1985 for the rest of special operations, and if you look through the budget, you will find \$2 million for what was previously called Operation Florida.

Mr. ENGLISH. It states here in your letter, Commissioner, what we are saying here is, it is listed special enforcement operations air, and it has your revised plan, \$2.1 million.

Mr. VON RAAB. Would you permit Wayne Hamilton, our budget officer, to explain this?

Mr. ENGLISH. I am going to let him explain it for the record and we will move on here.

Mr. VON RAAB. I believe it is a bookkeeping misunderstanding. I have given strict orders that our enforcement efforts in Florida are not to be reduced. If that is the case, I will reprogram the budget to make sure they are not.

Mr. ENGLISH. I believe I would hold off on reprogramming the budget, Commissioner.

Did you ever come up with No. 4 option, or are you out of options now?

Mr. VON RAAB. There are a finite number of ways to do detection. One is to increase the defense effort.

One is to provide this lockdown capability to another department, Customs, Coast Guard, whatever it is, and the other is to network better.

Another one is to try to improve other radar capacities, for example, improving the coverage through aerostat balloons. That is

the type of range of opportunities that is available to the executive branch to improve detection.

Mr. ENGLISH. Wait a minute. It is also up to the Congress? Didn't they play a little role in this?

Mr. VON RAAB. Absolutely. I was thinking about the NNBIS meeting coming up next week.

Mr. ENGLISH. I realize that Congress has been left out of it so far, and that is the reason you are in all this trouble. Maybe if you had explained it a little more to Admiral Murphy, you wouldn't be in this kind of a mess.

Mr. VON RAAB. I can assure you that the executive branch is well aware of the concern of your committee and the Congress. I am sure that that will be taken into consideration at the agency at the meeting next week.

Mr. ENGLISH. I want to assure you, Commissioner, that we are going to take into consideration your views, as you submit the budget up here, and we are going to take into consideration Mr. McNamar's views and Secretary Regan's views whenever we make our decisions up here on how to handle the budget and what items will be programmed and what items will not. We will take that into consideration. We will also take the law into consideration.

Mr. VON RAAB. Yes, sir.

Mr. ENGLISH. You mentioned yesterday that you are concerned about the cost overruns for the P-3 conversion project at Lockheed. The Senate Appropriations Committee has already committed to that project. Isn't it true that the Department of Defense will be providing the radar, logistical support, and the funds necessary to modify the remaining five P-3 aircraft?

Mr. VON RAAB. That is in the appropriations language for 1984, and therefore, yes. I don't have it right in front of me, but I believe that is correct.

Mr. ENGLISH. It was also agreed to by the Air Force this morning and the Navy?

Mr. VON RAAB. Yes.

Mr. ENGLISH. The answer to that question is yes?

Mr. VON RAAB. Yes, sir.

Mr. ENGLISH. OK. You are scheduled to receive a total of six P-3 detection aircraft; at least you were scheduled for the total cost to the Customs of only \$5.8 million.

Mr. VON RAAB. That is the present estimate of what it would cost the Customs Service.

Mr. ENGLISH. Have you got any better numbers?

Mr. VON RAAB. No; I am very hopeful that that will be the final number.

Mr. ENGLISH. Well, then, what reason would you not have to accept those numbers?

Mr. VON RAAB. I am not rejecting them. I am concerned that those numbers will continue to grow as they have in the past.

Mr. ENGLISH. I see. What is it that you would anticipate would grow? The cost of this one—

Mr. VON RAAB. Specifically, here, the modifications to this P-3 and then any developments that may not be literally covered by the Senate appropriations language.

Mr. ENGLISH. The Senate appropriations language says that the Air Force will pay the costs on the remaining?

Mr. VON RAAB. I know what that language says, but I also know, when you get into a situation in which there are increased costs, everyone always goes to see how they can avoid those costs and pass them on to some other organization, and my only concern is, if we run into unknown modifications costs or those that may not be covered in this language, the Defense will want the Customs Service to pay for them.

Mr. ENGLISH. So you kind of refuse to accept anything the Department of Defense says about this entire matter, don't you, Commissioner?

Mr. VON RAAB. No; I think the Defense Department, like all of the departments, is concerned about its own budget expenditures and therefore wants to keep them down as much as it can. For example, I do not believe the appropriations language includes the IRDS type of avionics, which will cost about \$1 million per copy.

Mr. ENGLISH. Those are add-ons the Customs wanted to stick on to this thing, like an electronic window?

Mr. VON RAAB. IRDS, I don't think it is an electronic window, it is an infrared detection system.

Mr. ENGLISH. It is those little add-ons that run up the costs, like in our automobiles, all those little things that you don't have to have to do the job, but they are nice to have.

Mr. VON RAAB. Would you like me to submit a comparison of the IRDS with an electric window?

Mr. ENGLISH. Submit it to me. We don't want to clutter up the record with that.

Mr. VON RAAB. I understand. They are sensors that the Customs Service feels would make those aircraft—

Mr. ENGLISH. That was a Customs decision that you would like to have this put on as an option. Do E-2C's—do they have IRDS on them?

Mr. VON RAAB. No.

Mr. ENGLISH. Compare that to the lease of the four Citation interceptors that you talked about, \$3.9 million a year that you are going to lease those four Citation jets for.

Mr. VON RAAB. We have not made a decision to select the Citation jets.

Mr. ENGLISH. Well, that was a part of Mr. McNamar's plan?

Mr. VON RAAB. No; four high performance aircraft.

Mr. ENGLISH. I had one other member who was curious about that. Will that be put out for bid?

Mr. VON RAAB. General counsel's office and the comptroller's office right now is reviewing the entire procurement related to this. I am not quite sure if it is a sole source procurement, possibly sole source procurement on the Citations, and we have also received a number of unsolicited bids that would compete with that sole source procurement.

Mr. ENGLISH. Are you going to put it out for bid or not?

Mr. VON RAAB. We have not made that decision yet.

Mr. ENGLISH. If you don't have to, you won't? Is that what you are telling me?

Mr. VON RAAB. It is not as simple as that.

Mr. ENGLISH. All right.

The P-3's would have both a detection and interception capability. They have an infrared radar to identify suspects which they detect and the range to follow suspects for some 16 hours, and this will cost the Customs Office \$5.8 million.

Let's use the Citations as an example to understand that is your preference at this point. They have only limited detection capability and the ability to intercept targets which have been detected for them, at the cost of \$4 million a year, and since the Department of Defense is going to do your detection mission for you, isn't the P-3 really a tremendous bargain and a lifesaver for the Customs Service?

Mr. VON RAAB. A tremendous bargain and a lifesaver for the Customs Service?

Mr. ENGLISH. Yes. You are comparing \$5.8 million in costs for six aircraft that have the capability to both detect and intercept and also make detections for surface, and you have done that at a cost of \$5.8 million for six aircraft. You have got four aircraft you are leasing for \$3.9 million a year?

Mr. VON RAAB. I had not personally regarded the interceptors as—I mean the P-3A, as an interceptor.

Mr. ENGLISH. Why are you putting IRDS on them?

Mr. VON RAAB. For surface targets.

Mr. ENGLISH. Better get a little technical advice on that, Commissioner.

Mr. VON RAAB. That is my technical advice.

Mr. ENGLISH. I believe the advice is in error. What other purpose does an IRDS have?

Mr. VON RAAB. I am sorry, the IRDS on the P-3, obviously it is to identify targets; we all know that.

Mr. ENGLISH. To identify targets?

Mr. VON RAAB. Yes, sir. I thought that was my answer.

Mr. ENGLISH. What kind of aircraft will you classify that you use to identify targets?

Mr. VON RAAB. To identify—specific identification of targets?

Mr. ENGLISH. That is right.

Mr. VON RAAB. I am confused.

Mr. ENGLISH. You want a hint?

Mr. VON RAAB. Detecting, intercepting?

Mr. ENGLISH. The other one is arresting. You have to detect them, and you use IRDS to identify after you intercept them.

Mr. VON RAAB. That is correct.

Mr. ENGLISH. Well, then, why would you put an IRDS on a P-3 if it couldn't be used as an interceptor?

Mr. VON RAAB. We will certainly look into that, as to whether the IRDS ought to go on the P-3.

Mr. ENGLISH. Here you are up here, complaining about all these cost overruns and complaining about it, and here you are sticking this equipment on, and you tell me you are going to look into whether you ought to be putting it on?

Mr. VON RAAB. You have raised a good question in my mind, one which I hadn't addressed before, and I can assure you that I will find out in the next 24 hours why we are putting the IRDS on the P-3. If it is in error, we will correct it.

Mr. ENGLISH. I don't know that it is in error. It simply increases the uses of the P-3 from a detection plane to one that can go out and intercept. Maximizing the use of the aircraft is a good idea.

The question I am asking you is, it costs you \$5.8 million to acquire, and you are going to go out and lease four interceptors which have no detection capability for \$3.9 million. The P-3's are a great deal, looking at it from that standpoint.

Mr. VON RAAB. The leased aircraft will have radar and infrared on them.

Mr. ENGLISH. What kinds of radar?

Mr. VON RAAB. F-16 and the FLIR.

Mr. ENGLISH. What does the Siler Report say about the F-16's?

Mr. VON RAAB. Very good.

Mr. ENGLISH. No, it doesn't; not as detection aircraft.

Mr. VON RAAB. Not as detection, but these are not being purchased for detection.

Mr. ENGLISH. If you don't have any detection, you have to use them for detection.

Mr. VON RAAB. We are getting back to the detection question.

Mr. ENGLISH. You have to admit, even right now, you don't have any detection in fiscal year 1985. You have absolutely no assurances. Nobody has told you anything, and every indication we have had has said no.

Regardless of whether you accept it or not, what is the reality today, and nobody has given you a green light and said they are going to take over your responsibility for you.

Mr. VON RAAB. We don't have any firm commitment, and we have reason to believe we will not have any greater detection available to us than we have at this point in time; that is correct.

Mr. ENGLISH. In light of that, you have the potential of having detector aircraft, six detector aircraft for \$5.8 million, which can be used both for detector aircraft, for identifying aircraft, surface targets, as well as being able to do intercept work; and you are telling me that it is a better deal; at least you are insinuating—I will give you a chance to wiggle out of it—that you would rather go out and lease for \$3.9 million a year four aircraft that can only intercept?

Mr. VON RAAB. Right now at this point in time, in March of 1984, we are weakest in our intercepting capability.

Mr. ENGLISH. In your detection capability?

Mr. VON RAAB. We are weak in both of those, and even the Senate's plan is to provide us with more intercepting capability sooner than we would get the P-3As.

Mr. ENGLISH. We have no disagreement with that, and you know full well that both the Senate and the House are making efforts to provide you with 8, and 13 additional interceptors?

Mr. VON RAAB. The C-12's. That would be great. The problem is that we just don't think that is going to happen. I would like it to happen.

Mr. ENGLISH. You have asked for it, and given us no reason to say it wouldn't happen.

Mr. VON RAAB. Every time we go to the Defense Department they say, until we get our C-12's you don't get your C-12A modified.

Mr. ENGLISH. What happens when you come and discuss that with the Congress? Have you had anybody in the Congress tell you you are not going to get those?

Mr. VON RAAB. No. We have people in Defense Department that say they are not getting the C-12's. That is all I am saying.

Mr. ENGLISH. We had people testifying in public yesterday saying they would.

Mr. VON RAAB. That would be very good news.

Mr. ENGLISH. Glad to give you some good news.

Mr. VON RAAB. Right.

Mr. ENGLISH. The question still comes back, though, about that \$5.8 million versus \$3.9 million, one-time expenditure, six P-3's versus \$3.9 million per year on leasing four Citations.

Mr. VON RAAB. That is not a tradeoff. That money is not the money that is being used, would be used to buy the—

Mr. ENGLISH. You have to maximize and make the best use you can of the money that you have.

Mr. VON RAAB. Other tracking and/or detecting aircraft would be used, purchased, with that money. The four high-performance aircraft will be obtained regardless of whether the P-3 plan is continued or not.

Mr. ENGLISH. I guess the point I am making though is that you have changed the ball game. Assumptions were made in 1984 as far as the appropriations budgets were concerned about what was going to take place down the road.

It was assumed you were going to have detection capabilities. That is what was assumed. Everything was based on that. Now you have scrapped that, or at least you are trying to.

And with the scrapping of that, and with nothing to take its place, and you ain't got nothing today, Commissioner. There is nothing there. Then the question comes down, you know, making the best use you can out of the resources you have.

Mr. VON RAAB. Yes, sir, I understand.

Mr. ENGLISH. I am asking you, in that kind of a situation, compare the \$5.8 million for six aircraft that can do both detection and interception with \$3.9 million that can only intercept.

Mr. VON RAAB. \$5.8 million for—

Mr. ENGLISH. Six P-3's.

Mr. VON RAAB. Our estimates are different from that in terms of the operation when you crank in the operation and maintenance of these aircraft.

Mr. ENGLISH. The \$3.9 million doesn't include operation and maintenance on those jets.

Mr. VON RAAB. Yes, it does.

Mr. ENGLISH. I don't think so.

Mr. VON RAAB. \$2.3 million. Here, we are necessarily discussing the proposal Citation has made which has not been accepted. But, based upon the numbers that had been generated from the Citation proposal, the lease costs are \$2.4 million. \$50,000 per month per aircraft.

Mr. ENGLISH. I want to say again, I certainly would be in agreement, that I would like to see the Customs Service have more interceptors. I strongly support more interceptors—

Mr. VON RAAB. Thank you, very much.

Mr. ENGLISH. There is no disagreement about that. But the point that I am making, there is very serious question about how much good those additional interceptors are going to do the Customs Service unless they have some detection capability to go with them.

If you can't detect them, it isn't going to do you a whole lot of good to have additional interceptors. Particularly just four for the whole United States.

Mr. VON RAAB. Our current interceptor capability is only adequate in Miami right now. Tucson has one which is an early model Citation. And would place additional interceptors in Jacksonville, New Orleans, San Antonio, and San Diego.

Mr. ENGLISH. I think we pointed that out in our last report we had. We layed all that out for you, I think.

Mr. VON RAAB. Yes, sir.

Mr. ENGLISH. Yes.

Mr. VON RAAB. Those are your ideas.

Mr. ENGLISH. They are not my ideas, just kind of what we found. I don't come up with ideas. I just report findings, Commissioner.

Mr. VON RAAB. They are good ideas.

Mr. ENGLISH. They might be good findings. I don't know whether they are good ideas or not.

Mr. VON RAAB. OK.

Mr. ENGLISH. I would like to know, what was the concept, the idea of shifting all the detection responsibilities over to the Department of Defense? What studies or justifications did Treasury have that you know of to back that up?

Mr. VON RAAB. Formal studies?

Mr. ENGLISH. Formal, informal. Any kind of studies.

Mr. VON RAAB. The only formal study to which I could point would be the report of the group headed by Admiral Siler.

Mr. ENGLISH. That is the so-called Siler report.

Mr. VON RAAB. Yes, sir.

Mr. ENGLISH. OK. We have asked the authors of that report, by the way, for the facts to justify their conclusions. It might interest you to know that they were unable to do so. I don't know whether you all made that same effort, but we would certainly ask you to do so today.

And also, you confirmed that you were unable to document that NORAD and FAA radar is detecting drug smugglers that you can't catch.

Mr. VON RAAB. Are you asking me whether they are detecting drug smugglers that we cannot catch?

Mr. ENGLISH. I believe you did that yesterday, confirmed that you were unable—

Mr. VON RAAB. I believe that is correct.

Mr. ENGLISH. Then I would assume, given that fact, that you would agree, and I am going to give you the opportunity to disagree if you want to, but I would assume you would agree with the NNBS coordinators that we have had before us in this hearing, that the number one priority as far as NNBS is concerned, and the interdiction program is look-down radar.

Mr. VON RAAB. I hate to view any of these as unrelated. I believe, in my opinion, the No. 1 concern of the Customs Service today is getting those high performance aircraft into the sky.

Mr. ENGLISH. So you are saying that lockdown—

Mr. VON RAAB. I am not in any way suggesting that detection is not important. But I am saying that if I could do something tomorrow, I would like to put four interceptors into the sky.

Mr. ENGLISH. You will put four interceptors into the sky with no detection capability.

Mr. VON RAAB. Well, I believe there are areas in which we are woefully short of detection capability.

Mr. ENGLISH. Tell me areas where you have that capability.

Mr. VON RAAB. Our best capability obviously is in the Southeastern United States.

Mr. ENGLISH. How is that done?

Mr. VON RAAB. It is done through a combination of radars, either airborne or land-based—

Mr. ENGLISH. What kind of radars?

Mr. VON RAAB. You want technical terms? I mean, some are lockdown, some are lookout.

Mr. ENGLISH. All right. Well, we have just stated that the FAA radars and NORAD radars are not picking up anything that Customs can't go ahead and handle and catch them. The critical point is low-flying aircraft that they cannot pick up.

Now, you tell me how you are addressing those aircraft, because that is where the majority of the drug smugglers are flying in, low level. I don't mean by low level, they are down 50 feet, either. You are talking about aircraft flying in anywhere under 5,000 feet, they can get in.

Mr. VON RAAB. Mr. Chairman—

Mr. ENGLISH. In some cases, there are some parts of the country where we know you can come in at 14,000 feet.

Mr. VON RAAB. I understand that. The biggest complaints I receive when I visit the air branches, and I am not in any way saying—

Mr. ENGLISH. You better talk to some of the air branch very carefully before you make that statement.

Mr. VON RAAB. They don't have the intercepting capability they need. This is particularly critical in the Southwestern United States, and Western United States.

In other words, west of the Mississippi. Now maybe that is because they like to fly planes. I don't know. But I am just saying that when I talk to these guys, what they really complain about is a lack of something like the citation to get up there and go after planes that they say—they know are coming in.

Mr. ENGLISH. All right. How are they going to find out where they are? How do they know? Do they see them?

Commissioner, ask the gentleman next to you how many aircraft they have personally seen coming in, that they have personally seen and not been able—

Mr. VON RAAB. You mean the pilots themselves standing there?

Mr. ENGLISH. Yes.

Mr. VON RAAB. I would assume that is very low.

Mr. ENGLISH. How many of them have been up there flying around in an airplane that have seen them come by that they have been able to go catch or haven't caught or haven't been able to chase at least? What I am asking, Commissioner, is the simple fact,

are there more planes that you see that you can't catch, or are there more planes that you don't see that you can't even go up and take a shot at trying to catch?

Mr. VON RAAB. Sir, they are both there.

Mr. ENGLISH. I am asking percentages here. I am talking about what do you estimate? Do you feel there are far more aircraft coming in that you don't see, and, therefore, cannot get into a position to go chase? Or are there more aircraft that you see that you simply can't chase because you don't have enough interceptors?

Do you see more planes than you go chase or do you not see more planes that you simply don't even have an opportunity to chase?

Mr. VON RAAB. I would be happy to get you that information. I am reluctant—

Mr. ENGLISH. You have the air branch right there with you. Ask them.

Mr. VON RAAB. I don't know. Do we have numbers compiled like that?

Mr. LAGEMAN. Yes, we have some of the known failed intercepts.

Mr. VON RAAB. OK.

Mr. LAGEMAN. In calendar year 1983, of the successful intercepts of illegal targets, we had 245. We had 52 where we had failed launches. Now that number we know we saw we caught. We obviously—there are a lot more out there than we are seeing.

Mr. ENGLISH. You have got some more information there that you all agree to. Now, how many was your estimate?

Mr. LAGEMAN. We have an estimate we would be glad to provide for the record.

Mr. ENGLISH. Provide it. You know it, don't you?

Mr. LAGEMAN. I don't know it for all areas of the country specifically.

Mr. ENGLISH. 1,300. That is what the number is. That is seriously questioned as to the validity, because we had with regard to the California air branch where they were estimating in excess of 2,000 for that region alone.

Mr. LAGEMAN. We felt that that was a rather high estimate—

Mr. ENGLISH. Well, I know you do. We were using your figure of 1,300. You are talking about 1,300. You intercepted and arrested—what?—250 last year?

Mr. LAGEMAN. Yes, sir.

Mr. ENGLISH. You thought there was another 50 that got away that you saw?

Mr. LAGEMAN. Yes, sir.

Mr. ENGLISH. That is 300. That means 1,000 that you estimate out there which could very well be very low, given the estimates of some of your regions and probably are low, quite frankly, that you never even see.

Mr. LAGEMAN. That is correct.

Mr. ENGLISH. And the Commissioner is telling me we are going to get 4 more airplanes, his priority is to get 4 more planes to go chase that 56, I guess, and ignore that other 1,000. That is the logic that he is using.

Mr. VON RAAB. It is the logic. But the logic also is that if we are not getting those 56, then we are going to have a difficult time getting each incremental 57th or 58th.

Mr. ENGLISH. We wholeheartedly agree you need more interceptors.

Mr. VON RAAB. I wholeheartedly agree with you that detection is an important part—

Mr. ENGLISH. The point I am making, though, is this. With four more interceptors, can you commit to the Congress that we will see substantial improvement as far as the number of arrests being made over and above what we would have if we had detection capability, low-down detection capability? Would you care to answer that?

This is at your disposal.

Mr. VON RAAB. It is my judgment that in 1984, that the placement of resources into interception will provide, will give us more arrests because I am not aware that our interceptors are up to the detection capability that we have right now.

By the way, I think that is what you referred to in your own statement.

Mr. ENGLISH. What we are trying to do, Commissioner, is this. We are trying to do both. That is what we are trying to do.

Mr. VON RAAB. I understand that.

Mr. ENGLISH. Well, now just a minute. That is what the budget contained. That was what the budget reflected.

That was the effort contained in the budget before it was cut. But when you stripped half the money out of the operation and maintenance, that is where the problem arose. That is where we had to make the choice of which way do you go.

That is what you have left yourself with. Evidentially, that is what you would like to leave the Congress with. I don't think the Congress is going to go along with that.

I am hopeful the rest of the administration won't go along with it, but that is what Mr. McNamar put you in the position of doing.

He didn't leave you with the alternative of getting both. He was making you choose and go through just the same type of difficulties that I was trying to make you go through right then.

Mr. VON RAAB. It is a difficult decision to make, I agree with you, which is why I am taking great comfort in the advice that will be provided next week at the NNBIS meeting.

Mr. ENGLISH. Doesn't it also mean, Commissioner, that it continues to make the job of these people at the air branches, the people who have got to fly those flights, doesn't it continue to make that an impossible job?

Mr. VON RAAB. Their job is difficult under any circumstance. I am not quite sure it is impossible. But it is very difficult.

Mr. ENGLISH. Again 1,300 admitted aircraft coming in that they think with a good possibility that far more are flying into this country, and with the fact that they can only detect 250 that they can capture and another 50 that they have not been able to capture, in other words, 300 out of 1,300.

Doesn't it continue to make their job impossible? Do they have a fair shot at those 1,300?

I don't think you can say so, Commissioner.

Mr. VON RAAB. No, it is——

Mr. ENGLISH. I don't think in good conscience you can say that.

Mr. VON RAAB. I agree.

Mr. ENGLISH. Let me again quote what your people down in New Orleans told us. That if they were able to put a detection aircraft down in Yucatan, plainly we were talking P-3's with F-15 radar, in that wedge, they told us they could catch them all.

I don't know whether they can catch them all or not, frankly, but I know one darn thing. They could sure have a heck of a shot at it.

You will have some people that feel like they have a chance.

Mr. VON RAAB. Mr. Lageman was previously assistant regional commissioner for enforcement in New Orleans. Maybe he could respond to that issue.

Mr. LAGEMAN. As you mentioned in your November study, to stay just at Yucatan, I believe, is in our opinion not in actuality how we would deploy our detection facility. We have a natural air corridor that we are well aware of from the Yucatan to the New Orleans area.

That detection capability that we would utilize would be along that corridor. Not orbiting in the Yucatan area.

Mr. ENGLISH. How wide is that corridor?

Mr. LAGEMAN. As much as a hundred miles.

Mr. ENGLISH. How narrow?

Mr. LAGEMAN. Could be as narrow as an aircraft.

Mr. ENGLISH. So you are talking about, my understanding, it averages about 40 miles wide on the corridor.

Mr. LAGEMAN. That is true.

Mr. ENGLISH. If you are putting an F-15 radar, whether on P-3 or anything else, if you are putting it sitting there in that spot monitoring those 40 miles what does that do with your ability to intercept and arrest smuggling aircraft?

Mr. LAGEMAN. It, obviously, would be an aid. I think that is what Senator Hawkins was referring to yesterday.

Mr. ENGLISH. Obviously what?

Mr. LAGEMAN. Obviously, it supports the recommendation Senator Hawkins was talking about yesterday as far as the aerostats in the Yucatan. P-3 aircraft would not be utilized to orbit in the Yucatan area just to protect that 40-mile limit.

Mr. ENGLISH. I am just asking what does it do when you put the coverage down there?

Mr. VON RAAB. It is good.

Mr. LAGEMAN. It increases potential for success.

Mr. ENGLISH. By how much?

Mr. LAGEMAN. I wouldn't care to quote a percentage. I would say very high.

Mr. ENGLISH. Very high. What does it do without that?

Mr. LAGEMAN. Obviously, decreases your potential.

Mr. ENGLISH. All right. Let's assume that you have to make that choice. This is what is being forced on you. It is not a question of which one you go with.

It is a question of what you go with because that is what is being forced on you. That is what Mr. McNamar has forced on you and

Secretary Regan has forced on you because you have to make that choice.

Mr. LAGEMAN. I think, and this is the decision process we went through, we feel very strongly that the air program and responsibility of the Customs Service is within the close proximity of the U.S. border.

The choke points are valid arguments. They definitely increase the potential for detection. It isn't necessarily the Custom Service's responsibility to provide that out that far away from the borders. We would like—

Mr. ENGLISH. According to enabling legislation, it is the responsibility of the Custom Service.

Mr. LAGEMAN. Our recommendation to NNBIS was to establish a joint surveillance committee. Through that committee—

Mr. ENGLISH. Let's go right back, though. We are talking about—I hate to see you get off down this road, too. The Commissioners, I think, have enough of a load for the Customs Service.

Mr. VON RAAB. OK. I will take it.

Mr. ENGLISH. I don't want to get you pushed down that road.

Mr. LAGEMAN. I appreciate that.

Mr. ENGLISH. The point that I am making is this. If you disagree with me, tell me that. That unless you can put some mode of detecting aircraft coming through that corridor that we were just describing, unless you can cover that 40-mile strip, a good percentage of the time, at least some of the time, that it substantially reduces any chance of intercepting and arresting those drug smugglers.

And even if you get one more interceptor, if you don't have the detection capability, it is not going to substantially improve.

The problem is you are being forced into a position by Mr. McNamar of making a decision of which way you are going to go, one of the two. I think that I know and I imagine most people that are here that are familiar with this problem know why they are trying to force you to go with interceptors.

What I think the Congress is going to do, I think it is going to step back in on this matter. And I think they are going to provide the money for both detection and for interceptors. That is what I think is going to happen. I think it is a crying shame it has taken 3 days of hearings, though, to focus the attention on this problem. That it would be necessary for this kind of action to be taken simply because the Secretary got caught with his hand in the cookie jar.

And that is what happened. He wanted some new plumbing. He wanted to renovate some offices. He wanted some pay raises. He wanted some new office equipment. He needed the money.

So he cut the Customs Budget operation and maintenance account in half, took some money from IRS so he could go do those things. And he got caught. And he got mad about it. Should have said Secret Service instead of Internal Revenue. Secret Service. And he got mad about it because the public's attention got focused on it. And he got angry and he tried to lash out thinking that was going to do some good.

Mr. McNamar can see this plan in the Secretary's absence to further cover up the embarrassment. That is what has happened and we all know it.

I think it is unfortunate that the Commissioner has been placed in the position that he has to come up here and go through this kind of exchange, you know. I would hope that no threats be made against you, Commissioner.

But I wouldn't bet against it.

Mr. VON RAAB. No threats.

Mr. ENGLISH. I wouldn't bet against it. But, you know, that is a sad commentary I think as far as our Government is concerned. I think most folks want to see the best possible use being made out of their tax dollars. And I think when one man gets arrogant to the point that he feels like that he can step in and establish those kinds of priorities where his plumbing is more important than the war on drugs, then I think it is time that he gets pulled up short.

Hopefully, the President will pull him up short and straighten this whole mess out in a hurry. If not, why, I think the Congress will make that effort.

But the unfortunate thing is that with people like that, if they decide they don't want a program to work, it ain't going to work. It doesn't matter what the Congress does. Isn't going to matter what I do or anybody else because they have the responsibility for managing that program. If they want to screw it up, they will screw it up no matter how much money is provided or what kind of equipment is provided. They can do it. I am hopeful that wouldn't be the case here.

Commissioner, I hope that should this happen again, that you will press home to not only those people you are responsible to in the Secretary's Office, but also the people within NNBIS and the Vice President's Office that they are fully aware. I can't personally believe Admiral Murphy understood what it was you were conveying to him, what the plan was as far as the budget is concerned.

I think his commitment is too deep in this matter and I know the Vice President's is. So I am hopeful this matter will be straightened up forthrightly.

I am not really pushing to embarrass anybody with it. I just want the money back where it belongs. I want it restored. And I want the commitment restored as far as the war on drugs.

I want to give people in the Customs Service a fighting chance. I think that is basically what we are doing. With the proposal that was laid on before, with the \$36 million, it was not enough to do the job. We know that. But it was a start. It was probably the best start we have ever had and it gave them a real fighting chance to go out and I think deter some people. I think you had the chance to really scare somebody. I think you had the real threat that people were going to get arrested. I think that is what it is all about.

As I said, in the end it is the people who consume the drugs, they are the ones that will pay the price. Also, the people who are trying to carry it out down in the trenches, as far as customs officials here. They are endangering their lives out there flying some of that equipment and they are doing a magnificent job.

I am hopeful that if there are other efforts that we can assist in as far as the Customs Service is concerned, particularly those people that are on the ground doing their job, I hope that you will convey that to us.

Mr. VON RAAB. I will say that the C-12 exercises one that maybe we are getting the wrong signals on it, but we would certainly appreciate the continued support of this committee to get some more certainty into the issue of—I hope not whether—but certainly when the C-12's would be available to Customs because we are trying, admittedly in a flawed way, to plan ahead here.

It would be helpful to know when we might get the C-12's.

Mr. ENGLISH. Well, I will be meeting on Monday with the Appropriations Committee and the Armed Services Committee. We are going to see if we can't push that along. I feel optimistic about it. I see no real need not to.

Mr. VON RAAB. I understand you are trying very hard.

Mr. ENGLISH. Again, I will say I think, unlike Secretary McNamara, I understand "no" when I hear "no." Everything that I have heard from the members of those committees would point to reasons for optimism. I think there is a good chance you are going to get additional interceptors, and you know I am hopeful you will be in a position to take full advantage of that.

Mr. VON RAAB. Great.

Mr. ENGLISH. Commissioner, is there anything else you would care to say for the record?

Mr. VON RAAB. Thank you very much. No. I knew that you had some concerns about Puerto Rico. And we will be happy to meet informally with you on that issue if that would satisfy you.

I think we are prepared to respond to any concerns that you may have. We haven't taken those concerns lightly. We have worked on it.

Mr. ENGLISH. I appreciate that. We do have some concerns down there. We will be talking to you. But quite frankly, unless we get some means of detecting smugglers, you know, I am not sure we are going to know a whole lot about what kind of a problem we are facing.

So we are hopeful that we will be able to focus a little more on that. We felt that we had to straighten this matter out before we could go on anywhere else.

Mr. VON RAAB. OK.

Mr. ENGLISH. I want to thank you, Commissioner.

Mr. VON RAAB. Thank you very much.

Mr. ENGLISH. Thank you for coming. We appreciate it. I appreciate the difficult position that you have been placed in.

I know it is uncomfortable. Thank you and we will recess subject to the call of the Chair. We would expect that there will be one additional hearing in this series after the first of April, and that will include DEA.

[Whereupon, at 1:50 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

## CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

THURSDAY, JUNE 14, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 9:40 a.m., in room 2247, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Thomas N. Kindness, and Tom Lewis.

Also present: Ted Mehl, professional staff member; William G. Lawrence, counsel; Rebecca Miller, secretary; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order.

The "war on drugs" which we hear about so often is actually a series of battles that are being waged on two fronts—supply and demand. On the demand side are education, treatment, and rehabilitation. On the supply side are diplomatic efforts, interdiction, and foreign and domestic criminal investigations.

They are all important, and to be effective the war must be coordinated in all these areas, even though they are under the jurisdiction of many different agencies and departments.

In the diplomatic arena, where the State Department is the lead agency, the most important area in which we could make progress is foreign crop eradication. This is a very difficult battle, though, because the huge profits from drug trafficking are often used to finance official corruption, and the income from producing drug crops is usually far greater than from food crops for poor farmers. With a few exceptions, we haven't done well in this battle.

A second effort is foreign interdiction—seizing the drugs in-country before they enter international commerce. Here, the State Department and the Drug Enforcement Administration of the Justice Department work together. A great success in this area was the recent seizure of 12.5 tons of cocaine in the wilds of Colombia; an operation in which this country cooperated with the Government of Colombia.

Such major successes, however, are few and far between, as can be seen from the staggering amounts of drugs which reach this Nation each year. These operations are also entirely dependent on

the willingness of the foreign governments to cooperate, and this is subject to frequent changes which are beyond our control.

Our third chance to hurt the traffickers is at the borders of this country. The Customs Service and Coast Guard have primary responsibility for this enforcement area.

Foreign and domestic criminal investigations are under the jurisdiction of DEA, with assistance from the FBI. We have no criticism of DEA in this regard, and, in fact, recognize that many important cases have been made recently. DEA also has primary responsibility, with assistance from our intelligence community, to gather foreign drug intelligence for the enforcement and interdiction efforts of Customs and other domestic agencies.

This morning we are convening the 14th in our series of hearings on the drug interdiction effort of the Federal Government. Our earlier hearings and reports on this subject have concentrated on, and documented, the grossly inadequate equipment resources which have been arrayed against smugglers who enter this country by private aircraft.

We have detailed the almost complete lack of radar with which to detect these low-flying intruders. We have counted the number of airplanes with which the U.S. Customs Service patrols our borders to intercept these smugglers, and have located only eight which are properly equipped for that mission. That's eight interceptor aircraft for the entire land and sea borders of this country.

We determined that Customs relied on four Cobra helicopters to pursue the smugglers to their landing sites to arrest the criminals and seize their contraband cargoes. That's four helicopters for the entire United States.

In concert with the House and Senate Armed Services and Appropriations Committees we have taken steps to remedy the equipment shortfalls through loaning of aircraft and radars from the Defense Department. I must give full credit to DOD for its willingness to contribute what equipment it can to this effort. Lieutenant General Tice and the various services have given complete cooperation to the Congress in this matter and are to be commended.

The Air Force and Navy have also contributed many hours of flying time from their AWACS and E-2C programs to provide temporary radar detection capability. Their assistance has been invaluable while Customs awaits the delivery of the six Navy P-3 long-range patrol aircraft which are being converted to the air detection role by addition of Air Force F-15 radars.

The major effort of this administration to effect the type of coordination which is required between all the interdiction elements of the war on drugs is the Vice President's National Narcotics Border Interdiction System [NNBIS]. I have often stated that I support the Vice President and the concept of NNBIS. Clearly, NNBIS has made a welcome beginning in this difficult area. During the first year of its existence, there were clear signs of improvement. Agencies which had never been exposed to a true cooperative spirit were experiencing the fruits of combined strength. This was particularly true in the case of implementing the assistance of the Defense Department, but was also evident in the energizing of the intelligence community to contribute their share to the antidrug effort.

But NNBIS is a young effort and has many improvements and problems still to iron out. This subcommittee will offer its support in this, and I look forward to working cooperatively with the Vice President toward that end.

On a more cautionary note, I must say that even an effort with the amount of administration support that NNBIS enjoys is subject to being derailed by unguided, uninformed testimony provided by such witnesses as the Deputy Secretary of the Treasury. Only last month, Mr. McNamar completely misrepresented the mission of the Customs Service and the Defense Department concerning their drug enforcement roles, and attempted to defend his unilateral deletion of crucial funds from the Customs air support budget. His action jeopardized both the work of this Congress and of NNBIS to dramatically strengthen this Government's war on drugs.

And I might say that in going back and reviewing the efforts that have taken place since the creation of NNBIS a year ago, we found that there was an increasing amount of cooperation taking place between the Congress and the administration in the war on drugs. Good progress was being made up until last March and the testimony of the Deputy Secretary of the Treasury.

The last remaining element of air drug interdiction which this subcommittee needs to review is the collection and use of tactical intelligence which the Customs Service needs to place its scant resources in the right place at the right time to improve its chance of success. It is in this area that the subcommittee has noted a critical shortfall. In fact, of the 203 air interdictions made by Customs last year, our investigation reveals that none of the targets was detected based on tactical intelligence that had been received from DEA.

Since Reorganization Plan No. 2 of 1973 created DEA, as I mentioned earlier, the mission of collecting foreign tactical drug interdiction intelligence has rested primarily with DEA, with Customs prohibited from such collection activities.

Witnesses at this subcommittee's hearing last March, including four regional directors of NNBIS, all emphasized the critical need for better tactical intelligence if the war on drugs is going to be much more successful, particularly in the case of air smuggling. Almost half of the cocaine which enters this country comes in by private aircraft which load their drug cargoes in Colombia and other South American nations, and which often refuel in Central America or on island nations in the Caribbean.

Because of the radar and aircraft deficiencies which I noted a moment ago, Customs is at a tremendous disadvantage if it is limited to routine, undirected patrols in search of target aircraft. Any information which they can obtain from DEA concerning incoming smuggling flights is of great value in stopping these drug shipments.

To illustrate this point, and here we are restricted to "best estimate" evidence, the Commissioner of Customs in March guessed that there were 2,500 smuggler flights into the United States last year. Several weeks ago the New York Times used additional law enforcement data to estimate that the number could have been as high as 18,000 illegal flights. Out of whatever the correct number is, Customs detected only 350 aircraft, and interdicted only 203.

Obviously, we need to do better than that if the air interdiction side of the war on drugs is going to be more than an occasional annoyance to drug traffickers.

This morning our witness is DEA Administrator Francis Mullen. While Mr. Mullen has not appeared before the subcommittee before, I have met with him several times recently to discuss this matter. Mr. Mullen, I look forward to receiving your statement.

I certainly want to welcome you here today.

**STATEMENT OF FRANCIS M. MULLEN, JR., ADMINISTRATOR,  
DRUG ENFORCEMENT ADMINISTRATION, U.S. DEPARTMENT OF  
JUSTICE**

Mr. MULLEN. Thank you, Mr. Chairman. I am certainly pleased to appear before the subcommittee to discuss intelligence provided by the Drug Enforcement Administration in support of the U.S. Government's drug interdiction effort.

I have submitted my formal statement for the record. With your permission I will summarize the key points of my statement before responding to any questions you may have.

Mr. ENGLISH. Very fine. Without objection, your complete testimony will be made a part of the record, Mr. Mullen.

[Mr. Mullen's prepared statement follows:]

STATEMENT

OF

FRANCIS M. MULLEN, JR.

ADMINISTRATOR

DRUG ENFORCEMENT ADMINISTRATION

U. S. DEPARTMENT OF JUSTICE

ON

DRUG INTERDICTION INTELLIGENCE

BEFORE THE

COMMITTEE ON GOVERNMENT OPERATIONS

SUBCOMMITTEE ON GOVERNMENT INFORMATION,

JUSTICE AND AGRICULTURE

UNITED STATES HOUSE OF REPRESENTATIVES

GLENN L. ENGLISH

CHAIRMAN

JUNE 14, 1984

Mr. Chairman, I am pleased to appear before the Subcommittee to discuss intelligence provided by the Drug Enforcement Administration (DEA) in support of the U. S. Government's drug interdiction effort. DEA has a dual responsibility in the interdiction program. We must ensure both that the necessary intelligence is developed and disseminated to the agencies responsible for intercepting illicit drug shipments and that drug seizure cases are pursued to their full investigative and intelligence potential.

As the lead federal agency responsible for the collection and dissemination of drug intelligence, the priority of our intelligence program is to provide each component of the anti-drug effort, including international and domestic drug control, investigations and interdiction, with the intelligence necessary to effect maximum impact on the illicit drug traffic. To fulfill its intelligence responsibility, DEA collects drug-related information domestically and abroad, analyzes the information and disseminates tactical, operational and strategic intelligence to all appropriate agencies.

The effective and efficient sharing of intelligence with the diverse agencies involved is both necessary and challenging. DEA has established cooperative intelligence collection and dissemination mechanisms at each level of its operations. These mechanisms consist of the Office of Intelligence, including the El Paso Intelligence Center; intelligence groups in each DEA Domestic

Field Division; and intelligence collection, evaluation and dissemination programs conducted by DEA in cooperation with our host government counterparts overseas. Each of these elements provides important support to the interdiction efforts.

The concept and functions of the El Paso Intelligence Center and the overall DEA intelligence program were the focus of Subcommittee hearings in July and November 1983. Today, my comments will be directed to those aspects of DEA's intelligence program which provide support to interdiction forces and specifically the National Narcotics Border Interdiction System (NNBIS). In this regard, I will address DEA intelligence collection resources, the types of intelligence products that DEA provides to interdiction agencies, and the use of established mechanisms to disseminate interdiction intelligence.

Tactical intelligence is most often associated with drug interdiction and, in fact, is essential to the interdiction effort. Tactical intelligence is defined as actionable information concerning future drug or drug-related criminal acts which allows enforcement agencies to preposition resources to intercept specific drug shipments or take other quick-response actions.

Unfortunately, tactical intelligence which includes all of the elements necessary to plan a specific seizure at a particular location and specified time is the exception rather than the norm.

Although our goal is to obtain specific prior information about all illicit drug activities, including drug smuggling, we must recognize that this goal is unobtainable even if we were to commit all our resources to such an endeavor. We have, however, developed a network of resources which substantially meet the information requirements of drug law enforcement.

DEA Special Agents and Intelligence Analysts strategically located in 115 cities of the United States and 42 countries around the world, are both the primary collectors and distributors of illicit drug intelligence. These people are actively involved in ongoing liaison and cooperative intelligence programs with the Federal, state, local and/or foreign counterparts. They provide a strong network of interagency and intergovernmental resources for intelligence collection and dissemination at the local level.

DEA Special Agents in domestic field offices routinely gather intelligence in the process of their investigations and daily liaison activities with other Federal, state and local enforcement agencies. In addition, we have a number of Agents and Intelligence Analysts who are assigned to special focus intelligence activities in the domestic field divisions.

DEA Agents overseas devote approximately 55 percent of their time to bilateral intelligence activities, including intelligence collection, network management and intelligence dissemination.

One of the four primary elements of DEA's mission overseas is to develop and collect intelligence which can assist host countries, DEA, and other U. S. agencies in identifying production capabilities, processing sites, smuggling routes, and methods, traffick-ing trends, organizations, and U. S. ties. In this way, the illicit drugs can be interdicted before they reach the consumer market in the United States and those individuals and organiza-tions responsible for the drug traffic can be apprehended and prosecuted in their country.

We must recognize that the development of actionable intelli-gence is difficult under the best of circumstances. Major drug smuggling operations are clandestine, sophisticated and well-insulated from enforcement penetration. The development of information about them is usually the result of months of inves-tigative and liaison activities. Even though such obstacles exist, there is more tactical intelligence being developed and used today than ever before, as evidenced by the several major seizures during the past two years.

The El Paso Intelligence Center (EPIC), which is managed by a DEA Special Agent in Charge with Deputy Directors from the Customs Service and the Coast Guard, provides the primary vehicle for dissemination of tactical intelligence on a real-time basis to Federal agencies, NNBIS and state and local law enforcement officials.

Important to the tactical service provided by EPIC is the lookout system. Lookout information relates to anticipated smuggling actions/movements by vessels, vehicles, aircraft, and individuals. The high volume of traffic transiting our borders makes it impossible to check each person and conveyance entering the United States. However, when a subject is placed on lookout through EPIC, enforcement personnel have immediate access to information which will help in the screening process and follow-up action. As a result of the lookout system, a seizure and arrest may take place at any point along the smuggling route and at any time during which the smuggling act occurs.

EPIC provides NNBS Centers with trend and trafficking assessments, movement indicator studies, data base inventories, and all recurring EPIC reports and publications. Most importantly, EPIC transmits all vessel and aircraft lookouts to NNBS and services the NNBS Centers by responding to any specific inquiries of the various data bases available to EPIC.

Other information sharing mechanisms we use include the full-time assignment of a U. S. Customs analyst to the DEA Office of Intelligence. The Customs analyst reviews all reports received in DEA Headquarters and thus is able to identify information of interest to Customs and provide it directly to the U. S. Customs Service. As a result of this program alone during FY 1983, over 1,800 relevant DEA documents were transmitted to U. S. Customs

Headquarters and an additional 900 DEA documents have been transmitted in the first five months of FY-1984. These figures do not include items of information provided through EPIC or direct field referrals.

In addition, DEA has assigned one liaison agent to each NNBIS Operations Center and one Intelligence Analyst to each NNBIS Intelligence Center. Our participation in NNBIS ensures that information of an interdiction nature developed by DEA is made available to Department of Defense detection assets in a timely and effective manner. Close coordination of NNBIS Regional Intelligence Center activity with EPIC is essential to ensure that the regional centers both benefit from and contribute to the overall effort.

DEA's support to interdiction operations consists of not only tactical intelligence but of operational and strategic intelligence as well. This support is both active and significant, but not always readily visible.

Strategic intelligence, which represents our collective knowledge and experience concerning the drug traffic, identifies those areas and activities upon which enforcement resources can have the greatest impact. This is the framework within which the Customs Service, Coast Guard and, through NNBIS, the military may effectively deploy resources and plan interdiction operations.

Strategic intelligence includes trafficker, vessel and aircraft profiles and information concerning concealment methods, trafficking routes and drug supply trends. Examples of specific products include the following:

- o In May 1984, a Worldwide Narcotics Threat Assessment was prepared for the Joint Surveillance Committee of the NNBS Coordinating Board by DEA, with assistance from the Central Intelligence Agency, Coast Guard, Customs Service and Immigration and Naturalization Service. The report addresses the quantities of cocaine, marijuana, and heroin smuggled into the United States, the means of conveyance used to smuggle these substances into the U.S., and the traffickers' methods of operation.
  
- o DEA, supported by other federal agencies, has completed inventories of airstrips used by the international trafficking community in Jamaica and Belize. Other country studies already in various stages of planning and completion include the Bahamas, Turks and Caicos Islands, the Dominican Republic, Haiti, and portions of Colombia, Peru, Bolivia and Mexico.
  
- o DEA's Office of Intelligence contributes extensive

information concerning illicit drug production and trafficking trends which is used by the U. S. Coast Guard and U. S. Customs Service to develop threat assessments.

- o Each issue of the DEA Monthly Digest of Drug Intelligence and the DEA Quarterly Intelligence Trends includes three or more articles on subjects of interest to NNBS.

We must have a strong and professional capability and uniform presence to seize drugs at our borders by "cold hits". This capability is reinforced by intelligence which allows us to examine current and anticipated smuggling methods and trends and then focus our resources at areas of greatest risk. Simultaneously, we must continue to develop case related information which will identify specific smuggling violations.

Operational intelligence identifies individuals and organizations responsible for the importation and distribution of illicit drugs and, as a by-product, provides valuable details as to the logistics of actual drug smuggling activity. Whenever possible, prior information concerning specific drug shipments is developed through the operational intelligence process. One of the many examples was the September 13, 1983 seizure of 40 pounds of heroin by the U. S. Customs Service in New York. The information leading

to the seizure was developed as a result of a cooperative investigation by DEA and the Federal Bureau of Investigation.

In conclusion, DEA has long recognized the role of interdiction in the drug enforcement program, as evidenced by our support and involvement in the interdiction effort. Although interdiction, in and of itself, will not result in long-term reductions in the availability of illicit drugs in the United States, interdiction is a valuable part of the Administration's comprehensive anti-drug strategy. Effective interdiction disrupts the drug traffic and develops intelligence and evidence which assists in the immobilization of major drug trafficking organizations. The intensive border interdiction effort will reinforce important long-range investigative and drug control programs now underway both within the United States and in foreign source and transshipment areas.

Thank you for this opportunity to discuss DEA's intelligence support to the U. S. Government's drug interdiction effort. I shall be pleased to answer any questions you or other members of the Subcommittee may have.

Mr. MULLEN. Thank you, Mr. Chairman.

DEA is the lead Federal agency responsible for the collection and dissemination of drug intelligence. Therefore, we provide each element of the antidrug effort, including international and domestic control programs, investigations and interdiction, with the intelligence necessary to effectively disrupt the illegal drug traffic.

To fulfill this responsibility, DEA has established cooperative intelligence collection and dissemination mechanisms at each level of its operations. This would mean the field and headquarters operation, as well as our foreign operations.

DEA collects drug-related information in the United States and abroad, analyzes the information and disseminates tactical, operational, and strategic intelligence to all appropriate agencies.

Strategic intelligence identifies those areas and activities upon which enforcement resources can have the greatest impact. Using this framework, agencies can effectively deploy resources and plan operations. Strategic intelligence includes: trafficker vessel and aircraft profiles and information concerning concealment methods, trafficking routes, and drug supply trends.

Operational intelligence identifies individuals and organizations responsible for the importation and distribution of illicit drugs and, as a byproduct, provides valuable details of drug-smuggling activity. Whenever possible, prior information concerning specific drug shipments is developed through the operational intelligence process.

Tactical intelligence is most often associated with drug interdiction and, in fact, is essential to the interdiction effort. Tactical intelligence is defined as actionable information concerning future drug or drug-related criminal acts. This allows enforcement agencies to preposition resources to intercept specific drug shipments or to take other quick response enforcement actions.

The El Paso Intelligence Center—or EPIC—is the national focal point for dissemination of time-perishable tactical intelligence concerning maritime, air-borne, and overland smuggling attempts.

This information is gathered and reported by DEA special agents in domestic field offices in the process of their investigative and liaison activities.

In addition, our agents overseas devote over one-half of their time to bilateral intelligence activities, including intelligence collection, network management, and intelligence dissemination.

DEA foreign offices develop intelligence which assists host countries and U.S. agencies in identifying production capabilities, processing sites, trafficking organizations, and smuggling routes and methods. At the same time, we are working to help foreign governments strengthen their own enforcement and intelligence-gathering capabilities. In this way our ability to intercept illicit drugs and apprehend those individuals and organizations responsible is expanded well beyond what DEA or the U.S. Government alone could achieve.

The impact of foreign government law enforcement action is graphically illustrated by recent events in Colombia. This is, in part, Mr. Chairman, one of the cases to which you referred in your statement.

Since March of this year, Colombian officials have mounted two raids against major cocaine processing plants which have resulted in the seizure of over 13 metric tons of cocaine. This quantity of cocaine is roughly equivalent to one-fifth of the estimated annual supply of cocaine to the United States.

The development of actionable intelligence about drug-trafficking organizations is difficult under the best of circumstances. This information is usually the result of extensive investigative activity. Criminal organizations are highly compartmented and frequently restrict knowledge of operations to a strict need to know.

The development of actionable intelligence concerning smuggling by general aviation aircraft is particularly difficult. It is harder to detect than maritime smuggling because fewer people are involved and loading and unloading may occur in minutes at any one of hundreds of remote airstrips. In many cases, aircraft do not land but make airdrops to awaiting vessels or vehicles. The number of possible air routes available to the smuggler is unlimited.

Even though these obstacles exist, there is more tactical air intelligence being produced today than ever before.

Mr. Chairman, the extent to which actionable intelligence is being provided to interdiction forces have been the subject of several discussions between us and our staffs. You and I met on May 11. As agreed at this meeting, our staffs met again to review DEA records documenting the dissemination of tactical intelligence to support air interdiction.

This review focused on 69 examples of tactical air intelligence. Only three met the criteria provided by the subcommittee. We believe, however, that we are doing more in the area than the review indicated. Accordingly, we identified the number of times EPIC passed to interdiction agencies actionable intelligence on smuggling by general aviation aircraft. This intelligence was developed by DEA and included all of seven elements:

- One, suspected drug involvement.
- Two, the tail number of the aircraft.
- Three, the location of departure.
- Four, the estimated time of departure.
- Five, the route of travel.
- Six, the location of arrival.
- Seven, the estimated time of arrival.

I believe the results of this analysis will provide better insight into the support we provide.

From February 1983 through May 1984, DEA developed over 59,000 separate pieces of information relating to the movement of private aircraft in Latin America. After analyzing the information, a total of 990 aircraft were identified as actionable targets.

EPIC telephonically passed 851 of these targets to the U.S. Customs Service. As a result, 38 of the aircraft were seized. Eight additional aircraft crashed en route. DEA received no feedback on the remaining 805 targets. From this, we must conclude that, the target was intercepted but no drugs were found; a response was attempted without success; or there was no response possible.

In contrast, a much better seizure rate—25 percent as opposed to 4 percent—was achieved for actionable maritime targets referred by EPIC. The difference between air and maritime seizures does

not reflect the quality of intelligence but rather the inherent differences in dealing with aircraft versus vessels. Vessels are more vulnerable because they are slower moving, more easily tracked, and involve more people.

As with all aspects of the antidrug effort, we must constantly strive to improve the impact of our efforts. In addition to improving the availability of timely and accurate intelligence, we must also work to use the intelligence that is available in the most effective way possible. In this regard, I initiated a meeting of the top law enforcement officials from seven Latin American countries on June 9 and 10, 1984, in San Juan, Puerto Rico. We met to develop a coordinated regional strategy against Colombian trafficking organizations who, based on our intelligence, are moving operations into neighboring countries. Strategy planning of this magnitude would not be possible without accurate, timely intelligence. Our efforts will ensure that the steps being taken by Colombia have a major impact on the drug traffic.

I thank you for this opportunity to discuss DEA's intelligence support to the interdiction effort, and I shall be pleased to answer any questions that you or any other members of the committee who may appear may have for me.

Mr. ENGLISH. Thank you very much, Mr. Mullen.

Could you provide some examples of tactical air smuggling intelligence? I am not asking you to use the actual case, obviously, but examples of the type of case where the Drug Enforcement Administration supplied tactical intelligence to Customs. I believe you mentioned three in your testimony.

I am talking about over the past year.

Mr. MULLEN. I didn't mention three specific cases; I mentioned three types—

Mr. ENGLISH. Right. Could you use, without referring to the specific case, the type or example of the type of information that DEA provided Customs in those cases?

Mr. MULLEN. In all three or just the tactical?

Mr. ENGLISH. Tactical.

Mr. MULLEN. I wouldn't be able to give a case specific at this time; I could provide some for the record, unless one of my staff has a document with some cases.

I am told your staff reviewed the material with my staff. I did not bring the examples with me. I can provide them for the record.

Mr. ENGLISH. OK, if you could provide those three examples for the record, that would be fine.

[The material follows:]



U.S. Department of Justice  
Drug Enforcement Administration

Washington, D.C. 20537

AUG 21 1984

Honorable Glenn English  
Chairman, Subcommittee on Government  
Information, Justice and Agriculture  
U. S. House of Representatives  
Washington, D. C. 20515

Dear Mr. Chairman:

On June 14, 1984, I testified before the Subcommittee on Government Information, Justice and Agriculture on DEA's intelligence support of narcotic air interdiction efforts. Several issues were raised during that hearing which required written responses for the record. Our responses to these issues are attached with one notable exception; that is, a review of the 203 U. S. Customs air interdictions referred to in your opening remarks.

Based on the Subcommittee's investigation, you stated that none of the 203 air interdictions made by Customs last year was detected based on tactical intelligence that had been received from DEA. During my testimony, I expressed concern about this finding and offered to examine these cases to determine whether or not DEA records indicate our information was used to assist the interdictions. Unfortunately, we have not received the listing of the aircraft seized in those interdictions despite the efforts of your staff to obtain them from the U.S. Customs Service. Until we are able to examine these cases, we must conclude that the allegation concerning the lack of DEA intelligence in the U.S. Customs air interdictions is unsubstantiated.

In the interest of responding to your inquiries in a timely fashion, our responses to the other issues raised during the hearing are attached.

Thank you for the opportunity to provide the views and perspective of the DEA on this most important issue.

Sincerely,

  
Francis M. Mullen, Jr.  
Administrator

Enclosures



U.S. Department of Justice  
Drug Enforcement Administration

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Washington, D.C. 20537

OCT 18 1984

Honorable Glenn English  
Chairman, Subcommittee on Government  
Information, Justice and Agriculture  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

This will follow up my August 21, 1984 letter to you concerning issues raised at your June 14, 1984 hearing on intelligence support on narcotic air interdiction efforts. At that hearing I requested additional time to respond to your statement that, based on a subcommittee investigation, "none of the 203 air interdictions made by Customs last year was detected based on tactical intelligence that had been received from DEA."

On August 21, 1984, subcommittee staff provided us with the U.S. Customs document from which your finding was derived. The document was a listing of 507 numbers identified as "Master Key" references. We were advised by your staff that this listing included 212 "aircraft interceptions," not interdictions as stated during the hearing, and that two of them were made with prior intelligence furnished by DEA. The document also listed FAA registration numbers for these by aircraft, however, there were 223 entries for which the registration number was "unknown." Excluding these and the numerous duplicate numbers on the list, we identified 142 discrete N-numbers from the information provided by Customs. We then searched EPIC data systems to determine what, if any, DEA intelligence was passed or available to U.S. Customs on these aircraft.

We identified 78 drug related aircraft seizures from the total list of aircraft identification numbers (which includes 10 aircraft crashes). We further determined that DEA alone or in cooperation with other agencies, including U.S. Customs, had developed tactical intelligence which was passed or available to the U.S. Customs Service on 40 of the 78 seizures (see attached chart). Seven of these satisfied the definitional requirement for "tactical intelligence;" another 19 were

Honorable Glenn English

tactical in nature but lacked at least one of the information elements needed to position interdiction resources. In addition, we found 14 incidents in which tactical intelligence was available through EPIC but for which documentation of its passage to U.S. Customs was incomplete.

I recognize you are most interested in determining the adequacy of tactical intelligence which directly leads to a given interdiction. While our research substantiated that tactical intelligence was passed to U.S. Customs on many of the aircraft they seized during FY-83, we cannot determine if a given piece of intelligence leads directly to a given interdiction unless we know the date and location of that interdiction. That information was not made available to us.

It should be noted that EPIC records document a total of 270 aircraft seizures in the United States during FY-83, most of which were drug-related. I believe these figures, as well as our analysis of the 212 air interceptions reported to you by the U.S. Customs Service reflect favorably on our efforts to provide intelligence support for the narcotics air interdiction program. I hope this information will be useful to your continuing oversight of this most important and complex issue.

Sincerely,

*Bud Mullen*

Francis M. Mullen, Jr.  
Administrator

Enclosure

Source and Nature of Intelligence  
Passed or Available to U.S. Customs  
on  
40 Air Interdictions made during FY-83

	DEA	DEA/ US Customs	DEA/US Customs/ State or Local Agencies		
Tactical	3	3	1	=	7
Partial Tactical	1	7	11	=	19
Other	<u>3</u>	<u>5</u>	<u>6</u>	=	<u>14</u>
	7	15	18	=	40

Tactical

Documented passage of intelligence on aircraft movement which provides sufficient information to position interdiction resources on a timely basis.

Partial Tactical

Documented passage of intelligence on aircraft movement which is tactical in nature but missing some element(s) which thus makes it unable to serve as the basis to position interdiction resources.

Other

Tactical information on aircraft movement is in EPIC data systems, however, its passage to an interdiction agency cannot be documented.

Source: EPIC

Mr. ENGLISH. Of those three there may be a difference of opinion between the staff of DEA and the staff of the committee with regard to whether or not those were actual examples of tactical intelligence. I think we are a little on the marginal side.

Mr. MULLEN. Mr. Chairman, I do believe there is, perhaps, a difference of opinion with regard to your staff and those of us at DEA as to what constitutes tactical intelligence, and I believe it is narrowed a great deal by your staff to the point that the tactical intelligence furnished must result in the scrambling of interceptor aircraft or something of that nature. We would think that the definition should be much broader than that.

Mr. ENGLISH. I think what we interpret it to be is not necessarily where they would actually scramble an aircraft to go up, but information that could enable Customs, if they had planes available, to scramble more selectively.

As I mentioned, they have only eight aircraft across the whole Southern border of the United States that are really capable of making intercepts. But if they had the aircraft available and if they received the information in time to scramble, then that would be better.

Can you tell me, Mr. Mullen, how much of an impact the lack of capability by the Customs Service has had on the Drug Enforcement Administration's decision to allocate resources to deal with this problem? Surely the Drug Enforcement Administration recognizes that there are only eight aircraft down on the Southern border which are capable of really responding to the information.

I know that DEA, like everybody else in the war on drugs, has limited resources. How much of a negative role has that played in the decisions by the Drug Enforcement Administration to focus some attention and time on trying to provide tactical intelligence to Customs?

Mr. MULLEN. I am not real clear on the question, Mr. Chairman. I will attempt to answer it.

If the question is what steps have we taken to acquire resources because Customs lacks the resources—

Mr. ENGLISH. No. Let me go through that again.

What I am getting at is this, Mr. Mullen. I know that DEA has recognized the fact that the Customs Service has only eight aircraft that can respond to any type of intrusion by a suspected drug smuggler, and that those aircraft may or may not be in the correct location to make intercepts.

That lack of resources means that many times, if not a majority of the times, they may not be able to respond.

The question that I have is: Given those facts, given the fact that the Drug Enforcement Administration has understood that fact, and given the fact that the Drug Enforcement Administration has a limited amount of resources that it can spend in terms of intelligence people working on different types of projects, and that they have more projects than they have people.

How has that entered the equation and entered the formula? Has this—in other words, has the Drug Enforcement Administration spent a very small amount of time on what we would define and what you have defined to be tactical intelligence for Customs

due to the fact that you recognize that they don't have the resources to respond?

Mr. MULLEN. I understand the question.

This has not been a factor because the type of tactical intelligence that DEA would furnish would come from ongoing contacts in Latin America, through interviews, through some programs we have in Latin America where we try to observe what is going on at the airports and at the seaports down there. It would not be that time-sensitive that we would restrict our activities because we would think that perhaps Customs wouldn't be able to follow up on it in the United States.

Ours would be something that would not be quite that time-sensitive, I would not put resources into an area believing that Customs couldn't respond.

So, that really has not been a factor in the effort we put out. Fifty-five percent of our effort overseas does deal with intelligence gathering, and I believe that has been fairly constant for some period of time and not influenced by the lack of available resources to pursue tactical intelligence.

Mr. ENGLISH. What you are saying then, at least the inference was, that DEA overseas has not focused any special attention upon gathering tactical intelligence for the Customs Service; is that right?

Mr. MULLEN. Oh, no; I didn't say that. We are gathering tactical intelligence on a regular basis, and we are gathering substantial tactical intelligence. The nature of this intelligence is not that a plane in the air at a given moment. Nor do we question will Customs have the capability to interdict. We assume that they do have this capability, and so we would furnish it. But many times we have some time to prepare, not only Customs but other law enforcement agencies.

So, I am answering your question by saying that we are not gearing the degree to which we attempt to gather intelligence on the availability of Customs' resources to respond to that intelligence.

Mr. ENGLISH. To follow up on that a little bit further, as I understood what you said, it was that roughly 55 percent of the time of your people overseas is spent on gathering intelligence that would be valuable, I assume, to the United States. Is that correct?

Mr. MULLEN. That is correct.

And valuable also to the foreign countries.

Mr. ENGLISH. And to the foreign country that is involved.

Now, in following through this, and I want to give you the chance to clear this up—the impression I got is that you don't really put any time aside and say, "OK, we are going to focus upon trying to gather intelligence that is going to be time-sensitive, tactical intelligence that is going to be used in drug interdiction." It is more that through your intelligence-gathering process that you have in those foreign countries, if you come across information that might fit into this mode, then you would pass it on. But you don't give it any special attention; is that correct?

Mr. MULLEN. No; that is not correct, Mr. Chairman. We do have some special programs devoted to this specific area. The programs are of a sensitive nature, both with regard to oceangoing vessels

and to aircraft. I do believe your staff is aware of these, but in a closed session, I would be happy to discuss them.

Mr. ENGLISH. I don't want to get you into that.

Mr. MULLEN. And, these programs are designed to obtain time-sensitive tactical intelligence information.

Mr. ENGLISH. For air?

Mr. MULLEN. For air and for sea.

Mr. ENGLISH. OK. Is there a special allocation of time? In other words, you say, "OK, we have 55 percent of the time that is roughly spent on gathering intelligence; of that, we are going to use 10 percent of that or 20 percent trying to focus on gathering this time-sensitive intelligence," or is this just, as I mentioned earlier, something that comes about as a result of other intelligence gathering?

Mr. MULLEN. Well, we wouldn't beforehand say that we are going to put 10 percent of our time on this and 20 on that.

We assess the need and implement the program based on whether or not it can be effective or be a useful program, and then it would be after the fact that we would determine how much time we did spend in that area. If we found that a certain program, for example, was working well and was of benefit, then we would spend additional time. I can point to a specific, sensitive operation we have on the west coast that has been furnishing substantial information to El Paso, and thereafter to the NNBIS center on the west coast.

I have received a letter from Admiral Murphy indicating that this was a very positive program and has helped their program, and we have been asked to expand that to other countries, so this is the type of thing—if something can work well and is a valuable use of resources, then we will implement that program, but I wouldn't say that we will do it just because that deserves 5 or 10 percent of our time.

Mr. ENGLISH. But that specific program that you were mentioning—did that have to do with air?

Mr. MULLEN. Air, yes.

Mr. ENGLISH. It was an air program—the one that you just mentioned, the specific program through EPIC?

Mr. MULLEN. Yes.

Let me check to be sure on that.

I am informed that it is both—vessel and air.

Mr. ENGLISH. Is that DEA intelligence gathering or is that intelligence gathering by another department or agency?

Mr. MULLEN. A DEA intelligence-gathering operation in conjunction with some foreign governments.

Again, I would be happy to identify that to your staff.

Mr. ENGLISH. I have a question with regard to the other tactical intelligence-gathering efforts that you were mentioning were taking place in foreign countries.

Are you saying that those are DEA operations specifically or are these operations being carried out by other departments and agencies where you may have DEA personnel present?

Mr. MULLEN. It involves three factors: DEA agents specifically; sources of DEA in foreign countries; and some foreign police agencies.

Mr. ENGLISH. Would those be the principal elements in these intelligence-gathering operations, the ones that you are talking about that provide the tactical intelligence? It would be principally a DEA operation with DEA agents, not operations of other agencies in which DEA agents may be present?

Mr. MULLEN. That is correct.

Mr. ENGLISH. I think we want to visit with you off the record a little bit, Mr. Mullen.

As you know, this subcommittee visited EPIC last summer, and we received some briefings. In one briefing we got some examples of how EPIC disseminates tactical intelligence. The one factor, though, that each of these examples relied on was the fact that you needed an inquiry. An inquiry had to be made by somebody before EPIC would send the information.

The problem, of course, is that if you have a suspect out in the field and law enforcement officers are not aware of that individual, whether Federal, State, or local, and they are not aware that that individual may be a suspect as far as EPIC is concerned, then they don't know to make an inquiry.

So, I guess the question is: Why doesn't EPIC provide routine, unsolicited information anytime that they receive information that would fit into this category? Why does a law enforcement official have to solicit the information? Why wouldn't it be automatically provided to the law enforcement officials in that area or region?

Mr. MULLEN. That just doesn't make any sense.

Mr. ENGLISH. I didn't think so, either. I quite agree.

Mr. MULLEN. That is the way it appears to you; and that is the way it appears to me.

You may be referring to separate types of intelligence, and I believe that is the case. If we have information that an event is going to occur, an aircraft is coming in, a vehicle or a vessel, we will furnish that without waiting for a request. It just wouldn't be good law enforcement to hold information and wait for somebody to ask for it.

I think you may be referring to our Lookout Program where we do have individuals on lookout, who are suspects or suspect vehicles or aircraft. Upon request, we furnish that information because we do not have a positive indication at that particular time that that particular individual, vehicle, aircraft, or vessel is taking part in activity at that time. We have many thousands, I am told, of all types of lookouts in fiscal year 1983 that total over 10,500. So, in those cases we do have some intelligence indicating drug trafficking activity but not substantial enough information to say where this is going to occur. In those cases we probably would wait for an inquiry.

But if we have definitive information that an event is occurring, we make that known; we do not wait for an inquiry.

Mr. ENGLISH. What we are looking at, of course, is the briefing that we were provided. I might say that that was in good part comprised of a slide show, so you might want to take a look at the slide show that has been put out.

As I said, it was being billed to us as tactical intelligence. Obviously—as you know, we don't consider a lookout to be tactical intel-

ligence. It doesn't meet the definition that you just gave earlier and certainly one that we look at.

But you might check out the slide show. From the examples that we were given through that show, all depended on inquiries being made into EPIC, as to the response.

The other part of that, I might say, is that after that same visit to EPIC, we also went on to the west coast and we visited with law enforcement officials there, both Customs, NNBIS, and so on. We did not find any law enforcement officials out there who said that they had ever—not just in the last year—received a call from EPIC providing them with tactical intelligence, the type of intelligence you and I are talking about. You might want to take a look at that.

Mr. MULLEN. Of course, I am very proud of EPIC, and I think it is an outstanding concept and is working well and is an area we are continually trying to improve.

But with regard to the officials you talked to, it could well be that the information came from EPIC but went to the FBI or went to Customs or went to DEA, and then that entity, then, called in the local authorities needed to assist in the operations.

So, it may be that a specific individual out there didn't receive the intelligence directly from EPIC, but the source could well have been EPIC. Of course, this would be very difficult to assess, and if we tried to identify every time EPIC furnished information and track back as to who gets credit for this particular bit of information, then we would spend an awful lot of our time on form rather than substance.

I just can't believe that is a valid criticism by these individuals. I do believe they made the statements, of course, but I just don't think it is valid because EPIC has furnished substantial information to many entities throughout the United States.

Mr. ENGLISH. This particular one I was thinking about made an impression on me because it was in California and he was the Regional Commissioner for Customs. That information was not even solicited from him; he volunteered it.

I did inquire with Admiral Shubert, the head of NNBIS out there, and the same was true. Of course, NNBIS hadn't been there that long. As you know, he has been in the Coast Guard for a long time, and they have also played a role in the drug interdiction for a long time, particularly as far as marine activities are concerned.

So, you might want to check on that.

Mr. MULLEN. I will.

Mr. ENGLISH. Somewhere there is a connection that is not being made. I don't know whether that information is having to be filtered from a tactical standpoint, whether EPIC is trying to send it to DEA agents and then DEA is supposed to tell somebody else. If that is true, that raises more questions with regard to coordination and cooperation. Obviously, the more people you have to go through to get the information to somebody on time—perishable information, well that just jeopardizes the whole concept.

Mr. MULLEN. That is just what we are trying to avoid.

I did review the testimony of the NNBIS officials before your committee, and many indicated they were not receiving intelligence from DEA, but here again I can say that they may have received this intelligence from the El Paso Intelligence Center and

may not have been aware that the original source was DEA. I believe this could occur and perhaps is occurring.

Mr. ENGLISH. Of course, we come right back to those 203 interdiction arrests that we were talking about earlier. We don't have any EPIC involvement in tactical information being provided in any of those.

Mr. MULLEN. That particular statement is of concern to me, and working with your staff I would like to identify those 203 incidents and, perhaps with your staff, with the DEA staff, and with Customs, we could resolve once and for all—

Mr. ENGLISH. That is all 203 air seizures that Customs made last year.

Mr. MULLEN. I follow very closely seizures that are made, especially the major seizures, and virtually without exception I have found that the major seizures of cocaine—and I go all the way back to the 3,750 pounds that were seized off the Tampa/Colombia Airlines about 1½ years ago that was based on DEA information—are this way time after time after time; and that is why I am puzzled when I hear we have 203 and no DEA involvement. It just doesn't seem that that could be the case when we are the primary agency for gathering intelligence.

Mr. ENGLISH. If I remember correctly, that was an airline example, which doesn't fit into what we are looking at: interdiction of private aircraft.

Mr. MULLEN. Correct. I just use it to make the point that we—intelligence does result in some very substantial seizures on occasion.

Mr. ENGLISH. But the point that we are getting at, Mr. Mullen, is that here we have these statistics. Roughly half of all the cocaine that is coming into this country is coming in by air, and it is coming in by private air. That is not on airliners or whatever.

That being the case, we have these estimates. The Customs Commissioner estimates 2,500 up to what some people are saying may be as high as 18,000. Whatever the number is, there are a lot of private airplanes that are coming into this country, you know, and there is an awful lot of cocaine. If we can do something to deal with that problem, to effectively respond to that threat, we are going to eliminate an awful lot of the cocaine that is coming into this country. We are going to relieve you of a great deal of the burden that you have because once it gets into this country, then it is your responsibility to deal with it.

So, that is the reason that we have got to focus on the private aircraft because that is where the bulk of it is coming in as far as air is concerned.

Mr. MULLEN. You are correct, Mr. Chairman, in what you say.

I think, though, that we have to understand the type of intelligence that DEA does furnish. I know that you do not regard the Lookout Program as tactical and, perhaps, it is not but it is a very valuable resource and it is good law enforcement. It makes good sense to know what you are going into when you are stopping a vessel. DEA does not have a radar capability; and I think your previous hearings focused on that issue. I think the type of tactical intelligence that you are focusing on in this one area—and it is an important part of the overall drug enforcement effort—perhaps

was addressed in the prior hearings—the need for more radar equipment, more military resources, more responsive aircraft.

DEA cannot help a lot in those areas. Much of our intelligence—even that which we consider tactical and operational in nature—deals with ongoing investigations and often does not require an interception. There have been occasions where we have been able to follow a load of cocaine to the point we could allow it to be interdicted by a local police department. And, I can cite specific examples of this activity. This is without requiring the intercept capabilities, for example, of NNBS or the U.S. Customs Service.

But to get that very time-sensitive information, that is, that there is an aircraft in the air; it is on its way; put some aircraft here and so forth—it is very difficult for us to obtain with the type of resources and the type of intelligence gathering we perform overseas. You are talking, I believe, more in the electronic area or the sophisticated sensitive technique area.

Mr. ENGLISH. Well, that is what we have got to focus on, Mr. Mullen.

You make a very good point, and that is the reason I wanted to raise the question. I could have understood if you had not wanted to spend a good deal of very valuable DEA intelligence gathering resources dealing with tactical intelligence when you knew there were only eight aircraft across the whole southern part of the United States, and the chances were that you probably weren't going to have one there to respond to it anyway. That, I think, made some sense, but the whole equipment equation is getting ready to change and change rather substantially.

We, in the very near future, are going to provide the Customs Service with that detection capability. They are not going to be out there just flying patrol and if they spot an aircraft using your Lookout system to check and see if that is a suspect. Of course, lookouts are a very valuable tool. They are going to become a much more valuable tool because we are going to be in a position to look, I think, at a lot more aircraft and that is going to make the system, the whole system more effective.

But they are going to have more aircraft. They are going to have the means to detect with radar. They are going to have more interceptors, and they have more helicopters that are already being modified and put into action right now.

So, that problem is being resolved. Now, to make it even more effective, we are going to have to depend on your good agency to provide more in the intelligence-gathering area. We are going to have to depend on you all a good deal more, and we are going to have to ask you to focus on this a great deal more than we have.

If we have information that is going into EPIC that is of a tactical nature, as I said—and I would agree with you wholeheartedly—they have to provide that directly. They can't be worrying about going through somebody else or waiting on somebody to give them a call to see if they might be interested in the information. They have to use it.

I would agree with you as well in being a strong supporter of EPIC. I think it is a great concept; it is a great idea. And, I want to see it enlarged and become a great deal more effective than what it has been.

I want to see it move into the area of tactical intelligence actively. I think that it can fulfill a great potential. I think until now it has been primarily strategic intelligence, but I think it has great potential for tactical. That is particularly true as it relates to air.

Mr. Mullen, what would you think of a regional orientation at EPIC which would make it more immediately responsible to the needs of Federal, State, and local interdiction agencies?

Mr. MULLEN. I would not be opposed to going to a regional concept, and I think we could do this with very few additional personnel. We are looking at this possibility right now. I am not aware of whether or not this has been discussed with your staff.

As you know, 49 States are now on line at EPIC. I believe it is 49. Vermont was about to sign. I thought that may have occurred this past week. The only State not involved in EPIC is Pennsylvania, and that is because of that particular State's freedom of information and privacy laws, but they have not come onboard.

But a more regional focus could be achieved, and I would certainly be open to studying any proposal or taking a look at this. We do—and here is where we get the requests—if a particular region of the country wants an intelligence assessment as to what routes are being used, or the type of drugs coming into a particular area, these can be obtained upon request from El Paso. I don't want to send them out unsolicited. It may be that an area is already aware of what their problem is and doesn't need this type of assessment, but these are available at this time.

Mr. ENGLISH. Would an arrangement such as I mentioned about EPIC reduce some of the duplication and confusion that presently we see with the IICC operation in each of the NNBIS regional offices? You, of course, cited that in your January 31 memo to the Attorney General.

Mr. MULLEN. I would have to consult with my intelligence unit. If I could answer that for the record, I would like to do so.

Mr. ENGLISH. We would appreciate that.

Without objection, that material will be inserted into the record at this point.

[The material to be supplied follows:]

The El Paso Intelligence Center, which has been in operation since 1974, is designed to meet the needs of Federal, state and local law enforcement agencies involved in narcotic investigations and interdiction. The national orientation of EPIC is necessary to maintain the data base, flexibility and rapid response capability which will best meet those needs. Because of the international character of drug smuggling, the broad focus of EPIC enhances rather than restricts responsiveness to regional intelligence needs. Through EPIC, the states and regional offices of Federal agencies are provided access to worldwide information collection resources which are beyond regional capabilities, yet are critical to regional interdiction efforts. In addition, EPIC responds to requests for regional analysis and reporting.

The IICCs were established as part of the NNBIS regional operations approximately one year ago to coordinate intelligence between interdiction agencies and Department of Defense detection assets on a regional level and between the NNBIS Regional Operations Center and EPIC. Any duplication of established EPIC functions and confusion concerning the role of the IICCs versus EPIC has been alleviated, to a large extent, as NNBIS regional operations become more firmly established and IICC personnel become more experienced. This coordination process is facilitated by the fact that the same agencies which make up the IICCs have been participants at EIPC since its inception.

No change is anticipated in the orientation at EPIC; however, the addition of regional desks to the existing EPIC structure is being studied to enhance data flow and investigative coordination. Regional desks at EPIC would require additional re-

sources and would not, in and of themselves, prevent potential duplication of efforts by the IICCs.

Mr. ENGLISH. I might say that I am concerned about what I see is a fragmentation of the intelligence effort that seems to be the direction we are drifting into. Everybody wants to set up their own intelligence operation, and I think that that makes it much more difficult to coordinate and cooperate among Federal agencies. It is something that I think in the long run is going to promote disharmony and difficulties.

So, I think that it would certainly be in the country's best interest if you all would take a hard look at this and try to determine how we could bring together under the EPIC umbrella all these intelligence-gathering activities so that we can truly have a coordinated intelligence response. I think it is very, very important.

Mr. Lewis?

Mr. MULLEN. If I could respond to that.

Mr. ENGLISH. Sure.

Mr. MULLEN. I believe you are right on track. I believe we need a national cohesiveness, a national thrust, and yet be responsive to local and State needs; so I will pursue this particular issue.

Mr. ENGLISH. Mr. Lewis?

Mr. LEWIS. Thank you, Mr. Chairman.

I would like to discuss with you, Mr. Mullen, your comments regarding the level of coordination between the Federal agencies involved in NNBIS and the matter of intelligence sharing between those Federal agencies and local and State law enforcement agencies.

How would you assess the efforts of the Southeast NNBIS force as regards to these two areas—coordination of effort and intelligence sharing to the State and local law enforcement officials?

Mr. MULLEN. I would prefer that NNBIS officials comment on their coordination with State and local officials, but I would assess our relationship with NNBIS in the Southeastern United States as being effective. From my viewpoint, if there was an area that called for a NNBIS-like operation, it is the Southeast United States, particularly Florida, because of the heavy activity in the Caribbean and throughout the Southeast.

But with regard to the current NNBIS relationship with State and local agencies, I would have to defer to NNBIS to comment on that. I should say that DEA's relationships with other Federal agencies, with State and local authorities are outstanding. I believe this is the case from the Florida Department of Law Enforcement on down to each sheriff's office and police department.

Mr. LEWIS. Well, that was my next question.

Are you also aware that I held a south Florida law enforcement conference in Palm Beach Gardens, FL, which is in my district, in conjunction with the Subcommittee on Narcotics Control last month?

Mr. MULLEN. I am aware of that.

Mr. LEWIS. During that conference, specific concerns of local law enforcement were addressed; namely, the need for better communication and coordination among all of those involved with drug law enforcement.

As a result, I formed an ad hoc liaison committee to include representatives from Florida's southeast NNBS force and the State of Florida's Department of Law Enforcement, as well as a broad representation from local and State and county and city officials.

This ad hoc committee has already held one meeting to basically discuss the operations of NNBS and the functions of the different agencies involved.

In addition, the committee has discussed ways to improve communication between them.

One of my sheriffs, Sheriff Willey, is the chairman of the ad hoc committee, and we have Wayne Dickey, who is the vice chairman from the State department of law enforcement, to serve as vice chairman.

The ad hoc committee is not in any way attempting to build another bureaucracy or establish any redtape. The structural overall concept is to enforce and enhance communication and intelligence sharing and to break down some of these barriers.

I would like to hear your comments as to what you think the effectiveness of an ad hoc liaison committee would be, especially since other hearings and conferences are going to be held throughout the United States to try to possibly create some of these ad hoc committees.

Do you think there is a possibility to have a concrete improvement between Federal agencies and the State levels, such as is being enjoyed with the DEA and local and State officials?

Mr. MULLEN. Yes; at the local level and for particular areas, they can be very effective. It appears to me that what this committee is doing is paralleling the Law Enforcement Coordinating Committees set up by the Attorney General in each of the 94 districts.

But these bring in the top officials to discuss policy priorities and so forth in a given area. Your ad hoc committee would appear to take in other entities in a broader band of local agencies within a particular district.

These things seem to come full circle. You mentioned the name, Sheriff Willey. I am a member of his narcotics committee on the National Sheriff's Association, and we often discuss coordination and interaction. At the same time, I am working with the State Drug Enforcement Alliance, and a high level official from the Florida Department of Law Enforcement, Jim Nurcey, is the current president of that group. He is a member of my narcotics committee which I chair for the International Association of Chiefs of Police, so there is interaction and discussion, let's say, of a national nature. But the type of committee you describe, I think, could be effective if localized in addressing problems in a given area, such as in southeast Florida.

Mr. LEWIS. They have already had one meeting which has really opened the lines of communication and it certainly looks like there will be a greater improvement.

Mr. MULLEN. It does sound that way, yes.

Mr. LEWIS. I think I ought to say, Mr. Mullen, for your benefit at this hearing that many of the local law enforcement agencies made many statements. When you mention the South Florida Task Force, they say that they have heard about it on television or on the radio or read about it in the newspapers. But all but one local

law enforcement agent, who was questioned or who brought forth statements at this conference, pointed out that the cooperation and the help and assistance from the DEA was above and beyond the call, and they sincerely appreciate it. I just thought you ought to know that.

You get kicked around enough, so you ought to know some of the good things.

Mr. MULLEN. Congressman Lewis, that is certainly gratifying and it makes this whole hearing worth it. I thank you for your comments.

Mr. LEWIS. Thank you and thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Lewis.

Mr. Mullen, I think I would like to move on and take a look at the future. We did that a little bit ago, pointing out all the resources that the Customs Service is destined to receive, at least hopefully will receive over the next few months. That is going to change things considerably.

Have you talked to your people about it being possible to substantially increase the amount of time-sensitive information, what we have been discussing here as tactical intelligence—will we be able to provide those radar units up there with windows indicating when we can expect that aircraft are likely to be moving in their general direction and area?

Mr. MULLEN. Yes, I do. We have had input from your subcommittee, and I believe they will confirm that we are willing to listen and to try new techniques. You touch on a very critical area for the future. With the last class of new agents that entered on duty in the Drug Enforcement Administration, we are now at the strength we were at in 1977. We are finally getting the personnel, and I think we will have additional resources available to gather this intelligence. We are also trying to strengthen our intelligence analysts corps. At the same time we are increasing our personnel in several Latin American countries, specifically in Colombia where we are putting in additional agents.

Mr. ENGLISH. In focusing more attention on this, as far as DEA is concerned, will there be a requirement for any additional equipment as far as the Drug Enforcement Administration is concerned?

The thing I am thinking about primarily is communications equipment. Many of these areas, particularly if you start providing intelligence out of those regions, are not where you can pick up a telephone and give somebody a call. You have some very limited communications capabilities in some of these far off regions. Will it be necessary to focus some attention to the needs of DEA for additional equipment to carry out some responsibilities in this area?

Mr. MULLEN. I am reluctant to speak for Customs as to what their equipment needs are, but—

Mr. ENGLISH. No, I am talking about DEA.

Mr. MULLEN. DEA, yes. We have made substantial requests for equipment in 1985 and 1986 budgets, and for the most part—not entirely—are being favorably viewed, such as enhancing our automatic data processing equipment, things such as voice privacy, and other sensitive areas.

Now, I must say in some recent sensitive investigations—and we discussed those with you at your meeting at DEA headquarters

where we had to use the most sophisticated techniques—these techniques were available to us but there are limitations and we will, perhaps, need an enhanced capacity in the future in this particular area.

That is a difficult one to answer in a session such as this because—

Mr. ENGLISH. I recognize that.

I know the area that you are talking about.

In focusing on strictly providing tactical intelligence and communications directly from your people, let's say, who may be in foreign countries with, let's say, NNBIS centers—has there been an evaluation done as to how that could be linked up with immediate additional communications equipment requirements? Has DEA done any type of evaluation of what might be necessary, if anything, for an improved link between DEA and, let's say, NNBIS on providing tactical intelligence?

Mr. MULLEN. I am not aware of a study or any evaluation with that particular focus. I do know of a study being conducted with regard to an assessment of the threat, but I know that is not what you are talking about.

I do not know of an evaluation dealing with just equipment needed to communicate better between the intelligence agencies. I think it comes under the overall umbrella of our equipment request.

I can narrow the focus down to, say, the DEA and FBI wherein we are working under different radio systems. The DEA is on UHF and the FBI is on VHF. Judge Webster has been tasked by the Attorney General to make the systems compatible. We have had a study of that nature dealing with just the FBI and DEA, but I do not know of a study covering the whole intelligence entity.

I will check, though, and get back to you on that.

Mr. ENGLISH. I would urge that there both be an evaluation made of any additional needs that the Drug Enforcement Administration might need to expand considerably their efforts in providing tactical intelligence to interdiction agencies, and to also do an evaluation of how the coordination link might be strengthened so that there could be direct communications between DEA agents in the field who might have some time-perishable information and perhaps some specific NNBIS offices or even going straight to EPIC.

You know, I think it is important that DEA focus their attention on this with the new resources coming into the Customs Service. They are going to have the capability to actually intercept a very high percentage of suspect aircraft, and anything that we can do to narrow down and identify who those aircraft might be, when they are coming—of course, this brings in Lookout—would be extremely helpful.

Mr. MULLEN. Right now we make extensive use of the telephone, of course, but there is some research going on with regard to the type of communication you discuss. I am having a hard time deciding in my mind which is classified and which is not, so I will answer that one for the record.

Mr. ENGLISH. Very good. I appreciate that.

Without objection, that information will be inserted in the record at this point.

[The material follows:]

DEA personnel assigned overseas recognize that the collection of tactical intelligence is a primary mission and they further appreciate the necessity for expeditiously passing this information to appropriate interdiction personnel in the United States. A number of means are utilized to deliver the data, the most common being international telephone, when the sensitivity of the information permits, and the secure U.S. Government teletype systems (primarily Department of State).

In addition, certain other sensitive communication links have been tested and are now operational to provide real-time communication capability via satellite between field agents and EPIC and other U.S. based communication centers. These units are designed to be used by Agents in the field to communicate with EPIC. At the present time, five of the units are located in important counties in Latin America and the Caribbean. Two more units will be distributed in the coming weeks.

Mr. ENGLISH. Mr. Mullen, I have a copy of the memo that you wrote in January. I would like for you to take a look at it and identify it for the record.

I have some questions that I would like to ask you about it.

[Witness examines document.]

Mr. MULLEN. It appears to be the memo submitted by DEA with my approval to the Attorney General.

Mr. ENGLISH. We will then make that, without objection, a part of the record at this point.

Mr. LEWIS. I have no objections, Mr. Chairman.

Mr. ENGLISH. OK.

[The material follows:]

NNBIS--Major Changes Needed

The grandiose claims of the National Narcotics Border Interdiction System (NNBIS) are beginning to discredit and devalue the efforts of the Administration's numerous drug control programs. False credit claimed by NNBIS spokesmen, demoralizes the personnel working for a number of Federal agencies whose bona fide accomplishments either go unrecognized or are relegated to second place by the unwise overemphasis on NNBIS and the South Florida Task Force interdiction programs. As presently constituted NNBIS activities range far beyond their stated mission to facilitate obtaining military and intelligence community assistance for the interdiction functions of Customs, Coast Guard, and DEA. Beyond obtaining this assistance, NNBIS has made no material contribution to the Administration's interdiction efforts -- nor should it. Yet the credits claimed by NNBIS create the impression that NNBIS is operational in virtually all aspects of drug law enforcement. Such impressions, reinforced by unbridled activities of NNBIS regional coordinators as well as Admiral Murphy, are confusing foreign, state, and local law enforcement officials who see NNBIS encroaching on the mission functions mandated principally to the Drug Enforcement Administration. Direct collection of intelligence by NNBIS representatives exemplifies this encroachment on DEA's mission.

By statute (21 U.S.C. 273), the Attorney General is mandated to cooperate with state, local and Federal agencies concerning traffic in, and suppression of the abuse of, controlled substances, and he is authorized to arrange for the exchange of information by the officials of such governments and maintain in the Department of Justice a central repository for all such information and to disseminate it to state, local and Federal agencies.

In transmitting Reorganization Plan No. 2 of 1973 to the Congress, the President of the United States emphasized the necessity of a unified command for drug enforcement in the then newly created DEA. The President centralized in the Attorney General, acting through the Administrator of DEA, "the authority and responsibility for securing the fullest possible cooperation - particularly with regard to collection of drug intelligence - from all Federal departments and agencies which can contribute to the anti-drug work." DEA was also given the responsibility for the "conduct of all relations with drug law enforcement officials of foreign governments."

Background

The National Narcotics Border Interdiction System was established by the President on March 23, 1983. Headed by the Vice President, NNBIS was designed to coordinate the work of those Federal agencies with existing responsibilities or capabilities for interdiction of illegal drugs as they approach or cross our borders. NNBIS was ostensibly modelled on the South Florida Task Force to expand coordinated interdiction efforts nationwide and to complement the Attorney General's Organized Crime Drug Enforcement Task Force Program.

Admiral Daniel Murphy, Chief of Staff to the Vice President, has responsibility for running NNBIS. Six NNBIS regions, including South Florida, have been established to facilitate certain interdiction operations of participating Federal agencies. A senior official from Customs or the Coast Guard runs each of the NNBIS regions. Both DEA and the FBI have assigned one agent, and DEA has assigned one analyst, to each of the six NNBIS regional centers. Since the official activation of NNBIS on June 17, 1983, a number of incidents and major problems make us believe that a clear definition and reassessment of the NNBIS mission would better serve the Administration's overall drug control program.

#### Documented Incidents

(1) On December 14, 1983, under the aegis of the NNBIS program, U.S. Ambassador Dobriansky, U.S.C.G. Admiral D. C. Thompson (NNBIS Coordinator of the S.E. Region), INM Deputy Assistant Secretary Jon Thomas, and U.S.C.G. Captain Nick Schowengerdt (Director of NNBIS) met with Bahamian Minister of Foreign Affairs Paul Adderly. The principal area of discussion concerned U.S. support to enhance Operation BAT. Operation BAT is a DEA initiative begun in March, 1982, one year before NNBIS was announced. Neither DEA nor DOJ was invited to participate, and DEA was told that he did not need to be involved. Yet commitments were made for DEA.

(2) In November, 1983, Admiral Murphy visited Mexico to persuade the Mexicans to provide NNBIS information useful to NNBIS' interdiction mission. Luis Porre Petit, Second Deputy Attorney General, and Antonio Sam Lopez, Narcotic Coordinator for Mexico, advised me on January 27, 1984, that they are fully satisfied with their relationship with DEA and the exchange of intelligence. They said they were confused by Admiral Murphy's overtures on behalf of NNBIS and that he raised issues that had been previously discussed with them during the Attorney General's visit to Mexico in April, 1983. He cited the issue of DEA landing rights in Mexico as an example. This obviously causes the Mexicans to wonder if the United States does indeed have a coordinated drug enforcement effort.

Similarly, I have been advised that Admiral Murphy approached the Canadians and requested that they assign personnel to various NNBIS offices in the United States. The Deputy Commissioner of the RCMP, Harvey Jensen, advised me that this would duplicate or divide the flow of information and intelligence from Canada and place them in a position of not knowing which agency of the United States should receive their intelligence. Commissioner Jensen also advised that his relationship with the Drug Enforcement Administration was satisfactory and that the request on the part of NNBIS resulted in some confusion. DEA and the RCMP have a formal agreement (Terms of Reference) regarding intelligence

exchange, but this agreement's provisions were not known by Admiral Murphy.

(3) On December 16, 1983, DEA's NNBIS coordinators were polled concerning what intelligence was flowing through NNBIS to and from our field divisions. The observations of the coordinators were that: (a) the intelligence information was of little or no value to DEA; (b) the Miami, New York, Los Angeles, and New Orleans centers have received nothing through NNBIS, and (c) the information in the custody of NNBIS came originally from EPIC or DEA.

(4) At a recent meeting of the NNBIS Gulf Region, Goals and Objectives for 1984 were unveiled. (Copy attached) Pursuing these objectives would establish NNBIS as a bureaucratic entity of the Federal government and would cause utter confusion among state and local agencies in terms of differentiating NNBIS functions and responsibilities from established functions of DEA; Customs, etc. This confusion began when the Coast Guard Admiral in Charge of the NNBIS Gulf Region called the local radio station and stated that he was the spokesman for drug enforcement in that area having been appointed by the Vice President. Our New Orleans Division SAC has taken issue with this Admiral, but to no avail. Furthermore, the Admiral has visited with the governors of five states, and in pursuing the NNBIS liaison objectives with state and local officials, a toll-free 800 number was disseminated so that drug-related information can be passed directly to NNBIS from state and local officials, thereby by-passing DEA contacts established over many years of effort. This has created confusion among state and local officials and threatens to fragment the intelligence data base.

Similar confusion has been sown among state and local officials in the Northeast NNBIS Region. The NNBIS Coordinator for that region sent a letter to chiefs of police on November 18 requesting the chiefs to establish points of contact, publicizing an 800 number, and providing the name of a NNBIS representative. Such attempts at establishing liaison by NNBIS create NNBIS as an operational entity far beyond the scope of NNBIS' mission.

(5) On January 3, 1984, the Vice President's office stated to the press that the South Florida Task Force and NNBIS "have captured almost 5 million pounds of marijuana -- practically halting the flow of that drug into this part of the country -- and confiscated almost 28,000 pounds of cocaine -- about \$12 billion worth of drugs, altogether." These figures go far beyond what this Administration can support. After 21 months (3/82 - 11/83), the South Florida Task Group statistics claim credit for seizures of approximately 8,000 pounds of cocaine and a little over 2,000,000 pounds of marijuana. Additional seizures by NNBIS (6/83 - 11/83) could not possibly account for this large discrepancy.

(6) On December 12, 1983, Coast Guard Rear Admiral for the Gulf Region told a House narcotics panel that the new National Narcotics Border

Interdiction System had confiscated, through November 28, 77.5 tons of marijuana, 1,806 pounds of cocaine, five pounds of heroin, four aircraft and nine vessels and had arrested 55 suspects. These seizures amounted to \$260 million in drugs and contraband. DEA can substantiate that over 1400 pounds of cocaine resulted from two seizures in which the only NNBIS involvement was to arrange transportation of one 800 pound seizure on a U.S. Coast Guard plane to the DEA lab after the enforcement operation had concluded. The heroin seizures were made in the course of two DEA undercover cases. In each case it became known that the heroin was smuggled via ocean freighter. Hence, NNBIS took credit because of the general policy that NNBIS can (and according to NNBIS policy should) claim any seizure resulting from smuggling activity, whether or not NNBIS plays any role. These statistical claims, not only regarding drug seizures but also of vessels and arrests, create the false impression that NNBIS is operational. More importantly, those agency personnel responsible for these accomplishments are receiving no credit and experiencing a loss of morale due to the false and grandiose claims of NNBIS.

(7) At the time NNBIS was announced, Administration officials claimed that it would be a cost-free operation that would not become another bureaucratic entity. The facilities and manpower of the six NNBIS operations centers belie this statement. For example, one region's operations center has facilities that cost at least \$400,000 to \$500,000. It has elaborate security features and first-class word processing and desk-top computers. We have learned that the Coast Guard was required to postpone repairs to a 210 foot cutter for at least one quarter to pay for this NNBIS center. So far, the benefits from NNBIS in this region have been negligible if not counterproductive.

(8) The NNBIS center in this same region has set up information systems to track cases. Its data processing system is capable of retrieving information by name of suspect, yet appropriate record system clearances, required by the Freedom of Information/Privacy Acts have not been obtained. This is a deliberate violation of law.

(9) The Coast Guard Commander who heads NNBIS contacted the Louisiana National Guard about borrowing helicopters for the domestic marijuana eradication program. DEA has been co-operating with the National Guard in Louisiana for two years, yet DEA learned of this inappropriate approach by NNBIS personnel after the fact. Not only was this a needless duplication of effort, it created further confusion between DEA and state and local contacts.

(10) NNBIS has worked with the U.S. Customs Service to develop a slide show depicting an arrest situation involving aircraft and armed agents. The intent is to demonstrate "NNBIS in action." This gives a false impression of NNBIS as an operational drug enforcement entity rather than a mechanism to facilitate the logistics for obtaining military assistance.

(11) I am advised that a Lieutenant Commander of the Coast Guard requested assignment to one of the six NNBIS Regions because he thought the program to be most promising. After taking the assignment he discovered that NNBIS was, in his words, an "intellectual fraud." He documented this in a memorandum which was shown to a DEA employee. Our employee advised that he tone down the memorandum before sending it forward. This was done, but apparently the Lieutenant Commander persisted in characterizing NNBIS as an intellectual fraud. This letter went to the Lieutenant Commander's supervisor and then to the Coast Guard Admiral in charge of that region. The Lieutenant Commander was summarily criticized by the Admiral and immediately reassigned. The national media has questioned DEA about this incident.

#### Major Problems

Although NNBIS has been officially constituted for over seven months, no formal guidelines regarding functions and responsibilities of NNBIS as they relate to established functions of DEA, Customs, and Coast Guard have been written. The documented incidents, combined with our judgment that certain features of NNBIS were ill-conceived from its inception, persuade us that the following problems must be rectified.

- (1) Contact with foreign, state, and local enforcement officials under the aegis of NNBIS has confused the established reporting relationships with DEA and Customs. Institution-building programs conducted by DEA for 10 years have stressed the virtue of a single enforcement agency for drug investigation and intelligence. Now the Federal government approaches foreign governments with a number of agency and program contacts. DEA's mandated overseas mission is being duplicated and circumvented causing great confusion among foreign counterparts.
- (2) The information flowing through NNBIS must also go to or come from EPIC if a single drug intelligence data base is to be preserved. NNBIS' duplication of numerous EPIC functions is wasting resources and fragmenting drug intelligence.
- (3) The fact that NNBIS, an interdiction program, is being run out of the Vice President's office (OVP) skews the priorities of the overall Federal strategy for control of illegal drugs. The accomplishments of our interdiction programs are overemphasized, building unrealistic expectations among the American people that this strategy is the primary means of reducing the availability of illegal drugs. NNBIS and the South Florida Task Force do not begin to encompass the numerous drug control programs of the Administration.
- (4) Location of NNBIS in the OVP fragments the coordination of drug law enforcement presumed to belong to the Attorney General. This will spark further congressional demands for a drug czar.
- (5) Contrary to public statements that NNBIS will not require new

resources, that it is a mere coordinating mechanism and not another bureaucratic layer, it is expensive and diverts between 100 and 200 personnel just to maintain expected liaison. Combined with the fact that many of its functions are duplicative, NNBIS costs are a real liability. In draining resources from Customs, DEA, FBI, and Coast Guard, many interdiction functions normally carried out by those agencies such as cargo and border inspections, intelligence collection, and the deployment of fully maintained Coast Guard cutters, are suffering.

#### NNBIS Changes Needed

A clear definition and reassessment of the NNBIS mission is needed. By acknowledging the positive aspects of NNBIS, namely, the timely facilitation of military assistance, the Administration can capitalize on this capability, prevent NNBIS from encroaching on operational functions of other agencies, and improve the overall drug control effort.

(1) Like the South Florida Task Force, NNBIS needs to be phased down over the next several months. Acknowledge the success of NNBIS in obtaining military assistance; announce that coordination mechanisms and lines of communication have been established; portray NNBIS as an experimental operation that has sensitized the Federal community to the possibilities of extensive cooperation; and phase out the six regional centers leaving core groups in Washington (logistical coordination) and at EPIC (intelligence analysis).

(2) By de-emphasizing the alleged grandiose accomplishments of NNBIS and the South Florida Task Group, the White House can re-emphasize the multi-faceted Federal drug control programs that provide a balanced and coordinated approach with investigations, foreign assistance, interdiction, diversion control, and prevention, education, and rehabilitation programs complementing one another. The longer NNBIS is publicized at the highest levels, the more of a liability it becomes because of its inherent design flaws and unrealistic expectations of eliminating the smuggling of illegal drugs into the United States. If NNBIS continues unchecked it will discredit other Federal drug programs and become this Administration's Achilles heel for drug law enforcement.

Mr. ENGLISH. Well—

Mr. MULLEN. Mr. Chairman, this was a confidential document submitted by me to the Attorney General, and I had not intended that it become a public document.

I don't know what the rules are with regard to making it part of the record, but I would imagine it is pretty much a part of the record already. I don't know if making it an official part is more meaningful or not, but—

Mr. ENGLISH. This is, of course, the information subcommittee, Mr. Mullen, and unless something is stamped "confidential," "secret," or classified in some way, we assume that it is open information. Of course, this is particularly true after it has been printed in the newspaper. I will tell you very candidly where I got my copy—I got it in the mail. It was sent to me anonymously, and it wasn't even sent from Washington, DC. Evidently, it had wide circulation around the country, is the only thing I can say, so—

Mr. MULLEN. And all I can say is that I was not the one who mailed it to you. [Laughter.]

But I understand. Thank you.

Mr. ENGLISH. Very good.

I would like to go over some of these points. I think that it is important to give you the opportunity to comment on the specific points, Mr. Mullen.

I think this is particularly important because your cover letter to the Attorney General stated that you had personally taken the time to insure that all the information contained in the document was accurate. The first item that I would like to ask you about—and, as I said, feel free to expand on it in anyway that you wish—is this statement: "The grandiose claims of" NNBIS are beginning to discredit drug control programs. DEA cannot substantiate seizures of the amount of drugs claimed by NNBIS.

Would you care to comment on that particular point?

Mr. MULLEN. I—

Mr. ENGLISH. I think it is also important to point out that this memo, I believe, was written in January of this year.

Mr. MULLEN. Yes, I would like, at the outset, to put the memo itself in perspective.

Mr. ENGLISH. OK.

Mr. MULLEN. I personally think the concept of NNBIS is a valid concept. I think it certainly has a place in the drug enforcement effort.

I was concerned at that time with regard to the many ongoing programs that we had underway, the many enforcement programs, rehabilitation programs, and I thought we were making tremendous progress and had tremendous successes and I did not want anything to occur that would cause any problem or to harm the overall program.

So, at that time I had concerns, and I have to say that at this time most of the concerns have been addressed or are being addressed.

I will address your first question, and that was the statistical accomplishments. They were at variance with DEA's, and after alerting NNBIS to this problem, we have had DEA statisticians authorized to visit with NNBIS officials to ensure that what we were

claiming was in concert because the easiest way to cause difficulty with any program is to not be accurate on achievements. So, that particular concern, in my mind, has been addressed.

Mr. ENGLISH. The two groups of statisticians have gotten together. What did they find to be the reason for the difference?

Mr. MULLEN. I believe the multiagency reporting of statistics was not being culled out properly, and I am sure that will be done in the future.

Mr. ENGLISH. What changes in the method of keeping those statistics did the various agencies make to make certain that they didn't run into that kind of difficulty again?

Mr. MULLEN. I am not prepared to go into that sort of detail, Mr. Chairman.

Mr. ENGLISH. Have there been changes made in the manner in which statistics are gathered in this area?

The reason I am pressing you a little bit on that is because I think it is an important point.

Mr. MULLEN. Yes.

Mr. ENGLISH. Not because of NNBS necessarily but because of the whole drug problem. This is something where, ever since I started out with the Select Committee on Narcotics back in 1977, we always had these wide-ranging figures by different Government agencies and departments as to what was being done.

Mr. MULLEN. That was one of my concerns.

Mr. ENGLISH. I think that it is important that we try to have as accurate a picture as we possibly can to deal with this kind of problem. I know that we have had different departments and agencies which have been coming to Capitol Hill and use those numbers, probably because Members of Congress press them to do so, in order to justify the budget for that next year. It does play an important role in that budget process because you are required to prove yourself.

But I think that it does a disservice to the problem if we have figures that are not accurate, that do not indicate the true depth of the problem, and the successes and failures we are having, and where changes have to be made.

I think that is particularly true, as well, with the amount of a particular substance that might be in the country, whether it is cocaine, heroin, or whatever. I know that that is extremely difficult. Let me say here for the record that I don't accept that old 10-percent figure we used. I believe that one of your predecessors came up with that 10-percent formula back when he was required to testify before a congressional committee, and he felt like "Well, we are getting some but we are not getting a lot, and that feels just about like 10 percent." It was a figure that was kind of plucked out of thin air.

Mr. MULLEN. We can't support that now.

Mr. ENGLISH. I am not going to ask you to, but that is the story that I heard and, obviously, it is extremely difficult—and I want to say this on behalf of the law enforcement agencies—to judge how much of a particular substance might be coming into the country, particularly at any particular time. Therefore, it is extremely difficult to understand and come up with a figure of how much you are seizing. All you have, generally speaking, is a feel for what the sit-

uation is on the street with regard to purity, price, and how much you are collecting and what informants tell you and so on and so forth.

It is extremely difficult.

Mr. MULLEN. I should say that one could infer from reading this that I was concerned about who gets credit.

Well, that was the furthestmost thought from my mind. As to who gets credit, I believe the President and Vice President get credit for their high profile involvement. You certainly, this subcommittee and other congressional committees should receive credit because of their interest in drug enforcement.

That wasn't my concern, and I didn't care who received acknowledgement for obtaining seizures and so forth; I just wanted to be sure that what we were claiming was accurate, and I have not seen any difficulty for the past several months in this area. I have read nothing, heard nothing, and I have not seen anything that would cause me concern at this time. That particular statement is dated information.

Mr. ENGLISH. Well, as I said, it made a very important point, and I would be very interested in personally knowing any changes that have been made in the manner in which statistics are kept, not only by DEA and NNBIS but by all Federal agencies and whether there has been any effort to really try to make certain that there is not double counting, that we don't get into a process where people, if they have had some involvement, in every agency are claiming the same arrests and that sort of thing.

That is what I think is misleading to the public.

Mr. MULLEN. The Attorney General has instructed that DEA be the repository and be the Agency to cite the statistics for the Federal Government, and that is what we are supposed to be doing anyway. That is our charter.

We have worked out any difficulties we had with NNBIS. I believe the NNBIS coordinator, Admiral Murphy, indicated that he needed the statistics on a more time-sensitive basis. He liked them almost daily. Often to compile the complete and detailed and accurate statistics, you have to have a laboratory analysis to ensure that what you seize is really heroin or cocaine or whatever the case may be. This always takes longer. Therein lies, I think, part of the problem.

Again, I am sure it has been worked out because I have seen no problem in this area for the past several months.

Mr. ENGLISH. I think it would be helpful if you would submit for the record what changes or agreements or arrangements or whatever has been made to make sure that that problem doesn't occur.

Mr. MULLEN. We will do that.

Mr. ENGLISH. Without objection, the record will remain open to receive that information which will be inserted into the record at this point.

[The material follows:]

A Federal government system for statistical reporting of interdiction and investigative activity, including drug removals, arrests, convictions, and possibly asset seizures is being developed and should be in place by mid-1985. This system is being developed by an interagency working group chaired by the Department of Justice and representing all involved agencies from the Departments of Justice, Treasury

and Transportation. Existing resources will be used to the extent possible. DEA will be responsible for managing the new system. The new system will feature significant improvements in accuracy, timeliness and comprehensiveness.

Personnel from DEA and NNBIS met concerning requirements and current systems for statistical reporting of drug seizures. At present, DEA maintains statistics concerning those drug removals in which Federal involvement exists. NNBIS maintains records of all Federal, state and local drug seizures which are reported to them and in which a connection with the border can be established. NNBIS personnel advised that they would use the new Federal government reporting system when it becomes operational if it can meet the requirements for timeliness established by the Vice President.

Mr. ENGLISH. The second point was a clear definition and reassessment of the NNBIS mission would better serve the drug control program.

Would you care to comment on that?

Mr. MULLEN. Can you point that out to me, Mr. Chairman, in my memo?

Mr. ENGLISH. I don't have a copy of the memo. I think you have my copy.

Mr. MULLEN. I would like to see the context in which I included that.

Mr. ENGLISH. OK, well, let's take a look.

Mr. MULLEN. I have that, Mr. Chairman. It is on the last page, page six.

What I had in mind here was, perhaps, a statement in writing with regard to the mission so that everyone would have clearly defined roles.

Mr. ENGLISH. I would certainly agree with you on that.

You also made the statement concerning "confusion among foreign drug enforcement officials concerning the roles of DEA and NNBIS." I believe you referred to meetings that Admiral Murphy had with people in Mexico and Canada and that that was creating some confusion among those foreign officials.

Mr. MULLEN. It did at the time because the foreign officials were providing intelligence on a regular basis to DEA, and I believe we referred specifically to Canada and to Mexico. Officials from both countries—at that time—indicated, "Do you want us to furnish information directly to you or should we go to NNBIS?"

We had a very good network, I thought, and a very good exchange, so they have continued to furnish information directly to DEA, and we are making it available to NNBIS.

To satisfy the needs of NNBIS, for example, the Canadians have assigned an RCMP [Royal Canadian Mounted Police] officer to our Miami office and he maintains a liaison with NNBIS down there.

So, that was a concern at the time. I thought at that time that we should coordinate better so that the foreign officials we dealt with would know that they had a line of communication and not several. That also has been rectified.

Mr. ENGLISH. Has an arrangement been made, then, between NNBIS and DEA so that there is no more confusion as far as any other foreign countries are concerned? I recognize you have done this as far as Mexico and Canada are concerned, perhaps, but as far as any other foreign countries that you may come in contact with in the future, has there been an arrangement made so that those foreign countries understand what the situation is?

Mr. MULLEN. I know of no such arrangement. The only other country, I believe, that may be involved in the equation is Colombia. The discussions that Admiral Murphy has had with the Colombians were pretty well outside of the domain of DEA and involved sophisticated detection techniques. We have had no difficulty with any other country, and I believe it occurred with Mexico and Canada because of their proximity to the United States.

Those two situations are, in my mind, cleared up, and I just don't know if there is a need to go to other countries at this time because everything is functioning well.

Mr. ENGLISH. Obviously, if that kind of problem could develop with Mexico and Canada, it could happen with other countries. I was thinking particularly about some of the transit countries, some of the Caribbean islands, for instance, could certainly have the same type of difficulty. You are going to have a lot of activity with DEA and NNBIS interest in that area as well.

I would strongly urge that you work out an arrangement so that the problem does not occur as far as any other foreign country is concerned.

Mr. MULLEN. You are correct. I do recall another now that you mention it—that being the Bahamas. So, I will look at this.

Mr. ENGLISH. Mr. Lewis?

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. Mullen, do you feel that there is any way that we can get an effective umbrella agency over all these drug enforcement agencies we have in the Federal Government? I am not alluding to a drug czar or anything of that nature; but it seems to me that everytime there is a need, there is another agency established.

Mr. MULLEN. Yes.

I do agree that we have seen a proliferation of committees and groups and subworking groups and so forth, all well intentioned. I thought we did have an umbrella agency with regard to drug enforcement, that being DEA.

We are a nation, though, with many diverse interests, many agencies, and the thought or idea of a national police force, of course, is anathema, and I don't believe we will ever see that in the United States.

So, we have to depend on the professionalism of the agents and agencies involved to work within their jurisdictions to support the overall drug effort.

I do believe that you do need somebody at a very high level, and I believe the system we set up—the Cabinet Council on Legal Policy and its subgroup on drug supply reduction—is an effective means. You have the Attorney and Secretary of the Treasury and others with an interest, and you can have decisions made at the higher level.

I do not believe we need or will see a single agency involved in handling the entire drug problem because I don't know if the Congress wants that. That is why they established the DEA. That is why we have an FBI and a Customs Service. You have the balance in different agencies.

We must have coordination at the highest levels, and I believe that can best be ensured by somebody at the Attorney General

level coordinating the entire effort and bringing the agencies together.

Mr. LEWIS. It seems to me with DEA, with the vast worldwide network that it has and working arrangements with other countries, that they would be more in tune with the overall needs for meeting the requirement for an umbrella agency than many of these other agencies.

Now, I recognize that we have specific areas of law where only the FBI can enter into a case and things of this nature, but I am very much concerned that with the proliferation of agencies—particularly since the great outcry started 3 years ago, and being from south Florida I am very much concerned—that we get the most effective application on drug enforcement and interdiction that we can get.

I am certainly not convinced at this point in time that we are getting that.

Mr. MULLEN. I believe that we are, Congressman Lewis. I have never seen better coordination. In fact, today, after I leave this hearing, I will be sitting down at a meeting where we will have the head of Secret Service, FBI, Customs, DEA, ATF all meeting together to discuss mutual efforts and other problem areas.

We are coordinating well, in my opinion. I don't believe we have seen the creation of any new agencies; we have seen the creation of new entities, new means to better coordinate the effort.

Some work better than others. Some do not work as well at first as they do later on. You, perhaps, have at times reluctant members of the law enforcement community who, after a period of time see something working better and then become enthusiastic supporters of it.

There were those who did not believe that the FBI and DEA would ever come together and work on drugs as we have come together. We have seen wire taps go up 689 percent in just 2 years in the drug area and the number of joint cases go from 12 to over 750. But now we have enthusiasm all the way around.

I myself wondered at first about the organized crime drug enforcement task forces. Now I am, perhaps, the most enthusiastic supporter of those task forces when I have seen the results.

So, I think we will see some of these entities go by the boards, go by the way, so to speak, and others become stronger and stay with us. But I think we have got to try different approaches, especially with regard to drug trafficking.

Mr. LEWIS. Thank you, Mr. Mullen. Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you.

Mr. Mullen, I want to continue with the list and see how these problems have been dealt with.

Another point was confusion among State and local drug enforcement officials regarding the roles of DEA and NNBS. What activities have been taken to deal with this problem? What actions?

Mr. MULLEN. The concern is there. Again, as I continue to respond, I hope we do keep in mind that much of this is dated information.

Mr. ENGLISH. But at the time you made it, obviously you felt very strongly about it.

The question is: Has this been resolved? Has this been dealt with to your satisfaction in the manner in which you need it to be, and what is the situation we face right now?

Mr. MULLEN. It has been dealt with or is being dealt with, but the areas of concern at the time were the 800 numbers, for example, that were being put out. Some States have 800 numbers themselves. There is a need to coordinate such systems. If we are going to have a number to call, it should be one number and everybody should have access or something of that nature. That is being dealt with. I am not certain that that problem is entirely resolved, but it is being addressed.

Another problem was that some NNBIS representatives were advising local officials to contact them but not specifying on what type of information, not clarifying that they were concerned with interdiction information only. If there is some tactical intelligence that needs a real time response, that is the type NNBIS should solicit. So, some police agencies were concerned, "Do we call it all drug information." That is the type of thing that was of concern at the time, and I am not certain that it has all been addressed.

My gauge—I am not going behind this and saying, "Did you do this to change this?" But I am not receiving the reports from my field divisions indicating that there are still problems in this area. That is what prompted me to write this. I was receiving reports from around the country from my DEA offices. I am not receiving those same reports today.

Mr. ENGLISH. Well, then, have there been meetings that took place? Did you meet with NNBIS officials? Did your people meet with NNBIS officials and work out an agreement or an arrangement as to how they might resolve this problem of confusion?

Mr. MULLEN. Yes; meetings have occurred between me and Admiral Murphy and others and between members of our staffs. And, meetings have occurred, have taken place at the local level.

Mr. ENGLISH. If you would provide, again for the record, any specific agreements, arrangements that have been reached between DEA and NNBIS as to how this particular aspect has been dealt with, how we have made sure that this confusion between State and local people has been eliminated, we would appreciate it.

Mr. MULLEN. I will.

Mr. ENGLISH. Without objection, the record will remain open to receive that response and will be inserted in the record at this point.

[The material follows:]

It came to our attention that NNBIS personnel were advising state and local enforcement agencies to notify NNBIS first regarding drug related information and that toll-free "800" numbers were available for this purpose. DEA was concerned this would cause confusion among the state and local enforcement community on the procedures to transmit drug trafficking information directly to DEA and would jeopardize the long-standing relationships we have with state and local enforcement agencies.

These concerns were discussed in a recent meeting between the Administrator of DEA, the Attorney General and the Vice President. It was agreed at this meeting that the 800 numbers would be discontinued in the six NNBIS regions. We believe this will go a long way toward resolving this problem.

Mr. ENGLISH. One of the other points was that DEA is receiving nothing of value from the NNBIS intelligence operations.

Can you—hasn't NNBIS intelligence been going to EPIC?

Mr. MULLEN. Again, this one I cannot respond to. I can only say that this was at that time. I have not been furnished the same information since, so I have not gone back to say, "What have we received of value since then?"

Mr. ENGLISH. This is an area that concerns me. As I mentioned earlier, I am a strong supporter of EPIC. It is my understanding that it is supposed to be, really, a two-way street. EPIC is supposed to provide information to other Federal, State, and local law enforcement agencies and, by the same token, they are to provide the information to EPIC. That way, everyone shares in the intelligence, and it also provides for safeguards of that intelligence information.

If DEA is receiving nothing from other law enforcement agencies, whether it is NNBIS or Customs or somebody else, obviously then that reduces the amount of information it has to provide. It reduces the effectiveness of EPIC. It would seem to me that this would be something that would be critical as far as resolving this. This is something about which there would have to be discussions with the NNBIS to find out if they have a problem or find out if they have information to provide.

Mr. MULLEN. As I read this, DEA would not be one of those agencies, although the lead drug enforcement agency, that would receive a lot of information of an interdiction nature. I believe most of NNBIS's information would be going out to Customs and to the Coast Guard, and it may well be that agencies, in many cases, contacted DEA directly, rather than going through the NNBIS system at that time.

Again, I have had no similar reports of difficulty in this area.

Mr. ENGLISH. But the point I am making is that this information should eventually—I will grant you that it should be going to the customs people and the people that are directly affected as far as interdiction is concerned—but it would also appear to me that this would be information that should eventually find its way to EPIC as well. It may have a direct bearing as far as investigations are concerned. It may have a direct bearing as far as some local law enforcement officials are concerned.

From the indication of the memo, that is not happening. The question I have is: Is that problem being dealt with? Is it being explored with the discussions between DEA and NNBIS?

Mr. MULLEN. I have not had any specific discussion in that area. I think we could have here the same problem we have in other areas where we may have a customs official saying they receive no intelligence but yet received it from EPIC, not knowing—it could well be that DEA has obtained information out of EPIC not knowing it came from the NNBIS system.

But that is about as detailed an answer as I can furnish on this issue.

Mr. ENGLISH. I don't want to keep beating on this, but according to your cover letter to Mr. Smith, you make the statement that you have taken the time to ensure that all the information contained in the attached document is accurate.

So, I would assume—

Mr. MULLEN. So, that was accurate.

Mr. ENGLISH. It was accurate at the time?

Mr. MULLEN. Yes.

Mr. ENGLISH. Well, then, I would strongly recommend to you, Mr. Mullen, that you get together with DEA and NNBIS and discuss this matter and discuss the impact that it has as far as a cooperative intelligence operation is concerned within the country. I think it is an important facet that should be discussed between the two agencies. As I said, I recognize that interdiction information will need to be moved, particularly if it is time perishable, directly to the people who are involved in interdiction, whether it is Customs, Coast Guard, or who ever; but eventually that information should be provided to EPIC because, again, EPIC is a bank, an intelligence bank, and if there is nothing in the bank, it isn't going to do anybody any good.

Mr. MULLEN. It is and I agree with you.

Mr. ENGLISH. The next point that you make is that NNBIS is costly, contrary to administration statements.

Do you have any comments you would care to make with regard to that?

Mr. MULLEN. I don't know what I can add to that at this time. When you start a new entity, it does cost something. I think that is obvious, and that is the only point we are making there.

I don't think we can establish a new entity and say it doesn't cost anything. Resources do come from somewhere. I want to make that point. I am not saying that is not a valuable use of those resources, but we ought to clearly say we are using resources for this purpose because it is a good purpose for which to use them. That is basically what we are saying there.

Mr. ENGLISH. Another point that you made was that—and I quote here—“Like the South Florida Task Force, NNBIS needs to be phased down over the next several months.”

Is that still your belief, Mr. Mullen?

Mr. MULLEN. Well, phased down and put into perspective, and I do believe that is happening. There is a real need for it, as I indicated earlier. South Florida is an ideal location for a NNBIS-type operation, so perhaps that one could be strengthened and where there is not as much activity, it could be phased down or modified, but that is really not for me to decide. That would be something that the NNBIS officials would have to decide. That is a recommendation that I made at that time. I don't know whether that has happened or is happening or will happen.

Mr. ENGLISH. You and I are going to differ pretty strongly on that one, Mr. Mullen. Of course, I have felt that it is critical that we have a coordinated drug effort, whether it is interdiction, whether it is investigation. If I had my way about it, the whole thing would be, you know, one coordinated operation. I have been one of those who has supported the “Drug Czar” concept. I think it is important that that be done. I think it is critical that we have a person who has the authority to crack heads and to get people moving.

Given the past performances of the agencies—which doesn't necessarily reflect on you or anyone else who is involved in this effort—it goes back to the histories of the agencies; there has been a lot of rivalry. There has been a lot of division; there have been a lot of problems in pulling together in a coordinated effort.

In light of that history, that is a critical thing to do. It seems to me that the success of the South Florida Task Force was the fact that that is what happened down there. You got the various agencies and departments and everybody did get pulled together, whether they were with the Justice Department or the Treasury Department or whomever. It was all pulled together in one operation. That is what gave it its great potential for success. I hope that what you are saying about what is lacking in the South Florida Task Force—I hope the South Florida Task Force is not being phased out because I think that is still a vital area as far as that region is concerned.

But I would like to see that principle applied nationwide, and I think, particularly after we have set up an investigative operation under the Attorney General, that it does leave interdiction splintered. Unless we have someone to pull the interdiction effort together the same as the Attorney General is pulling the investigation effort together, then I think that we are in worse shape than we were before. You need that strongly focused coordination. I really think we need a strong NNBIS.

As I said, if I can't get a "Drug Czar," this is the next best thing.

I think that is extremely important that we do that. I don't know. Maybe we are talking about a difference in philosophy between you and me. I am hopeful that the President shares my philosophy and not yours in this area. I hope that he will strengthen NNBIS and that he will, in fact, give NNBIS the tools it needs to carry out its mission as a strong interdiction coordinating operation.

Mr. MULLEN. Well, I don't think we disagree that much. I think there are perhaps some differences in philosophy, but I believe it should be kept in perspective also as a part of the overall drug effort. I am not opposed to strengthening the interdiction effort. It should be in coordination with the investigative effort, and it should all be brought together. As I indicated to Congressman Lewis, I believe that does happen with the Attorney General's Cabinet Council.

You can strengthen an organization, in some cases, by paring it down and making it more effective and putting better quality people into an operation. I am not referring specifically here to NNBIS, but a paring down can mean strengthening in some cases and using personnel elsewhere where they can be used more effectively. I didn't say eliminate; I said make more effective. That is perhaps a more correct term.

Mr. ENGLISH. I think we have to go back and look at those days before NNBIS and particularly before the South Florida Task Force. I can remember, as I said, going back to the old Select Committee back in 1977, 1978, and 1979 and on up. Ever since I have been involved in this problem, we have had hearing after hearing after hearing. To one extent or another we have had the fragmentation of the drug effort which has been the central concern and problem. Congressional committee after congressional committee has tried to figure out some way to pull this thing together and get everybody working together, sharing information and sharing resources and sharing the effort—

Mr. MULLEN. I believe we are doing that. I believe we are doing that.

Mr. ENGLISH. Well, it has been an extremely difficult thing to come to.

Let me say that if we are doing it, then we certainly weren't before the South Florida Task Force. Before those days, I don't think that we can say that that was happening.

You may have wanted it, and I am not saying that the people who headed up the various agencies didn't want it, but you had a set, as I said, history and bureaucracy that was fit into that rivalry and it caused tremendous difficulty.

Again, I don't know whether it is true or not, but I remember hearing—back in the 1970's—when these two agencies, DEA and Customs, were split and when DEA was set up that rumors existed of a shootout down on the Mexican border. I don't know whether that is true or not, but, given the tone of things, there were a lot of people who were ready to believe it because there was some real bad blood between those two agencies and that has carried through.

Mr. MULLEN. I have talked to the agents who actually were involved in some of those incidents, and I do understand that they pointed weapons at each other but never shot—fortunately.

Mr. ENGLISH. I am happy to hear that.

Mr. MULLEN. I agree with you, Mr. Chairman. I am the first to state—and have stated in almost every public forum, every time I have given a speech—that the high profile involvement of the President and Vice President and the Congress has brought things together. I can say with confidence that I have been at DEA for 3 years, 1 month from today, and I can myself see the improvement that has occurred in just that period of time.

Mr. ENGLISH. I think you are right. I agree with you.

But, as I mentioned—and I think we were moving in that direction up until about March of this year, quite frankly—I think there was a real sense of cooperation and coordination that was taking place between the administration and the Congress. I think that everyone believed in the Vice President's sincerity, your sincerity, the President's sincerity in dealing with this problem.

But we have had one administration witness, Mr. McNamar, now who has jumped up and quite frankly within a few hours destroyed that, not between Democrats and Republicans but between the Congress and the administration.

I know of many Republican Members of Congress, as well as Democratic Members, who are really wondering how this rogue elephant can run loose and destroy this entire effort and create all this division and mistrust and nobody has put a collar on him, quite frankly. That is what I think is really raising some questions about the sincerity about the administration. We are wondering when this problem is going to be dealt with.

So, I think that personally I agree with you. I believe the President is committed. I believe the Vice President is committed. Personally I believe you are committed.

But I think the administration is going to have to deal with this problem to convince the rest of the country that the sincerity is actually there.

Mr. Lewis, would you care to comment?

Mr. LEWIS. Yes, Mr. Chairman, just one question.

If my memory is correct, wasn't there a decline in the number of agents in all of these agencies in the latter part of the 1970's and the DEA has just recently come up to the strength that it had in 1977 with the graduation of a recent class of agents?

Mr. MULLEN. Yes, that's correct.

The low point was when I arrived at DEA. We were down to 1,806 agents. I believe now we are in the area of 2,190 agents. I believe the same is true of the FBI, having been reduced in strength over a period of time and now seeing an increased agent force. I understand Alcohol, Tobacco, and Firearms are again hiring agents and training them at the training academy in Georgia.

So, I see an improving picture with regard to the number of agent personnel.

Mr. LEWIS. Thank you, Mr. Mullen. Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Kindness?

Mr. KINDNESS. Thank you, Mr. Chairman.

I present my apologies for having had to place my priorities on two other committee meetings this morning, but I really regret missing the earlier part of your testimony. I did note in the prepared statement that last month DEA prepared a worldwide narcotics threat assessment for the Joint Surveillance Committee of NNBIS, or its coordinating board.

First, is that report available to the subcommittee or is it available at this time?

Mr. MULLEN. I will ask my Chief of Intelligence who is present.

I understand that his part of the assessment will be part of a larger report which will be available around the middle of July and will be available to this committee.

Mr. KINDNESS. Will that be classified or would it be public information?

Mr. MULLEN. I am informed that it will be partially classified.

[The following explanation was submitted subsequent to the hearing:]

The Worldwide Narcotics Threat Assessment was the product of a working group chaired by DEA with input from other Federal agencies. This working group was organized by the National Narcotics Border Interdiction System (NNBIS) and the assessment is one of several sections in a comprehensive study. The Final Report of the Joint Surveillance Committee will be completed in the near future. We have advised the Staff Director of NNBIS of your request for this report and he has agreed to submit a copy to the Subcommittee as soon as it becomes available.

Mr. KINDNESS. Thank you.

Mr. Chairman, I would ask unanimous consent that the opportunity be afforded for the record to remain open to receive the submission of additional questions to complete our record. I do have a couple of things that we would like to follow up on. I apologize for not being here to present them.

Mr. ENGLISH. Without objection, so ordered.

[Questions submitted by Mr. Kindness, with replies, follow:]

Question 1:

I think it is fair to say that the premise for this Subcommittee's interest in tactical intelligence regarding drug smugglers using private aircraft is that private aircraft provide the predominant means of shipment of cocaine from South America and that cocaine is the most dangerous drug abuse from that part of the world. Would you agree with those premises?

Answer:

Based on the current drug situation, the Subcommittee's premises concerning the danger of cocaine use and the importance of private aircraft as a means of transport are valid.

Recent trends toward intensive use patterns and current research findings leave little doubt that cocaine is dangerous and in several respects the most addictive drug in general use. Seizure data and other intelligence reveal that private aircraft is the predominant conveyance used to smuggle cocaine into the United States. According to seizure data in 1983, private aircraft were used to smuggle an estimated 61 percent of the cocaine, followed by non-commercial maritime vessel (15 percent), commercial vessel (11 percent), commercial air (11 percent), and land entry (1-2) percent.

Question 2:

The most recent Narcotics Intelligence Estimate (known as the "Nick" report) indicated that traffickers appeared to be diversifying their means of shipping cocaine during 1982. Has that trend continued through 1983 and 1984?

Answer:

Intelligence available to DEA indicates a steady trend of diversification in cocaine smuggling, especially with respect to the increased use of maritime vessels. According to EPIC data, the amount of cocaine seized from commercial vessels increased from about 1,300 kilograms in 1982 to 1,729 kilograms in 1983. More significantly, the amount of cocaine seized from non-commercial vessels increased from 169 kilograms in 1982 to 2,385 kilograms in 1983. This trend continues in 1984 and includes two notable seizures of pleasure craft involving 1,000 kilograms near Haiti in April and over 350 kilograms in Kingston during June.

The National Narcotics Intelligence Consumers Committee (NNICC) has recently produced a Narcotics Intelligence Estimate for 1983. A copy is enclosed.

Question 3:

In this Committee's report of last year on federal drug interdiction efforts, we defined tactical intelligence as

"...information which provides actionable information before actual commission of a crime to the interdiction agency. Tactical intelligence should provide the user with information helpful in positioning resources at the right time to increase the probability of arrest."

Do you agree with this definition?

Answer:

DEA agrees with the Committee's definition of tactical intelligence as quoted above. It is desirable to have as much information as possible on future drug or drug-related criminal acts. Due to the clandestine nature of drug trafficking, however, we must recognize that the development of tactical intelligence is difficult under the best of circumstances. In addition, the development of tactical intelligence does not guarantee that seizures will take place.

There has been substantial discussion between DEA and the Subcommittee on the nature of information required to be "helpful in positioning resources at the right place at the right time to increase the probability of arrest." Despite differences of opinion that have existed, we have agreed that seven elements can be identified as forming the basis for "actionable" intelligence with regard to smuggling by private aircraft: (1) suspected drug involvement, (2) the tail number of the aircraft, (3) the location of departure, (4) the estimated time of departure, (5) the route of travel, (6) the location of arrival, and (7) the estimated time of arrival.

A review of EPIC records was conducted in preparation for the June 14, 1984 hearing. This review identified 990 targets during 16 months in 1983 and 1984 for which information on all seven of these criteria existed. Of the total, 851 were telephonically passed to U.S. Customs as actionable targets. As a result, 38 of the aircraft were seized. Eight additional aircraft crashed enroute. DEA received no feedback on the remaining 805 targets. This illustrates the extreme difficulties inherent in the interdiction of narcotics smuggled by private aircraft.

Question 4:

Tactical intelligence could pertain to any and all of the methods used by smugglers to get their product into the country: body carriers, commercial carrier, private planes, and so on. You mention in your statement that "the development of actionable intelligence is difficult under the best of circumstances." Does the difficulty in obtaining such tactical intelligence vary with the method of transportation chosen by the smuggler?

Answer:

The difficulty in both obtaining and responding to tactical intelligence can vary significantly with the method of transportation chosen by the smuggler. For example, the development of actionable intelligence concerning smuggling by general aviation aircraft is notably more difficult than the development of similar intelligence concerning smuggling by maritime vessel. In the case of private aircraft, fewer people are involved and loading and unloading may occur in minutes at any one of hundreds of remote airstrips. In many cases, aircraft do not land but make airdrops to awaiting vessels or vehicles. The number of possible air routes available to the smuggler is unlimited. Vessels are more vulnerable because they are slower moving, more easily tracked and involve more people.

Question 5:

Would you elaborate on some of the specific difficulties faced by DEA in trying to obtain tactical intelligence?

Answer:

The major obstacle to obtaining tactical intelligence is the fact that our drug smuggling operations are clandestine, sophisticated and well insulated from enforcement penetration. In the foreign environment, we work on a bilateral basis with host government officials to collect this type of information. We obtain tactical intelligence in the United States whenever possible as a result of ongoing investigative operations and liaison with state and local officials.

One must also understand that, even among bonafide narcotics traffickers, business is in a continual state of disruption. A successful "deal" requires constant orchestration to bring together the right timing and mix of money, drugs and transportation. Numerous persons in several locations are often involved, and the locations of activity are usually not well served by reliable communications systems. Many deals ultimately fall on short notice, thus giving little time for law enforcement personnel to react.

Mr. KINDNESS. I yield back, Mr. Chairman. Thank you.

Mr. ENGLISH. Thank you very much.

I just want to say, in closing, as I said earlier, that I believe it is critical that we have strong coordination and cooperation between Government agencies in dealing in the war on drugs. I think that is the only way it can reach its full potential and be effective. Goodness knows, we are in a difficult battle as it stands.

Personally, I would prefer to see a drug czar. If we are not going to have a drug czar, then I think that what we have now with regard to a strong investigative taking place under the leadership of the Attorney General and a strong interdiction taking place under the Vice President is the next best thing.

I want to see NNBIS strengthened. I want to see the effort by the Attorney General strengthened. I am hopeful that we will be able to receive cooperation from DEA, particularly in light of any resources that they think they might need in strengthening the tactical intelligence efforts that they make, particularly in response to the new equipment that the Customs Service is going to be operating with—and NNBIS. I am hopeful that we will be able to forge some direct communications between DEA officials overseas and NNBIS centers. I think that we can have a strong war on drugs.

But at this point we have a distraction. We have a real problem that I think has to be dealt with. Unfortunately this committee is not going to be able to deal with it nor is Congress. Only the President is going to be able to deal with this problem. I am hopeful that he will do so very quickly so that we can, once again, focus our attention on dealing with the war on drugs and moving toward a successful conclusion.

But we—something has to be done, as I mentioned, to deal with the Deputy Secretary of the Treasury. He is causing too much of a disruption.

But I want to thank you for your cooperation and particularly the cooperation that you have shown us, this subcommittee, Mr. Mullen. It has been great. It has been a pleasure to work with you. We are going to be looking forward to working with you in the future. I hope you will come to us if you feel like there is anything that we can do to help you.

Thank you very much.

Mr. MULLEN. You can be sure I will do that, Mr. Chairman.

Your interest in and support of the drug enforcement effort is well known, and on behalf of all of us in DEA I thank you for that support.

Mr. ENGLISH. Thank you.

With that, we will recess subject to the call of the Chair.

[Whereupon, at 11:24 a.m. the subcommittee adjourned, to reconvene subject to the call of the Chair.]

## CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

WEDNESDAY, AUGUST 1, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 2154, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English, Stephen L. Neal, Gerald D. Kleczka, and Tom Lewis.

Also present: Theodore J. Mehl, professional staff member; William G. Lawrence, counsel; Euphon L. Metzger, clerk; and John J. Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order.

This morning we convene the 16th in a series of hearings on the Federal Government's Drug Interdiction Program. This hearing marks a watershed in our investigation.

The earlier hearings concentrated on the interdiction of smugglers who use private aircraft to enter the United States. We now move to the related subject of interdiction of smugglers who use boats to penetrate our borders.

These are related subjects for several reasons. First, the interdiction agencies need the same capabilities to deal with the maritime smugglers as were established for air smugglers. The smugglers first must be detected; then they must be intercepted; then, of course, they must be arrested. The mission of apprehending these criminals falls both to the Coast Guard and the Customs Service.

Second, neither agency presently has the equipment which is required to perform their missions at the level which is required to achieve reliable success, although the personnel of both agencies have performed far beyond the level which could be expected of them. Again, we find that the drug traffickers are better equipped than is law enforcement.

Third, the crimes themselves are becoming more frequently related. Air smugglers, who do not wish to challenge the radars and interceptor aircraft which are now being arrayed against them, are more often electing to drop their drug cargoes into the sea to be picked up by waiting boats for the last leg of the smuggling venture. They also are more frequently landing on offshore islands,

such as the Bahamas, for the later transshipment of the drugs by boats.

This approach provides the smugglers with the advantages of overflying the Coast Guard's strong points in the choke points as well as avoiding the Customs Service's air strength along our immediate southeastern border.

Our witnesses this morning are the Commissioner of Customs, William von Raab, and the Vice Commandant of the U.S. Coast Guard, Vice Adm. Benedict L. Stabile.

We will be discussing the maritime interdiction programs of the Customs Service and the Coast Guard in terms of the three essential elements, which I mentioned before: Detection, interception, and arrest.

We want to discuss their assessment of the threat which they have been fighting and how they have been doing. We want to hear their plans for the future and of what equipment needs they may have identified. We want to know of their cooperation with each other and with other agencies which have been tasked to provide support.

I might say, Mr. Commissioner, I believe that we have overcome many obstacles and generated some genuine improvement as far as the air interdiction program is concerned.

We are looking ahead with some ambitious expectations for that program because, for the first time in memory, your officers will have adequate equipment and the money with which to operate and maintain that equipment.

Despite occasional differences, the Congress has worked with the Vice President, the Department of Defense, and the Customs Service to advance the war on drugs. We are looking forward to continued cooperation and continued progress.

Mr. Lewis, do you have a statement?

Mr. LEWIS. Thank you, Mr. Chairman.

I want to welcome Commissioner von Raab to this subcommittee's hearing and also want to recognize a man that I have great respect for and I have enjoyed working with, Admiral Thompson.

As a member whose district stretches from coast to coast and which, by virtue of its location in south Florida, where drug smuggling and trafficking is known to be a serious problem, I will be particularly interested in hearing what the Commissioner has to say.

I have made the war on drugs a top priority for the people I represent in south Florida, and I look forward to hearing more specifically about the effectiveness of the Marine Interdiction Program in south Florida as well as Customs' operation in general.

Welcome, Commissioner von Raab, and, Admiral Thompson, it's always good to see you.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Lewis.

Mr. Kleczka?

Mr. KLECZKA. I have no statement, Mr. Chairman.

Mr. ENGLISH. Commissioner, I guess we'll let you start off. If you would care to summarize your statement, your full, complete, written statement will be made a part of the record.

STATEMENT OF WILLIAM VON RAAB, COMMISSIONER, U.S. CUSTOMS SERVICE, ACCOMPANIED BY NEIL LAGEMAN, DIRECTOR, OFFICE OF PATROL; GEORGE CORCORAN, ASSISTANT COMMISSIONER, ENFORCEMENT; EUGENE H. MACH, ASSISTANT COMMISSIONER, INSPECTION AND CONTROL; AND E.M. CROSS, DIRECTOR, PATROL OPERATIONS

Mr. VON RAAB. Thanks very much, Mr. Chairman, for inviting Customs to testify before your committee.

In many respects, coming before this committee is like coming home; we have spent so much time with you; and we really appreciate the tremendous effort that you and your staff have put into assisting the Customs Service to take a look at its programs, because, as you pointed out in your opening statement, this effort requires very good cooperation between the Congress and the administration, and the result, from my perspective, has been good cooperation and, as I've watched my two and a half years pass by, a rather remarkable improvement in resources that have become available to Customs for their efforts both in the air and the sea war against the narcotics smugglers.

I thought it might be helpful to just look back quickly on the Customs Patrol Program. Unlike what might be thought, the Customs Patrol is not 195 years old, as the Customs Service was yesterday, and it's a relatively new addition to the Customs Service, although there have been patrols in the past.

But the Customs Patrol as it exists today was reconstituted in 1973, and as early as 1974, Customs began to perceive an increasing threat from particularly the water, and we began to develop strategies to try to address that.

In the late 1970's, the narcotics smuggling threat began noticeably to shift from the land borders and into south Florida and the gulf coast. In order to meet this threat, it became apparent that we had to relocate our assets.

One of the first actions I took as Commissioner was to approve a recommendation to move 103 personnel and a number of vessels to the South Atlantic and the gulf coast, and during the same period, we maintained very close coordination with the Coast Guard to ensure and continue to develop a unified Federal effort on marine smuggling.

Well, today Customs has 60 marine stations in six regions. We have a total of 804 personnel who work in one way or another in these stations. Perhaps more important, there are 347 patrol officers fully dedicated to marine interdiction.

Within this interdiction force, there are 142 officers who are what we call "certified vessel operators" and are given the title of "marine enforcement officer."

[Chart shown.]

Mr. VON RAAB. Mr. Chairman, this chart shows the geographical distribution of our marine personnel and vessels. As you can see, and for good reason, the greatest proportion of personnel are assigned to the southeast—about 48 percent.

Right now, we have 102 vessels which are deployed in 51 stations. Over half of this fleet is assigned to the southeast. Our boats range from 13- to 21-foot shallow water runabouts up to 60-foot

cabin cruisers and workboats, which are used as radar platforms and undercover vessels.

The majority of the boats fall into the 27- to 38-foot range. They are capable of operating in deeper water and include high performance interceptor boats.

[Chart shown.]

Mr. VON RAAB. In the fiscal year 1983, as a direct result of our marine interdiction efforts, the patrol seized 4,700 pounds of cocaine, accounting for about 24 percent of the cocaine seizures of Customs.

Marine marijuana seizures totaled over 2 million pounds, much of which, of course, was a result of a cooperation with the Coast Guard.

In addition, the marine program is responsible for seizures of 376 vessels and over 1,000 arrests.

[Chart shown.]

Mr. VON RAAB. Well, despite these successes, we only know that they represent just a fraction of the illegal drugs entering our country.

On this chart, as you see, we have outlined the risk in red. Unfortunately, there is a lot of red on that chart; it is just darker or lighter, as the case may be. That's our risk. It stretches all along the Pacific coast, all the way to the Northern Atlantic.

It obviously means the threat is at every point of our water borders. It's lower in some areas, and obviously it's very, very high in the southeast.

[Chart shown.]

Mr. VON RAAB. We found quickly that redeployment of our resources was not the sole answer to improving our interdiction results. Customs managers realized there was a clear need for better program definition.

If you take a good look at this, this gives you an idea of some of our seizures, and obviously they are clustered in the south Florida area.

So, taking a look at those seizures, we realized that we are still far behind the smugglers to satisfy the Customs Service. So we have to keep pace with the changing methods used by the smugglers.

We have begun, and have been involved over 2 years, in a serious examination of our operations, our policies, and the administration, in terms of the stated goals of the program.

The goals of this program are simply to detect and apprehend persons and contraband entering the U.S. border by private craft and fishing vessels and to provide support in interdiction efforts against other modes of smuggling.

In 1982, we formed a marine analysis group to make recommendations, and a two-pronged strategy was developed: first, improve our detection, tracking, interception, and apprehension capabilities against the marine smugglers; second, to increase the risk and cost to smugglers by providing a strong deterrent to smuggling and disrupting the smugglers' operations.

[Chart shown.]

Mr. VON RAAB. Recognizing the success of the recently instituted air module, a determination was made that a modified modular ap-

proach had direct application in the marine enforcement environment.

This module would use specific resources in conformance with tested methods of operation to present a coordinated approach to the marine smuggling problem. Enhanced intelligence, training, communications, logistics, and maintenance would support operations, along with the use of state-of-the-art technology.

The physical resources of a module include a platform vessel equipped with true motion radar and two interceptor vessels. The unit is staffed by a supervisor, a clerical person, and eight patrol officers. Four of the officers should be certified vessel operators, while the other four are trained marine specialists.

This chart illustrates simply the basic concept in which marine and air radar is used to detect suspect vessels. They, in turn, vector the two interceptors for interdiction and apprehension.

We have tested through July and September 1983 in Fort Myers and Port Canaveral. We evaluated it during and after, and the operational and enforcement results indicated that the module concept should be used as the core of our Enhanced Interdiction Program.

During the 3-month test, the marine module was responsible for 28 cases resulting in arrest and/or seizure; 1,500 pounds of cocaine was seized, 29,000 pounds of marijuana, 10 vessels, 2 aircraft, merchandise valued at over a half a million, as well as 13 arrests.

One seizure, in particular, illustrates the applicability and value of the module concept. During the test, intelligence indicated that a suspect vessel, the *Westwind*, would be nearing the Florida coastline off Gasparville. A Customs tracker vessel, using newly installed radar and infrared equipment, located a suspect target and vectored the interceptor to it.

The target proved to be the *Westwind*, and surveillance was maintained until a boarding could be accomplished. The search revealed 727 pounds of cocaine.

We believe that the successful apprehension of this vessel would not have been achieved without a coordinated effort in which critical intelligence was coupled with the three-vessel configuration. In other words, the module works and is needed.

In fiscal year 1984, we have implemented modules in Fort Lauderdale and Fort Myers, and in 1985 we anticipate putting them in Key West and Miami.

There will be greater coordination and utilization of Customs air resources in all of our marine enforcement efforts. Aircraft from Customs air branches will provide long-range visual FLIR and radar information on the movement of suspect vessels.

Descriptions and other identifying information will be relayed to the nearest marine module for sorting and verification.

When the probable course and location of a suspect vessel is determined, both air and marine modules will coordinate their interdiction activities.

We, of course, will continue to work very closely with the Coast Guard in our marine program, as we have done in the past.

For the most part, Customs patrol concentrates its efforts within the 12-mile limit and in harbors, inlets, and waterways, whereas the Coast Guard generally focuses its drug interdiction activities on

the choke points in the Yucatan, Windward, and Mona Passages, and the waters around the Bahamas, utilizing large cutters.

Mutual participation and assistance are requested frequently, and we expect to join forces on at least five special operations in 1984.

Intelligence from both agencies is coordinated through NNBIS, and the U.S. Customs Service looks forward to continuing this beneficial relationship to further increase marine seizures and arrests.

Future plans also include periodic assessments and evaluations to determine the number of marine modules needed to establish a shoreline vessel detection net which will meet the ever changing narcotics smuggling threat. We will, of course, keep you informed of the result of these evaluations.

In an effort to better utilize the current assets within Customs, we have explored many avenues of approach to increase seizures and arrests. The cornerstone of the Marine Interdiction Program will be the marine module.

Other initiatives which have been recommended are a standardization of the vessel fleet, state-of-the-art technology, a national vessel maintenance contract, Office of Patrol investigative function, and seaport antismuggling teams.

Mr. Chairman, as you know, we are also involved in NNBIS. Since the inception of NNBIS, the U.S. Customs Service has been an active and enthusiastic participant. Our goal, and that of all the other participants, has been to produce the most cohesive and effective narcotics interdiction effort possible at the national level.

Mr. Chairman, we feel strongly that the NNBIS coordinated special efforts have been highly beneficial. One of the most important results lies in the improved interagency cooperation and new lines of communication at the Federal, State, and local level.

We look forward to continuing our participation in NNBIS as a means to carry out our mission and to make a greater contribution to the war on drugs.

Finally, we see legislative change as a potential avenue to improve our marine interdiction effort. Much of the legislation governing reporting requirements for small vessels was written in a time when smuggling by small craft was not a significant problem.

Under current laws, vessels entering the U.S. territorial waters are not required to report directly to a customs port and have up to 24 hours to declare entry, which may be done by any means of communication.

While this is not generally a problem in controlling large commercial vessels, it has posed serious enforcement problems in the control of small vessels.

The 24-hour reporting privilege provides more than sufficient time for smugglers to conduct illegal activities prior to reporting to Customs. In addition, penalties for violations of reporting and entry requirements are not severe enough to encourage compliance.

Mr. Chairman, we obviously have a long way to go before we solve the drug-smuggling problem in our country.

In preparation for these hearings, we took a hard look at our current operations and the way we are deploying marine enforcement personnel. The evidence was clear that we needed more people, especially in our high threat areas.

Thus, we have decided to add 80 new positions to the marine patrol. Sixty of these will go to the southeast region, our area of greatest threat. We feel strongly that this additional manpower, combined with the initiatives contained in our Enhanced Marine Interdiction Program, will take us a long way toward meeting this Nation's serious drug threat.

Thank you very much for listening to my statement, and I, of course, would be happy to answer the questions posed by this committee.

[The prepared statement of Mr. von Raab follows:]

TESTIMONY  
WILLIAM VON RAAB  
COMMISSIONER OF CUSTOMS

SUBCOMMITTEE ON GOVERNMENT INFORMATION, JUSTICE, AND AGRICULTURE  
AUGUST 1, 1984

MR. CHAIRMAN, I WOULD LIKE TO DISCUSS THE U.S. CUSTOMS SERVICE MARINE INTERDICTION PROGRAM.

THE CUSTOMS PATROL WAS RECONSTITUTED IN 1973, FOLLOWING THE CREATION OF THE DRUG ENFORCEMENT ADMINISTRATION AND A MAJOR RESTRUCTURING OF THE FEDERAL DRUG ENFORCEMENT EFFORT. AT THAT TIME, THE BULK OF OUR PATROL RESOURCES WERE LOCATED ALONG THE MEXICAN AND CANADIAN LAND BORDERS.

HOWEVER, AS EARLY AS 1974, CUSTOMS MANAGERS BEGAN TO PERCEIVE AN EXPANDING THREAT FROM WATERBORNE CONVEYANCES, AND A SMALL MARINE PROGRAM WAS INSTITUTED. DURING THE FOLLOWING YEARS, FIELD MANAGERS EXPERIMENTED WITH A VARIETY OF STRATEGIES AND TACTICS IN THEIR EFFORTS TO IMPROVE THEIR EFFECTIVENESS AGAINST THE MARINE DRUG THREAT.

IN THE LATE SEVENTIES THE NARCOTIC SMUGGLING THREAT CLEARLY BEGAN TO SHIFT AWAY FROM THE LAND BORDERS AND MOVED INTO SOUTH FLORIDA AND THE GULF COAST, INDICATING A NEED FOR A STRONGER MARINE PRESENCE. THIS NEED WAS VALIDATED IN A 1979 STUDY BY THE

STANFORD RESEARCH INSTITUTE, WHICH CONCLUDED THAT THERE WERE OVER 2,700 VESSELS NATIONWIDE WHICH WERE SOLELY DEDICATED TO SMUGGLING COCAINE AND MARIJUANA. TODAY'S MARITIME SMUGGLING THREAT IS ESTIMATED AT OVER 26 MILLION POUNDS OF MARIJUANA AND 27,000 POUNDS OF COCAINE.

IN ORDER TO MEET THIS THREAT IT WAS APPARENT THAT RESOURCES MUST BE REALLOCATED. A RESOURCE ALLOCATION SYSTEM WAS DEVELOPED IN 1981 AND, BASED ON ITS RECOMMENDATIONS, 103 PERSONNEL, 26 VACANCIES, AND 7 VESSELS WERE REDEPLOYED TO THE SOUTH ATLANTIC AND GULF COAST OVER THE FOLLOWING TWO YEARS. DURING THIS SAME PERIOD, CLOSE COORDINATION WAS MAINTAINED WITH THE U.S. COAST GUARD TO ENSURE A UNIFIED FEDERAL ATTACK ON MARINE SMUGGLING.

TODAY, CUSTOMS HAS 60 MARINE STATIONS IN 6 REGIONS. THERE ARE A TOTAL OF 804 PERSONNEL ASSIGNED TO THESE STATIONS. THREE HUNDRED FORTY-SEVEN ARE PATROL OFFICERS FULLY DEDICATED TO MARINE INTERDICTION. WITHIN THIS INTERDICTION FORCE, 142 OFFICERS ARE CERTIFIED VESSEL OPERATORS WITH A TITLE OF MARINE ENFORCEMENT OFFICER.

MR. CHAIRMAN, THIS CHART SHOWS THE GEOGRAPHICAL DISTRIBUTION OF OUR MARINE PERSONNEL AND VESSELS. AS YOU CAN SEE, THE GREATEST PROPORTION OF PERSONNEL ARE ASSIGNED TO THE SOUTHEAST REGION -- 48 PERCENT.

CUSTOMS ALSO HAS 102 VESSELS WHICH ARE DEPLOYED IN 51 STATIONS. OVER HALF OF THE FLEET IS ASSIGNED TO THE SOUTHEAST REGION. OUR BOATS RANGE FROM 13 TO 21 FOOT SHALLOW-WATER RUNABOUTS, UP TO 60 FOOT CABIN CRUISERS AND WORK BOATS WHICH ARE USED AS RADAR PLATFORMS AND UNDERCOVER VESSELS. THE MAJORITY OF THE BOATS FALL IN THE 27 TO 38 FOOT RANGE. THESE ARE CAPABLE OF OPERATING IN DEEPER WATER AND INCLUDE HIGH PERFORMANCE INTERCEPTOR BOATS.

IN FY 1983, AS A DIRECT RESULT OF OUR MARINE INTERDICTION EFFORTS, THE PATROL SEIZED 4,731 POUNDS OF COCAINE ACCOUNTING FOR 24 PERCENT OF CUSTOMS COCAINE SEIZURES. MARINE MARIJUANA SEIZURES TOTALED OVER 2 MILLION POUNDS, A PORTION OF WHICH WAS A RESULT OF COOPERATION WITH THE COAST GUARD. THE COMBINED STREET VALUE OF THESE SEIZURES IS OVER \$3 BILLION. IN ADDITION, THE MARINE PROGRAM IS RESPONSIBLE FOR SEIZURES OF 376 VESSELS AND OVER 1,000 ARRESTS.

MR. CHAIRMAN, DESPITE THESE SUCCESSES, WE KNOW THAT THEY REPRESENT ONLY A FRACTION OF THE ILLEGAL DRUGS ENTERING OUR COUNTRY. ON THIS CHART, THE AREAS SHADED IN LIGHT RED ARE CONSIDERED TO BE THE LOWEST THREAT FOR MARINE SMUGGLING, STRETCHING ALONG THE PACIFIC COAST AND NORTHERN ATLANTIC. THIS DOES NOT MEAN THERE IS NOT A THREAT, SIMPLY THAT IT IS LOWER IN COMPARISON TO THE REST OF OUR BORDERS. MODERATE THREAT AREAS

ENCOMPASS THE WESTERN PORTION OF THE GULF COAST AND THE MID-ATLANTIC COAST FROM GEORGIA TO VIRGINIA. OF COURSE, THE GREATEST MARINE SMUGGLING THREAT IS FOUND IN SOUTH FLORIDA. TO SUBSTANTIATE THESE JUDGMENTS, WE LOOK AT THE DISTRIBUTION OF SEIZURE INCIDENTS AND SEE HOW THEY ARE CLUSTERED IN SOUTH FLORIDA.

MR. CHAIRMAN, REDEPLOYMENT OF RESOURCES WAS NOT THE SOLE ANSWER TO IMPROVING OUR INTERDICTION RESULTS. CUSTOMS MANAGERS RECOGNIZED THAT THERE WAS A CLEAR NEED FOR BETTER PROGRAM DEFINITION AND DEVELOPMENT, IF WE WERE TO KEEP PACE WITH THE CONSTANTLY CHANGING METHODS USED BY THE SMUGGLERS. THUS, IN 1981, HEADQUARTERS AND FIELD MANAGERS BEGAN A SERIOUS EXAMINATION OF OPERATIONS, POLICIES, AND ADMINISTRATION IN TERMS OF THE STATED GOALS OF THE PROGRAM, WHICH ARE:

1. TO DETECT AND APPREHEND PERSONS AND CONTRABAND ENTERING THE U.S. BORDER BY PRIVATE CRAFT AND FISHING VESSELS, AND
2. TO PROVIDE SUPPORT IN INTERDICTION EFFORTS AGAINST OTHER MODES OF SMUGGLING.

IN 1982, A MARINE ANALYSIS GROUP WAS FORMED TO MAKE SPECIFIC RECOMMENDATIONS FOR IMPROVING THE MARINE PROGRAM. A TWO-PRONGED STRATEGY WAS DEVELOPED TO CARRY OUT THE PROGRAM GOALS. THE FIRST

PART OF THE STRATEGY CONSISTED OF IMPROVING OUR DETECTION, TRACKING, INTERCEPTION, AND APPREHENSION CAPABILITIES AGAINST MARINE SMUGGLERS. THE SECOND PART WAS TO INCREASE THE RISK AND COST TO SMUGGLERS BY PROVIDING A STRONG DETERRENT TO SMUGGLING AND DISRUPTING THE SMUGGLERS OPERATIONS.

RECOGNIZING THE SUCCESS OF THE RECENTLY INSTITUTED AIR MODULE, A DETERMINATION WAS MADE THAT A MODIFIED MODULAR APPROACH HAD DIRECT APPLICATION IN THE MARINE ENFORCEMENT ENVIRONMENT. THE MARINE MODULE WOULD USE SPECIFIC RESOURCES IN CONFORMANCE WITH TESTED METHODS OF OPERATION TO PRESENT A COORDINATED APPROACH TO THE MARINE SMUGGLING PROBLEM. ENHANCED INTELLIGENCE, TRAINING, COMMUNICATIONS, LOGISTICS, AND MAINTENANCE WOULD SUPPORT OPERATIONS, ALONG WITH THE USE OF STATE-OF-THE-ART TECHNOLOGY.

THE PHYSICAL RESOURCES OF A MODULE INCLUDE A PLATFORM VESSEL, EQUIPPED WITH TRUE MOTION RADAR, AND TWO INTERCEPTOR VESSELS. THE UNIT IS STAFFED BY A SUPERVISOR, ONE CLERICAL PERSON, AND EIGHT PATROL OFFICERS. FOUR OF THE OFFICERS ARE CERTIFIED VESSEL OPERATORS, WHILE THE OTHER FOUR ARE TRAINED MARINE SPECIALISTS. THIS CHART ILLUSTRATES THE BASIC CONCEPT OF THE MARINE MODULE IN WHICH MARINE AND AIR RADAR IS USED TO DETECT SUSPECT VESSELS. THEY, IN TURN, VECTOR THE TWO INTERCEPTORS FOR INTERDICTION AND APPREHENSION.

THE MARINE MODULE CONCEPT WAS TESTED FROM JULY THROUGH SEPTEMBER OF 1983, USING OUR FORT MYERS AND PORT CANAVERAL OFFICES AS TEST SITES. THE MODULE WAS EVALUATED DURING AND AFTER THE TEST. THE OPERATIONAL AND ENFORCEMENT RESULTS INDICATED THAT THE MODULE CONCEPT SHOULD BE USED AS THE CORE OF OUR ENHANCED INTERDICTION PROGRAM.

DURING THE 3-MONTH TEST, THE MARINE MODULE WAS RESPONSIBLE FOR 26 CASES RESULTING IN ARREST AND/OR SEIZURE. A TOTAL OF 1,563 POUNDS OF COCAINE WAS SEIZED ALONG WITH 29,516 POUNDS OF MARIJUANA, 10 VESSELS, 2 AIRCRAFT, AND MERCHANDISE VALUED AT \$531,466; A TOTAL OF 13 ARRESTS WERE MADE.

ONE SEIZURE IN PARTICULAR ILLUSTRATES THE APPLICABILITY AND VALUE OF THE MODULE CONCEPT IN EFFECTING ARRESTS AND SEIZURES.

DURING THE TEST, INTELLIGENCE INDICATED THAT A SUSPECT VESSEL, THE WESTWIND, WOULD BE NEARING THE FLORIDA COASTLINE OFF GASPARVILLE. A CUSTOMS TRACKER VESSEL, USING NEWLY INSTALLED RADAR AND INFRARED EQUIPMENT, LOCATED A SUSPECT TARGET AND VECTORED AN INTERCEPTOR TO IT. THE TARGET PROVED TO BE THE WESTWIND AND SURVEILLANCE WAS MAINTAINED UNTIL A BOARDING COULD BE ACCOMPLISHED. A SEARCH REVEALED 727 POUNDS OF COCAINE. WE ARE CONVINCED THAT THE SUCCESSFUL APPREHENSION OF THIS VESSEL WOULD NOT HAVE BEEN ACHIEVED WITHOUT A COORDINATED EFFORT IN

WHICH CRITICAL INTELLIGENCE WAS COUPLED WITH THE 3-VESSEL CONFIGURATION. IN OTHER WORDS, THE SEIZURE WOULD NOT HAVE OCCURRED WITHOUT THE MODULE.

FOR FY 1984, WE HAVE IMPLEMENTED MODULES IN FT. LAUDERDALE AND FT. MYERS, FLORIDA. FOR FY 1985, WE ANTICIPATE MODULES BEING IMPLEMENTED IN KEY WEST AND MIAMI. ALL OF THESE MODULES WILL COME FROM EXISTING CUSTOMS RESOURCES AND CURRENT FUNDING.

THERE WILL ALSO BE GREATER COORDINATION AND UTILIZATION OF CUSTOMS AIR RESOURCES IN OUR MARINE ENFORCEMENT EFFORTS. AIRCRAFT FROM CUSTOMS AIR BRANCHES WILL PROVIDE LONG-RANGE VISUAL, FLIR, AND RADAR INFORMATION ON THE MOVEMENT OF SUSPECT VESSELS. DESCRIPTIONS, INCLUDING LENGTH, TYPE, CLASS, NAME, HOME PORT, AND OTHER IDENTIFYING INFORMATION WILL BE RELAYED TO THE NEAREST MARINE MODULE FOR SORTING AND VERIFICATION. WHEN THE PROBABLE COURSE AND LOCATION OF A SUSPECT VESSEL IS DETERMINED, BOTH AIR AND MARINE MODULES WILL COORDINATE THEIR INTERDICTION ACTIVITIES.

MR. CHAIRMAN, WE WILL CONTINUE TO WORK CLOSELY WITH THE COAST GUARD IN OUR MARINE PROGRAM AS WE HAVE DONE IN THE PAST. FOR THE MOST PART, CUSTOMS PATROL CONCENTRATES ITS EFFORTS WITHIN THE 12-MILE LIMIT AND IN HARBORS, INLETS, AND WATERWAYS. THE COAST GUARD GENERALLY FOCUSES ITS DRUG INTERDICTION ACTIVITIES ON THE

CHOKE POINTS IN THE YUCATAN, WINDWARD, AND MONA PASSAGES, AND THE WATERS AROUND THE BAHAMA ISLANDS, UTILIZING LARGE CUTTERS FOR EXTENDED PATROLS OUTSIDE OF THE 12-MILE LIMIT. MUTUAL PARTICIPATION AND ASSISTANCE ARE REQUESTED FREQUENTLY, AND WE EXPECT TO JOIN FORCES ON AT LEAST FIVE SPECIAL OPERATIONS IN 1984. INTELLIGENCE FROM BOTH AGENCIES IS COORDINATED THROUGH THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS). THE U.S. CUSTOMS SERVICE LOOKS FORWARD TO CONTINUING THIS BENEFICIAL RELATIONSHIP TO FURTHER INCREASE MARINE SEIZURES AND ARRESTS.

FUTURE PLANS ALSO INCLUDE PERIODIC ASSESSMENTS AND EVALUATIONS TO DETERMINE THE NUMBER OF MARINE MODULES NEEDED TO ESTABLISH A SHORELINE VESSEL DETECTION NET WHICH WILL MEET THE EVER CHANGING NARCOTICS SMUGGLING THREAT. WE WILL KEEP YOU INFORMED OF THE RESULTS OF THESE EVALUATIONS. SELECTION OF FUTURE MARINE MODULE SITES WILL BE BASED ON THREAT ASSESSMENT, INTELLIGENCE, CASE DEVELOPMENT, LOCAL EXPERTISE, AND GEOGRAPHIC LOCATION.

IN AN EFFORT TO BETTER UTILIZE THE CURRENT ASSETS WITHIN CUSTOMS, WE HAVE EXPLORED VARIOUS AVENUES OF APPROACH TO INCREASE SEIZURES AND ARRESTS IN THE MARINE PROGRAM. THE CORNERSTONE OF THE MARINE INTERDICTION PROGRAM IS THE MARINE MODULE. OTHER INITIATIVES WHICH HAVE BEEN RECOMMENDED ARE: STANDARDIZATION OF THE VESSEL FLEET, STATE-OF-THE-ART TECHNOLOGY, A NATIONAL VESSEL MAINTENANCE

CONTRACT, OFFICE OF PATROL INVESTIGATIVE FUNCTION, AND SEAPORT ANTISMUGGLING TEAMS.

MR. CHAIRMAN, AS YOU KNOW, WE ARE ALSO INVOLVED IN THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS). SINCE THE INCEPTION OF NNBIS, THE U.S. CUSTOMS SERVICE HAS BEEN AN ACTIVE AND ENTHUSIASTIC PARTICIPANT. OUR GOAL, AND THAT OF ALL PARTICIPANTS, HAS BEEN TO PRODUCE THE MOST COHESIVE AND EFFECTIVE NARCOTICS INTERDICTION EFFORT POSSIBLE AT THE NATIONAL LEVEL.

CUSTOMS EXECUTIVES CURRENTLY DIRECT THE ACTIVITIES OF THREE OF THE NNBIS REGIONAL CENTERS. THEY ARE THE NORTHERN BORDER, NORTHEAST, AND SOUTHWEST REGIONAL CENTERS. WE HAVE TWO PERSONNEL SERVING FULL TIME ON THE VICE PRESIDENT'S NNBIS STAFF, AND THERE ARE 37 CUSTOMS PERSONNEL ASSIGNED FULL TIME TO THE 6 NNBIS REGIONAL CENTERS.

NNBIS PARTICIPATES IN THE PLANNING AND EXECUTION OF SPECIAL ENFORCEMENT OPERATIONS DESIGNED TO UTILIZE CUSTOMS RESOURCES TO THE MAXIMUM EXTENT, IN CONJUNCTION WITH DEPARTMENT OF DEFENSE RESOURCES, TO FURTHER OUR MARINE INTERDICTION EFFORTS.

MR. CHAIRMAN, WE FEEL STRONGLY THAT THE NNBIS COORDINATED SPECIAL OPERATIONS HAVE BEEN HIGHLY BENEFICIAL. ONE OF THE MOST IMPORTANT RESULTS LIES IN THE IMPROVED INTERAGENCY COOPERATION

AND NEW LINES OF COMMUNICATION AT THE FEDERAL, STATE, AND LOCAL LEVEL. NNBIS HAS CONTRIBUTED TO A MORE UNIFIED FOCUS ON THE PROBLEMS INVOLVED IN NARCOTICS INTERDICTION. WE LOOK FORWARD TO CONTINUING OUR PARTICIPATION IN NNBIS AS A MEANS TO CARRY OUT OUR MISSION AND MAKE A GREATER CONTRIBUTION TO THE WAR ON DRUGS.

FINALLY, WE SEE LEGISLATIVE CHANGE AS A POTENTIAL AVENUE TO IMPROVE OUR MARINE INTERDICTION EFFORT. MUCH OF THE LEGISLATION GOVERNING REPORTING REQUIREMENTS FOR SMALL VESSELS WAS WRITTEN IN A TIME WHEN SMUGGLING BY SMALL CRAFT WAS NOT A SIGNIFICANT PROBLEM. UNDER CURRENT LAWS, VESSELS ENTERING THE UNITED STATES TERRITORIAL WATERS ARE NOT REQUIRED TO REPORT DIRECTLY TO A CUSTOMS PORT AND HAVE UP TO 24 HOURS TO DECLARE ENTRY, WHICH MAY BE DONE BY ANY MEANS OF COMMUNICATION. WHILE THIS IS NOT GENERALLY A PROBLEM IN CONTROLLING LARGE COMMERCIAL VESSELS, IT HAS POSED SERIOUS ENFORCEMENT PROBLEMS IN THE CONTROL OF SMALL VESSELS.

THE "24 HOUR" REPORTING PRIVILEGE PROVIDES MORE THAN SUFFICIENT TIME FOR SMUGGLERS TO CONDUCT ILLEGAL ACTIVITIES PRIOR TO REPORTING TO CUSTOMS. IN ADDITION, PENALTIES FOR VIOLATIONS OF REPORTING AND ENTRY REQUIREMENTS ARE NOT SEVERE ENOUGH TO ENCOURAGE COMPLIANCE. WE FEEL THAT LEGISLATION COULD BE ENACTED WHICH DOES NOT PLACE UNDUE HARDSHIP ON THE LEGITIMATE BOATING COMMUNITY, BUT WOULD BE MORE RESPONSIVE TO CURRENT DAY ENFORCEMENT NEEDS.

MR. CHAIRMAN, WE OBVIOUSLY HAVE A LONG WAY TO GO BEFORE WE SOLVE THE DRUG SMUGGLING PROBLEM IN OUR COUNTRY. IN PREPARATION FOR THESE HEARINGS, WE TOOK A HARD LOOK AT OUR CURRENT OPERATIONS AND THE WAY WE ARE DEPLOYING MARINE ENFORCEMENT PERSONNEL. THE EVIDENCE WAS CLEAR THAT WE NEEDED MORE PEOPLE--ESPECIALLY IN OUR HIGH THREAT AREAS.

THUS, WE HAVE DECIDED TO ADD 80 NEW POSITIONS TO THE MARINE PATROL. SIXTY OF THESE WILL GO TO THE SOUTHEAST REGION, OUR AREA OF GREATEST THREAT. WE FEEL STRONGLY THAT THIS ADDITIONAL MANPOWER, COMBINED WITH THE INITIATIVES CONTAINED IN OUR ENHANCED MARINE INTERDICTION PROGRAM, WILL TAKE US A LONG WAY TOWARD MEETING THIS NATION'S SERIOUS DRUG THREAT.

THIS CONCLUDES MY FORMAL STATEMENT. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS POSED BY THE COMMITTEE.

MR. ENGLISH. Commissioner, I certainly want to commend the Customs Service for changing that regulation on that 24-hour rule. That's one that we have heard a large number of complaints on, particularly out in California.

MR. VON RAAB. I believe, Mr. Chairman, that is a statute that we are tangling with, and I have raised that as a possible something that maybe you all will want to look at.

MR. ENGLISH. Are you proposing that today?

MR. VON RAAB. We have not gone through the normal and required—I'm merely stating that from Customs' perspective, the 24-hour reporting rule causes us serious enforcement problems. If it didn't exist, we could do a better job.

MR. ENGLISH. Well, we'll see if we can't help you out on that, Commissioner. I think that that is one that causes problems.

MR. VON RAAB. As well as the penalties. They are really de minimis. Maybe the way to smuggle is to bring it in legally rather than trying to run by us.

MR. ENGLISH. The question I have is this. You mentioned that you were going to shift some additional people in there to be able to respond, that Customs was going to have to respond much quicker whenever they get calls about a boat coming into port, since they can't lay around there for 24 hours.

Could you tell us where the people are going to come from for that additional responsibility?

Mr. VON RAAB. There will be 80 patrol officers hired in the Customs Service. This will be an increase of the personnel physically on board. So those individuals will not come from anywhere; they will be new hires in the Customs Service.

Obviously, we must live within our ceilings, but the positions which have been vacated over the past 7 or 8 months, because Customs has been under a freeze, will be the—the types of positions which will be used in order to enable us to fill the patrol positions will be positions that were not involved in enforcement; they would be personnel, clerks, or other nonenforcement positions; but this will be an absolute increase in patrol officers.

Mr. ENGLISH. You mention also in your written statement that the goals of the marine program are to detect and arrest smugglers and seize contraband.

Could you tell us how you intend to detect those smugglers?

Mr. VON RAAB. Well, there are any number of ways to detect smugglers. The most effective way—I don't know if it quite fits into your term of detection, but the most effective way is to develop information, or intelligence, on those individuals, thereby detecting them. So that's the most effective way that we have found so far.

Given the size of the threat, we need to develop information, find out that someone is coming in.

In terms of sheer physical detection, which may be what you are driving at, we at present have a number of radar platforms; I think we have 13.

So in terms of our physical detection, that is the approach that we use right now, as well as, for example, our Operation Pinpoint, in which we detect, if you will—that's almost a combination between intelligence and physical detection. But we detect potential smugglers out there through Operation Pinpoint, some of which methods are classified, and I know that you are aware of them.

Lastly, of course, we will be looking at the possibility of putting radar in other facilities, other than boats; for example, balloons.

Mr. ENGLISH. Of the arrests that were made last year, I believe there were something over 300 marine arrests; is that correct?

Mr. VON RAAB. Over 1,000.

Mr. ENGLISH. Over 1,000? Excuse me; I guess I'm thinking about the air.

Of that over 1,000 marine arrests that you made last year, are you talking about people, or are you talking about vessels?

Mr. LAGEMAN. People.

Mr. ENGLISH. What about vessels?

Mr. LAGEMAN. Three hundred and some—over 300.

Mr. ENGLISH. OK. Well, the vessels then—I am correct; it's over 300?

Mr. VON RAAB. About 330 vessels and 1,000 people.

Mr. ENGLISH. Of those 300 vessels that you came up with, how many of those were detected as the result of intelligence?

Mr. LAGEMAN. We can provide that for the record.

Mr. ENGLISH. Well, give me a ballpark figure. Is it 75 percent of that 300?

Mr. LAGEMAN. No; it would be less than 75—

Mr. ENGLISH. Less than 50 percent?

Mr. LAGEMAN. I'd say a little less than 50 percent.

Mr. ENGLISH. Less than 25 percent?

Mr. LAGEMAN. No, I don't think so.

Mr. ENGLISH. Do you think you had more than 25 percent that were detected as a result of intelligence?

Mr. VON RAAB. Let's try to break it down. We have about 30 of those arrests that would have been made through formal information provided to us by DEA; is that correct?

Mr. LAGEMAN. That's correct.

Mr. VON RAAB. Then there is a hard-to-identify other group in which would have been information or intelligence developed by the Customs patrol officers themselves by working in the marinas.

So it's that number that is hard for us to identify, because it's hard to know when we have a hard piece of intelligence as a result of marina, because that could be generic and it could be specific.

But it's fair to say that the total amount, combining the formal DEA, which is the 30 arrests that are a result of DEA information, and the number arrested as a result of our own marina activity—our own investigative activity probably does not exceed 50 percent. Is that—

Mr. ENGLISH. Well, we'd like some specific numbers on that for the record.

Mr. VON RAAB. OK.

[The information follows:]

Customs' own investigative activity accounted for 34.3 percent of total marine seizures in fiscal year 1983.

Mr. ENGLISH. The only specific number you can give me is about 30 out of 300, which would be 10 percent as far as DEA is concerned, and I'm not sure that you would classify as being intelligence a boat that some of your folks saw at the marina that they thought, you know, might be involved in drug trafficking some way.

I'm talking about something where you have some information, some type of intelligence that the individuals and that boat have, in fact, been involved in drug trafficking.

Mr. VON RAAB. That number would be extremely low and probably would be under 5 percent.

Mr. ENGLISH. OK. So we are talking about a very small number as far as intelligence is concerned.

Mr. VON RAAB. That's true—pure intelligence in that sense.

Mr. ENGLISH. All right. So we are talking about the majority of that 300 that came about through other detection methods, either through radar or chance interceptions; is that correct?

Mr. VON RAAB. And good hard work by the patrol officers in picking up information themselves, working in the marinas. I don't want to sell short the importance of that effort, because it's very helpful to our marine program.

Mr. ENGLISH. Nor do I, but I think that it's important for us to try to categorize as best we can, you know, where most of these arrests are being made and where we have got the best chance to expand that.

What is your estimate as far as the number of boats carrying contraband that come into this country?

Mr. VON RAAB. The most recent formal study was done by the Stanford Research Institute of 2,700.

Mr. ENGLISH. What date was that?

Mr. VON RAAB. That was 1979. We feel it is considerably higher than that.

Mr. ENGLISH. It was what date?

Mr. VON RAAB. 1970.

Mr. ENGLISH. 1979?

Mr. VON RAAB. Right. We feel the number is higher than that.

Mr. ENGLISH. If 2,700 is what they came up with in 1979, what would be considerably higher?

Mr. VON RAAB. We have some regional threat analyses, that we can run through very quickly, that might be helpful.

Mr. ENGLISH. Well, I'm just interested in an overall total number. Can you just give us that?

Mr. LAGEMAN. We would be comfortable in doubling that.

Mr. ENGLISH. So it's 5,000 or so?

Mr. VON RAAB. Yes.

Mr. LAGEMAN. That would be nationwide.

Mr. ENGLISH. All right.

Also, you are showing here, Commissioner, the detection radar from the boat out there, and I think you mentioned that you had a number of platforms. I would assume those are the platforms you are talking about; those are the radars from those boats.

What is the range of those radars as far as detecting a drug smuggler?

Mr. VON RAAB. Up to 10 miles.

Mr. ENGLISH. OK; up to 10 miles. And what is the range of the communications of those boats, from boat to boat, say?

Mr. VON RAAB. Three to five miles on the sea.

Mr. ENGLISH. So, in effect, our detection capabilities are limited to 3 to 5 miles, because you can't communicate beyond that. Isn't that correct?

Mr. VON RAAB. Well, that's putting the worst possible light on it. That's in the private mode on our radios, but that's not an unfair statement.

Mr. ENGLISH. It's not an unfair statement?

Mr. VON RAAB. No, it is not.

Mr. ENGLISH. So, in effect, as far as making the module work, we are very limited because of our communication. We can spot possible targets beyond twice the range that we can arrange an intercept, because we can't talk to the boat—the interceptor boat—isn't that correct?

Mr. VON RAAB. The communications limits limit our ability to pass information back and forth, obviously.

Mr. ENGLISH. One of the major problems that we ran into in the air program is its inability to identify a target once it has been detected. How do you solve that problem in the marine module that you have described?

Mr. VON RAAB. If I might ask Mr. Lageman in charge of our patrol program if he could answer that question, it would be perhaps more effective.

Mr. ENGLISH. Go ahead.

Mr. LAGEMAN. I'd like to bring into not only the detection but your question of identification the sorting. We look for a number of things: The profiles that we have established, the speed of the vessel, the size of the vessel, and that's all in our sorting.

The communication in the module, we also anticipate and do incorporate our own air support in that. That provides a tremendous coordinating communication asset.

Although a radio from an interceptor to a radar platform may only be 6 miles or 3 to 5 miles, with the aircraft, that is unlimited; so that could be increased.

The identification process is difficult in that if the radar itself, we can't sort it because of speed or direction, then we have to do a visual identification, and that's actually taking one of our pursuit and interceptor vessels, vectoring it, identifying it, and then communicating back to the radar platform whether or not it's a good suspect.

Mr. ENGLISH. Is this the procedure that is routinely followed, that you've got this air radar relay system set up? You routinely follow that as far as your marine modules are concerned?

Mr. LAGEMAN. Yes; in the module application, we do that. We also have—

Mr. ENGLISH. I'm talking about your overall operations—your marine operations—this is the way it works; is that right? Is that the way most of your boats operate out there? Do you have that capability?

Mr. LAGEMAN. Yes.

Mr. ENGLISH. Radio relay all the time?

Mr. LAGEMAN. In the cases where we have air support. We have definite weaknesses, and we have problems where we can't relay. It's a very fair statement that we have a lot of radio problems in the cases that we see with our air—

Mr. ENGLISH. That's the point, Mr. Lageman. If we have a lot of radio problems, that means that we can't communicate, and if we can't communicate with our intercept boats or with our aircraft, then we are out of business. All you've got is one boat out there. He sees the target and, you know, watches him go by.

Mr. LAGEMAN. We are exploring some enhancements to that, and the aerostat is one; the mobile repeaters which we anticipate putting on our platforms, which will increase our communications area; plus the HF systems that we are looking into.

Mr. ENGLISH. The problem that I mentioned, though, is how do you identify a target once it's detected? Whether it's a friendly target or, a target out there that perhaps DEA has put a beacon on, a transponder on, to identify it as a suspect? Can you do that? Can you do that from those platforms?

Mr. LAGEMAN. As long as all our communications work.

Mr. ENGLISH. Your radar does that?

Mr. LAGEMAN. No, no. That's visual. That's calling in and—

Mr. ENGLISH. It's visual. You can't hear a signal from a transponder visually, can you? I mean you don't have a beacon up there on that thing going around and around saying, "I'm a suspect; I'm a drug smuggler."

Mr. LAGEMAN. No, we do not. Our aircraft would be utilized for our current beacon installations.

Mr. ENGLISH. Does your aircraft have IFF?

Mr. LAGEMAN. We don't have transponder installation in vessels. We use beacons and beepers on VHF radio transmitters—beacons.

Mr. ENGLISH. DEA puts those transponders on.

Mr. LAGEMAN. We do not currently utilize transponders on our vessels. We are exploring that. We do anticipate—

Mr. ENGLISH. DEA does, though, don't they?

Mr. LAGEMAN. On certain cases. Most of them also use the beacons. Almost all the law enforcement application for vessels has been with VHF beacons.

Mr. ENGLISH. But if a DEA agent puts a transponder on a suspect vessel that is moving north, there is no way that Customs can detect it, can they, right now?

Mr. LAGEMAN. Currently, none with transponders; we do have some other applications that have proved very effective.

Mr. ENGLISH. And of course the other question comes up, if you are exploring how to put them on, how in the world are you going to detect them if you don't have IFF?

Mr. LAGEMAN. That's something that we are looking at. Our research and development and aerostat enhancement is one thing that we want to—

Mr. ENGLISH. So the answer is, right now, you can't really identify one of these targets, can you?

Mr. LAGEMAN. Not without visual persons looking.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. von Raab, you have focused your testimony on the Customs' marine patrol interdiction efforts, and since my district includes both coasts of Florida, there is no doubt that the marine patrol has an important role to play in drug interdiction in areas not designated as international areas.

However, how would you assess the drug interdiction efforts at international airports of entry, particularly those in my district, which includes Palm Beach International Airport, the Port of Palm Beach, and Fort Pierce?

Mr. VON RAAB. The most important development in the Customs Service that relates to airports has to do with the establishment of what we call contraband enforcement teams. The purpose of these teams is to perform intensified examination on suspect cargo and persons arriving in the United States. We have employed these teams in the West Palm Beach port of entry. This team is in addition to the existing staff.

This particular team, for example, was responsible for the Fort Pierce and Palm Beach Airport efforts and, in particular, in April, for example, approximately 269 pounds of cocaine was seized after being discovered in the false bottom of a sea cargo container that was discharged from West Palm Beach, and just last week a 6-pound cocaine seizure was made from a passenger at the Palm Beach Airport.

So it's the so-called CET or contraband enforcement team, that is particularly important, in addition to which, of course, the Office of Tactical Enforcement, which is staffed by what we call patrol officers, work in close cooperation with our Office of Inspection, and

we have antismuggling interdiction units in Palm Beach who work with the Jacksonville Air Branch.

These units coordinate all enforcement activity with the appropriate State and local enforcement agencies and, we believe, ensure a good, unified effort against air smuggling.

Mr. LEWIS. Based on the threat assessments you have, do you see any shift in total smuggling activity from airborne to maritime?

Mr. VON RAAB. Yes; both the actual success of the air program and its significant deterrent effect, I believe, have resulted in people taking to the waves, as it were, and we see an increase in the use of air drops, which then require a marine delivery system, as well as increased use of commercial cargo, particularly sea-going cargo.

So yes, there has been a shift.

Mr. LEWIS. In your prepared statement, you mention that the majority of your boats are in the 27- to 38-foot range, and they are capable of operating in deep water and include high performance interceptor boats. Would you elaborate on these interceptor boats, and how many you have, and what type of vessels?

Mr. VON RAAB. We have about 44 interceptors, and 34 runabouts, and 10 patrol boats. I would ask Mr. Lageman, however, to give you a little more of the details of just what kind of boats they are and what their performance specs are.

Mr. LAGEMAN. The interceptor vessels are commonly known as the Cigarette or of course the Scarabs, which are the high-speed, 30- to 38-feet in length. Currently in West Palm, Lauderdale, and Fort Pierce, we have six of those type vessels, and we have an additional six in the Miami area. That's a combination of patrol and radar platforms and interceptors.

The interceptor, obviously, in the south Florida area, is the most dramatic and the most necessary to our application, along with the radar.

Mr. LEWIS. Are they all serviceable, in operation, at this time?

Mr. LAGEMAN. Currently, of the 102 vessels that we have, we have 91 percent up time; 93 of those vessels are operational now, and we have been tracking that for the last few months. We have had as low as an 85 percent down—

Mr. LEWIS. Of that 91 percent, how does that affect the southern part of Florida, particularly in the Fort Pierce-West Palm Beach area—Port of Palm Beach area? Are those boats in operation?

Mr. LAGEMAN. Yes; they are.

Mr. LEWIS. Commissioner von Raab, have you noticed an increase in the level of shipping through the ports of entry over the past year? You mentioned that we are going more to the airways. Have you noticed an increase in the level of shipping through the ports during this past year?

Mr. VON RAAB. We believe there is an increase. It is always hard to say you have noticed it. Our seizures are up. That's because we think we are doing a better job, but I think that they are trying to use those avenues more because of the deterrent effect of the air program.

Mr. LEWIS. The Customs office at the Port of Palm Beach says that shipping has increased 100 percent through that particular port in the last year.

Mr. VON RAAB. Oh, I'm sorry. You mean just shipping, in absolute terms, not smuggling through shipping?

Mr. LEWIS. Right.

Mr. VON RAAB. Oh, I'm sorry; I misunderstood your question.

Mr. LEWIS. With the increase in cargo shipments that we are talking about, how do you plan to expedite what has to be done while, at the same time, ensuring that these containers and what-not are inspected properly for illegal drugs?

Let me tell you what I've heard. Some Customs agents state that the Service police is to expedite cargo through the ports by letting 90 percent go through uninspected. Is that a true or false statement?

Mr. VON RAAB. Well, it is physically impossible for the Customs Service to inspect every piece of cargo. We have around 5.5 million formal entries a year, each of which entry could contain any number of physical cartons.

So what Customs does is to develop systems for identifying the high risk cargo, as we do with passengers. Over the past 2 years, in particular, we have continued to improve and make sophisticated our system, which we call ACCEPT, and the purpose of this is to insure that we do move cargo quickly, but at the same time we have a good shot at reviewing that cargo that we feel should be inspected.

The effect of ACCEPT is to examine intensively roughly a quarter of the cargo that has been identified as a risk and, wherever possible, all of the cargo that has been identified as a serious risk.

That is the approach that we use, in addition to which, as I indicated, we have developed these contraband enforcement teams who supplement the efforts of the inspectors who are performing these more routine inspections.

Mr. LEWIS. I noticed on your map of the United States where the various busts have been made. The numbers just on south Florida appear to me to almost exceed all of the others on both coasts. As we look at the bottom there, it looks to me like you have more busts and seizures there than on the entire east coast, the gulf coast, and the west coast.

Mr. VON RAAB. That's correct. I don't have the numbers in front of me, but there's no question but that south Florida is the entry point for most of the marijuana and cocaine coming into the United States.

Mr. ENGLISH. Would the gentleman yield?

Mr. LEWIS. I yield to the chairman.

Mr. ENGLISH. I was just curious—one clarification on the map. You have a little inset down there with the United States, and then it looks, off down into the Caribbean there, that you have a bunch of pins. Is that Puerto Rico where you have—do you see what I'm talking about?

Mr. VON RAAB. Over to the left there, the square?

Mr. ENGLISH. Yes, right there. Is that Puerto Rico?

Mr. CROSS. It's all over the Caribbean.

Mr. ENGLISH. So that's not Puerto Rico in particular?

Mr. CROSS. Some of it is Puerto Rico, but it's all over the Caribbean.

Mr. ENGLISH. Do you have any data on Puerto Rico?

Mr. VON RAAB. I'm sure we do. I don't know if it's available to me right here.

Mr. ENGLISH. I appreciate the gentleman yielding. I was just curious about that.

Mr. LEWIS. Certainly, Mr. Chairman.

Mr. VON RAAB. Do you want data on Puerto Rico? If you wait 2 seconds, we'll come right up with it.

Mr. LEWIS. Commissioner, with that tremendous number of seizures, I would think—and we are talking about your contraband enforcement team—that you would look at locating your personnel in such a way that you could choke it off.

I recognize that you can't inspect every vessel and every container that comes through these ports, and all the aircraft and other types of sea-going vessels, but if what I was informed is correct—that you only look at 90 percent—then you still don't have enough people in that area to do the job, which is bringing me to my next question, which comes back to the Port of Palm Beach. I have communicated with your office extensively on this and worked at getting additional personnel in that area.

Do you feel that the level of personnel assigned to the Port of Palm Beach and Palm Beach International Airport is adequate, particularly in the number of people assigned to work as a narcotics enforcement team or contraband enforcement team?

I have the numbers here, so I know the answer to some of the question. I want to know what you feel.

Mr. VON RAAB. We feel that our inspection force at this point is adequate. There are eight full-time Customs inspectors, and all eight have been trained intensively in detecting and intercepting narcotics.

In addition, the Customs patrol has 13 assigned to West Palm Beach, and we will be increasing that number, along with the general increase of 60 patrol officers to the Florida area.

We believe that that level of Customs personnel will adequately serve the narcotics inspection needs in your district. But we do review these deployments of personnel regularly.

For example, less than a year ago, we added a number of additional inspectors into the Florida area, and as I indicated, we will be, over the next 2 months, adding 60 patrol officers.

So we have a regular practice of reviewing the personnel, and I can assure you that we will make sure that your concerns that you have expressed on behalf of your constituents are not overlooked.

Mr. LEWIS. According to your Customs office at the Port of Palm Beach, Mr. Commissioner, they have had an increase of approximately 200 percent in shipping in, and the staffing level has not increased.

We have some concerns there when we have the high number of vessels coming in, and we are moving Customs agents from one area to another to make this coverage, and that's why I specifically brought out initially about Fort Pierce and the Fort Pierce station as well as the Port of Palm Beach and Palm Beach International Airport.

It has been brought to my attention that you have these two additional people moving back and forth, and in fact you don't have

all 13 or 11 officers on the CEP team. I'm trying to get through the fog, so I know what I'm doing.

Mr. VON RAAB. I can tell you that as of yesterday there were 8 inspectors and 13 Customs patrol officers in Palm Beach.

I would ask Mr. Mach, our assistant commissioner for inspection and control, to comment on the two individuals that you feel may be moved in and out of Palm Beach.

Is that accurate, Gene?

Mr. LEWIS. Well, let me put it this way, the information that I have—and maybe you can dispute this—is that there are six regular inspectors, and in theory they are trained to recognize drugs but, in reality, do not have interchangeable authority with that of enforcement inspectors.

We have one part-time regular inspector for the Port of Palm Beach; one vacancy; and an inspector on sick leave for an undetermined period of time; one assistant port director who, by virtue of his responsibility as a supervisor, doesn't make regular inspections; and two enforcement inspectors; these examine cargo exclusively for illegal narcotics. That's a total of 11.

Now what you are telling me about the contraband enforcement team that you are using—and I'm looking at the numbers of people that you tell me and, that I point out here, are assigned in this area—they all don't have the same responsibilities to jump in and inspect or the training as well for narcotics inspection.

Mr. VON RAAB. Well, I hope that the difference of information here is semantic. Our inspectors are all trained to perform inspections involving the detection of narcotics.

About a year and a half ago, or 2 years ago, we decided that we should make some of them more mobile—that is, remove them from static positions, where they perform routine inspections, and allow them to move around the port and apply their efforts to those high-risk areas.

It is true that those contraband enforcement teams were given special additional training, but all inspectors at one point in time are certainly eligible to become contraband enforcement team members, and an inspector is not allowed to remain as a contraband enforcement team for more than about a year, at which point he goes back to becoming an inspector.

So over time, all of the inspectors in the Palm Beach Airport will have had an opportunity to be an enforcement team member, and the obverse is that the formal contraband enforcement teams will have gone back to becoming routine inspectors.

So it's just at a point in time in which their responsibilities are different; their training is the same, or will be over a period of time. I cannot say unequivocally that the five inspectors who are not on the contraband enforcement team have been members of the contraband enforcement team, but they will have received the same training as the cycles go through.

Mr. LEWIS. I guess, Commissioner, the question is, how many of the inspectors are actually inspecting how much of the cargo coming through the Port of Palm Beach and International Airport?

Mr. VON RAAB. Mr. Mach, although he is not sitting here, can answer this question maybe a little better than I can.

Mr. MACH. Thank you, Commissioner.

We cannot look or inspect every piece of cargo or every container that arrives at a port. What we do is try to review the documentation. The contraband enforcement team specializes in that.

To the extent possible, we try to get advance information on manifests and review them before the vessel even arrives. Reviewing the documentation, we found, and looking for profiles and for high-risk merchandise provides us the ability to concentrate on what we consider to be high risk.

Now the contraband enforcement team is made up of inspectors. They are inspectors who do routine tasks when they are selected, and they all have an opportunity to volunteer for the enforcement team. They are selected, and they work especially at narcotics interdiction for up to a year.

The so-called routine inspection—the Customs officer there is one of the five inspectors who would concentrate on the full role of a Customs examination. In other words, they would be looking not only for narcotics but for the classification and value aspects, the regulatory aspects, the quota, the rest of it. They operate with the use of ACCEPT, if it's available.

ACCEPT is a means by which a Customs inspector can query a data base, which lets him know whether or not we have any information on the goods, whether or not we consider the shipment to be high risk.

So Customs is moving, in the inspection area, more toward the review of documentation, the ability to identify high-risk cargo, using that expertise, as opposed to trying to look at every piece; it's absolutely impossible.

Mr. LEWIS. I appreciate that answer. It sounds like you wrote Associate Commissioner Miller's answer to me in his letter.

I don't expect the Commissioner or any one of you gentlemen to be particularly interested in any one particular port; you should be interested in all of them. I'm interested certainly in the ones in my district.

But I have some severe problems when I question your people in the area, and when I ask you questions, and then when I physically look at the various problems in the area, which I intend to do, and particularly during our legislative breaks.

I also have a concern that the commissioners at the Port of Palm Beach estimate that we are bringing in \$50 million a month of illegal drugs, being smuggled in. This is \$600 million a year. And we are getting a quarter of 1 percent of that with our inspections.

I guess maybe you are, or you are not, communicating with these people at the port or the other ports throughout the United States. But it would seem to me, when you have a high level of incidence like you do in south Florida, and you have estimates from the people in the port, and the 200 percent increase in the shipping—it would seem to me that you would look at a high level of assignment of inspectors in those areas as well as working with them to determine how the job can be done better and how it can be spotted better.

Mr. VON RAAB. Mr. Congressman, if it's all right with you, we will try to work out with your staff some of the differences in figures that we may have, but let me also make a commitment to you that we will look at the level of resources in your district and

ensure you and ourselves that they are proper to the threat that is coming in, given our overall level of resources.

So I'm happy to make those commitments to you in terms of taking a specific look at West Palm Beach and making sure that we have not overlooked something. I don't think we have; but we are happy to take a special look, because you are right, it's a high-threat area, and we should make sure that we have the proper level of resources to meet that threat.

Mr. LEWIS. Thank you, Commissioner. I appreciate that very much.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you, Mr. Lewis.

Mr. VON RAAB. Mr. Chairman, you asked me about Puerto Rico.

Mr. ENGLISH. I'll tell you what. If we could, Commissioner, we'll just submit that for the record, and we'll try to move along here.

Mr. VON RAAB. Fine.

Mr. ENGLISH. I appreciate that. Thank you for looking that up. We are interested in Puerto Rico, as you well know.

[The information follows:]

The potential for drug smuggling via Puerto Rico is outlined in the following brief.

PUERTO RICO

1. Customs still lacks radar coverage of the Mona and other passages. However, the Coast Guard is covering the Mona Passage with an aerostat at this time.
2. Customs and Coast Guard work closely together, particularly when covering the Virgin Islands. Information and intelligence are passed to the Coast Guard whenever possible.
3. Both vessel and aircraft searches are conducted on a selective basis. The number of personnel available does not permit full-time teams of searchers.
4. The International Airport is covered by a team of five CPO's and one supervisor (the airport section) which also watches illegal airstrips. These airstrips are covered by surveillances based upon information from informants and from local police.
5. Two CPO's are permanently assigned to the Puerto Rico Task Force with DEA and local police. These CPO's work undercover at times.
6. One van is now being converted to a surveillance vehicle by installing radios and other equipment. Plans call for one surveillance van in each of the four stations in Puerto Rico.
7. Sensors can still not be used at stations other than San Juan because of the mountainous terrain and insufficient repeaters.
8. Puerto Rico is strategically located en route from source countries to the continental U.S.
9. Its strategic location and the size of the island offer the opportunity to achieve significant enforcement results with limited technological resources, e.g., deployment of the E-2 for 1 month to quantify the threat, addition of some radar capability perhaps on a shared basis, and an effort to establish a working sensor system.
10. The Puerto Rico Air National Guard has significant resources which could potentially be utilized in air support. NNBIS might be called upon to solicit their support.
11. Enforcement training is provided supervisory inspectors on behavioral analysis, profiling, and review of air waybills and bills of lading.
12. The new Red/Green system at the airport appears to be working well. The formerly poor security from planeside to the Customs area has been improved.
13. Agriculture and INS screen passengers on domestic flights to the U.S. On January 13, 1984, Agriculture interdicted five pounds of cocaine on one such flight. Review of Customs authority to prevent trafficking to the continental U.S. via domestic passengers and cargo is being made.

In summary, Puerto Rico is a small island strategically located with a potentially significant smuggling threat. Once a smuggler has arrived, he is home free - "Welcome to the U.S." Puerto Rico offers the opportunity in a very manageable geographic location to utilize Customs enforcement techniques and technology to achieve significant enforcement results.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. Thank you, Mr. Chairman.

Mr. Commissioner, it was a pleasure meeting you this morning and having the opportunity to talk to you before the committee hearing on a problem facing the Port of Milwaukee.

That problem is a proposed consolidation of the Customs Service in which the Port of Milwaukee would lose the full array of customs services it now enjoys. I view that as a very serious setback for not only the shippers but also for the viability of the port.

I look forward to working with you over the next few months to resolve that very serious problem.

You indicated in your testimony that you are filling 80 new patrol officer positions. Could you share with the committee what your total authorized strength is for the Customs Service and how many of those positions are filled?

Mr. VON RAAB. The total authorized strength for the entire Customs Service? Well, we are happy to provide that in gross for the entire Customs Service.

The important facts to understand are not the——

Mr. KLECZKA. Please give us the figures first, and then you can go on to the important facts.

Mr. VON RAAB. All right. In our fiscal year 1984 appropriation, we have an authorized level of 13,370 positions.

Mr. KLECZKA. Of that number, how many are currently filled?

Mr. VON RAAB. We are going to have to provide these for the record specifically, but I can give you approximate figures. At this point in time, we are approximately 600 positions below that authorized level.

[The information follows:]

Customs' Congressionally authorized strength in fiscal year 1984 is 13,370 positions. At this time, we are projecting an onboard staffing of 12,514 employees. Although the apparent difference between onboard and authorized levels is 856 vacancies, the actual funded difference is only about 321 positions.

Mr. KLECZKA. About 600 are unfilled at this point?

Mr. VON RAAB. Yes.

Mr. KLECZKA. Would the 80 patrol positions be coming out of those 600 vacancies?

Mr. VON RAAB. I would like to point out at this point, before we get too far down the road on these numbers, that our authorized ceiling is not a funded ceiling. We are approximately—we received, as a result of House action in the conference that took place in December, a reduction of 400 positions to the Customs' funded ceiling.

As this funding reduction took place in the middle of the year, the Customs Service was forced to freeze its employment in order to make up the shortfall of 400 funded positions.

It is only within the past 2 to 3 weeks that the Customs Service, as a result of its freeze, is able to fill any positions. So although there are theoretically available slots, there has not been any money to pay for those positions.

We now feel that we can hire up to 200 people between now and the end of the year and not go into violation of the antideficiency laws.

Mr. KLECZKA. Are you saying that you have funding available in your agency to fill at least 200 positions?

Mr. VON RAAB. We have about 200 vacancies left now, but we are equal to our full-time equivalents for fiscal year 1984.

Mr. KLECZKA. Would the 80 patrol positions be coming out of that 200?

Mr. VON RAAB. That's correct.

Mr. KLECZKA. Which would leave your agency about 120 unfilled vacancies, for which you do have funding?

Mr. VON RAAB. No. The 80 positions plus other positions that we will be filling over the next 2 months will put us at our anticipated October 1 funding level.

Mr. KLECZKA. What other types of positions would be filled out of the remaining 120?

Mr. VON RAAB. Import specialists, inspectors, intelligence officers.

Mr. KLECZKA. The House today is taking up a second supplemental appropriations bill. We are informed that Mr. Coleman, from Texas, will be bringing forth an amendment which will increase your agency's positions by some 154 and also increase funding by some \$973,000.

Could you indicate to this committee if any of those positions will be used in the drug interdiction problem?

Mr. VON RAAB. I was not aware of that proposal by Congressman Coleman. If that were to be adopted by both the Senate and the House and approved by the President, we would probably use all of those positions in the narcotics effort.

I assume those would be inspection positions.

Mr. KLECZKA. No; he indicates that these are for primary inspection duties.

Mr. VON RAAB. Right.

Mr. KLECZKA. Are these 154 positions necessary, especially in light of the fact that you have 120 in your Agency which are to be filled by October? If you fill all those plus the additional positions we will be addressing today, that would be another 275 or 274 positions.

Mr. VON RAAB. Yes. I believe Congressman Coleman is concerned with the facilitation and the movement of land border traffic in his district. So I can't comment on his perceived needs.

We will be hiring approximately 90 inspectors out of that 120. So mainly we will be going in the Southwest and Southeast border areas.

Mr. KLECZKA. And the 90 inspectors will be dealing with the drug interdiction?

Mr. VON RAAB. All of our inspectors deal with the drug interdiction problem. In other words, our inspectors are the first line of defense in terms of the identification of passengers or cargo.

In this case, the 90 inspectors, for the most part, would be dealing with passengers rather than cargo, because that's the area in which we feel that they would be best placed both for narcotics purposes and for facilitation.

Mr. KLECZKA. Fine. Thank you very much.

Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Neal.

Mr. NEAL. Thank you, Mr. Chairman.

It is my understanding that as a result of the changes in the law regarding posse comitatus, you are getting some help from the Air Force and the Army for your Air Interdiction Program.

Are you getting help for your Marine Interdiction Program from any of the military services? If you are, please tell me. If you are not, do you plan to ask for it?

Mr. VON RAAB. The highly successful program of using armed services assets in their war against narcotics, pioneered in many respects by Congressman English, has been felt strongest in the air interdiction area, and the application of that in the marine area has not been used to the degree that it has in the air area.

So I would say that there is a lot of work and a lot of application of that approach that could be made in the marine area.

Customs has identified a few possibilities, and I would turn this over to Mr. Lageman. I think we have the same sort of problems that we faced and have conquered in the air area in terms of changing some of the attitudes on both sides, the civilian enforcement side and the military side, that we had and have successfully conquered in the Air Program.

So Mr. Lageman can comment on some of our thoughts as to how the military assets could be involved and also can give you some idea of the many cooperative efforts that have taken place.

Mr. LAGEMAN. There are several areas where posse comitatus has assisted us in marine law enforcement. Predominantly, that would be in the coordinated exercises between DOD, the Coast Guard, and Customs.

Additionally, we have used equipment. The Blackhawk helicopter, which is provided by the Army on loan to Customs, has been a tremendous asset in the Bahamian problem we have.

With the increased air efforts, the radar detection coverage that south Florida has, over the last year we have seen over 43 cases of air drops; we have had significant arrests and seizures.

The Blackhawk helicopter has been instrumental in directing and assisting our marine vessels off south Florida.

Additionally, we have looked at the capability of the E2C, not only in its air interdiction efforts but in assisting our Marine Program.

So without reservation, posse comitatus has been an asset.

Equipment itself—the only equipment we have looked at is the Navy Mark 2 vessel, and we have tested it down off of Norfolk. We really find that it's not totally adequate for what we need. It's more a Coast Guard coastal patrol, where ours is primarily infiltration and covert law enforcement and detection—in that area.

Mr. VON RAAB. The other areas that we are looking at are the mini-FLIR's, radar balloons, better communications equipment, some sonar equipment, night vision devices, and some ground sensors. So those are the types of assets that we are looking at now.

Mr. NEAL. I gather from your answer that you are developing a plan for greater cooperation in this area.

Mr. VON RAAB. Right. I also would be mistaken if I didn't point out that the coordinative mechanism here is NNBIS. Although Customs provides lots of suggestions, the mechanism that is used to translate this into action is NNBIS, which has proved to be very

effective in the area and I expect to be very effective in this marine area.

Mr. NEAL. As I understand, you are not using military equipment in this area.

Mr. VON RAAB. Only the secondary use of the Blackhawk helicopters as they can support our efforts and, as Mr. Lageman indicated, look at some of the patrol boats out of Norfolk. I guess that's a special boat unit—right.

Mr. NEAL. I have heard that often, after Government has captured equipment that is used in smuggling and it's auctioned off, that smugglers often are the high bidders for that equipment. Is that still the case?

Mr. VON RAAB. That happens. Everyone is on an equal footing here in terms of access to public auctions, unfortunately.

Particularly, as you may or may not realize, ownership of vessels or planes used in smuggling is often very carefully protected through strawmen, or through corporations, or through leasing devices, or through other devices.

The forfeiture bill, for example, that is moving through both Houses of Congress, would be extremely helpful to the Customs Service. Congressman Hughes has been a great help. I understand it might even get attached to some appropriations bill going through, and I would look forward to seeing that bill take effect.

Mr. NEAL. You think that would be most useful?

Mr. VON RAAB. Absolutely. It's not most useful; it's essential. We are sinking in the administrative redtape and problems that exist as a result of the out-of-date forfeiture and seizure procedures that we must follow because of the outdated legislation.

Mr. NEAL. Thank you.

Thank you, Mr. Chairman.

Mr. ENGLISH. Thank you, Mr. Neal.

Commissioner, back in March when we had our hearing and Mr. McNamar came before us, he testified that he thought the Department of Defense should handle detection as far as the air is concerned. I believe you indicated that you thought that was probably right.

I was wondering who you felt should have the responsibility for marine detection.

Mr. VON RAAB. I think the detection as far as the marine is concerned—the detection responsibility, I guess—I don't like to distinguish too much between the Coast Guard and Customs here, because although Customs' responsibility technically goes out to 12 miles, we work very closely with the Coast Guard.

But if I were asked to make a specific demarcation, I would say the Customs Service should be responsible for detecting those boats that are likely to enter the 12-mile limit and would then come in. So that should be the Customs Service's responsibility.

However, I never like to let the Defense Department off the hook. I would like to make sure that the Defense Department is providing, through posse comitatus, whatever assistance it can to the Customs Service in this area. But Customs should have the primary role in that responsibility.

Mr. ENGLISH. Well, I guess what we are talking about here, though, is primary responsibility. If I understand what you said,

anything within the 12-mile limit then should be Customs' responsibility; is that correct?

Mr. VON RAAB. Twelve miles in; yes, sir.

Mr. ENGLISH. OK. I guess the question then occurs, if it's true for marine, why not air? What's the difference between marine and air?

Mr. VON RAAB. The assets—the difficulty of detecting the planes coming in, I believe, fits a little more neatly into some of the other responsibilities of the Defense Department.

Mr. ENGLISH. Well, if I remember correctly, Commissioner, you said that you detected about 300 airplanes last year, and you estimated that something like 2,500 were coming in.

Mr. VON RAAB. Right.

Mr. ENGLISH. Here this morning, you have said that you have detected about 300 boats and about the same number of airplanes that you did last year, but you figure there are something like 5,000 boats. So you have got a higher percentage of detection as far as aircraft are concerned than you do on boats.

Mr. VON RAAB. Right.

Mr. ENGLISH. So I guess I don't understand. It would appear that you are having more success in detecting airplanes than you are boats.

Mr. VON RAAB. We have been working at it longer, and we have more help from the Defense Department in that area. The E-2C's and the other defense assets in the air arena have been very helpful.

I'm not aware at this point of the kinds of assets that could be helpful to Customs in marine detection. It's my opinion that we are more likely to have those assets.

I've spent a lot of time, for example, with the special boat unit in Norfolk, and it is their responsibility, as I understand it, among others, in time of war, to be responsible for exactly the kinds of intrusions that Customs is guarding against with respect to smugglers, and they have indicated that they can learn a lot from Customs.

I think that certainly a better case can be made for primary responsibility of Customs in the marine area, but there are always grounds for reasonable men to differ on some of these issues.

Mr. ENGLISH. Well, I guess it's not a question of where reasonable men differ; it's a question of what makes sense, and what's logical, and what's going to work best, and things of that sort.

As I said, it would appear that you have had more success on air interdictions. You mentioned the E-2C's and the work of the Defense Department—the assistance they have given you.

Those same E-2C's detect surface craft. They are down there flying right in the same area. They have been flying them around the Florida area, down in the area around the Bahamas. They have been used and certainly been available to the Customs Service to provide information on what surface traffic they are detecting.

Mr. VON RAAB. I see. Well, maybe we haven't taken as full advantage as we should have of that capability.

Mr. ENGLISH. I'm sure you have, Commissioner. Your people down there are very knowledgeable about that. We have talked to

them a great deal. They know all about it; they are very aware of it.

I mean, this is not anything that is new. From the very first day the E-2C was there, they fully understood that E-2C's had the capability of detecting both low-flying aircraft and surface traffic.

They have put in more time in the area of the Bahamas, and certainly they have down at the Windward Passage, where they could really detect some targets. So they have been in the prime areas as far as detecting boats coming from the Bahamas.

So I guess that's what puzzles me a little.

I also was intrigued, too, with your marine module concept—that aircraft that you have got on that chart; that doesn't look like a P-3 to me. What kind of aircraft is that?

Mr. LAGEMAN. That's just a depiction, but that's probably close to a King Air.

Mr. ENGLISH. OK. Do you have a King Air that has a surface detection capability with the F-16 radar?

Mr. LAGEMAN. No, we do not. We have used our Citation. We anticipate the use of the P-3. We have used previously the S-2, which was in our inventory. There have been a lot of air applications.

Mr. ENGLISH. But as I understood it, this presentation of the concept here is what you are doing, not what you are going to do. So really that whole business with regard to the aircraft detecting any ships, as far as it relates to what is taking place today, that's not realistic.

Mr. LAGEMAN. This is a module concept, and our air program has flown in excess of 400 hours in supporting the marine program, even if we have to, as we do currently, do visual observation. But the FLIR's and the IRD's are also an asset and are used in air detection.

Mr. ENGLISH. But we are talking about radars detecting surface craft, and as far as what has taken place, you have a marine module down in Florida now, but this does not depict—

Mr. LAGEMAN. We do not have an aircraft—

Mr. ENGLISH. Oh, you don't have an aircraft that can do that. So we can take the aircraft portion of it and wipe it out. And so really what we are talking about being able to do, in reality, today, is that we are able to make intercepts so long as we are not more than 3 to 4 miles from the intercept boat, and we are able to talk to them, and that's just about it, isn't it?

Mr. VON RAAB. That's true. The aircraft—I don't know that you could wipe it out, but maybe it should only appear on every 20th page.

Mr. ENGLISH. Well, Commissioner, if you don't have the capability, you know, it shouldn't be there at all.

Mr. VON RAAB. You are correct.

The module, as we would describe it, would not include an aircraft. So in that sense, that would be inaccurate. The module, as I think of it, is a radar platform, two interceptor boats, whenever possible supplemented by an aircraft.

Mr. ENGLISH. Why wouldn't you use aircraft?

Mr. VON RAAB. We'd like to use aircraft, but we don't have sufficient aircraft right now to support each module.

Mr. ENGLISH. Of course, also, one would kind of look at it in relationship to scale. That interceptor boat is almost as far as the suspect aircraft, which would appear to be pretty much at the range of the radar, and you sure can't communicate with that interceptor boat out beyond 10 miles, can you?

Mr. LAGEMAN. Along the shoreline there, there would be tremendous communication potential with the repeaters and so forth. It's not as dismal as you make it appear sometimes.

Mr. ENGLISH. Yes. Well, you can't transmit from that, can you? That's just receiving—right?

Mr. VON RAAB. Correct.

Mr. ENGLISH. OK. What are the criteria that the Customs Service uses to determine which boats are assigned to a given area?

The reason I'm asking this question, I know down in the New Orleans area, which Mr. Lageman, I know, is very familiar with, we don't have a single boat—the Customs Service, down at New Orleans, to my knowledge—that is capable of operating in the open waters of the Gulf of Mexico or on the Mississippi River, for that matter. What are the criteria you use?

Mr. VON RAAB. We have to go to our New Orleans chart here.

Mr. ENGLISH. I might say that the information we have was as of 2 months ago. Is there anything that has changed in the last 2 months?

Mr. LAGEMAN. As you are aware, there is a workboat assigned to New Orleans. It has been down for a period of time.

Mr. ENGLISH. Can you go out on the gulf with that boat?

Mr. LAGEMAN. It's not the best. That's why we have the module planning on going in there. Most of what we have currently in New Orleans are the small vessels, the 25-footers.

Mr. ENGLISH. Can they go on the Mississippi?

Mr. LAGEMAN. No.

Mr. ENGLISH. You can't go on the Mississippi. Can you go out on the gulf without risking your life if there is any kind of weather at all?

Mr. LAGEMAN. We do it; it's not recommended; and we do have the purchase of two interceptors in the process right now, immediately—larger interceptors.

Mr. ENGLISH. If a guy is out there fighting for his life, though, he's not in very good shape to be doing much in the way of intercepting drug smugglers, is he?

Mr. LAGEMAN. No; as you are saying, with the resources we have, that does present a problem. We are acquiring two new interceptors, and it is scheduled for a larger sports fisherman for the module.

Mr. ENGLISH. The point, I guess, is that this kind of situation makes detection almost irrelevant, doesn't it? If you can't go out in the gulf without risking your life, and you can't go up the river, why, it doesn't make a whole lot of difference whether you detect them or not; you can't go chase them, can you?

Mr. LAGEMAN. Not out in the gulf, but we do work in the bayous and the inlets, and there are only certain inlets in some areas.

Given the detection, we cannot cover that area with an offshore vessel; we currently do not have it. We do deploy from Dolphin

Island and from Mobile some of the larger vessels and cover that area, and we have on a number of cases.

Mr. ENGLISH. So all he has to do is just get out in the gulf to avoid you, or go up the river—up the Mississippi; isn't that right?

Mr. LAGEMAN. It's easy for the smugglers to evade us in that Mississippi area of Louisiana.

Mr. ENGLISH. We have frequently heard about boats being idled for lack of maintenance money. Commissioner, what steps have you taken to assure that the problem has been minimized?

Mr. VON RAAB. I threatened to remove from positions of management responsibility people that allow that to happen.

Mr. ENGLISH. Well, if they don't have any money, why—

Mr. VON RAAB. That was not an accurate report. That was basically—I'm not saying they didn't have any money, but you don't have money unless you inform headquarters that your account has run out, and the account ran out because they overspent the account during a particular period and then never informed headquarters that they needed that account replenished, which was done immediately.

So that was a management mistake, not one that resulted from an overall shortage of funds.

Mr. ENGLISH. OK. What I want to focus on is this question of funds, because I think that is a very important one. Was there a resource increase in the Marine Program for fiscal year 1983, say, over 1982? Was there one requested?

Mr. VON RAAB. The actual numbers, no; 1982 to 1983 was basically unchanged.

Mr. ENGLISH. What about 1984 over 1983?

Mr. VON RAAB. Well, we are still waiting. I guess, no; they are basically unchanged; although we now have put these additional resources into the program consisting of 80 marine officers, so that will change the numbers for 1984.

Mr. ENGLISH. Are you talking about the marine modules? Is that what you are talking about?

Mr. VON RAAB. No; I'm talking about 80 additional patrol officers into the Patrol Program.

Mr. ENGLISH. Oh, I see. But those personnel, I think you told us, they were funded, weren't they? Didn't you have those same slots available to you last year?

Mr. VON RAAB. No. But you were asking about dollars in the Marine Program.

Mr. ENGLISH. No. I'm talking about an increase.

Mr. VON RAAB. In the overall Customs budget, there was no increase.

Mr. ENGLISH. For the Marine Program.

Mr. VON RAAB. But the addition of 80 patrol officers would increase that portion of the Customs budget devoted to the Marine Program. The overall Customs budget would not change.

Mr. ENGLISH. What you are telling me is that you are taking it from one part of Customs, and you are transferring this over to the Marine Program.

Mr. VON RAAB. That's correct.

Mr. ENGLISH. OK. And so in that relationship, there has not been any increase requested from Congress for the Customs Program or for the Marine Program. This is simply an interagency shift; right?

Mr. VON RAAB. Yes, sir; that's correct.

Mr. ENGLISH. OK. And as far as the marine budget is concerned, this year's marine budget request, how does that compare with the request for 1985—1984 over what the administration has requested for 1985?

Mr. VON RAAB. I think there was a net reduction of \$200,000 of the amount spent in 1984 over the amount sent up for 1985.

Mr. ENGLISH. But that isn't what you requested, is it?

Mr. VON RAAB. We requested an amount—I guess it was, what?—another \$6 million, approximately.

Mr. ENGLISH. Eight point six, I believe.

Mr. VON RAAB. Eight point six; that's correct.

Mr. ENGLISH. That was for your marine module?

Mr. VON RAAB. For more marine modules; that's correct.

Mr. ENGLISH. And they were disallowed by OMB?

Mr. VON RAAB. That's true.

Mr. ENGLISH. And isn't it true, Commissioner, that the Customs Marine Program has not had an increase in funding since 1974? In 10 years, we haven't had an increase in the Marine Program?

Mr. VON RAAB. The budget and staffing levels I have show that there has been an increase in the Marine Program.

Mr. ENGLISH. I'm talking about requested by not this administration, the administration before it, and the Ford administration, and I could go all the way back to the Nixon administration.

Mr. VON RAAB. I cannot tell you what happened, from my own knowledge, before I came into office, but it's quite possible; I don't know.

Mr. ENGLISH. That's my understanding.

The point I'm making is, it's not just this administration that hasn't requested it, but the Carter administration didn't request it, and the Ford administration didn't request it, and evidently the last year the Nixon administration didn't request any increase for the marine program.

Mr. VON RAAB. But we are increasing the marine program now.

Mr. ENGLISH. But you are making an interagency shift; you are not making any request of the Congress for additional funds for the Marine Program, are you?

Mr. VON RAAB. No, because we have found that we could take some of this money from nonenforcement areas and apply it in the enforcement areas.

Mr. ENGLISH. Who are you going to take it away from, Commissioner?

Mr. VON RAAB. We will take it away from some of the administrative activities of the Customs Service that only serve to create paper and exchange paper among nonenforcement personnel.

Mr. ENGLISH. Is this going to take care of all the boats, and the radars, and so on, that we have talked about?

Mr. VON RAAB. We will be putting in two marine modules in 1985.

Mr. ENGLISH. With the same weaknesses that we have talked about here?

Mr. VON RAAB. I'm sorry?

Mr. ENGLISH. With the same weaknesses that we have talked about?

Mr. VON RAAB. You mean the plane?

Mr. ENGLISH. I mean that they can't get more than 3 miles—3 to 5 miles away from—

Mr. VON RAAB. We hope to improve on a lot of those. We have a lot of work underway to improve our communications.

Mr. ENGLISH. Well, basically, the modules you are talking about bringing in in the future have got the same problems that we have discussed this morning with this one.

Mr. VON RAAB. Mr. Lageman can comment on some of the improvements we hope to be making, particularly in the area of communications.

Mr. LAGEMAN. As I mentioned just briefly earlier, the biggest thing that we want to look at is the mobile repeaters that we will have on our vessels, and we will also have them landside, in inland areas.

We are also looking at the developments of the HF single sideband, both Harris and Collins, and a number of other manufacturers that have privacy capability, a tremendous long-range capability, and would be involved in a communication-and-command coordination element.

We are also exploring the possibility and the potential of an aerostat repeater which would give us tremendous coverage, but there are some sensitivities we have to look at in using VHF radio systems, and we would have to have some designated channels, and we are working with FCC and some other law enforcement agencies on that.

You previously asked about the detection area, the IFF capability. We currently do have systems that have that, and we are going to look and explore that for marine application. One of the big problems is just the state of the art of transponders for vessels. It's fairly new.

We also want to look at, and we are exploring, satellite assistance.

Mr. ENGLISH. Neil, what boat or airplane do you have an IFF in?

Mr. LAGEMAN. We have the aircraft—the F-16, F-15, and the P-3.

Mr. ENGLISH. You don't have a P-3, Neil.

Mr. LAGEMAN. Well, September 4 we will have it, and we are going to look at the operational application to marine, and we think our initial opportunity we are going to look at is transpondering our own vessels, and we are going to see its application. We feel very confident it will work.

Mr. ENGLISH. Well, the point I am making is this. You don't have one right now. You don't have a boat or an airplane that will take IFF. If you don't get the P-3, then you don't have one, do you?

Mr. LAGEMAN. That's true.

Mr. ENGLISH. OK. And what is it going to cost—these other improvements that you are talking about making—the air module, the additional equipment you are going to get? What is that going to cost?

Mr. LAGEMAN. The module itself—

Mr. ENGLISH. I'm talking about the improvements in the module.

Mr. LAGEMAN. We have a \$1.4 million test that we would like to initiate, specifically with the transponders.

Mr. ENGLISH. Well, I know, but if you are going to talk about a \$1.4 million test—I'm asking you, how much is this hardware going to cost that you are talking about bringing on line to make the improvement here?

I've just got through pointing out to you that there hasn't been a request by any administration since 1974 for an increase in the budget of the Marine Program. How in the world are you going to go out and make multimillion-dollar purchases to make improvements in the module that we have today—and you have two more, you say, coming on line?

Mr. VON RAAB. The Collins equipment would cost about \$400,000 per marine module, and the Harris equipment, we believe, would cost under \$100,000 for a marine module.

Mr. ENGLISH. OK. Here we have been talking about two modules. We have pointed out that in New Orleans, in effect, you don't have anything. You don't have anything that can do the job. It doesn't even do you any good to have any detection capability in New Orleans; you don't have a boat down there that will do the interception job.

The real question is, what are you going to do about some of these hot spots like New Orleans?

As the Commissioner's map showed, you've got activity along the whole coast of the United States, and we are talking about two modules, and we can't even get them outfitted correctly.

Mr. VON RAAB. Two more modules.

Mr. ENGLISH. Two more modules. They aren't going to be outfitted any differently than what we are talking about here. They have got the same problem. They are going to be able, in effect, to work from 3 to 5 miles.

Well, there's an awful lot of 3- to 5-mile intervals all the way around this country, Commissioner, and, you know, two more modules just isn't going to cut it.

Mr. LAGEMAN. Even within our current enhancement. So we still are going to have some effect. The Raycast radar itself, which is the module radar, has IFF capability. The F-16 and the F-15 both have IFF capability.

Mr. ENGLISH. The F-16 does not, I'm informed.

Mr. LAGEMAN. Yes; it does.

Mr. ENGLISH. Well, we will clarify that, Neil.

Mr. LAGEMAN. We will clarify that for the record.

Mr. ENGLISH. All right.

[The information follows:]

The APG-66 or F-16 radar in Customs Citation II aircraft does not have identification friend/foe [IFF] capability.

Mr. ENGLISH. But without that, if that is clarified, and if that F-15 does not have it, you don't have anything that has got—

Mr. VON RAAB. Mr. Chairman, I would like to make a point. I don't underestimate the importance of the physical detection capability, but our marine strategy acknowledges that there is no way,

certainly, that in a short time we can place a net around our coast; nor would I think that you would suggest that.

So realizing the importance of physical interdiction, which I realize, I also estimate the importance of the application of that strategic and technical intelligence and information that we obtain from other sources but, more importantly, that we develop ourselves, with which we select optimum times and places for interdiction and operations.

Now that is not the final answer to these problems, but it's very important. I mean selectivity must apply to our marine operations, as they do to inspection.

So I would like to point out that a major concern and concept in our marine strategy is to make sure that we do provide that optimum place and time for interdiction, and we are developing that right now and believe that we have identified certain strategic places and times already and attempt them to place what physical detection equipment we have in those areas.

I don't want to leave the impression that we would rely entirely on a physical detection net, but that physical detection net must be deployed at the right place and the right time.

Mr. ENGLISH. Let me suggest a couple of things, Commissioner. To give the folks some idea of the scope of the problem we are talking about, what do you figure the number of boats is that are coming from Bimini to Florida on a Sunday afternoon—90? 100? 200 boats?

Mr. VON RAAB. Hundreds.

Mr. ENGLISH. Hundreds. And this is true all along the coast of Florida. Hundreds of boats.

Mr. VON RAAB. Particularly a problem from the Bahamas area; that is correct.

Mr. ENGLISH. And this is where the drug traffickers, of course, are flying in—

Mr. VON RAAB. Absolutely; right.

Mr. ENGLISH [continuing]. Where they are landing, they are off-loading on boats, they are making air drops out in the ocean to boats, they are doing all sorts of things.

The point that I'm making is this, that those emphases that you are making—times that the smugglers use and everything—I agree with that, that's important, but the fact of the matter is, your people were doing that before. I mean your folks knew that. That's where they have been concentrating their activity. That's the reason we have 300 arrests. Probably if they weren't doing all those things, we wouldn't even have 300.

But the fact of the matter is that they are not going to be able to increase their productivity, and we are not going to be able to inch on up toward that 5,000 mark unless we focus on this problem, unless your people are given the tools to do the job. Quite frankly, they don't have the tools, you know, and that's it; it's simple.

Mr. VON RAAB. They have not had the tools. The tools are starting to flow now.

Mr. ENGLISH. They still don't, and, quite frankly, the administration hasn't requested the funds to give them any more; nor did the administration before this one, nor the administration before that one, nor the administration before that one.

I think that that puts it a little bit in perspective—the difficulty that the Customs officials are facing in dealing with this problem. It is much like what we have found in the air program. They simply do not have sufficient equipment to have a fighting chance.

Mr. VON RAAB. I agree with you; it's a very difficult problem.

But I would also take this opportunity to mention, since you have talked about the boats coming in from Bimini and from other parts of the Bahamas, it's a massive inspectional problem as well, and the weak laws that would authorize Customs to require inspections, reporting, et cetera, in, turn, create a problem because, as good as our detection would be, there are a lot of boats that appear to come in legitimately which, with any detection devices, would probably be given a free pass, and they don't have any real burden upon them, either prospective by reporting or retrospective by virtue of a penalty, to make them tow the line.

That's sort of the other half. It's like the reporting system for aircraft that you and I have worked on. We are going to have to really worry about that problem as well.

Mr. ENGLISH. I would agree with you, Commissioner, and, as I said, I'm willing to sponsor the bill. You just get me a bill up here and tell me what you want in it in the way of penalties. I suppose you have to get the administration to approve it before you can do that, but I'll be delighted to sponsor that legislation, and I imagine you have other members of this committee and in Congress that would be very eager to.

Mr. VON RAAB. We are looking at that problem very carefully, along with the marine strategy. So I appreciate your offer.

Mr. ENGLISH. You bet. Well, just as soon as you can get it cleared with the administration and tell us what you want in the way of penalties, we will sure see what we can do to help out.

The main thing is, we are going to have to have some detection to go along with this. We are going to have to make this module you are talking about effective, and, quite frankly, it's going to take some additional funds to do that job.

That means that Treasury, and the Office of Management and Budget, and the President are going to have to be willing to update the funding a bit as far as the Marine Program is concerned. You can't continue to operate, you know, like you did back years ago, just depending on whatever kind of inspiration Congress gets to up that budget, even though the administration doesn't request anything new. That's what I think is a real problem.

I understand that the Vice President's Joint Surveillance Committee will be reviewing the Customs' marine problem, including the marine threat. Is that true?

Mr. VON RAAB. That's correct, and I believe that a number of the reviews that they are undertaking at this point in time will touch on that area.

Mr. ENGLISH. Well, you've had a marine and air program for about 10 years now in the Customs Service, and we are now entering the third year of this most recent war on drugs. I believe we have had one, or two, or three that I can remember since I have been in Congress. Before that, other Presidents had declared war on drugs.

Mr. VON RAAB. The most effective war on drugs.

Mr. ENGLISH. Well, that still remains to be seen, Commissioner. We have got more cocaine in now than any time before. But, like I say, I know that we have had a surplus crop, and somebody who comes from wheat country knows what it means to have a bumper crop; that creates a problem.

Mr. VON RAAB. Yes.

Mr. ENGLISH. But I know of at least two previous threat assessment studies in the area, and we have the Drug Enforcement Administration, which has the responsibility for developing a threat assessment with the assistance of the intelligence community.

Can you tell me why NNBIS is now being asked to do this—why we have another one by NNBIS?

Mr. VON RAAB. Why are we having another one by NNBIS?

Mr. ENGLISH. Another threat assessment. We have had two in the past, and DEA has their responsibilities in this area; they are coming up with theirs, along with the intelligence community.

Mr. VON RAAB. Well, threat assessments have to be kept current; so I assume they are doing this in order to maintain the currency of the threat assessment.

Mr. ENGLISH. Are we simply updating one, or is this a whole new threat assessment being developed by NNBIS? It is my understanding it is a whole new threat assessment.

Mr. CORCORAN. The DEA, as part of the Joint Surveillance Committee that we just mentioned in addressing detection, has also, as part of that study, been asked to update a narcotics threat study. So it essentially will be an updated DEA threat study as part of the NNBIS report.

Mr. ENGLISH. It's my understanding that John Walker asked them to develop one, not to update one, and he did it in writing.

Mr. CORCORAN. The NNBIS subcommittee requested one on the detection and the threat, and they had several—about four or five subcommittees. The threat subcommittee, which was made up of several agencies, did come up with an update of the narcotics interdiction threat, but it was essentially done by DEA, as I understand it.

Mr. ENGLISH. Are you absolutely certain that's not a new one, that it's simply an update?

Mr. CORCORAN. It's a new one, as I understand it.

Mr. ENGLISH. It is a new one?

Mr. CORCORAN. Yes.

Mr. ENGLISH. Well, that's the question I'm asking. Why come up with a new one when you have had two previous ones, plus the most recent one by DEA that has been developed by the intelligence community?

Mr. CORCORAN. Well, it's a new one that's basically an update. I think the last one we had was pretty much 1983 figures, as opposed to the 1984 figures, which we are deeply into.

Mr. ENGLISH. I guess the question occurs then, if DEA did the last one, why is NNBIS doing it now?

Mr. CORCORAN. Well, this is part of the NNBIS review. Every agency that is involved in interdiction is part of the NNBIS committee.

Mr. ENGLISH. The question was, if DEA did it, why is NNBIS doing it now?

Mr. CORCORAN. I don't think NNBIS is doing an independent study, as such.

Mr. ENGLISH. That's what I understood the request was.

Mr. CORCORAN. As such. I think the NNBIS threat study is in fact—the input to it is solely DEA's. DEA and the intelligence agency are the agencies that they use to gather information from, but I think essentially the input to the subcommittee was almost totally DEA, and that in turn will be the so-called NNBIS threat study.

Mr. ENGLISH. Commissioner, during my inspection of the NNBIS regional office in Long Beach, the NNBIS personnel emphasized, the seriousness of the marine threat, and I noted that you have only four boats in the Long Beach area. One has been classified as being too slow, one is inoperable, and two are now scheduled for retirement.

What kind of deterrence does that give you in the Long Beach area?

Mr. LAGEMAN. We have got a document specifically for Long Beach, but the Pacific coast itself, from San Diego north, does have a marine program. We have, obviously, less than adequate equipment. We are trying to identify vessels, both in the exchange sale program and out of forfeiture, that we can add in that area.

The Pacific coast has a different environment completely. We need to get some larger offshore vessels, and that's what we are addressing currently.

Mr. ENGLISH. Well, on the other hand, we noted in San Francisco that they have boats, but they don't have people; they don't have enough people up in San Francisco to man those boats so that they can go out on regular patrols.

I kind of wonder why the boats and the people aren't getting matched together, so that where you have some boats, you can go out and use them, and the areas where you don't have boats or don't have boats that work, that you can get some people up to assist in manning those that do.

Mr. LAGEMAN. San Francisco has six people designated to the Marine Program. They currently have an Aquasport, and that's their only vessel. They also have less than adequate equipment.

But again, the Pacific coast marine operation is entirely different, with the large offshore, halibut-type fishing vessels, the large crabbers, and that's really—we are working our own intelligence, we are working special operations, and we feel that that strategy is now more effective than just a routine patrol offshore.

Mr. VON RAAB. We have about 108 officers and 10 vessels assigned to the 13 stations in the Pacific.

Mr. ENGLISH. I realize you have got vessels and you have got officers; the point I'm making, though, is the right question, are they the right vessels?

Mr. VON RAAB. No, they are not—

Mr. ENGLISH. Are the right vessels being matched up with people?

Mr. VON RAAB. They are not the right vessels, and we are reviewing, obviously, the deployment of all of our resources in the Marine Program and continue to do that.

The threat in the Pacific is lower risk than, obviously, in the Southeast, and as Mr. Lageman indicated, the type of vessel necessary is different, and we have to make those changes. Those changes come slowly because authorizations and appropriations move slowly and exchange sales move slowly.

We have had some problems with our exchange sale program because of objections that have been raised by Members of Congress to the idea and have, in effect, caused GSA, because of pressure that has been put on them by Members of Congress, to slow down our exchange sale program.

So all of those types of problems make it difficult to redeploy our resources. But you are correct that we have to, and are, moving to change the type of equipment and the deployment of our other resources.

Right now, our largest concentration is between San Diego and Ventura.

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. I have no further questions, Mr. Chairman.

Mr. ENGLISH. Mr. Kleczka?

Mr. KLECZKA. No questions.

Mr. ENGLISH. Commissioner, Mr. Lageman brought up the question with regard to the P-3, and we went out last Friday, as you know, and took a look at that P-3 out here at Andrews. I wish you could have come along with us. We would have loved to have had you. But there was a story that appeared in the Washington Times this morning. I assume that you have read that?

Mr. VON RAAB. Someone told me about it; I haven't had a chance to read it.

Mr. ENGLISH. Take that down to him, and let the Commissioner take a look at it.

The thrust is that—and I've got to say that I've gotten the same type of indicators from the Treasury Department myself—is that we have a problem within the Department of Treasury.

I think that the Customs Service and you have been very supportive in trying to make improvements, but there is a problem within the Treasury Department, and evidently this impediment continues to exist regardless of what the situation is, regardless of what the facts are, and of course that has to do with Mr. McNamar.

He came before this committee this last spring. He said that he didn't think the Customs Service had any responsibility as far as detection; he didn't think it ought to be done as far as the Treasury Department was concerned; and I fully recognize that the Customs Service is a part of the Treasury.

What I would like for you to do, by the end of August, is to submit a report to me as to what you think the responsibilities and the jobs of the Customs Service are as far as detection, interception, and arrest, and why the Customs Service can handle that and do it well.

I want your accurate assessment as to the support as far as carrying out your responsibilities, and also I want to know what the attitude is as far as carrying out the detection responsibility as far as the Department of Treasury is concerned—the people within it.

I've got to say that if your assessment does not contain the degree of enthusiasm that I would hope, I am going to ask the Coast Guard to take a look at this issue.

Mr. VON RAAB. This is the marine area?

Mr. ENGLISH. This is marine and air.

Mr. VON RAAB. Marine and air.

Mr. ENGLISH. And it's not just detection; it's the whole shooting match—

Mr. VON RAAB. Right.

Mr. ENGLISH. I wonder why, if the Treasury Department is not willing to support detection, interception, and arrest, in the air and on the seas, why the whole thing shouldn't be turned to someone who does have enthusiasm for dealing with it.

We will see if the Coast Guard then can come up with any better assessment as to what they think they can do with it.

I've got to say, I don't think that this program is going to work if we have a person who is the Deputy Secretary of the Treasury who simply doesn't want it to work. That's certainly the message that I'm getting and getting very clearly; and the article which appeared this morning in the newspaper underscored that very clearly.

Mr. VON RAAB. There is a timing problem here; and I of course will attempt to comply with your request. As you are aware, NNBS is reviewing the same issue—that is, their respective responsibilities within the executive branch for detection, et cetera—and I may be circumscribed in terms of presenting Customs' position until at least NNBS has had an opportunity to address the issue as a general matter.

Mr. ENGLISH. Well, what we are talking about is a possible organization change. I want your assessment of that, and I want your assessment of the degree of enthusiasm and support that you feel the Treasury Department itself is providing as far as this program is concerned.

Mr. VON RAAB. Right.

Mr. ENGLISH. We are not looking at what NNBS thinks about the matter; they will have their own evaluation. I'm asking for your evaluation within the Department of Treasury, not what's taking place outside with NNBS or anybody else. I want to know your evaluation of the support—the attitude of the people within the Treasury.

As I said, I've just got to say very candidly, I just don't think it makes any sense to continue to have this program in a department which has no enthusiasm for it.

I would appreciate your evaluation by the end of August.

Are there any further questions or comments?

With that, we will recess until 1:30, when we will hear from the Coast Guard.

Thank you very much, Commissioner; I appreciate your coming in.

Mr. VON RAAB. Thank you.

[Whereupon, at 12:10 p.m., the subcommittee recessed, to reconvene at 1:30 p.m., the same day.]

## AFTERNOON SESSION

Mr. ENGLISH. The hearing will come to order.

Admiral Stabile, we will let you lead off for the Coast Guard, and if you would care to summarize your statement, your complete written testimony will be made a part of the record.

I want to take this opportunity to welcome you here this afternoon. I'm sorry about any inconvenience the delay may have caused, but we had quite a few questions for Commissioner von Raab, and, quite frankly, we will have several for you as well.

So we appreciate your coming, and we appreciate your cooperation. Thank you very much.

**STATEMENT OF VICE ADM. BENEDICT L. STABILE, VICE COMMANDANT, U.S. COAST GUARD, ACCOMPANIED BY REAR ADM. D.C. THOMPSON, CHIEF OF STAFF, AND REAR ADM. NORMAN C. VENZKE, CHIEF, OFFICE OF OPERATIONS**

Admiral STABILE. Thank you, sir.

Mr. Chairman, as you already know, I'm Vice Adm. Benedict L. Stabile, Vice Commandant of the Coast Guard, and on my right I have Rear Admiral Thompson, who is currently our Chief of Staff, having just come up from the seventh district, where he headed up the Southeast Interdiction Program, wearing three hats; and on my left is Rear Adm. Norman Venzke, who is our Chief of Operations, who has the Headquarters responsibility for the Drug Enforcement Program.

I'm very pleased to appear before you today to provide an update on the Coast Guard's involvement in drug law enforcement.

During the past several years, we have significantly increased the number of cutter patrol days devoted to drug interdiction. Our air operations have also been stepped up.

We now average about six of our larger cutters on patrol at all times in waters off the southeast of the United States and in the Caribbean.

We have also reprogramed some of our helicopter assets to make our flight deck equipped cutters more effective and formed a surface effect ship's squadron of three vessels in Key West, which became fully operational in 1983.

Navy ships have been deploying with Coast Guard tactical and law enforcement teams, or Taclets, and Ledets, or law enforcement detachments, on board.

These teams and detachments conduct boardings of suspect vessels from their Navy hosts in the same manner as they do from Coast Guard vessels.

To increase further the number of surface assets available for interdiction, the Coast Guard has been routinely deploying Ledet personnel on Navy Pegasus-class hydrofoil patrol boats operating out of Key West. These hydrofoils are being used as pouncer vessels to interdict fast drug smuggling contact boats.

New and more capable resources are becoming available to the Coast Guard. These resources will be brought to bear on the drug trafficking problem as quickly as possible.

Our air reconnaissance capability has increased considerably with the receipt of 41 new twin-jet Falcon medium range search

aircraft. The first of six Aireye systems for our Falcon aircraft has just started flight testing at the contractor's plant in Ontario, CA. This sensor package will greatly extend the Falcon's search and detection effectiveness in both daylight and darkness.

New radars are being procured for our fixed wing aircraft. We will replace our fleet of HH-52 short range helicopters with the more capable HH-65 helos as they become operationally available.

These new ship-deployable helicopters, the HH-65, will markedly improve our at-sea surveillance capabilities because of their higher speed, range, and their modern sensors.

Sixteen new patrol boats are being purchased to help our drug interdiction efforts in the southeast United States and Caribbean and elsewhere. Some of our older cutters are being replaced with 13 new 270-foot medium endurance *Bear* class cutters, which are all helo capable. The remaining fleet will continue to be renovated, modernized, or replaced as necessary to ensure they remain safe and effective.

Our research and development program has been looking into other tools. For example, we are evaluating aerostat-borne radars. This technology consists of a small, 25,000-cubic-foot balloon equipped with a surface search radar tethered to a 190-foot offshore supply type vessel, or support ship.

The aerostat lifts the radar to a sufficient altitude to greatly increase its range. This aerostat platform is part of a coordinated operation, passing the surface target information it acquires to a command and control cutter for evaluation and deployment of other assigned units, both surface and air. The system recently completed an initial evaluation and is currently under an extended redeployment.

Preliminary tests show aerostats can be effectively used as force multipliers, allowing our ships to be used for target intercepts and boardings rather than for lengthy and limited searches. Our search aircraft are likewise free to perform other missions heretofore impossible to accomplish.

Aerostat will not replace our cutters and aircraft. However, it does allow us to use them much more effectively.

Some trends in drug trafficking have been noticeable over the past few years. In calendar year 1982, the Coast Guard seized 174 vessels carrying over 3.4 million pounds of marijuana. During 1983, our units seized 164 vessels carrying 2.3 million pounds. This drop in the amount seized has led to speculation that we have apparently turned the corner on maritime narcotics smuggling.

The drop noticed last year might be the result of a poor growing season which sharply limited production. These conditions did not recur this year, and indications are the present crop has returned to levels seen in the past.

Recent seizure statistics confirm a resurgence in smuggling activity. While the trend seems to be returning to the higher levels of seizures experienced in the past, it is still too early to draw firm conclusions.

We are also seeing two other trends which may signal further evolution and methods of smuggling. The use of secret compartments in mother ships has increased dramatically during the last

18 months but appears to have peaked out recently and may be declining.

Perhaps our success in discovering them has convinced the smuggling community the price of converting vessels and the resulting decrease in their cargo-carrying capacity is not worth the investment.

We have also noticed an increase in air drops where large transport aircraft drop bales to fast contact boats hovering in the waters off the western Bahamas. The speed and unpredictability of these operations make them extremely difficult to counter.

Better intelligence remains the key to combating these methods of delivery and is an important factor in increasing our overall interdiction effectiveness.

Our most critical need is timely and accurate information on the number, identity, location, and destination of vessels and aircraft bound for the United States carrying contraband.

During the past year, improvements have been made in the collection, evaluation, and dissemination of intelligence. We have recently expanded Coast Guard intelligence activities by increasing our ability to process information from the Coast Guard, other Federal agencies, and national intelligence community sources.

We are also continuing our liaison with the law enforcement community's intelligence network. Only through the melding of all these available sources of intelligence can we efficiently identify, locate, track, and interdict smugglers.

Part of our improvements in the intelligence area have come about due to our active participation in NNBIS—the National Narcotics Border Interdiction System—the Attorney General's organized crime drug enforcement task forces also, and other ongoing initiatives, such as our current participation in NNBIS's Joint Surveillance Committee [JSC].

The JSC was formed to consider on an interagency basis the national capability to provide surveillance and detection of inbound narcotics smugglers. The committee will also identify steps to be taken to improve capabilities.

Yes, sir?

Mr. ENGLISH. I hate to interrupt you, but we have a vote taking place.

Admiral STABILE. I thought you might.

Mr. ENGLISH. I'm sorry about that. I'll be back.

Admiral STABILE. It's quite all right, sir.

Mr. ENGLISH. Thank you.

[Recess taken.]

Mr. ENGLISH. Admiral, I'm sorry for the interruption. Please continue.

Admiral STABILE. I was saying earlier, Mr. Chairman, that the proceedings this afternoon remind me of a typical day at Coast Guard headquarters; so I'm right at home.

Talking about major initiatives, I'd like to go on to say, in addition to the major ones that I just mentioned, we work and cooperate closely with the other Federal agencies on a continuing basis.

Interdiction efforts cannot be focused in one or two agencies, since drug trafficking exploits all modes of transportation and pos-

sesses vast numbers of resources within their vast crime organizations.

To combat the problem, coordinated efforts and active participation at regular meetings among all the agencies are required to make effective use of all Federal law enforcement resources.

This concludes my statement, Mr. Chairman. I'll be happy to answer any question.

[The prepared statement of Admiral Stabile follows:]

PREPARED STATEMENT OF VICE ADMIRAL BENEDICT L. STABILE, VICE COMMANDANT,  
U.S. COAST GUARDG-OLE  
24 JUL 84

Mr. Chairman and members of the Committee, I am VADM Benedict L. Stabile, Vice Commandant of the Coast Guard. It is a pleasure to appear before you today to provide an update on the Coast Guard's involvement in drug law enforcement.

First, I would like to go briefly over some background on the nature of maritime drug trafficking, and at the same time present current trends that are being noted. Most maritime drug traffic destined for Florida, the Atlantic and Gulf Coast regions of the United States departs from South American or Caribbean staging areas. Marijuana from the Guajira Peninsula on the north coast of Colombia is the prime example. As seaborne smugglers proceed north, they normally pass through one of the four inter-island channels we call "choke points". It is in these areas that Coast Guard resources are most effectively employed. Smugglers successfully transiting these choke points head for the Bahamas, Florida or the Gulf Coast. Some vessels attempt to avoid the increased law enforcement pressure off Florida by transiting the Eastern Caribbean and offloading further north along the Mid-Atlantic or the New England seacoasts. There has also been some increase in drug smuggling on the West Coast, which could be a further reaction to increased enforcement pressure in the Caribbean. We have noted that as law enforcement pressure in the maritime region has increased, there has been a shift to other modes and methods of transportation. There has been a decided increase in airdrop activity, the use of hidden compartments (compartments incorporated into the design of a ship for the express purpose of hiding contraband) and attempts by smugglers to circumnavigate our interdiction resources through counterintelligence and the use of their own surveillance aircraft. We believe these tactics confirm the fact we are having a noticeable effect on maritime smuggling because they make smuggling more difficult and expensive for the trafficker. The operational efforts to stem the overall flow of drugs, therefore, have become increasingly dependent on the coordination of all law enforcement agencies' interdiction and intelligence gathering activities.

Coast Guard drug interdiction operations concentrate on large motherships which deliver contraband to smaller, faster contact boats well offshore. In addition to carrying large quantities of marijuana, our intelligence sources indicate that many carry quantities of hard drugs (primarily cocaine). However, we are seldom able to seize these higher value, low volume, hard drugs because they are usually disposed of "over the side" prior to the at-sea boarding of the vessel. We have observed actions that confirm this. Analysis shows that while we must keep pressure on all facets of the maritime drug scenario, interdiction of motherships has the greatest potential for disrupting the maritime flow of drugs. In addition to removing other contraband (including hard drugs), one mothership seizure may remove as much marijuana from the market as would 10-20 contact boat seizures closer to shore.

Since the mid 1970's the Coast Guard, in cooperation with local, state and other federal enforcement agencies, has increasingly employed its available resources in an attempt to stem the flow of drugs into the United States. Special operations were conducted specifically for narcotics interdiction, and as our experience grew, so did our success rate. The problem, however, continued to outpace efforts.

In the early 80's, the Administration embarked on an aggressive campaign to reduce the availability and use of illicit drugs. A Federal Drug Strategy was developed to set national priorities, clarify agency responsibilities, and establish program goals and objectives for the prevention of drug abuse and drug trafficking. This strategy encompasses five interrelated programs:

- (1) international efforts to stop drugs as close to the source as possible,
- (2) domestic law enforcement, including drug interdiction, and health related activities,
- (3) detoxification treatment,

- (4) education and prevention, and
- (5) research.

The Coast Guard's role falls within the interdiction phase and is directed at illicit maritime traffic of controlled substances.

During the past several years we have significantly increased the number of cutter patrol days devoted to drug interdiction. Our air operations have also been stepped up. In 1982 two large Coast Guard cutters were relocated to Florida from other regions of the United States to increase our ability to respond quickly to sightings and other intelligence. We now average about six of our larger cutters on patrol at all times in waters off the Southeastern United States and in the Caribbean. We have also reprogrammed some of our helicopter assets to make our flight-deck equipped cutters more effective and formed a Surface Effect Ship squadron of three vessels in Key West, which became fully operational in 1983.

In 1982 Congress passed legislation clarifying statutory restrictions on the use of Department of Defense resources for law enforcement purposes. As a result, the Department of Defense now has greater freedom to support federal law enforcement agencies. DOD resources have been playing an important role in the federal drug interdiction program by providing surveillance and support services, such as using aircraft to search for smugglers and Navy ships to tow or escort vessels seized by the Coast Guard to the nearest U. S. port. Additionally, Navy ships have been deploying with Coast Guard Tactical Law Enforcement Teams (TACLETS) or Law Enforcement Detachments (LEDETS) aboard. These teams and detachments conduct boardings of suspect vessels from their Navy hosts in the same manner as they do from Coast Guard vessels. To increase further the number of surface assets available for interdiction, the Coast Guard has been routinely deploying LEDET personnel on Navy Pegasus-class Hydrofoil Patrol Boats operating out of Key West. These hydrofoils are being used as "pouncer" vessels to interdict fast drug smuggling contact boats. As of the end of June the DOD has been involved in 23 vessel seizures.

New and more capable resources are becoming available to the Coast Guard. These resources will be brought to bear on the drug trafficking problem as quickly as possible. Our air reconnaissance capability has increased considerably with the receipt of 41 new twin-jet Falcon medium range search aircraft. The first of six AIREYE systems for our Falcon aircraft has just started flight testing at the contractor's facility in Ontario, CA. This sensor package will greatly extend the Falcon's search and detection effectiveness in both daylight and darkness. New radars are being procured for our fixed wing aircraft. We will replace our fleet of HH-52 short range helicopters with the more capable HH-65 helicopters as they become operationally available. These new ship-deployable helicopters will markedly improve our at-sea surveillance capabilities because of their higher speed and modern sensors (including FLIR (Forward Looking Infra-Red)). Sixteen new patrol boats are being purchased to help our drug interdiction efforts in the Southeast United States and Caribbean. Some of our older cutters are being replaced with thirteen new 270 foot medium endurance "Bear" class cutters which are helo capable. The remaining fleet will continue to be renovated, modernized, or replaced as necessary to insure they remain safe and productive.

Our research and development program has been looking into other tools. For example, we are evaluating aerostat-borne radars. This technology consists of a small, 25,000 cubic foot balloon equipped with a surface search radar tethered to a 194-foot offshore supply type vessel (support ship). The aerostat lifts the radar to a sufficient altitude to greatly increase its range. This aerostat platform is part of a coordinated operation, passing the surface target information it acquires to a command and control cutter for evaluation and deployment of other assigned units, both surface and air. The system recently completed an initial evaluation and is currently under an extended redeployment.

The draft report on the initial phase of this evaluation just arrived and is under review. The results of this test have been very promising. The

continuous large area radar coverage possible with this system can significantly enhance our law enforcement efforts. Our specific mission objective is to make better use of available resources by reducing the ship and aircraft time devoted to the search phase of the maritime interdiction process, thus freeing cutters for contact intercept, identification, and boarding. During the initial aerostat evaluation, cutters and aircraft were accurately vectored to identify more targets of interest than has previously been possible. Prior to the aerostat, our ability to search large areas was limited severely by the number of ships we could assign simultaneously to a given pass, or by the on-scene endurance of assigned search aircraft. Aerostat eases these constraints by providing a tool that easily searches huge areas for prolonged periods of time. Preliminary test results show aerostats can be effectively used as force multipliers, allowing our ships to be used for target intercepts and boardings, rather than for lengthy searches. Our search aircraft are likewise freed to perform other missions heretofore impossible to accomplish. As conceived, Aerostat will be used as part of a Mobile Interdiction Surveillance Team (MIST), which includes a helo equipped medium or high endurance cutter acting as Command and Control and at least one other chase craft. Aerostat will not replace our cutters and aircraft. However, it does allow us to use them much more effectively.

Some trends in drug trafficking have been noticeable over the past few years. In Calendar Year 1982 the Coast Guard seized 174 vessels carrying over 3.4M pounds of marijuana. During 1983 our units seized 164 vessels carrying 2.3M pounds of marijuana. This drop in the amount seized has led to speculation that we have apparently turned the corner on maritime narcotics smuggling. The drop noticed last year might be the result of a poor growing season which sharply limited production. These conditions did not recur this year, and indications are the present crop has returned to levels seen in the past. Recent seizure statistics confirm a resurgence in smuggling activity. While the trend seems to be returning to the higher levels of seizures experienced in the past, it is still too early to draw firm conclusions.

We are also seeing two other trends which may signal further evolution in methods of smuggling. The use of secret compartments in motherships had increased dramatically during the last 18 months but appears to have peaked out recently and may be declining. Perhaps our success in discovering them has convinced the smuggling community the price of converting vessels, and the resulting decrease in their cargo-carrying capacity, is not worth the investment. We have also noticed an increase in airdrops where large transport aircraft drop bales to fast contact boats hovering in the waters of the Western Bahamas. The speed and unpredictability of these operations make them extremely difficult to counter.

Better intelligence remains the key to combating these methods of delivery and is an important factor in increasing our overall interdiction effectiveness. Our most critical need is timely and accurate information on the number, identity, location and destination of vessels and aircraft bound for the U.S. carrying contraband. During the past year improvements have been made in the collection, evaluation, and dissemination of intelligence. We have recently expanded Coast Guard intelligence activities by increasing our ability to process information from Coast Guard, other federal agencies, and national intelligence community sources. We are also continuing our liaison with the law enforcement community's intelligence network. Only through the melding of all these available sources of intelligence can we efficiently locate, track, identify and interdict smugglers.

Along with expanding our intelligence collection programs, we have developed a staff of trained personnel to exploit this information and ensure its timely flow to our operational commanders. We are establishing an intelligence coordination center here in Washington, D.C. to accomplish this. When fully operational, this center will maintain a 24-hour all-source intelligence watch to exploit all intelligence systems available to the Coast Guard. Although the center is still under construction, it is already producing intelligence products tailored to the needs of our operational commanders. Our Area Commanders' staffs have also been expanded by adding additional intelligence-trained personnel. These staffs in New York and San Francisco function as

clearing houses that ensure the timely dissemination of information to our field commanders as well as to other law enforcement agencies.

Part of our improvements in the intelligence area have come about due to our active participation in the National Narcotics Border Interdiction System (NNBIS), the Attorney General's Organized Crime Drug Enforcement Task Forces (OCDETFs) and other ongoing initiatives.

The Coast Guard has been involved since the very beginning of the OCDETF program. Our Chief of Operations is a member of the OCDETF Working Group, and has participated in the decision-making processes which have defined the program. We have also provided agency coordinators to 11 of the existing 12 task forces, and one of our officers will serve as Coast Guard agency coordinator for the Miami OCDETF when it forms later this year. These agency coordinators vary in background and types of skills based on the specific needs expressed by the U. S. Attorneys heading each OCDETF. In addition to assisting in the investigation of the cases being targeted by the OCDETFs and coordinating requests for additional Coast Guard assistance, our coordinators have the opportunity to evaluate these cases for useful intelligence that, in turn, can generate additional interdictions.

Our involvement in NNBIS likewise dates back to the earliest days of the program. As I am sure you are aware, Secretary Dole is a member of the NNBIS Executive Board, and Admiral Gracey serves as a member of the Coordination Board. Three of the six NNBIS Regional Coordinators are Coast Guard officers who also command the Coast Guard District primarily involved. Additionally, the Director of the NNBIS Staff at the White House is a Coast Guard officer. We are very pleased with the results of NNBIS to date. It has provided us with a new forum for requesting assistance from other sources and agencies, and has also proven to be a valuable mechanism to facilitate the collection of intelligence previously unavailable to us.

We are currently participating in another major initiative. Under the NNBIS Coordination Board a Joint Surveillance Committee (JSC) has been formed to

consider, on an interagency basis, the national capability to provide surveillance and detection of inbound narcotics smugglers. The committee will also identify steps to be taken to improve capabilities. To provide the necessary input, six working groups have been formed:

Trafficking Patterns Group (Chaired by DEA)  
 Detection Capabilities Group (Chaired by DOD)  
 Deterrence Capabilities Group (Chaired by FAA)  
 Reaction Capabilities Group (Chaired by Customs)  
 Strategy and Reporting Group (Chaired by NNBIS)  
 P-3A Evaluation Group (Chaired by Customs)

In addition to these major initiatives, we work and cooperate closely with the other federal agencies on a continuous basis. Interdiction efforts cannot be focused in one or two agencies since drug traffickers exploit all modes of transportation and possess vast numbers of resources within their vast crime organizations. To combat the problem, coordinated efforts and active participation at regular meetings among all agencies are required to make effective use of all federal law enforcement resources.

This concludes my prepared testimony, Mr. Chairman. I will be happy to answer any questions you or the members of the committee may have.

Mr. ENGLISH. Thank you very much, Admiral.

I've noticed that your responsibilities are primarily focused on surface threat. Do you have a threat assessment, and, if so, who developed that threat assessment for you?

Admiral STABILE. On the surface mode?

Mr. ENGLISH. Yes.

Admiral STABILE. That comes from a variety of sources. Currently, I would have to say the dominant influence on that is a mixture of our newly enlarged inhouse intelligence groups, both at headquarters and the area offices in New York and San Francisco, and perhaps even more importantly, through NNBIS, the six NNBIS networks that have been set up around the country.

But it is an amalgam of those units who draw, as I said earlier in my statement, on information from a wide variety of sources.

Mr. ENGLISH. How often is that threat assessment updated, and who is provided copies of the document?

Admiral STABILE. To the best of my knowledge, the assessments that we make are more or less continuous. I don't know that we have a single document that we produce. Perhaps Admiral Thompson or Admiral Venzke would know.

Is that correct?

Admiral VENZKE. That's correct. We have national narcotics interdiction—figures that come out every year, and also based upon intelligence that we receive from DEA, for example, and Customs.

Admiral STABILE. But is that correct, though, that we don't make periodically—say, quarterly—a formalized threat assessment?

Admiral VENZKE. No.

Mr. ENGLISH. OK. Concerning the intelligence coordination with NNBIS centers, what is your view on the issue of DEA's continuing refusal to permit terminals for its NADDIS intelligence systems in the NNBIS offices?

Admiral STABILE. I'm sorry, I missed the last part—to refuse to?

Mr. ENGLISH. Yes—refusal to permit terminals for its NADDIS intelligence system in the NNBIS offices.

Admiral STABILE. Admiral Thompson, could you help me there? I'm not aware of that being a problem.

Admiral THOMPSON. Mr. Chairman, when I left the coordinator's role in the southeast NNBIS region, we had not had a NADDIS terminal available to us. So we were accessing EPIC telephonically.

Mr. ENGLISH. Is that having an impact? Would it be helpful if that NADDIS system was in those centers?

Admiral THOMPSON. In my judgment, it would be helpful.

Mr. ENGLISH. Is it detrimental to you that they are not?

Admiral THOMPSON. Well, I think as the volume increases in terms of increased intelligence and accessing EPIC, in my judgment, it would be helpful to have it.

Mr. ENGLISH. Admiral, could you describe joint operations which are typically conducted between the Coast Guard and Customs, and could you give some examples of that?

Admiral STABILE. I can probably give you some that are a little stale. Here again, I would invite Admiral Thompson to bring us up to date, since he just came from an area where there is heavy involvement.

Mr. ENGLISH. Any of those that would be before this year, could you give approximate—roughly the dates, at least the years in which they occurred? In other words, I'd like anything that you have in 1984. If anything is previous to 1984, why, please identify whether it was 1983, 1982, or what.

Admiral STABILE. On specific incidents, I'm afraid I'd have to provide that for the record, Mr. Chairman, but I don't know if Admiral Thompson can—

Mr. ENGLISH. Admiral Thompson, do you know of some examples?

Admiral THOMPSON. I'd have to ask you to repeat the question, so I can address it.

Mr. ENGLISH. Well, what I was looking for was an example of joint operations where you have had coordination and cooperation between Customs and Coast Guard—any type of joint operations that have taken place.

Admiral THOMPSON. Yes.

Mr. ENGLISH. Could you give us some examples for, say, 1984?

Admiral THOMPSON. I'm aware of a number of joint operations that were really orchestrated through the NNBIS coordination functions, and they were primarily maritime, but where we used Customs' air assets and Coast Guard surface resources, and they ranged from a concentrated blockade type along the east coast and the west coast of Florida to operations down off Puerto Rico, they

were occurring quite frequently. There were usually names associated with them—Operation Opstop and things like that.

I could get a more comprehensive list and submit it, if you wish.

Mr. ENGLISH. Yes, we would appreciate your submitting that for the record.

[The information follows:]

The following is a listing of Southeast U. S. joint operations between USCG and USCS aviation and marine units since the National Narcotics Border Interdiction System (NNBIS) was established:

<u>DATE:</u>	<u>OPERATION:</u>	<u>DESCRIPTION:</u>
19-24 JUN 83	NNBIS OPS	Air/marine interdiction; Southeast U. S.
20-28 JUL 83	NNBIS OPS	Air interdiction; central and east Gulf of Mexico.
13-16 AUG 83	NNBIS OPS	Air interdiction; Puerto Rico and Virgin Islands.
11-14 SEP 83	NNBIS OPS	Air interdiction; Puerto Rico and Virgin Islands.
2-9 OCT 83	NNBIS OPS	Air interdiction; Florida west coast.
24-31 OCT 83	NNBIS OPS	Coastal and harbor interdiction; Chesapeake Bay and Virginia shore.
24 OCT-26 NOV 83	GOLD PALM	Air interdiction; Puerto Rico and Virgin Islands.
1-13 NOV 83	NNBIS OPS	Air interdiction; Florida and Bahamas.
1-9 DEC 83	TARHEEL	Air interdiction; East Coast from Virginia to Georgia.
6-15 DEC 83	DEWDROP	Airdrop interdiction in S. Florida.
13-22 JAN 84	NNBIS OPS	Air interdiction; Florida west coast.
1-17 FEB 84	NNBIS OPS	Air interdiction; Florida northeast coast.
8-13 MAR 84	NNBIS OPS	Air interdiction; Puerto Rico and Virgin Islands.
6-16 MAR 84	FIRST LIGHT	Air/marine interdiction; Florida east coast.
18-30 APR 84	NNBIS OPS	Air interdiction; Florida west coast.
11-17 MAY 84	NNBIS OPS	Air/marine interdiction; West Bahamas.
16-28 JUN 84	NNBIS OPS	Air/marine interdiction; East Coast from North Carolina to Georgia.
29 JUN-9 JUL 84	QUICK STOP	Marine interdiction; Florida Straits.
1-10 JUL 84	NNBIS Ops	Air/marine interdiction; West Bahamas.

Mr. ENGLISH. I also understand that there is a lookout system for drug smugglers' ships in EPIC. Do you consider that information to be valuable in allowing you to employ your cutter resources in the right place at the right time to improve the probability of interdiction?

Admiral STABILE. The information, certainly when I spent 3 years down in Miami, was quite valuable. The lists that were provided, which we also inputted to, were very, very useful in identifying the people or the vessels—the boats and the ships—that we spotted on patrol.

We would get what we call "hits" from the EPIC lists that were quite useful to us, and I presume they continue to be useful.

Mr. ENGLISH. Does that allow you to employ those assets at the right place at the right time?

Admiral STABILE. I don't think the lookout lists, in and of themselves, do, but other intelligence—

Mr. ENGLISH. What you are doing is steaming around out there, and if you spot somebody, well, then you can see if he happens to be on the lookout list, but it doesn't tell you where he is likely to be—where a suspect is likely to be and at what time he is likely to be there?

Admiral STABILE. That would be separate intelligence, which may or may not be available through that system.

Mr. ENGLISH. Do you get any of that type of intelligence from EPIC at all?

Admiral STABILE. Do we now?

Admiral THOMPSON. We did. Generally, it was on a regionalized basis, and then the information would be further developed by the local intelligence center. Again, I'm referring to NNBIS. But it was not predictive in a really general sense.

If somebody put information into EPIC which then suggested that there should be a certain response in a given geographic area, that information would come to the NNBIS center.

Mr. ENGLISH. So you didn't have any tactical intelligence—any routine tactical intelligence coming from EPIC; is that correct?

Admiral THOMPSON. Well, there were estimates and generalized projections about the flow and shifts in the chokepoints and changes in the air patterns—those kinds of things.

Mr. ENGLISH. That would be strategic, though, would it not? That wouldn't be tactical.

Admiral STABILE. I think so, yes.

Admiral THOMPSON. I think you are correct. It probably was more generally strategic than tactical.

Mr. ENGLISH. Does the Coast Guard have on its cutters means to detect airborne targets as well as surface targets?

Admiral STABILE. We have on our high endurance cutters, the 378's, we have air search radars, but we do not have air search radars on any other cutters.

We are currently looking—shopping around for portable equipments, you might say, that we might deploy on our other cutters.

Mr. ENGLISH. I believe you have been testing a ship-mounted aerostat system, and I think, as you stated, they had pretty good results from that. Would you, please, more fully describe the system and the experiences that you have had with it?

Admiral STABLE. Basically it's a takeoff on the Cudjoe Key operation down in the Florida Keys. It's a balloon-mounted surface search radar, which, by virtue of its increased altitude as compared to a radar that you could put on the mast of a ship, gives you a wider range of detection by looking at the horizon from a higher point.

The information is fed to the vessel to which it is tethered. That vessel has mobility—it can move around—and the information is analyzed and then passed to whatever pouncer craft or aircraft may be involved in the area.

Obviously, all I can tell you is that you have a radar target going in a particular direction and an approximate speed at a given time. It will not tell you necessarily what kind of a contact it is. So it still relies on some check, either by aircraft or other vessel, to determine the character of the target.

Mr. ENGLISH. It does identify, though, the altitude that aircraft is flying and the speed that it is flying, does it not?

Admiral STABLE. Oh, I'm sorry. This is primarily a surface device.

Mr. ENGLISH. Excuse me. As far as the air, does it give you that?

Admiral STABLE. Some low flyers would be detected by this radar, but it is not designed primarily for that purpose.

Mr. ENGLISH. Up to what height would they be detected?

Admiral STABLE. It would depend on the range, but I would think anything that was flying—what?—500 to 1,000 feet would be susceptible to detection, but it is not enhanced for that purpose. Such devices could be built, but the one we have is not doing that.

Mr. ENGLISH. OK. It is my understanding that the system could provide that information; it could be built into the system. Is that your understanding also?

Admiral STABLE. I believe—the technology is there, I'm sure.

Mr. ENGLISH. Do you have a communications capability to pass the information on to NNBS or to the appropriate Customs air support branch?

Admiral STABLE. Yes, sir; our comms capability is very good. We are not communications limited, except that we have for a long time been wanting to make our communications more secure. We are working very diligently to provide secure communications to our law enforcement assets. We are installing equipments whereby we can talk to one another without being deciphered.

Mr. ENGLISH. As I understand it, as far as your ships, they have that capability now, do they not?

Admiral STABLE. Depending on which ship. Some ships do, and some don't. But before too long, all of our law enforcement assets will have a secure comms capability.

Mr. ENGLISH. If you had a balloon radar system, like we have been talking about here, in the Windward Passage, for example, with a radar that could also detect the air targets, would it be safe to assume that the detection range for the air target would be significantly greater than that expected for the surface targets?

Admiral STABLE. I am not sure of the answer to that, sir. We can get it for you. I don't know.

Mr. ENGLISH. OK. It is my understanding that it probably would be a greater range than it would—

Admiral STABLE. Could be.  
Mr. ENGLISH [continuing]. Even for the surface targets.  
[The information follows:]

Ship Tethered Aerostat Radar System (STARS)

## Air and Surface Search Expected Range Comparison:

In addition to the obvious factors such as weather, sea state, radar power and sensitivity, and cross-sectional area of the target, there are several other factors that have an effect on the maximum radar range expected from a tethered aerostat mounted radar system. The range generally increases with the height of the radar antenna and the target, within the limits of maximum signal strength. However, in addition to the specific characteristics of the radar, trade-offs are made to the configuration and characteristics of the antenna to make radar systems better for specific purposes. Additionally, the mounting of the antenna under the balloon, as in the proposed STARS configuration, limits its capability to detect aircraft at a higher altitude than that of the balloon.

The radar systems proposed for STARS are still under study and the best configuration for optimal use against air and surface targets have yet to be determined. Therefore, it would be far too premature to make any comparison of air and surface search ranges.

Mr. ENGLISH. It would seem to me, if that is the case, that you could more effectively block the surface chokepoints. You would then have a higher probability of a drug smuggler trying to overfly that particular location and then coming in with even more increased activity and airdrops or landing in the Bahamas, for instance, down there in the Caribbean area.

Could you comment on that? Would you agree with that assessment?

Maybe Admiral Thompson would be the one. He has had a lot of experience down there.

Admiral STABILE. He does, but I've been saying right along here, it is a bit like a floating crap game, and we have to constantly change our tactics and increase the number of tricks in our bag, because as soon as one type of system is in place in an area and its capabilities are known, the other side will devise ways to get around it, so I'm sure what you suggest is true.

Do you want to elaborate on that?

Admiral THOMPSON. Only to observe that if we were able to pick up low flyers with an enhanced radar, we would only be able to register those as potential targets. Then we would need an intercept, or sorting out capability, or a way of handing off that target when we lose it from our limited range scope to another scope, or some tracking device, to bring it further on up from the choke points to where you could, you know, get into the air interdiction aspect of it.

Certainly it would increase the intelligence and the information beyond what we have now.

Mr. ENGLISH. I think that's exactly the point. It would significantly increase the information that we have beyond what we have now, and it would still be a job then to intercept and to determine then whether that is indeed a smuggler.

But it would not be that difficult to determine profiles, and that would be the manner in which you would identify the targets, would it not? In other words, if you have an aircraft coming through the Windward Passage at 1,000 feet, say.

Admiral THOMPSON. He may be legitimate.

Mr. ENGLISH. And he is not on a flight plan and doesn't have a transponder going, why, you would have a pretty good idea that was a fellow you would want to look at?

Admiral THOMPSON. He would be a suspect.

Mr. ENGLISH. He would be a high priority suspect, wouldn't he?

Admiral THOMPSON. Well, there is a lot of flying through the Caribbean, sir.

Mr. ENGLISH. Well, I realize that, but not many of them without transponders and without flight plans and flying at 1,000 feet in that area.

Admiral THOMPSON. More than we would like to see, but definitely he would be a suspect.

Mr. ENGLISH. I would also ask, Admiral, that the test results of the balloon system be made a part of the record, if you would, please.

[Final Report: Proof-of-Concept Evaluation of an Aerostat-Based Marine Interdiction and Surveillance Team of July 1984 was submitted. The report is retained in subcommittee files.]

Mr. ENGLISH. Mr. Lewis.

Mr. LEWIS. Thank you, Mr. Chairman.

Admiral Stabile, on page 5 of your testimony, you mention new Falcon aircraft. What is the mission of this new type of an aircraft?

Admiral STABILE. The Falcon is, as is the case with all of our aircraft, a multimission search and rescue law enforcement vehicle.

Mr. LEWIS. Is it used for detection of surface craft and detection for interception of other aircraft coming in the passages?

Admiral STABILE. Not so much intercept of aircraft. I don't believe it's had any significant utility in that regard except in SAR cases, where someone has lost an engine, we will go out and escort them in on the remaining engine. We would also stand by in the event of a ditch, drop a raft, or whatever is needed to them, and fix the position for surface assets to provide assistance.

Mr. LEWIS. Will these additional aircraft give you better allocations throughout the various sections of the country? And, are you going to concentrate more on the Caribbean and gulf?

Admiral STABILE. Well, we have increased the air assets in the southeast. We have added, for example, two of these Falcon jets to Puerto Rico. We had no fixed-wing assets there before at all, just helicopters. And we have, I believe it is, six Falcons at Miami Air. We have added additional helicopters to the southeast also.

Mr. LEWIS. I see.

Now do these type of aircraft work in conjunction with the module concept that Commissioner von Raab brought out today with the Customs Service? Do you assign aircraft to work with him?

Admiral STABILE. They could be, but I don't know if they have been.

Admiral Thompson, would you answer that?

Admiral THOMPSON. When there are scheduled operations—combined agency operations—and there are frequently those down there—then the Falcon will be used along with our C-130 aircraft, helicopters, whatever we have, to provide any airborne surveillance we can to the maritime surface units—Florida Marine Patrol, Customs, Coast Guard, whoever is out on the water. So we do work that system.

Mr. LEWIS. I see.

On page 7 of your prepared statement, Admiral Stabile, you mention the establishment of an intelligence coordination center here in Washington. Can I conclude that this is intended to serve all Coast Guard operations, not just drug interdiction, or is it just for drug interdiction?

Admiral STABILE. It is for Coast Guard operations, and it is primarily designed to, at this level, look at the broad spectrum of intelligence to interface with the intelligence community and to do analyses, not so much on the tactical level. But I would like my chief of operations to describe that for you.

Admiral VENZKE. Sir, as Admiral Stabile mentioned, this will be a multimission type of intelligence center. It will be placed in operation at Coast Guard headquarters in October. It will plug us into the various intelligence organizations around Washington, will pull the intelligence in, analyze it, and in some cases will be providing

tactical intelligence to the operating units. But this will fill a void that in Coast Guard operations has existed for very many years.

Mr. LEWIS. Thank you for that information.

Admiral Stabile, I'm sorry I was mispronouncing your name.

Admiral STABILE. You should hear the way it is pronounced sometimes.

Mr. LEWIS. Do you feel that you have sufficient resources? Is Congress supplying you with sufficient funding to purchase sufficient equipment and keep the proper personnel on station to operate a good Drug Interdiction Program in the Southeast as well as the remainder of the country?

Admiral STABILE. That's always a very tempting question to want to leap at, as you know.

I think we have to be grateful both to the administration and the Congress for having supplied the upgraded assets that we do have and we are getting.

To say that we have enough—I really don't know how to answer that. I can tell you that we have more than we had before, and we have better than we had before. I think as the new assets and the upgraded ones come on line—the new systems, such as AIREYE; the HH-65 helicopters, which we haven't received yet; the 270's with their helo platforms replacing ships without them—all of these things, and the aerostat, will be increasing our capability to do a better job. Whether or not it will be enough only time will tell.

I think we need to digest the increments of improvements that we are making, and we also have to get smarter in how we use them. We have a ways to go on that. We have a ways to go on coordination yet and in getting the maximum out of other agencies. The other agencies, such as DOD, are increasingly helping us and learning, and we are training them in what to look for.

Whether or not it is enough, it's too early to tell. We are doing better, and we have a lot of good, new hardware coming on line. Thank you very much, the Congress, for helping us in that regard.

Mr. LEWIS. Well, thank you, Admiral.

Thank you, Mr. Chairman. That's all the questions I have.

Mr. ENGLISH. Mr. Kleczka?

Mr. KLECZKA. No questions, Mr. Chairman.

Mr. ENGLISH. Admiral, in past Coast Guard testimony I've seen estimates that as many as 12 Coast Guard cutters would be necessary in the Yucatan Passage to provide an effective interdiction rate. Is that correct?

Admiral STABILE. With that many, we could do more than we are, but I'm not sure that we are at the point where we would say that that would be the best investment of our resources.

Mr. ENGLISH. Well, I didn't ask you that, Admiral. I was asking if that's what would be necessary—it would take that many for an effective interdiction rate in the Yucatan Passage.

Admiral STABILE. Does anybody want to field 12? That's so much more than we've had down there. We would be able to do more.

Mr. ENGLISH. I need to know how much it is going to take to do the job; that's the question.

Admiral STABILE. Someone yet has to define the limits of the job.

Mr. ENGLISH. Say 80 percent.

Admiral STABILE. Eighty percent in the Yucatan? I think we have figures that would show the probability of stopping it in the Yucatan. I don't recall whether it would take 12 vessels. We can provide you with that number.

Mr. ENGLISH. Is that pretty much in the ballpark? Is 12 vessels pretty much in the ballpark?

Admiral STABILE. I can't remember whether it was eight. We did do a study on that.

Admiral VENZKE, would you like to address that?

Admiral VENZKE. Mr. Chairman, we did analyze the effectiveness of barrier patrols in the chokepoint, and it takes perhaps, if I recollect correctly, four ships on barrier patrol, and that's assuming perhaps a 10-knot vessel coming through, in order to detect it—have a high percentage of effectiveness on detecting it. I believe that's perhaps the point you were asking.

If that were the case, and you did have 4 vessels on station, you would have to have basically 12 ships, because there's 3 for 1. In order to keep one ship on station, as you know, it takes about three ships.

If you deploy your vessels that way—of course, if you are using aerostat, that would change the bidding completely.

Mr. ENGLISH. Well, that's the next question. You are anticipating where I'm heading on that.

With the aerostat system assigned to the Yucatan, what would be your estimate as to the number of cutters that would be needed?

Admiral VENZKE. Sir, basically, in order to get a better than 90 percent coverage, one aerostat of the type that we are using at the present time is equivalent to three of our medium endurance cutters. So you are one plus to actually cover the entire Yucatan.

Mr. ENGLISH. So I would assume that would mean that in order to give the same coverage that you'd have with those 12 cutters, you could do it with 3 or 4 if you had aerostats on.

Admiral VENZKE. Sir, with the aerostat, of course, that is only good for detection of vessels.

Mr. ENGLISH. That's what we are talking about—detection of vessels.

Admiral VENZKE. And you need some chase vessels to go out and check out aircraft—perhaps shipboard helicopters, or in any event, some kind of chase vessels to go out and investigate the contacts that you have detected with your aerostat, because the aerostat will not tell you, as you know, what type of ship you have.

Mr. ENGLISH. I realize that, but we were talking about that before with those 12. That's what you are doing with the 12, isn't it? Aren't you detecting people, or are you using those three that you were going to have out there—were they going to go out and chase as well as detect? Is that what you are having them do?

Admiral VENZKE. Sir, backing up to the 12, there are 4 ships on station. Once you detect a vessel with one of those vessels, he is pulled out of line, and he is not able to detect effectively any more.

Mr. ENGLISH. All right. So you don't have detection then. So you would rearrange, is basically what you would do. If you had the aerostats, you'd want one aerostat on station, and then you would need another vessel to chase; right?

Admiral VENZKE. You would need a couple of vessels to check, perhaps; one or two vessels; yes, sir.

Mr. ENGLISH. But as far as the coverage on detection—being able to detect them over this period of time, you could, in effect, with those 3 aerostats on cutters—3 to 4 aerostats on cutters—you could do the same work that you would do on detection with the 12; right?

Admiral VENZKE. Sir, I'm not sure I understand the question. Are you talking about three aerostats in the Yucatan?

Mr. ENGLISH. I'm talking about one in the Yucatan and——

Admiral VENZKE. And one on station; oh, yes, sir.

Mr. ENGLISH. You just rotate your ships, don't you?

Admiral VENZKE. Yes, sir.

Mr. ENGLISH. And you couldn't rotate that aerostat off——

Admiral VENZKE. It's the same thing; yes, sir; that's correct.

Mr. ENGLISH. OK. So, in effect, 3 to 4 cutters with aerostats on them could do the same work as those 12 cutters, as far as detection is concerned?

Admiral VENZKE. Not quite, but almost. It would take one-plus aerostats to be equivalent to three ships on station, because one aerostat will not cover the entire Yucatan.

Admiral STABILE. The other thing, Mr. Chairman, is that the work we have done so far employs an offshore supply vessel that does nothing but sustain the aerostat. It is not a law enforcement vessel in and of itself.

We have yet to get to the point where we could put an aerostat on a Coast Guard vessel. It's possible; it would have to be explored. We would have to see what the impact would be on other Coast Guard operations.

Mr. ENGLISH. Yes, but you have been experimenting up until this point, have you not?

Admiral STABILE. Yes, but with a leased offshore vessel.

Mr. ENGLISH. All right.

Admiral STABILE. I just want to make that point that when we talk Coast Guard cutters, it's different from the aerostat vehicle.

Mr. ENGLISH. The point I'm getting to—and we'll kind of cut through it all here, Admiral, and you know where I'm going, and I want you to respond to that—it would appear to me, this being the case, that you are substantially reducing the number of ships that would be necessary to give you roughly this type of coverage in the Yucatan. You are going to be able to give roughly the same amount of detection coverage with a whole lot less ships.

Admiral STABILE. We think so. As I say, it looks promising.

Mr. ENGLISH. And if that is the case, then what you are talking about is substantial savings in money and ships.

Admiral STABILE. Yes, compared to trying to do it full blown with ships only; yes, that's correct.

Mr. ENGLISH. So I guess then the real decision is whether we want to move in this direction with substantial savings or whether we want to do nothing, and there is no way you have the resources to put 12 ships down in the Yucatan now, do you?

Admiral STABILE. I would say that's correct.

Mr. ENGLISH. So it's a question—if we are really serious about dealing with this problem and doing something about it, about the

only answer that is left is to move in this direction, whether it's with this detection system or another type of detection system along these same lines. Is that correct?

Admiral STABILE. Yes, sir. It's certainly a very promising system, as I said.

Mr. ENGLISH. Given this fact and your past answers with regard to the aerostat system's potential, and the results of your 6-months evaluation, what is the Coast Guard's plan for procurement of this or some similar system?

Admiral STABILE. We haven't resolved that yet. The evaluation is not complete. We have renegotiated a package to extend the operation of the existing unit. We are exploring the costs for a number of systems. We are looking at the effectiveness of the particular equipment that we have.

Mr. ENGLISH. Is it an OMB problem, just to again cut through it? Is that what your trouble is?

Admiral STABILE. No, sir, I don't think so at this point.

Mr. ENGLISH. Are you telling me that you are not satisfied with the tests that you have run and that the 6-month tests have not provided you the information that you wanted?

Admiral STABILE. No, sir. I am saying that our evaluation is in its final stages and should be completed, I think, in August.

Mr. ENGLISH. So it will be completed in the next few days then?

Admiral STABILE. It should be—

Mr. ENGLISH. This month. I guess we are in August now.

Admiral STABILE. Our assessment should be completed this month.

What I was alluding to is that there are potential improvements to the particular product that have to be looked at also. There could be a better radar. There could be a radar that could pick up aircraft. We might require a different frequency or wavelength radar—that kind of thing.

Mr. ENGLISH. Well, I'll tell you what I think, Admiral. It seems to me when we get off and start talking about "could be's" and "may be's" and "whatever's," I start kind of getting squirmy up here on those kinds of deals, because it starts sounding to me like this is a stall.

The question I've got in my mind now is, what are you doing about those "could be's" and "may be's"? Are you indeed going out and talking to the suppliers and finding out whether there are any other radar systems that would do a better job, whether the particular supplier of this aerostat—whether it can be modified to do these other—

Admiral STABILE. We are doing all of the above; yes, sir; and we are also developing resource change proposals to acquire additional systems.

What I'm saying to you is that I don't know that our ultimate system will be the one that we now have.

Mr. ENGLISH. Well, the question—

Admiral STABILE. Excuse me. The ultimate solution which the Commandant will decide may be to request three, four, or five of the existing while we look for the better one. I'm telling you I don't have the answer right now.

Mr. ENGLISH. Well, I guess the question before you can even take those steps—first of all, you have got to decide to go with this concept, and I guess the thing that I—maybe I misunderstood you, but the impression I was getting is that that is where we are into considerations of system enhancement before we ever get to implement the concept.

Admiral STABILE. No, sir.

Mr. ENGLISH. Has the Coast Guard and the Commandant committed himself to this concept?

Admiral STABILE. We think it is a very valuable tool, and I don't know yet the extent to which we will apply the tool, how many systems, or what the ultimate configuration will be. That's all I can tell you right now.

Mr. ENGLISH. Well, I guess then it comes down to the question of what else are you going to do?

Admiral STABILE. How do you mean, sir?

Mr. ENGLISH. Well, here you have got this system. We just kind of went through what we hope—

Admiral STABILE. We will be asking for funds for an increment in the system. I just can't tell you how many or what the ultimate system will be—whether we will go for the model A or we shoot for model B or model C, two or three of each; I don't know that yet. I just can't answer the question today.

Mr. ENGLISH. I can understand that, and I think that makes sense. The question I'm trying to find out is whether the Coast Guard is convinced—

Admiral STABILE. We are not dragging our feet on the system, sir, if that's what you are worried about.

Mr. ENGLISH. That's what I'm worried about.

Admiral STABILE. No, sir.

Mr. ENGLISH. And the question is whether you have committed yourselves to the concept and it's a question now of which piece of hardware we put together that gives us the greatest amount of capability. Is that what you are telling me?

Admiral STABILE. He's telling me it's a great idea. Sure, it's a great idea. We are not denying that. I just can't be specific, sir, in terms of timetable, and numbers, and model.

Mr. ENGLISH. We'd be very interested, whenever you get that August report—we'd be very interested in having a copy of that.

Admiral STABILE. You know we have to do that for the budget process. We absorbed the cases of the one we have, so we do have some problems there.

Mr. ENGLISH. Well, we'd like to have it just hot off the press.

Given the additional resources, Admiral, that have been identified and introduced in the war on drugs—we talked this morning about the P-3's, and hopefully there will be five more joining the one that we already have. Of course, it has both air and surface capabilities.

We have three large aerostat systems, or at least two in place now, and hopefully there will be one more. That will give us a 3,600-square-mile lookdown coverage over the Florida and the Bahamas area.

We have the aerostat system that you have been working with to cover the choke points, and then 18 additional Customs interceptor aircraft that have been authorized.

Also, hopefully we will have communications and air support for the Bahamian Government; increased and improved intelligence efforts; better coordination; coordinated use of AWACS and E-2C support; provisions for state-of-the-art helicopters for the Customs Service.

One would assume, after going through all this list, that we would see a substantial improvement in the interdiction rate. Would you agree with that?

Admiral STABILE. I would certainly hope so; yes, sir.

Mr. ENGLISH. Do you expect it?

Admiral STABILE. Yes.

If I may put a qualifier, in our own area of participation, I like to talk in terms of route denial. I can't guarantee that somebody won't use some other method to get drugs through. So our ability to forecast is based on the ability to deny certain routes with a certain degree of probability.

Mr. ENGLISH. OK. Let me question a little on that, too. I think that's a good point. It's one that we need to look at.

Would you agree that the drug smugglers have been using, up until recently, the routes that they find to be the most convenient, the ones that are easiest for them to travel, the ones where they are less likely to be detected?

In other words, these are the ones where we focused our attention. The easiest route has been, up until a couple of years ago, just fly from Colombia, straight through the Windward Passage, right into Florida; you land on a dirt road someplace, you unload, and that's it.

Now it's getting more complicated. It's a little more difficult. You have got air drops, and smugglers have got to find their boats among all those other boats out there waiting for their air drops, too. You've got all these little islands out there to land at, and you can unload, you know, on your boat. It gets more complicated now; it's more cumbersome, more expensive, and more difficult.

So the more of these routes that we cut off, would it not be correct to say that we are complicating significantly the job and role that the drug smugglers have to play?

Admiral STABILE. Absolutely.

Mr. ENGLISH. It's slowly getting where smuggling is not for the fellow that's just looking for a little easy money on the weekend to take a quick run down to Florida—or down to Colombia, if he happens to have a pilot's license.

By that simple fact, are we not reducing probably the number of people who are involved in this business? Namely, aren't we narrowing it down now to the real pros? The more pressure we bring on, the more likely you are going to have the real professional type involved?

Admiral STABILE. Yes, sir. I'm glad you mentioned that, because frequently the detractors of the program say, "Well, your seizures are down; therefore, you're not doing as well." I think that's a bad measure.

I only brought up the route denial, because if we were to be 100 percent effective, any smart person would stop shipping across the water. That doesn't mean we are ineffective, if we don't nab anybody. We are very effective in denying the route. So I think the measure on the part of our detractors is somewhat misguided.

Mr. ENGLISH. Well, I have a tendency to agree with you, but I would very quickly add, though, I think that you have to judge that success based on availability, price, and purity.

Admiral STABLE. The overall success; you are correct.

Mr. ENGLISH. That's what is going to really determine our success. So I think even if seizures are up, if availability is also up, and price is down, and purity is up, then it probably means that we are not doing very well. So I think it is misleading.

Admiral STABLE. You have to look at the total system; you are correct.

The other point I wanted to make was that when I was in Miami, I got an impassioned letter—an impassioned plea from a member of a community, and she probably wrote to other Federal people also, and said:

Please help. Our community is going completely bad. Everyone down here is getting into the drug trade, and if you don't do something, my husband probably will.

I think one of the things we have accomplished is, as you have suggested, we are keeping a lot of the honest people honest. I think we have helped in that area, and it is sometimes overlooked. It is very difficult to put a dollar value on.

Mr. ENGLISH. That's a good point.

One of the staff members just whispered to me—and I think it is a good point as well—that this is what we call deterrence. So you are having a real deterrent impact.

Admiral STABLE. Yes.

Mr. ENGLISH. We recently read in the press about Sandinista and KGB involvement in drug smuggling efforts to finance Nicaraguan military activities in Central America. Has the Coast Guard, in its interdiction activities, seen any evidence on the surface to point that out?

Admiral STABLE. Not that I'm aware of, Mr. Chairman, but I will ask my associates here if they have.

My Chief of Operations says no, and he is closest to the general intelligence.

Admiral Thompson?

Mr. ENGLISH. Admiral Thompson, do you know anything on that area?

Admiral THOMPSON. Not that I'd want to talk about in an unclassified session.

Mr. ENGLISH. Well, do you—

Admiral THOMPSON. There have been some suggestions.

Mr. ENGLISH. Well, I know, but do you have any hard evidence to indicate that?

Admiral THOMPSON. Not in my hip pocket; no, sir.

Mr. ENGLISH. So you don't have any hard evidence. You just heard—this was unsubstantiated rumor type stuff?

Admiral THOMPSON. I've been to intelligence briefings where information was available on that, but no—

Mr. ENGLISH. I'm not asking for the specific information.

Admiral THOMPSON. Not within the Coast Guard. I would think that intelligence is available in the intelligence community.

Mr. ENGLISH. Yes; I guess the point I'm trying to make here—I'm not asking you for the information; I'm just asking you if you have hard evidence. Can you tell me that much or not?

Admiral THOMPSON. I can tell you that in my NNBIS role, I saw support by island countries in terms of trafficking.

Mr. ENGLISH. Well, we want to visit with you about that a little later, if we can. We will do that when we are not in public session.

Mr. Lewis, do you have any questions?

Mr. LEWIS. One, Mr. Chairman, for Admiral Stabile.

The chairman was bringing up about the works and the operations in the Yucatan and how well we are doing. I'm wondering if you have noticed, or anyone in the services has noticed, just what the drug traffickers are doing.

We are getting better. We are supplying better assets, more equipment, while, at the same time, they have to combat what you are doing to a great extent if they want to stay in business over the long haul. We are getting rid of the weekend drug trafficker and pilot, but we still have a hard core operation.

Have you seen any evidence of radar jamming and frequency jamming or counterintelligence operations from the drug traffickers? I'm sure that they must, to some extent.

Admiral STABILE. I am aware that there is a broad spectrum of counterintelligence going on. I was aware, when I was in Florida—for example, spotter planes would come out and find out where our Coast Guard cutters were, and a Coast Guard cutter is very easy to detect, as you know, with that orange stripe.

I'm sure there are people who are watching when our aircraft take off, when our boats leave the slip, and so forth.

In the electronics area, there's evidence that there is some sophisticated monitoring going on, and that's why I mentioned the need for improvements in our secure communications.

Mr. LEWIS. Admiral Thompson mentioned someone could be coming up through the pass at 1,000 feet and be legitimate. It could be legitimate and illegitimate at the same time. We could have several coming up more or less to fool your radar and also spread your troops out. Have you had any indications of this?

Admiral STABILE. Yes; there has been evidence of sending in small loads on smaller craft with the knowledge that there was a high probability they would be caught, but essentially to pull our major unit off station. We are not unaware of those tactics, though, and our field commanders will frequently backfill with another unit on the chance that that is what is happening.

In other words, we make our own assessments and look at what they might be doing and try to counter it. It's a tough game.

Mr. LEWIS. Yes, it's war.

Admiral STABILE. That's about what it is.

Mr. LEWIS. Thank you, Admiral.

Thank you, Mr. Chairman.

Mr. ENGLISH. Mr. Kleczka.

Mr. KLECZKA. No questions, Mr. Chairman.

Mr. ENGLISH. Admiral, does your current budget—and I guess this goes back to what Mr. Lewis was saying—provide sufficient money for drug interdiction efforts without major sacrifice in some other Coast Guard responsibility? Do you rob Peter to pay Paul?

Admiral STABILE. We have a history of doing that, sir. I would be less than candid if I said we didn't. But we have always had to sort priorities.

Our history is replete with that kind of thing, where we have a shifting emphasis from one program area to another, and we have done some of that. I don't know that it has been unhealthy.

The top priority functions of the Coast Guard I don't believe have suffered. Search and rescue, for example, has to be a top priority, and I don't see that that has suffered. We wouldn't allow that to happen.

Mr. ENGLISH. I thought the President established that drugs were top priority?

Admiral STABILE. Well, I don't think the President would say that he would rather I nab 100 bales of grass rather than save somebody's life; I don't think he said that.

Mr. ENGLISH. I would agree with that. Do you call each day, or every week to save somebody's life on all the cutters around, all the resources of—

Admiral STABILE. I think it is about 87,000 cases a year. We will not sacrifice search and rescue. I said when I was a field commander and I will say it now, that I would rather let some grass get through than let somebody die or drown.

Mr. ENGLISH. I would agree with you on that. As far as rescuing drug smugglers, does that come behind saving lives?

Admiral STABILE. Yes, sir, unfortunately, we have been known to rescue drug smugglers. We had one last week, we think.

Mr. ENGLISH. There are apparently hundreds of boats that go between the Bahamas and the United States each week without getting into your profiles. Could you tell us some of the methods that are used in detecting and identifying these drug smugglers?

Admiral STABILE. That is a very tough one because of the proximity of the islands. I would request that you allow Admiral Thompson to give us the latest on that since he just came from there.

Admiral THOMPSON. First of all, Mr. Chairman, I am not sure that in that particular stretch of water that there is such a thing as a profile. We have found drugs in just about every type of vessel steaming in the Florida Straits, but typically you would expect fast boats to bring it in after airdrop, because they are at risk for shorter periods of time. They are the most difficult to encounter. You have to have an early warning system, either to observe the airdrop or get some information and try to have something in the area, either Customs, Coast Guard, that is already on patrol or responding and then vector vessels in position to intercept them, a very difficult problem.

Mr. ENGLISH. Would you find it helpful if we had the three aerostat systems, at Cudjoe Key and Patrick and the Freeport area, if those had true surface detection capability with IFF capability?

Admiral THOMPSON. They would certainly be helpful. The coverage would be adequate from Freeport down to Bimini and west of

Bimini area is something we are curious about. We hope there would be overlap between Freeport and Cudjoe. That is really a heavy traffic area.

Mr. ENGLISH. I believe the footprint indicates that you would be getting that kind of coverage, does it not?

Admiral THOMPSON. I am hoping it does. I don't have a mental picture right now of the footprint of Freeport. It should be within——

Mr. ENGLISH. As I understand it, it would be in that. So it would be a significant improvement for you?

Admiral THOMPSON. Yes, sir.

Mr. ENGLISH. If you had that capability?

Admiral THOMPSON. Yes, sir.

Mr. ENGLISH. What other resources are available to the Bahamian threat?

Admiral THOMPSON. Well, almost any law enforcement agency that has a vessel is asked to respond and join in coordination or individual efforts. We use Florida Marine Police, we used the local jurisdictions that have vessels on the water, alerts are passed up and down the line for inbound vessels so that they can even do some dockside boarding, follow them up the intercoastal waterway. It is a combination of resources.

Mr. ENGLISH. I was thinking primarily of Coast Guard resources.

Admiral THOMPSON. We have got patrol craft, we have patrol boats, 82 footers primarily, some 95. We have 41-foot utility boats and we have a couple of fast boats we call them. We have seized vessels that have been turned around and we are operating them.

Mr. ENGLISH. The El Paso Intelligence Center is certainly this country's central location for drug related information. How useful has that been in providing prior information? I stress again prior information, which has led to seizure.

Admiral STABLE. I think I would have to defer to my experts. We touched on that earlier when we talked about the lookout lists, and so forth.

Admiral THOMPSON. I think you asked me the question once before at field hearings. I am not sure I gave you the right answer then, because I am not sure I understood your question.

Mr. ENGLISH. We are talking about how many times has EPIC called the Coast Guard and said you have got a vessel coming your way, here is where we think it is going to be, here is the name of the ship. How many times has that happened?

Admiral THOMPSON. I don't know the number of times. I can tell you it does happen, but I can't give you a percentage of time, but that information should be available.

Mr. ENGLISH. Would you provide that to us for the record?

Admiral THOMPSON. Yes, sir.

[The information follows:]

#### TACTICAL INFORMATION PROVIDED BY EPIC

EPIC provides unsolicited, operationally oriented messages to the Coast Guard which are useful in interdicting narcotics traffickers. We do not have actual numbers of times where that particular type of information has been provided. However, EPIC has been sending an average of three messages per day to the Coast Guard containing information on suspect vessels which may assist in the seizure of the

vessel. These messages contain all information available to EPIC about the particular vessel, and may include the location and suspected activity of the vessel.

Mr. ENGLISH. Admiral, you stated there is an interface between the Coast Guard and recently established Justice investigative task forces. Could you explain how this interface has resulted in Coast Guard interdictions?

Admiral STABLE. I don't know about interdictions because that is not its primary function. You are talking about the Department of Justice task forces?

Mr. ENGLISH. Right.

Admiral STABLE. They—forgive me, you know they are investigative task forces. They are primarily designed, as I understand them, to try to get at crime rings, criminal activity. Anything that we get back from that organization that helps us in interdiction is a byproduct of that, whatever they learn in the investigations that are going on. I couldn't tell you offhand what, if any cases have resulted from that. That is seizure cases.

Mr. ENGLISH. That doesn't have anything to do with interdiction, that is an investigative operation?

Admiral STABLE. That is right.

Mr. ENGLISH. What we are focusing on is your primary interdiction.

Admiral STABLE. Yes sir.

Mr. ENGLISH. What has been the cost to the Coast Guard to establish the centers that fall under the Coast Guard's operational support?

Admiral STABLE. He is also my budget guy.

Admiral THOMPSON. I would be happy to submit that for the record. I don't have it with me. When I was in Miami we passed all the bills up to Washington and I am not sure. It is available, I just don't have it with me.

Admiral STABLE. Could I provide that for the record?

Mr. ENGLISH. Yes; you wouldn't have a ball park figure?

Admiral STABLE. Yes sir, I won't vouch for this, but my congressional liaison says that 116 billets, and roughly \$2 million recurring, but we will verify that.

[The information follows:]

#### COST OF NNBIS CENTERS TO THE COAST GUARD

The Coast Guard requested and received a program supplemental of \$1.8 million for National Narcotics Border Interdiction System costs and is pursuing having these costs annualized. These costs include initial outfitting of offices (desks, cabinets, computers, copiers, communications equipment, etc.), office rental, vehicle rental, training, travel, and service contracts.

NNBIS Center:	Cost
New York office .....	\$25,000
Miami office: <sup>1</sup>	
Intelligence operations center .....	275,000
Law enforcement boarding teams.....	375,000
El Paso office .....	50,000
New Orleans office <sup>1</sup> .....	500,000
Long Beach office: <sup>1</sup>	
Intelligence operations center .....	275,000
Law enforcement boarding teams.....	100,000

Coast Guard Pacific area office.....	200,000
Total .....	\$1,800,000

<sup>1</sup> Coast Guard heads these offices.

Mr. ENGLISH. But you understand I am not looking for just Miami?

Admiral STABILE. Yes, sir; the six centers.

Mr. ENGLISH. And have you been reimbursed for all of that expense?

Admiral STABILE. I don't believe—I believe that came out of pocket.

Mr. ENGLISH. All of it?

Admiral STABILE. I believe so.

Mr. ENGLISH. None of that has come back to you, no reimbursements whatsoever?

Admiral STABILE. Reallocation of resources I think is the popular phrase.

Mr. ENGLISH. Customs has invited the Coast Guard to participate in the P-3 program, I might say at my request, as it relates to the use of surface detection radar. What has been the Coast Guard's response to that?

Admiral STABILE. I am not aware of that.

Mr. ENGLISH. You didn't know you had been invited?

Admiral STABILE. With regard to surface—

Mr. ENGLISH. Admiral Thompson?

Admiral THOMPSON. I think at one point the question was posed if Customs is operating an airborne P-3 radar system that has lookdown surface capability, would the Coast Guard be interested in that information, and I think our answer was that probably still is yes, and at one point there was some question—I don't know whether it was in a hearing or not—whether we would provide an operator for the radar while airborne.

Mr. ENGLISH. The thing I am interested in, and it is my understanding that you should receive a letter inviting—and as I said, I am the one that asked that you be provided such a request—Coast Guard officials be present at testing that the Navy has done at Patuxent of the P-3. I would like for you to be fully aware of the capabilities and test results that have taken place.

Admiral STABILE. We would like to.

Mr. ENGLISH. It is my understanding they had invited you and we would appreciate it if you would provide someone who would look over the shoulder so to speak out there, as the tests are being conducted.

Admiral STABILE. Yes.

Mr. ENGLISH. Well, gentlemen, I appreciate your testimony. It has been very helpful. I know this has been a long day for you. You have been very patient with us, with all the interruptions and delays, and I think that we have some very good information on the record. I might say there may be additional questions that we would like to submit to you in writing and if you would provide answers in a timely manner, we would appreciate that as well.

Admiral STABILE. We will be happy to, Mr. Chairman.

Mr. ENGLISH. I might ask you one final question.

You are familiar, are you not, Admiral, with the P-3?

Admiral STABILE. Yes, sir; I have flown one on one trip.

Mr. ENGLISH. What is your evaluation of the capabilities of the P-3 as far as surface detection is concerned?

Admiral STABILE. I really didn't have an opportunity to evaluate it because I was using it in a strictly transportation mode. I really don't know.

Mr. ENGLISH. We will be interested in your overall evaluation of the Navy's test out there. We look forward to your participation in it.

Admiral STABILE. Yes, sir.

Mr. ENGLISH. We will recess, subject to the call of the Chair.

[Whereupon, at 3:30 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

## CONTINUED REVIEW OF THE ADMINISTRATION'S DRUG INTERDICTION EFFORTS

THURSDAY, SEPTEMBER 6, 1984

HOUSE OF REPRESENTATIVES,  
GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 10:10 a.m., in room 2154, Rayburn House Office Building, Hon. Glenn English (chairman of the subcommittee) presiding.

Present: Representatives Glenn English and Thomas N. Kindness.

Also present: Senator Dennis DeConcini.

Staff present: Theodore Mehl, professional staff member; William Lawrence, counsel; Euphon Metzger, clerk; and John Parisi, minority professional staff, Committee on Government Operations.

Mr. ENGLISH. The hearing will come to order. Since 1981 this subcommittee has been engaged in a major study of our Nation's ability to interdict illegal shipments of narcotics. This is the 17th hearing in that series. It has been a long process of gathering information, determining our status, assessing our options for improving our performance, and getting those options off the ground.

In the early days of our investigation, there was not much good news. Our interdiction agencies, the Customs Service and the Coast Guard, were in an unenviable position of having to do the best job they could with inadequate equipment and manpower.

We are not declaring victory today. We have learned that the progress against drug smuggling comes in very small steps, but the tide may be turning in favor of our law enforcement efforts. We have always said that to be successful in interdiction we must be able to do three things: Detect smugglers as they approach our shores whether by sea or air, intercept them, and capture them with their cargoes. We documented that, for the most part, none of the three elements was present in our overall interdiction effort, but last Friday, the first airborne radar detection platform, the P3/F-15 system, was delivered to Customs by the Department of Defense. It is bound for Arizona and Florida for integration into the war on drugs. Three more such systems are scheduled for delivery to the Customs Service in fiscal year 1985, with two more to follow in fiscal year 1986.

For the first time, Customs will be able to deploy detection radars far enough out from our borders to give them a good chance

of detecting, interdicting, and arresting the traffickers. The radars aboard the P-3 will also pick up boat traffic, so both Coast Guard and Customs will see far more targets than they ever have. The Coast Guard has tested another radar system, a tethered balloon system, and the results that have been reported have been exceptional, a tenfold increase in the number of targets detected.

Procurement for additional systems is supported by both the Congress and the administration. That last comment, by the way, "supported both by the Congress and the administration," is not a throw-away line. While there has been general agreement as to the nature and the size of the problem, there has not always been agreement as to the best way to fight this war, but as both sides developed their positions, it became clear that our objectives were the same and that we would get far better results by working together as a team.

The drug problem is not a partisan issue. In the House and Senate, Members of both parties have contributed their time and energies without the thought of politics. I say that with some pride, because we have made tremendous progress on a national problem. The list includes the ranking minority member of this subcommittee, Tom Kindness, as well as all the majority and minority members. Congressmen Daniel, Bennett, Pepper, Roybal, Fascell, and Shaw have also worked very hard. In the Senate we were joined by Senators DeConcini, Hawkins, Abdnor, Chiles, Stevens, Cochran, and D'Amato, just to name a few.

These Members of Congress and their committees relaxed posse comitatus so the Department of Defense could contribute freely. We have all held hearings and invited each other's participation without party or House-Senate differences. We have backed the necessary funding to implement the new programs, always recognizing the limits of the President's budget.

We all recognized that there were two needs to be addressed: A short-term remedy, getting resources dedicated to the war as quickly as we possibly could, and a long-term remedy, with all the comprehensive planning and procurement problems being examined in the normal course of authorization and appropriation.

The Vice President's National Narcotics Border Interdiction System, in coordination with the Treasury, Defense, Transportation, and Justice Departments, has also responded. A major review of our interdiction resources and strategies has just been completed by them, and we eagerly await its recommendations.

Turning to this morning's testimony, we will hear from Capt. Nick Schowengerdt, who is the staff director of NNBIS. He will be followed by Lt. Gen. Dean Tice, Director of DOD's Drug Enforcement Task Force; John Walker, Assistant Secretary of the Treasury for Enforcement and Operations; and by Anthony Broderick, the FAA's Deputy Associate Administrator for Aviation Standards.

Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman. I would just like to welcome our witnesses this morning and thank our witnesses in advance for their efforts to address and to resolve the problems that were raised in our hearings last March.

I was very happy to learn of the reports that the first P-3 had been in the air, and I hope that its radar systems will be found to

perform at least as well as we had hoped, so that the enhancement that has been hoped for of our interdiction efforts can be achieved. I look forward to the testimony of our witnesses this morning. I appreciate your being with us.

I yield back, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kindness.

Capt. Nick Schowengerdt will be our first witness. Captain, we want to welcome you here today.

Captain SCHOWENGERDT. Good morning, Mr. Chairman, Mr. Kindness.

Mr. ENGLISH. I understand you got in very late from New Mexico, very late last night, and we appreciate your coming before us and being our first witness today.

**STATEMENT OF CAPT. L.N. SCHOWENGERDT, JR., STAFF DIRECTOR, NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM**

Captain SCHOWENGERDT. I am pleased to be here, Mr. Chairman. In March of this year I had the opportunity to provide you with an overview of the Vice President's National Narcotics Border Interdiction, or NNBIS, and there were at that time serious questions regarding the proper national assets which should be used for detection, and surveillance of drug smugglers.

With that in mind, a Joint Surveillance Committee was formed under the NNBIS Coordinating Board to examine the issues of detection and surveillance. The Joint Surveillance Committee mandate was to consider, on an interagency basis, the national capability for detection and surveillance of inbound narcotics smugglers, and what steps can be taken to improve that capability, appropriate to the threat and consistent with other national priorities in both the short and long term.

I would like to report to you this morning the results of our efforts. Within their study efforts the committee was also to consider:

The report of the ad hoc study group, chaired by FAA to identify existing air surveillance resources, their characteristics and effectiveness, that we had asked FAA to do some months prior to the formation of the Joint Surveillance Committee.

The threat, from airborne, maritime, and land smugglers, in terms of magnitude, routes, other characteristics, and trends, as a fundamental input to the question of the need for surveillance and how much surveillance would be enough.

A recommended mix of Federal surveillance and interdiction assets as appropriate and cost effective and the funding, by agency, to provide the necessary resources.

The role of alternatives to, or substitutes for, direct surveillance such as improved intelligence on specific smuggler actions or regulatory changes to reduce trade alternatives, and we were particularly interested in digging deeply into this because, as we all know, surveillance is expensive, and if there are substitutes for surveillance that are less expensive, then we ought to try and find them.

To accomplish the study effort, five subworking groups were formed. A threat assessment group was chaired by the Drug Enforcement Administration, a detection capabilities group chaired by the Department of Defense, a deterrence capabilities group chaired

by the Federal Aviation Administration, a reaction capabilities group chaired by U.S. Customs, and a strategy and reporting group, chaired by the NNBIS staff, the last group really a group to bring together the results of the first four groups and make a cohesive report out of it.

Additionally, an ancillary group was formed under U.S. Customs to provide review of the P-3 evaluation effort.

In general, the primary conclusions of the Joint Surveillance Committee, as extensively delineated by the subworking groups are:

That the drug smuggling threat remains quite high.

Second, that the success of interdiction efforts, although limited by available resources, is steadily improving.

Third, that with improved detection capability and intelligence, available interdiction assets could be even more effectively used;

Fourth, that given DOD's current mission, priorities and available assets, surveillance assistance currently provided by DOD cannot be significantly increased without decreasing military readiness; and finally,

That interdiction is only one element of a balanced Federal strategy against drug abuse and drug trafficking.

While these generalized conclusions are not unexpected, they do form the necessary basis for policy decisions to be formulated. The detailed conclusions were matched with recommended actions, reviewed by the Coordinating Board of NNBIS, and passed to the Executive Board for basic policy decisions necessary to trigger action.

The first policy decision recommended to the Executive Board recommended applying new detection aircraft first against the aircraft smuggling mode, but in doing so to choose assets which could be useful concurrently against other transportation modes, especially maritime.

This policy was recommended since the two substances most affected, cocaine and marijuana, likely could not be shipped by alternative methods such as land or commercial cargo in sufficient quantities to fully supply U.S. demand without detection under existing or programmed systems, and because general aviation aircraft currently pose our most difficult, most intractable problem.

The second major policy decision recommended no change to existing responsibilities of agencies to provide detection. Given current mission mandates and available assets across all agencies and departments, no significant benefits would be gained by centralizing detection responsibility in any single entity, providing adequate coordination is provided by some other mechanism such as NNBIS.

Contained in the decision matrix were a series of specific recommendations, 18 of them, and resource options as follow-ons to the policy decisions.

The NNBIS Executive Board met under the chairmanship of the Vice President to consider the draft report of the Joint Surveillance Committee and the recommendations and conclusions I just delineated to you.

The Board agreed that the nature and magnitude of the drug smuggling problem is such that the departments/agencies would move toward implementation, subject to the budget process, those

specific recommendations not directly affected by the Treasury studies.

I might note here that the Joint Committee surveillance report itself and its table of options and recommendations are classified. When that report is final, of course, a copy will be provided to the committee, and you will see that in much greater detail. My report to you this morning in an unclassified form necessarily is a little more general than the specifics of the classified report.

The Board also agreed that in view of three study efforts currently underway in the Treasury Department that bear directly on the issue of detection and interception and the resource mix to handle that, that the final selection and approval of an option should be deferred pending the completion of those Treasury studies. This is expected to be completed by Christmas of this year.

The Board also agreed that the departments/agencies would move toward implementation, subject to the budget process, those specific recommendations not directly affected by the Treasury studies, so of the 18 specific recommendations made by the Joint Surveillance Committee, 14 of them would be moved toward implementation immediately. There are four, then, that would remain pending the outcome of the Treasury studies.

These recommendations generally involve improvements in interoperability, management, and focus of law enforcement efforts including recommended regulatory changes to aid interdiction and improve deterrence.

The Board further agreed the Coast Guard would continue its present seaborne tethered aerostat acquisition program of up to eight aerostats and Customs would proceed toward procurement of the five follow-on P-3 aircraft at such time as the prototype proves acceptable.

The Secretary of Defense indicated he would review the military threat across the southern approaches to the United States to ensure DOD surveillance programs are timely and sufficient to the threat. In light of this, the Executive Board felt implementation of a recommendation for Customs purchase of land-based aerostats would be premature. In the context of the review, should DOD change their mission priorities with respect to the southern approaches to the United States, law enforcement efforts coordinated by NNBIS would want to fully integrate drug interdiction requirements with any defense improvements. The Secretary of Defense fully concurs with this approach.

It was also agreed the marginal utility of seizures based on detection, and surveillance, as compared with that achieved through greater use of intelligence or other techniques, should be examined.

Mr. Chairman, the Joint Surveillance Committee in effect has confirmed that which has been felt by those aware of current drug interdiction efforts. There weren't major surprises in our work or our conclusions. Improvements in intelligence, detection and surveillance would improve interdiction.

Once the Defense and Treasury studies and reviews are completed—and again I expect that by Christmas—and the number of asset improvements can be more fully defined, their acquisition costs and projected benefits must be weighed against cost/benefit analysis for other elements of the Federal drug strategy to deter-

mine how much should be allotted to this element. In the interim, NNBIS will continue its efforts to coordinate increased productivity within current and already programmed assets.

That concludes my briefing. I will be happy to answer any questions.

[The prepared statement of Captain Schowengerdt follows:]

Briefing by

CAPTAIN L. N. SCHOWENGERDT, JR.  
STAFF DIRECTOR

NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

before the

HOUSE GOVERNMENT INFORMATION, JUSTICE,  
AND AGRICULTURE SUBCOMMITTEE  
of the  
COMMITTEE ON GOVERNMENT OPERATIONS

Thursday, September 6, 1984

Good morning Mr. Chairman, Members of the Committee. In March I had the opportunity to provide you with an overview of the Vice President's National Narcotics Border Interdiction System. Serious questions existed at that time regarding the proper national assets which should be used for detection and surveillance of drug smugglers.

With that in mind, a Joint Surveillance Committee was formed under the NNBS Coordinating Board to examine the issues of detection and surveillance. The Joint Surveillance Committee mandate was to consider, on an interagency basis, the national capability for detection and surveillance of inbound narcotics smugglers, and what steps can be taken to improve that capability, appropriate to the threat and consistent with other national priorities in both the short and long term. Within their study efforts the committee was also to consider:

-- The report of the ad hoc study group, chaired by FAA to identify existing air surveillance resources, their characteristics and effectiveness.

-- The threat, from airborne, maritime and land smugglers, in terms of magnitude, routes, other characteristics, and trends.

-- A recommended mix of federal surveillance and interdiction assets as appropriate and cost-effective and the funding, by agency, to provide the necessary resources.

-- The role of alternatives to, or substitutes for, direct surveillance such as improved intelligence on specific smuggler actions or regulatory changes to reduce smuggler trade alternatives.

To accomplish the study effort, five subworking groups were formed. A threat assessment group was chaired by the Drug Enforcement Administration, a detection capabilities group by the Department of Defense, a deterrence capabilities group by the Federal Aviation Administration, a reaction capabilities group by U.S. Customs, and a strategy and reporting group by the NNBIS staff. Additionally, an ancillary group was formed under U.S. Customs to provide review of the P-3 evaluation effort.

In general, the primary conclusions of the Joint Surveillance Committee, as extensively delineated by the subworking groups are:

- that the drug smuggling threat is high;
- that the success of interdiction efforts, although limited by available resources, is steadily improving;
- that with improved detection capability and intelligence, available interdiction assets could be even more effectively used;
- that, given DoD's current mission priorities and available assets, surveillance assistance currently provided by DoD cannot be significantly increased without decreasing military readiness;

- and that interdiction is only one element of a balanced Federal Strategy against drug abuse and drug trafficking.

While these generalized conclusions are not earth shattering, they do form the necessary basis for policy decisions to be formulated. The detailed conclusions were matched with recommended actions, reviewed by the Coordinating Board of NNBIS, and passed to the Executive Board for basic policy decisions to trigger action.

The first policy decision recommended using new detection assets against aircraft, but choosing assets which can be useful concurrently against other transportation modes, especially vessels. This policy is recommended since the two substances most affected, cocaine and marijuana, likely could not be shipped via alternative methods (land or commercial) in sufficient quantities to fully supply U.S. demand without detection under existing or programmed systems and because general aviation aircraft pose our most difficult problem.

The second policy decision recommended no change to existing responsibilities of agencies to provide detection. Given current mission mandates and available assets across all agencies and departments, no significant benefits would be gained by centralizing detection responsibility in any single entity, providing adequate coordination is provided by NNBIS.

Contained in the decision matrix were a series of specific recommendations and resource options as follow-ons to the policy decisions.

The NNBIS Executive Board met under the Chairmanship of the Vice President to consider the draft report of the Joint Surveillance Committee.

The Board agreed that the nature and magnitude of the drug smuggling problem is such that our surveillance and detection capability could be improved and that an approach similar to one of the resource options of the report is probably the best course of action. However, in view of three study efforts currently underway in Treasury that bear directly on the issue of detection/interception resource mix, the Board agreed to defer final selection and approval of an option pending the completion of the Treasury studies. This is expected to be completed around December.

The Board agreed that the departments/agencies would move toward implementation, subject to the budget process, those specific recommendations not directly affected by the Treasury studies.

These recommendations generally involve improvements in interoperability, management, and focus of law enforcement efforts including recommended regulatory changes to aid interdiction and improve deterrence.

The Board further agreed the Coast Guard would continue its present seaborne tethered aerostat acquisition program of up to eight aerostats and Customs would proceed toward procurement of the five follow on P-3 aircraft at such time as the prototype proves acceptable.

The Secretary of Defense indicated he would review the military threat across the southern approaches to the U.S. to ensure DoD surveillance programs are timely and sufficient to the threat. In light of this, the Executive Board felt implementation of a recommendation for Customs purchase of land based aerostats would be premature. In the context of the review, should DoD change their mission priorities with respect to the Southern approaches to the U.S., law enforcement efforts coordinated by NNBS would want to fully integrate drug interdiction requirements with any defense improvements. The Secretary of Defense fully concurs with this approach.

It was also agreed the marginal utility of seizures based on detection and surveillance, as compared with that achieved through greater use of intelligence or other techniques, should be examined.

Mr. Chairman, the Joint Surveillance Committee in effect has confirmed that which has been felt by those aware of current drug interdiction efforts. Improvements in intelligence, detection

and surveillance would improve interdiction. Once the Defense and Treasury studies and reviews are completed, and the number of asset improvements can be more fully defined, their acquisition costs and projected benefits must be weighed against cost/benefit analysis for other elements of the Federal Drug Strategy to determine how much should be allotted to this element. In the interim NNBS will continue its efforts to coordinate increased productivity within current and already programmed assets.

That concludes my briefing. I will be happy to answer any questions.

Mr. ENGLISH. Thank you very much, Captain.

As a result of the Joint Surveillance Committee's report, can you now advise the subcommittee as to which department has the primary responsibility for detecting air drug smugglers that penetrate U.S. borders?

Captain SCHOWENGERDT. As I indicated in the formal statement, Mr. Chairman, we recommended no change to the responsibilities that have been currently held, and in cycling through that issue in the study group, when we looked for a statutory assignment of responsibilities and so forth, of course we basically found no specific references in the statutes to that, but did agree in the committee that the responsibility for surveillance is a logical follow-on for the responsibility for interdiction.

So, to the extent an agency has an interdiction responsibility, it must therefore have a detection responsibility necessary in order to carry out its interdiction responsibility.

In the Executive Board that was discussed and acknowledged, and the only added material there, as I indicated in my formal statement, was that the Defense Department did agree to review the current status of surveillance and detection across the southern approaches of the United States from a defense perspective, so that if there were any changes that were required there, we would be able to integrate our law enforcement changes with DOD changes.

So, setting aside then for a second the issue of responsibility for detection, and looking at the issue of what is this and how can it be best combined in a cost-effective approach, Defense agreed to review their current mission mix and capabilities along its southern approaches.

Mr. ENGLISH. Captain, what I am asking, though, is as a result of this report, which department did you decide had primary responsibility for detecting air drug smugglers who penetrate the U.S. border?

Captain SCHOWENGERDT. For air drug smuggling, then, it would be the Customs Service, because they have the primary interdiction responsibility.

Mr. ENGLISH. That is what I thought you were saying through all that. But I wanted to make sure that was right.

Captain SCHOWENGERDT. I might have missed the word "air" and I thought your question was more general.

Mr. ENGLISH. It is air drug smugglers I am talking about. I recognize fully if we are talking about some foreign power flying in the United States that comes down to defense responsibility.

Captain SCHOWENGERDT. Or for maritime smuggling, for example, Treasury and Transportation share responsibility.

Mr. ENGLISH. What are the resources of the Customs Service; what resources are they going to have to detect air smugglers when they come across the border? What resources will the Customs Service have?

Captain SCHOWENGERDT. I think Mr. Walker will go into that in somewhat more detail in his testimony this morning, but the Joint Surveillance Committee, in its work, looked at the existing resource mix, augmented by an additional P-3 capability, assuming that that aircraft proves acceptable to Treasury following the operational evaluation, an increase in tethered aerostat capability of

the United States as a whole, with more in the Customs Service, and mixing that, then, with the current assets both for surveillance in the other agencies and interception within the Customs Service.

Mr. ENGLISH. I know that we have talked in the past about the fact that we must not impair combat readiness with the assistance the Department of Defense provides to this overall effort, and I think all parties involved certainly are very sensitive to that issue. What role do you play in ensuring that we maximize the Department of Defense support but at the same time that we don't cross that line and impair combat readiness?

Captain SCHOWENGERDT. NNBIS acts as the focal point, the conduit, for all requests to the Department of Defense for their assets or utilization of their assets in the narcotics interdiction area, everything being coordinated through NNBIS, so that our requests are fully coordinated on an interagency basis on the civil side before they go to Defense.

Then we work with Defense. General Tice's office and mine work very closely on a daily basis to insure that the things that we are asking for are not unreasonable, that they will not adversely impact readiness. And to the extent that Defense determines that they would, then our requests are not met.

Mr. ENGLISH. NNBIS can no longer be considered a new initiative now, I don't believe. Are all of the centers, the NNBIS centers, now fully operational?

Captain SCHOWENGERDT. Yes, sir.

Mr. ENGLISH. I know when we visited the NNBIS center in Long Beach, I was particularly concerned about the lack of air interdiction resources available to that center, and now we have been advised that the Southwest region is becoming the second most active drug-smuggling area in the United States. Has there been an increase in aircraft and radar assigned to that region as a result of this new threat increase?

Captain SCHOWENGERDT. An increase of radar assigned to the area?

Mr. ENGLISH. And aircraft. In other words, have we put any additional resources in the way of a detection capability into the Southwest beyond the P-3 which will soon be out there?

Captain SCHOWENGERDT. On a current operations basis, we have concentrated on providing surveillance and detection assets to the Southwest area when we can get them through Defense. Customs, of course, as you know, is reviewing their assignment of aviation resources across the southern tier of the United States as well, as they do frequently.

The assignment of Customs air assets is flexible and responds to changes in the problem, so as they see a shift, then they are able to shift assets as well.

Mr. ENGLISH. What you are telling me is that as this threat assessment has come out and as we have seen this shift take place, then Customs has been responding to that shift, with a shift in resources as well?

Captain SCHOWENGERDT. They have been responding to the shift as they see the requirements to do so, and I think they can give you a better answer to that than I can.

Mr. ENGLISH. It would seem to me that an additional potential for the P-3 could be as a communications monitoring platform. Would you have the Joint Surveillance Committee look at that possibility, of using it as a monitoring platform as well as a radar platform? In other words, give it ears as well as eyes?

Captain SCHOWENGERDT. Yes, sir, we can look at that. It has been discussed.

Mr. ENGLISH. You have been looking at it from that potential? Has there been any determination made at this point?

Captain SCHOWENGERDT. Not that I could discuss in this forum, no, sir.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman, and thank you, Captain Schowengerdt.

May I ask first whether the switch is on on your mike?

Captain SCHOWENGERDT. It is on; yes, sir.

Mr. KINDNESS. I think it is a volume adjustment. I wasn't sure whether people behind you could hear all right. It wasn't carrying strongly. It is just fine up here, I guess, but back there I wasn't certain.

Captain, on page 4 of your prepared statement you mention three study efforts underway in the Department of Treasury that bear directly on the issue of detection, interception, resource mix, and thus the Board decided to defer the final selection and approval of detection, interception, resource option pending the completion of those studies.

First, am I correct in assuming that the resources being considered include resources which are maintained by agencies other than the Treasury Department? For example, the Department of Defense?

Captain SCHOWENGERDT. It includes the resources that have been provided by Defense, by FAA, by Coast Guard, and so forth, to the overall surveillance and detection mix, yes, sir.

Mr. KINDNESS. And am I also correct in assuming that whatever resources are ultimately selected, they or their products, by that I mean the information they would generate, would prevail in Treasury fulfilling their detection responsibilities?

Captain SCHOWENGERDT. Yes, sir.

Mr. KINDNESS. That assumption is inherent in the study?

Captain SCHOWENGERDT. Yes, sir.

Mr. KINDNESS. On page 5 of your statement, you indicate that the Board agreed that Customs would proceed toward procurement of five follow-on P-3 aircraft "at such time as the prototype proves acceptable." Could you tell us, did Customs provide the Board with its criteria for determining acceptability of the performance of the first P-3?

Captain SCHOWENGERDT. Customs is in the chair for the P-3 evaluation subgroup of the joint surveillance committee, and, yes, sir, they have provided their operational requirements and the planning criteria for the operational evaluation being conducted within Customs, to the joint surveillance committee's P-3A evaluation group.

Mr. KINDNESS. And those criteria for acceptability of the performance of the P-3, is there anything unusual about them or extraordinary?

Captain SCHOWENGERDT. They are I think what one would expect in the way of operational requirements or criteria for such an evaluation, and look very good to the JSC's P-3A group.

Mr. KINDNESS. Was the Board able to roughly determine the probability that the Customs Service might find the prototype performance to be acceptable or unacceptable at this early stage?

Captain SCHOWENGERDT. No, sir. We really didn't approach it from that point of view. We approached it from the point of view of giving it a fair objective evaluation, but not trying to predict its outcome.

Mr. KINDNESS. But there was at least at an early stage no indication that there was clearly an unacceptable product involved?

Captain SCHOWENGERDT. Oh, certainly not; no, sir.

Mr. KINDNESS. Thank you.

Mr. Chairman, I yield back.

Mr. ENGLISH. Thank you very much, Mr. Kindness. I think too this might be a good time to make a couple of points, Captain Schowengerdt. I wanted to do it at some point. I was going to do it with Mr. Walker. Since Mr. Kindness raised this issue, I think this is the time to do it. At this particular time we probably know more about the performance of the P-3 and the F-15 radar than we do about the people who are going to be using it, and I think that is the real key in looking at this issue.

We have 20 years of evaluation on the P-3 by the Navy. The F-15 radar has undergone extensive testing by the Air Force even before the 2 months of testing that was undertaken by the naval people when the two units were finally combined, so we have a vast amount of material and information about the parts, both separately and together. But I think that the critical point that is going to come now—and please speak up if you disagree with me—is the best way to implement this whole measure.

It has enormous capability, and the question is whether we are going to be able to properly utilize that capability, whether we are going to be able to get it down to the point that we are maximizing that use and combining it with the other resources that are available through the Customs Service, NNBIS, and everybody else. Also, we are going to undergo something of a learning curve, because particularly the operation of radars is something of an art.

It is not a science, and it will vary depending upon the skill of the particular radar operator as to what he is able to see, what he is able to get out of that particular system. So I think that that is an important point to make. At this point the spotlight is going to be primarily on the Customs people as they learn to operate this equipment.

Would you agree with that assessment?

Captain SCHOWENGERDT. In general; yes, sir. The man-machine interface is obviously critical. The testing of that equipment in a civil law enforcement context, as opposed to a weapons control context, is also important, however. But the system as a whole includes its people. The people obviously are going to have a learning

curve, and we have just got to follow it all the way through and see how it works.

Mr. ENGLISH. It is not only a learning curve from the standpoint of operating the equipment but also maintaining the equipment?

Captain SCHOWENGERDT. Yes, sir.

Mr. ENGLISH. Making sure that they are familiar with the equipment.

There is another question that I will probably raise with General Tice, but I will raise it with you too at this point. Did the Navy's technical evaluation, that is, the test that we have just undergone in the last couple of months, validate the confidential feasibility study contracted by Customs in regard to the detection ranges of the APG-63 installed in the P-3?

Captain SCHOWENGERDT. I will have to defer that question to someone who has more technical knowledge on it than I do, sir.

Mr. ENGLISH. I believe we have a Navy representative. Maybe someone from the Navy could help you out on that. Captain?

The question was: Did the Navy's technical evaluation, that is, the study that we have just undergone in the last couple of months, validate the confidential feasibility study contracted by the Customs Service in regard to the detection ranges of the APG-63 installed in the P-3?

Captain PIVARNIK. Generally, sir, the ranges we have achieved were in consonance with the study we did before the modification.

Mr. ENGLISH. Thank you very much.

Captain Schowengerdt, I guess the Navy validated that portion dealing with the equipment. Now it is a question of getting the men from the Customs Service up to speed to what the Navy personnel were who were operating this equipment, and that is what I mentioned. I think we are going to have to expect from the Customs Service something of a learning curve here both in operation of the equipment, maintaining the equipment, the best procedures to use for interception purposes, the most effective way to operate this equipment. Would you agree with that?

Captain SCHOWENGERDT. Yes, sir.

Mr. ENGLISH. The 1984 Defense appropriations bill allowed \$10 million to reimburse the Navy for the E-2C support. Did the administration request a similar amount in the 1985 appropriations bill for that level of E-2C support?

Captain SCHOWENGERDT. I don't know specifically whether we did or not. I would have to ask Defense what they put in their budget.

Mr. ENGLISH. If you want to ask somebody, you can, but it is my understanding they did not. That raised a question in my mind.

Captain SCHOWENGERDT. You would have to ask the Defense Department.

Mr. ENGLISH. We will reserve that question and ask them to see whether that is going to cause any problem. I would hate to see that level of E-2C support drop off in fiscal year 1985 because of any oversight that was made in that area. We need to get some kind of reaction from DOD. I might call that to your attention. You might want to look into that.

Captain SCHOWENGERDT. Perhaps I can answer your question another way. I do not expect any reduction in E-2C support in fiscal year 1985.

Mr. ENGLISH. So that problem will be—

Captain SCHOWENGERDT. How it is funded, that is something I am not directly concerned about. I am concerned about having the support and I don't expect any reduction in that support.

Mr. ENGLISH. If there was any kind of oversight, why, the administration definitely will move to address that problem and make certain that there is no falloff in that E-2C effort?

Captain SCHOWENGERDT. I think Defense is fully capable of handling the problem; yes, sir.

Mr. ENGLISH. Concerning the status of the third aerostat, have we reached an accord with the Government of the Bahamas, and when will it be deployed there?

Captain SCHOWENGERDT. A formal accord has not yet been reached with the Government of the Bahamas. However, the talks are proceeding, and I am encouraged that it will be quite soon.

Mr. ENGLISH. How long do you think we should wait for the Bahamian Government before we have a final go ahead, before we start considering switching sites, for instance?

Captain SCHOWENGERDT. I don't think there is an issue of switching sites to somewhere else. I think we are in good shape to go into the Bahamas, and the answer should be out in the very near future.

Mr. ENGLISH. It is my understanding that negotiations on this matter with the Bahamian Government have not been easy, and that at least there is the appearance to some that the talks are not going as quickly as many people assume. I guess the question becomes, how long do we continue to plod along before we decide, well, this thing has reached the point that we have to have a balloon up and therefore we start to consider switching sites.

Can you give me some feeling, 6 months, 1 year, 2 years? What do you think that we are looking at before we start taking a look at other sites?

Captain SCHOWENGERDT. I don't think that is an issue that is going to come up, because the status of our current talks with the Government of the Bahamas is such that I believe we will be proceeding with the contract, with the specific site in the Bahamas in a very short period of time. I am hesitant to give you a certain number of days or weeks because I can only speak for what our side does and feels. I can't speak for what the Government of Bahamas does and feels, but I think it will be a very short period of time. I think we are talking days or a few weeks. I don't think we are talking months.

Mr. ENGLISH. I would urge that at least you privately give some consideration that if it drags on beyond this point we simply have to start considering other options. I am hopeful that your confidence in this matter is justified. I know that the administration is making great efforts in that area, but I would hope that at least privately there is some consideration to that given, in case we do get into a stall position.

Captain SCHOWENGERDT. Things have not moved as rapidly as we had hoped they would. In executive session or perhaps after the hearing, I could give you a little more information on the current status of our talks that perhaps would aid in understanding where we are right now.

Mr. ENGLISH. Is NNBIS aware of any planning for improvements to the P-3/F-15 system as opposed to what the prototype is?

Captain SCHOWENGERDT. Changes in the follow-on aircraft that would be better than what is in the prototype? Specific details; no, sir.

Mr. ENGLISH. As I have always said, if anybody can come up with a better solution, we would certainly encourage that we move in that direction.

Captain SCHOWENGERDT. Yes.

Mr. ENGLISH. We would urge that they be very sensitive, though, to the timing. We feel that we have to get some of these resources on line. As we said, we think there is a short-term problem as well as a long term, and so considering the windows that we have discussed as far as the aircraft coming on line, if any improvements can be made in that, we would certainly encourage it, support it, and think it would be a great thing to do. But if we start falling out of that, I personally would be concerned about that.

The Coast Guard has recently concluded an operational evaluation of the small tethered aerostat system which is carried aboard a ship. Its evaluation, at least the evaluation shown to me, was very positive, and the capabilities of the system seemed to fit well into the drug-smuggling enforcement program. What is the NNBIS position on that program, on the tethered balloon on Coast Guard ships?

Captain SCHOWENGERDT. We like it very much. We have had the same briefing you have had. Similarly, the Joint Surveillance Committee was most impressed with it, and reached the conclusion that it should be continued, as did the Executive Board when they decided that the Coast Guard should continue with its current acquisition program.

Mr. ENGLISH. It is our understanding that the increase in detection moves all the way from 20 to 80 or 90 percent, which is a rather substantial increase in detection capability for the Coast Guard, and it is also my understanding that that is done with virtually no increased cost. Is that your understanding?

Captain SCHOWENGERDT. I think that is a fair evaluation, yes. The ability of that system to detect surface targets as well as air targets. But from a Coast Guard perspective, the surface target is substantial, and it is because it is a look-down radar up at sufficient altitude such as to make wave height and surface radar detection problems that you normally encounter with a shipboard-based radar go away. So that the detection ranges jump way out by comparison for a similar sized target, including those targets with very little in the way of a radar reflective material on them, which is particularly encouraging, because the smaller smuggling craft tend not to be made out of metal, tend to be much more difficult to detect with surface radar.

Mr. ENGLISH. That is what my understanding was from the briefing that I was given, that a huge increase in the number of detections, all the way from 3 to 4 up to 30 to 40 a day were being made as a result of this. It is my understanding that there are no plans to move ahead on procurement of this type of system for the Coast Guard until 1987. Do you think that that might be improved?

Captain SCHOWENGERDT. I think that that is incorrect.

Mr. ENGLISH. Do you think we will be moving on it much sooner than that? That is encouraging. Will you provide for the record when you think procurement of that particular system might begin?

Captain SCHOWENGERDT. I think the Coast Guard might provide that for you; yes, sir.

Mr. ENGLISH. I don't believe we have anyone from the Coast Guard testifying today. Could you provide it for us? Acquire it from the Coast Guard and provide it for the record? We would appreciate that.

The major deficiency in interdiction continues to be insufficient tactical intelligence upon which to base enforcement operations. Did the NNBIS report address this at all? I did say tactical intelligence.

Captain SCHOWENGERDT. The Joint Surveillance Committee did very much address the issue of tactical intelligence, the need for it, the current lack of it, and so on. Obviously one of the alternatives to major increases in physical surveillance and detection is to comparatively increase your ability to gather, process, use tactical intelligence.

Neither is going to fully solve the problems. Somewhere there is a mix in between. It is easier for us, I think, at this stage, to find solutions to the physical surveillance problem in terms of off-the-shelf kinds of answers, but, generally speaking, it tends to be more expensive to use the surveillance and detection kind of a solution as opposed to the intelligence solution if the intelligence solution is available at all.

Of course, that is a difficulty we have had with tactical intelligence. Some of it simply isn't there.

Mr. ENGLISH. I think that is the point. There is simply no tactical intelligence that exists right now but, in order to maximize its detection equipment, Customs needs tactical intelligence to go with it. The two systems work together, and I think that it is critical that we focus some attention on that, and work to see if we can't improve the tactical intelligence aspect.

Also, for our files, not for the record, could we get a copy of that particular assessment of the NNBIS report?

Captain SCHOWENGERDT. Yes.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. I have no further questions, Mr. Chairman.

Mr. ENGLISH. Thank you very much.

Captain Schowengerdt, we appreciate your testimony. It is helpful to us. We appreciate it very much.

Captain SCHOWENGERDT. Thank you.

Mr. ENGLISH. I might say for you and all of our witnesses, Captain, there may be additional questions that we will want to submit to you in writing. I don't know specifically of any that we will have to submit to you, but we may have some for some of our witnesses today so I will cover that right now.

Our next witness is Lt. Gen. R. Dean Tice, who is the Director of the Task Force on Drug Enforcement for the Department of Defense.

It is my understanding that he is accompanied by Comdr. Edwin K. Anderson with the U.S. Navy, who is Deputy Director of Operations, Planning and Capabilities of the Joint Chiefs of Staff.

We want to welcome you, General. We will be happy to listen to your testimony.

STATEMENT OF LT. GEN. R. DEAN TICE, USA, DIRECTOR, TASK FORCE ON DRUG ENFORCEMENT, DEPARTMENT OF DEFENSE, ACCOMPANIED BY COMDR. EDWIN K. ANDERSON, USN, DEPUTY DIRECTOR OF OPERATIONS, PLANNING, AND CAPABILITIES, JOINT CHIEFS OF STAFF; LT. COL. PAUL O'CONNELL, DOD; CAPT. BILL PIVARNIK, CHIEF, FLIGHT OPERATIONS READINESS BRANCH, OFFICE OF CHIEF OF NAVAL OPERATIONS; COMDR. ANDY MURPHY, E-2 PROGRAM COORDINATOR, OFFICE OF CHIEF OF NAVAL OPERATIONS; COL. RICH GRAHAM, MILITARY ASSISTANT TO THE DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE FOR MANPOWER; LT. COL. HARVEY POTHIER, CHIEF, POSSE COMITATAS BRANCH AND CHIEF OF OPERATIONS, AIR STAFF; AND LT. COL. DENNY SHEPPARD, AWACS SPECIALIST, U.S. AIR FORCE

General TICE. Thank you, Mr. Chairman.

It is a pleasure to return before the committee and to represent the Department of Defense.

I have a formal statement from Dr. Korb who is the Assistant Secretary of Defense for Manpower, Installations and Logistics that covers in detail the support we have provided. I would like to ask that this statement be inserted in the record.

Mr. ENGLISH. Without objection, it is so ordered.

[The prepared statement of Mr. Korb follows:]

STATEMENT OF  
DR. LAWRENCE J. KORB  
ASSISTANT SECRETARY OF DEFENSE FOR  
MANPOWER, INSTALLATIONS AND LOGISTICS  
DEPARTMENT OF DEFENSE

Chairman English, other members of the Subcommittee, I am honored to appear before you today to discuss current Department of Defense support of civilian anti-drug efforts.

The Defense Department is contributing to the anti-drug effort to the maximum extent possible under current law, and under the resource and military preparedness constraints with which we must abide. Before addressing the specific issues affecting our support to the civilian drug law enforcement community, let me put the DoD role in perspective by making a few preliminary remarks.

Under the legislation passed in December 1981, DoD provides Federal, state, and local civilian law enforcement officials with information collected during the course of normal military operations, makes available military equipment and facilities, and provides training and expert advice.

This law expressly forbids direct participation by members of the Army, Air Force, Navy or Marine Corps in arrest and seizure activities, or in any other form of law enforcement -- except, of course, where allowed under other statutory authority.

And finally, the considerations of military preparedness and reimbursement must affect all of our decisions. National security cannot be undermined as the Defense Department meets its other responsibilities under the law.

With this legal framework in mind, I would like to outline the typical forms of major military assistance being given to civilian drug law enforcement agencies. Most of these forms of assistance have been provided in recent months and are continuing today.

The military assistance to date has been provided along all of our border regions, with the heaviest concentration in the South Florida and Gulf regions. Much of the DoD assistance has come from the Navy. Their E-2C radar squadrons are flying surveillance missions in support of Customs Service requirements. Some of this support in the Gulf of Mexico has come from a reserve E-2C squadron operating out of New Orleans. Navy P-3 anti-submarine warfare aircraft support the Coast Guard in detection of traffickers in coastal as well as open ocean environments.

All Navy ships operating in coastal and nearby waters are continually vigilant in seeking suspect vessels. In the Florida Keys, a six-ship Navy hydrofoil squadron has proven to be especially useful in support of civilian interdiction activities; fortuitously, the ideal training for their wartime mission is virtually a "perfect fit" with the drug interdiction effort. Some Navy vessels carry Coast Guard boarding parties, which are called "TACLETS," or Tactical Law Enforcement Teams. The reason for these "TACLETS" is twofold: first, as mentioned earlier, since DoD personnel may not become directly involved in interdiction operations, the TACLETS conduct actual boarding of suspect vessels; second, maritime law enforcement is the responsibility of the Coast Guard.

The Marine Corps has been operating OV-10D aircraft in conjunction with the Customs Service. Although relatively slow and low flying, these "Bronco" airplanes are equipped with Forward-Looking, Infra-Red sensors. The so-called "FLIR" provides the aerial observer with exceptionally good nighttime vision,

adding a long-needed technological improvement to the Customs Service effort.

The Air Force is also playing a substantial role in assisting drug law enforcement efforts. In the Gulf region alone, Air Force C-130 aircraft have flown frequent training missions in support of the drug enforcement community during the past few months. B-52 aircraft on routine training flights add to the information base on suspect vessels. AWACS radar aircraft are also used quite extensively along the Southeast, Gulf, and Southwest border areas.

The Air Force has also been providing assistance to the Drug Enforcement Administration in the Bahamas. There, a twin-engine, night capable, over-water helicopter unit has helped DEA and Bahamian authorities produce an impressive record of drug interdictions. As you know, Mr. Chairman, one Air Force helicopter went down in the sea at the cost of the lives of three Air Force crew members and one DEA agent. Despite this tragic loss, we remain steadfast in our conviction to support the Bahamian authorities.

In addition to providing aircraft support, the Air Force has also signed agreements with the Customs Service granting them access to all information obtained in the combined Air Force/FAA Joint Surveillance System. In addition to this nationwide system of ground-based radars, the Air Force -- with the cooperation of the Navy -- has tied the balloon borne radar in the Florida Keys into the Customs Service command center in Miami.

The Customs Service and the Air Force are examining the possibility of collocating the Customs command centers in Air Force Regional Operational Control Centers at Tyndall Air Force Base, Florida, and March Air Force Base, California. This action would provide the Customs Service with direct access to the North American air defense command and control system.

The Army has provided the Customs Service with eight helicopters, four Cobras, and four Blackhawks. These aircraft have proven to be invaluable in the interdiction effort. Two examples of Army initiatives in Arizona typify how slight modifications in training programs benefit both DoD and civilian drug law enforcement efforts. The United States Army Intelligence School at Fort Huachuca has been working hard to make training programs more realistic and meaningful to its students. Of particular concern was the training of Mohawk crews and image interpreter/ground surveillance radar and sensor operators. Traditionally, most of the training was given in the classroom with "hands-on" efforts limited to facilities on the installation or flight paths which would not be like those expected on future operational missions. The Army, after extensive study, has implemented two programs.

The first, entitled "Hawkeye," changed the flight path for Mohawk training flights. These training flights were flown on a loop north of Fort Huachuca. "Hawkeye" redesignated their flight paths to the south of the fort, where they have more utility in assisting Customs interdiction efforts. During these

flights, scenarios more commensurate with actual operational missions are used. In addition to enhancing the realism of the training, the Army is able to provide valuable information to federal law enforcement authorities. A data base of image information has been developed. All collected information is compared to this data base and variances (such as new holes in fencing, increased usage of trails and roads, or alterations in terrain) are provided to appropriate law enforcement officials. Additionally, all aircraft crews are being trained to identify suspect low flying aircraft penetrating U.S. air space and a dual channel reporting system has provided realtime information to Customs officials in Tucson.

The second program, called "Ground Hog," moved the training of ground surveillance radar (GSR) operators and sensor operators out of the classroom for a four-day field training exercise near Yuma Marine Air Station. Students follow a tactical scenario in emplacing GSR and sensor equipment looking for evidence of intrusion. Typical intrusion closely approximates the efforts of enemy forces infiltrating lines or crossing defended boundaries. Direct communication is maintained with interested drug law enforcement authorities to point them to the expected areas of intrusion. Additionally, the location is ideally suited for visual observation of low flying suspect aircraft which is reported as well. This program provides about 160 days coverage of the designated area.

The Navy and the Air Force, working with the Customs Service

and Lockheed, have configured a P-3A Orion aircraft with an Air Force F-15 (APG-63) radar system. If this system is effective in meeting Customs' needs, up to six P-3As could be similarly configured and loaned.

The Army is prepared to lend Customs eight modified C-12A aircraft provided that monies are appropriated for C-12D replacement models which must be delivered to the Army before the others are lent to Customs.

In each of these cases I have just cited, the Customs Service would be responsible for organizing its own maintenance and support contracts.

As you know, Mr. Chairman, the Administration's efforts to end drug smuggling are an added responsibility assigned by the President to the Vice President. On June 17, 1983, Vice President Bush announced the formation of the National Narcotics Border Interdiction System (NNBIS).

The highly successful South Florida Task Force served as the model and has become the blueprint for establishing similar NNBIS operations centers in New Orleans, El Paso, Long Beach, Chicago, and New York.

The DoD has assigned highly qualified, technical people to these six NNBIS Centers to act as liaison officers. I believe the combination of skilled civilian drug law enforcement officials and military personnel, working together in an ever-improving operational system, will enable our nation to wage a successful fight against illegal drugs.

Because all of the missions undertaken in support of the drug interdiction program involve the expenditure of funds, I would like to mention the fiscal aspects of DoD assistance.

With respect to reimbursement, it is our policy to help civilian agencies in identifying the types of assistance that can be provided on a nonreimbursable basis. Most of the assistance we have provided since passage of the new legislation has not required reimbursement. This is because the support has been incidental to normal military operations, or we have otherwise obtained training benefits that are substantially equivalent to our own training programs. For example, Navy P-3 or Air Force B-52 flights which accomplish military training are provided on a nonreimbursable basis.

The legislative history of Public Law 97-86 repeatedly emphasized that the new legislation was intended to clarify existing practices of cooperation between the military and civilian law enforcement authorities which were already permitted by interpretations of the Posse Comitatus Act; and authorized the occasional use of military personnel to operate sophisticated equipment on loan to civilian drug law enforcement agencies.

It was not designed to transfer budgetary responsibility for civilian law enforcement functions from other agencies to the Department of Defense. To the extent that we do not obtain any direct training or operational benefits from the provision of assistance to another agency, and reimbursement would otherwise be required under the Economy Act, our directive requires

reimbursement. For example, in the straightforward loan of military equipment for use by a law enforcement organization to perform the mission of that agency, The Secretary of Defense has agreed to lend the U.S. Customs Service various types of equipment and has required only the reimbursement of marginal incidental costs.

In summary, Mr. Chairman and members of the Subcommittee, the Defense Department is proud of its role in providing support to this worthy goal.

Mr. Chairman, I'll be pleased to answer any questions that you have at this time.

General TICE. In addition to Commodore Anderson, I am accompanied today by Lt. Col. Paul O'Connell from my office.

From the Navy I have Capt. Bill Pivarnik, Chief of the Flight Operations Readiness Branch in the Office of Chief of Naval Operations, and Comdr. Andy Murphy, who is the E-2 Program Coordinator in the Office of the Chief of Naval Operations. And, from the U.S. Air Force, I have Col. Rich Graham, military assistant to the Deputy Assistant Secretary of the Air Force for Manpower. I also have Lt. Col. Harvey Pothier, representing the Air Staff, as well as Lt. Col. Denny Sheppard, who is the AWACS Specialist on the Air Staff.

I guess I would make an opening comment that, as you know, I entered into this position in January 1984, and I think it would be fair to state that from my position the kind of interagency cooperation that I observe on this day if I were going to rate it on a scale of 1 to 10, is close to 9 or 10. I think that is rather fantastic when you consider we work with four Federal agencies and the four services within the Armed Forces. I think that I would just like to have my assessment on the record as well as with your committee, sir, I think we have a very good communication capability between agencies that did not exist perhaps a year ago.

As you know, the Department of Defense is a provider of resources in the drug enforcement business. Basically to two major users in the Federal service, that is, the U.S. Customs Service and the Drug Enforcement Agency. These resources involve air support, maritime support, equipment loans, and personnel.

As you know, we have helped staff the six regional NNBIS region headquarters with military personnel to serve so they can advise the civilian law enforcement agencies as to what might be available from Department of Defense resources.

We also are involved in providing information where the Air Force has granted Customs access to all info obtained from the combined Air Force and FAA joint surveillance systems as well as the balloon-borne Air Force radar at Key West and Patrick Air Force Base.

I would underscore, however, that all of our support is currently provided within the constraints of the law: either under the Economy Act, or 10 U.S. Code 376 where assistance can be provided only if it does not affect the military preparedness of the United States.

In that regard, I would ask at this time that if Commodore Anderson, who has a short statement to make, if he could make that statement because it concerns the readiness impact on the use of E-2C's and the AWACS, sir.

Commodore ANDERSON. Mr. Chairman, it is an honor to appear before you today. I will give this short statement to support that of the one submitted for the record for the Assistant Secretary of Defense for Manpower Installations and Logistics.

When the Secretary of Defense and Assistant Secretary of Defense (MI and L) act as the approving authorities, the Joint Chiefs of Staff advise them of the impact on national security and military preparedness of specific requests for assistance from civilian law enforcement officials.

Additionally, we are to advise ASD (MI and L) of the impact on national security and military preparedness of specific requests for

resources when those resources are assigned to a unified or specified command.

In the case of drug interdiction air surveillance, USCINCLANT, USCINCPAC, and USCINCREC are directly concerned with the use of E-2 and E-3 aircraft. We have closely monitored the continuing requests for air surveillance support and have concurred with the present level of ten USCINCLANT, four USCINCPAC E-2C and 6 USCINCREC E-3A flights per month.

We also concur with the CINC's and services that the current level of E-2 and E-3 aircraft support is the maximum which can be provided without negatively impacting military requirements for unit training and aircraft availability.

We simply lack enough airframes and trained personnel to provide increased missions.

The Joint Chiefs of Staff clearly support the President's initiative to stop drug trafficking. However, any increase above the current level of E-2 and E-3 assistance to drug enforcement will cause a commensurate degradation to military preparedness for the primary mission of the units involved.

Mr. Chairman, I will be pleased to answer any questions that you have at this time.

Mr. ENGLISH. General Tice.

General TICE. We are prepared to answer your questions, sir.

Mr. ENGLISH. Thank you very much, Commodore, for a fine statement and again, General Tice, I want to commend you.

I know you were out in New Mexico yesterday and made a late trip back last night, so we appreciate you making it to the hearing today.

When the Department of Defense reviewed the proper role which it should play in the detection of drug smugglers, what were its principal considerations and conclusions, General Tice?

General TICE. Mr. Chairman, the primary considerations, of course, were the constraints placed upon us by the law. In Dr. Korb's statement the readiness requirement is also enumerated as of paramount importance.

Additionally, the Department of Defense is funded and organized basically to counter the military threat.

The Department is acutely aware that drug smuggling is certainly a serious menace to our Nation and to our society. However, to date defending against drug smuggling has not been identified as a military threat, and therefore in accordance with the law we can assist civilian law enforcement agencies in the performance of their duties only in a manner which does not disrupt our fundamental mission.

I think that is the primary consideration that we deal with on a day-to-day basis when requests are given to the Department of Defense for support.

Mr. ENGLISH. What would be the impact on the Department of Defense had DOD been required to detect all low-flying aircraft to the United States?

General TICE. Obviously, it would require funding and our structure would have to be modified in order to undertake this mission.

Mr. ENGLISH. Would that also have an impact on your ability to detect high-flying, fast-flying aircraft?

General TICE. It could have if you didn't resource it with an augmentation that would give us that capability.

Mr. ENGLISH. So under current—

General TICE. Under funding levels, and current functional organizations, there would be a degradation in our current mission capability if we undertook this additional role.

Mr. ENGLISH. You mentioned, General Tice, the reimbursement aspect, the requirements under the law, and you heard the concern that I expressed with regard to the lack of provision for additional funds, \$10 million for the E-2C flights. Captain Schowengerdt didn't think that that was going to be a problem, that that could be worked out.

Do you see that as being a problem for this next fiscal year?

General TICE. I think there could be a problem on that because we use those funds to help stage the E-2C's out of Homestead, because the transit time from Norfolk down there, is too long, and you would have no time on station. So, what we have been doing is deploying some of those E-2C's to stage out of Homestead, to help in the Florida and gulf area.

I think we will have to take a look and see what impact that has, and there could be the potential that we would have to require reimbursement under the Economy Act, if there aren't specific provisions made for that funding.

Mr. ENGLISH. Once you make that assessment and evaluation, that determination, we would appreciate it if you would also provide us with the results.

General TICE. We can do that, sir.

Mr. ENGLISH. Commodore, last year the subcommittee was advised by the Chief of Naval Operations that in supporting the Customs Service in its drug interdiction mission, the E-2C transit times are quite high, 4 hours from Norfolk to Miami, and these transit times are absorbed over and above the dedicated mission requirements.

A most important consideration with regard to E-2C utilization in the national drug interdiction effort is: \* \* \* the number of missions which are required to fly in an area away from home stations and employment, according to the Chief of Naval Operations.

My question is, How have you been able to deal with this important issue raised by the Chief of Naval Operations while supporting Customs in the coast and gulf coast area?

Commodore ANDERSON. As the General mentioned, what we have been doing is providing advance base support. In other words, away from the home base, which is an additional cost.

Mr. ENGLISH. And that is what the \$10 million has been going for, providing that?

Commodore ANDERSON. The personnel and the equipment that goes down there to support those flights.

Mr. ENGLISH. Mr. Kindness.

Mr. KINDNESS. Thank you, Mr. Chairman.

Commodore Anderson, I don't mean this facetiously or in derogation of the statement that you have given here, but it is a classic sort of position to take in budgetary terms, that anything beyond what is happening now will create problems. We all understand that.

Is there a way in which you could for the subcommittee be any more specific about the detriment to preparedness that would result from expansion of the number of hours of flight time or the number of flights?

The number of flights, I think, I can visualize readily enough, but the expansion of hours of flight time is an area that causes me to become a little confused as to how one can draw a line.

That may be strictly in terms of dollars, budgetary figures, but could you help me understand a little bit better how that line can be drawn with distinctness at the current level of activity?

Commodore ANDERSON. The rationale that we used in looking at the program, whether or not we could afford to provide additional flights, was not based strictly on the financial aspects.

We are constrained by a number of things. The first one is platforms available. That is, the number of aircraft that we have in the E-2C fleet. We don't have enough to fulfill all the requirements that are laid upon us militarily as well as those that are provided through the NNBIS Program.

We have the requirement to do our own unit training in the military area. If we provide additional flights to the NNBIS Program we will reduce that kind of training for our military people. That is basic training as well as upgrade skill training.

Mr. KINDNESS. Excuse me.

In that respect there is, I take it, some degree of applicability of that flight time to training, particularly in upgrading, I suppose, but there would be the logistical problem of getting the right people there at the right time for that, I suppose?

Commodore ANDERSON. That is correct. Plus those missions compared to the type of mission in the military aspect in which you use the E-2C aircraft, a low level of training.

In other words, the enhancements to the fellow's skills are very low through the NNBIS type of flight versus what he would be doing coordinating between targets and fighter aircraft off the carrier and that type of thing.

That makes a difference there. Then there is the other aspect: Do you have the right crew available that needs the low-level training so that is can be utilized at that particular time? Of course, that doesn't always happen.

Another part of this is the availability of spare parts. We buy only so many spare parts, and they have a 2-year leadtime. The spare parts that we have available to be utilized in 1985 are those that were bought in 1983. The buy was programmed for the flight utilization rate that we had at that time, which didn't include these additional flights with the NNBIS Program. Finally, when you add more flight hours onto the airplane, you start to shorten the service life of the airplane. When airplanes are bought, there are a certain number of hours for which they can fly, and that is their service life. We program that over so many years for our E-2C fleet.

If we fly at a higher rate, the planes have a shorter life span and that is going to drive further requirements for aircraft at an earlier rate in the military.

Those are the factors that go into determining our ability to support NNBIS besides the budget aspects.

General TICE. Mr. Kindness, I would add one other point. I think the average E-2C crew spends 8 to 9 months a year away from home station, from their families. The high cost of overcommitting those pilots and crew could have a very great implication on our retention.

At one time the E-2C fleet had the lowest retention rate of personnel. We just can't fail to recognize that even if you had the aircraft, the aircrew, the O&M, the spares, and everything else, that there would be an increase in personnel staffing or we would be giving the Navy an impossible mission to comply with with reference to personnel retention.

Commodore ANDERSON. For this past year the E-2C flightcrews spent 70 percent of their time away from home.

General TICE. That would cause quite a retention problem, I suppose, and it would be expensive.

Mr. KINDNESS. Thank you very much. I appreciate having these factors on the record to support that statement. Thank you. I yield back, Mr. Chairman.

Mr. ENGLISH. Thank you very much, Mr. Kindness.

General Tice, in regard to the Bahamian support, I recall the Department of Defense sent an assessment team down to determine the immediate needs to increase the drug interdiction efforts there. They then asked the different services to provide helicopter support and to establish a viable communications capacity.

The Air Force was to provide the helicopter support while the Army was to establish a communications system. What happened to the communications support?

Is it established, and if so by what agency?

General TICE. The communications problem was taken from the Department of Defense. The State Department said they would enter into that decision and we no longer pursue the requirement for communications within the Department of Defense for the Bahamian mission.

Mr. ENGLISH. Is there a communications network there?

General TICE. It is a limited one, sir, but the original program was to place some secure voice and some other types of communication into—

Mr. ENGLISH. Are you sure that there is part of that system being employed today?

General TICE. No.

Mr. ENGLISH. It is my understanding it is not.

General TICE. There is no secure capability there at all.

Mr. ENGLISH. So there is no communications system?

General TICE. No.

Mr. ENGLISH. And you are saying that the State Department then is the one that dropped the ball?

General TICE. I am not sure who dropped the ball. At least in my office we were told that we no longer would pursue that issue.

Mr. ENGLISH. Somebody dropped the ball.

General TICE. Sir, I don't know whether there are other witnesses here who can respond to that, but at least we no longer pursue that as one of the options for us.

Mr. ENGLISH. The Air Force has been down in the Bahamas for well over a year, based on a declared emergency. The law states

that declared emergencies cannot go on forever. When will they be removed?

General TICE. We handle that on a 6-month-by-6-month basis.

Under the provisions of the law, the Department of Justice is the one that says that this is an emergency area there and requests the Department of Defense to continue that support. We executed one of those joint memorandums of support in November, and so we have an agreement now between Justice and the Department of Defense to continue that support through May 1985, sir.

Mr. ENGLISH. And that will be the end of the emergency?

General TICE. I think somebody other than the Department of Defense makes that assessment about the emergency.

Mr. ENGLISH. Are you aware, is the Department of Defense aware, of any permanent solution to this emergency?

General TICE. We have approached no permanent solution other than perhaps the stationing of an additional aerostat in that area.

Mr. ENGLISH. So, in effect, what we are doing now is just living, as one emergency ends, we declare another one and move on from that standpoint?

General TICE. I would point out that that is one of the missions we have undertaken and support and there is a high level of correlation between the mission that the Air Force crews are undertaking in the Bahamas and what they would do in the event we went to war.

Mr. ENGLISH. Captain Schowengerdt, have you got any comment you would like to make on those last two questions? Could you enlighten us somewhat?

Captain SCHOWENGERDT. The communications package, Mr. Chairman, is a part of the overall proposals the Vice President made to the Prime Minister of the Bahamas about a year ago that included, among other things, tethered aerostats, so that as we proceed on the tethered aerostat, we are also providing on the other issues.

Nobody has dropped the ball, for example, in the communications package. That is still very much part of our proposals to the Bahamas in our talks with them.

The only thing changed was, instead of asking the Defense Department to provide the equipment, the State Department would provide the equipment on a purchase basis out of Department funds.

Mr. ENGLISH. The State Department, are they proceeding on this? When can we expect that the communications package will be delivered?

Captain SCHOWENGERDT. The communications package will be delivered within 30 days after we reach agreement with the Government of Bahamas on the acceptance of that package.

The Bahamas have not accepted the installation of such a package. The United States, of course, cannot unilaterally go in and install such a package. If the Bahamas accept, we will deliver within 30 days.

Mr. ENGLISH. What we have here is a case where the Bahamian Government doesn't want to accept it?

Captain SCHOWENGERDT. I wouldn't say doesn't want. We just haven't reached agreement.

Mr. ENGLISH. That is an interesting situation.

What about the business of the emergency down there? Do we have a permanent solution that you are aware of that is being discussed?

Captain SCHOWENGERDT. The permanent solution is an issue for us. We are aware of it. We would like to find some solutions to it, but the problem itself is in flux.

I think we need to take that into account as we proceed.

With the installation of the various items in the Vice President's proposals to the Bahamas, I think we will see changes in the structure of the problem over time.

We may need to continue a helicopter-based operation down there. We may not need to do that.

Mr. ENGLISH. It is my understanding that the DEA had money appropriated last year to purchase helicopters for this purpose, to replace the Air Force. Did they carry that out?

Captain SCHOWENGERDT. To purchase one helicopter, and that is under a purchase contract. It has not been delivered.

Mr. ENGLISH. It has not been delivered?

Captain SCHOWENGERDT. No.

Mr. ENGLISH. That was about 1½ years ago when they contracted that or appropriated the money for it? I guess the question comes to mind—

Captain SCHOWENGERDT. My backup just walked out. I don't recall the exact timing on it. I know that they proceeded with the money that was appropriated. They have in fact ordered the helicopters due for delivery soon. It is on schedule.

Mr. ENGLISH. This may be getting into an area here that you are not familiar with or don't remember that much about, but were all the funds that were appropriated by the Congress for the purchase of helicopters to relieve the Air Force of the problem down there for the use of the BAT team—were all of those funds expended for helicopters?

If so, why has it taken 1½ years for the helicopters to be delivered from the time the money was appropriated? It seems like a rather extensive period of time.

Third, when can we expect that one or however many helicopters were purchased with those funds can be there so the Air Force can be relieved? Can you provide that for the record for us?

Captain SCHOWENGERDT. I think that information can be provided for the record; yes, sir. However, even to the extent that that helicopter support is purchased by DEA and put into the Bahamas, does not necessarily at this stage of the game, as far as I am concerned, relieve the need for the existing Air Force helicopter.

We have a large problem in the Bahamas. The assets down there to fight that problem are not sufficient. I am not at all sure that I would recommend at this point removing any of the Air Force assets, even with delivery of the DEA assets.

Mr. ENGLISH. As long as NNBIS, the White House, and the Department of Defense all agree that they can continue to declare emergencies and keep those resources down there without problems, that is fine. The concern that I have is that one of these days we get to the point that we can't continue emergencies forever down there and we have got to pull those resources out.

We don't have anything else to put down there. That is what I would hope that we would be moving toward, a more permanent solution in case we find ourselves in that kind of problem.

We have all kinds of emergencies, of course, taking place all over the world. You never know when the Department of Defense may need those resources some place. We would be left rather short.

The other part of it is that it raises questions about the difficulty we are having with the Bahamian Government in moving, in what we would call an expedient manner, to deal with a number of these problems, whether it is a communications package or whether it is a tethered aerostat or whatever it might be.

That is something that perhaps we could focus a little more attention on. I understand the Customs Service may very well be doing that and they are to be commended. I think that anything we could do in that area would certainly be helpful.

Thank you. I didn't mean to put you on the spot there. I just had a question or two on that.

Mr. Kindness.

Mr. KINDNESS. No further questions, Mr. Chairman.

I appreciate General Tice being here.

Mr. ENGLISH. General, several months ago we requested that the Department of Defense upgrade the two aerostat systems in Florida with an IFF capability. We did this pretty much on a verbal basis which may not have been satisfactory.

Would you care to comment on whether or not you are aware of this request?

General TICE. We accepted that as an informal request, Mr. Chairman, and made a preliminary examination. We think that the aerostat could take the additional weight without degrading its capability. The Tactical Air Command is currently looking at some prototype options, and Colonel Pothier informs me that they are willing to go ahead and start the second phase and do some testing there on that equipment after January.

Mr. ENGLISH. Very good. That is encouraging.

The Deputy Secretary of the Navy, Mr. Swafford, assured me last Friday that the Navy would meet the appropriations report language directing the Navy to provide three additional P-3's, configured as the prototype is configured, by the end of fiscal year 1985. I would like to get that confirmed for the record, if you could, General.

General TICE. I received a statement from the Assistant Secretary of the Navy, Mr. Frank Swafford, and he indicated that provided funds are appropriated in the fiscal year 1985 for the Navy to modify the three P-3 aircraft for the Customs Service, they will make every effort to complete the program before the end of the fiscal year.

Mr. ENGLISH. What is the detection experience which the Navy has had with the APS-80 with respect to surface targets?

General TICE. I will have to take that for the record, sir.

Mr. ENGLISH. If you would.

General TICE. We will do that.

[The information follows:]

Generally speaking the APS-80 has proved to be a good surface search radar. The APS-80 has the following parameters: at an aircraft altitude of 1,500 feet the APS-

Mr. ENGLISH. That is an interesting situation.

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80 radar can detect a 10 square meter target with a sea state of 0-2 at a range of 20 miles; at an aircraft altitude of 5,000 feet, the APS-80 radar can detect a 100 square meter target with a sea state of 0-2 at a range of 60 miles; at an aircraft altitude of 20,000 feet, the APS-80 radar can detect a 1,000 square meter target with a sea state of 0-2 at a range of 100 miles (at a sea state greater than 3, the range is 20 miles); and at an aircraft altitude of 20,000 feet, the APS-80 radar can detect a 100,000 square meter target at a range of 175 miles (at any sea state).

Mr. ENGLISH. Also, could you check and see if the APS-80 is still being used, and will it continue to be in the Navy's inventory for the foreseeable future?

General TICE. We will do that.

[The information follows:]

The APS-80 is being used in the P-3B aircraft by some fleet and reserve units. The Navy anticipates that it will be in the inventory at least ten more years.

Mr. ENGLISH. We would also like to know how long the APS-80 has been—

General TICE. Scheduled to remain in inventory?

Mr. ENGLISH. And how long it has been in the inventory?

Commodore ANDERSON. It has been in inventory since 1963.

Mr. ENGLISH. What is the Navy's operational cost with respect to the P-3 per flight hour? Do we have that?

General TICE. Yes.

We break it down to show \$1,250 an hour for O&M.

Mr. ENGLISH. That is considerable.

General TICE. And depot repair of spares, \$625; depot repair level of airframes and engines is another \$248. So we are looking at \$2,123 per flying hour. That does not include funding to crew the aircraft.

Mr. ENGLISH. OK. Well, I believe that is somewhat below the estimates that we had earlier, I believe. I think \$2,200, something like that, was the estimate before.

General TICE. This is based on current historical data by which we budget for the support of the P-3.

Mr. ENGLISH. And could you tell us what the Air Force's mean time between failure experience with the APG-63 is?

General TICE. That has been running historically between 17 and 20 hours—for the total radar system.

Now, the Patuxent River experience to date is three to five times better than that. But, understand, most of those tests have been on the ground and they don't have a lot of air time on that system yet.

The antenna system has been running almost 75 hours between mean failure time.

Mr. ENGLISH. It is my understanding that the air time that they spent on the test at Patuxent is around 60 hours.

General TICE. Yes; they have had 60 hours there. But what I am saying is in that environment where we have tested it out there, it has been three to five times greater than our experience in service.

Mr. ENGLISH. But the point I make is that you mentioned you understood a lot of that was on-the-ground time. It is my understanding they had 60 hours' flying time.

General TICE. Yes.

Mr. ENGLISH. So that is quite a bit of flying time in 2 months.

General TICE. It is.

Mr. ENGLISH. What does the Air Force fund for operational costs on APG-63 per flight hour? What is the cost?

General TICE. That is going to take a little more research, sir, and I would like to provide it for the record.

Mr. ENGLISH. OK.

[The information follows:]

The Air Force does not budget operational spares requirements for aircraft systems or subsystems on a cost-per-flying-hour basis. They fund and procure operational spares as a result of an extensive evaluation of projected demands for a systemwide flying program and pipeline times. Consumable parts are procured to repair internally approximately 90 percent of all the projected repair actions. Investment spares are procured to replace the remaining ten percent which cannot be repaired and also to fill the pipelines between the operating locations and support agencies. Historic consumption data is used to make these repair requirement projections.

I recognize, however, that the U.S. Customs Service does not have any historical data upon which to base their operating cost estimations in this first year of P-3A operations. Therefore, the Air Force Logistics Command has computed an historical repair cost per flying hour that you can use as a guide in determining the APG-63 radar suite operating costs. These costs include the APG-63 components as well as the ancillary components we supplied to make the radar work in a P-3A. Please recognize that these costs reflect the use of the components in the F-15 environment and may differ significantly from that experienced in the P-3A.

Mr. ENGLISH. And what was the Navy's experience on the MTBF with the APG-63 during its recently concluded 60-day technical evaluation?

General TICE. Three to five times.

Mr. ENGLISH. I think you answered that earlier with about five times.

General TICE. Three to five times.

Mr. ENGLISH. Did the Navy receive test criteria from Customs on the development of the technical evaluation, and were they included in the test plan?

General TICE. Yes, sir; that was the reason in my opening statement that I made the comment that my assessment of the close cooperation between Treasury, Customs, and all the Federal agencies is working very well today. The Navy and Customs Service have worked informally together since the beginning of the conversion of the P-3 to satisfy the program requirements. Although we have no formal input presented by Customs for the tactical evaluation, communications between Customs and evaluators at Patuxent River attempted to include all the requirements, which Customs passed on to the Navy.

Mr. ENGLISH. So you did not receive—

General TICE. We did not receive the formal request. But we worked it out.

Mr. ENGLISH. You were in contact with them and were receiving that information informally as opposed to a formal presentation; is that correct?

General TICE. Yes.

I should point out, we have people on station that have been in the job quite a while. And, as you know, the informal relationships there can accomplish quite a lot.

Mr. ENGLISH. General, that concludes the questions I have.

I want to thank you all very, very much and say that I deeply appreciate the work the Department of Defense and your office has

been doing in helping make this program a success. You have all done a great job. We appreciate the great cooperation you have given us, as well. It has been very helpful to us.

General TICE. Thank you, sir.

Mr. ENGLISH. Thank you, sir.

Our next witness will be Mr. John Walker, Assistant Secretary for Enforcement and Operations at the Department of the Treasury.

I think we know that fellow with you, Mr. Walker, but if you would identify him for the record we would appreciate it.

**STATEMENT OF JOHN M. WALKER, JR., ASSISTANT SECRETARY FOR ENFORCEMENT AND OPERATIONS, DEPARTMENT OF THE TREASURY, ACCOMPANIED BY NEIL LAGEMAN, DIRECTOR, OFFICE OF PATROL, U.S. CUSTOMS SERVICE**

Mr. WALKER. Thank you very much, Mr. Chairman. The Treasury Department appreciates this opportunity to appear before you to address the subject of drug interdiction.

On my immediate left I have Neil Lageman, who is the Director of the Office of Patrol for Customs.

Since I last appeared before you, our Government has progressed considerably toward the development of an air and marine interdiction system that, over the long term, will more effectively suppress and deter the smuggling of drugs that is now penetrating the southern border of the United States. At the same time, we are striving, over the short term, to improve the overall drug interdiction capability of the U.S. Customs Service that is based on our current equipment and resources.

In my testimony today, I will concentrate on two topics, first reviewing our progress toward a comprehensive and effective interdiction system for the foreseeable future; and, second, discussing some of the steps that have been taken to bring about short-term improvements. But before I do so, I would like to review with this committee where we were back in 1981 and where we are today.

In 1981, our capabilities in all four phases of drug interdiction—detection, interception, tracking and apprehension—were inadequate. Our interdiction capability is substantially better today. Very soon, we will have brought three of these elements up to a satisfactory level, and we will have made a solid beginning in improving the fourth.

Mr. Chairman, I would like to take this opportunity to acknowledge the contribution that this committee, you Mr. Chairman, and the committee staff, have made to our progress. Before reviewing this progress more specifically, I would like to state briefly Treasury's policy on interdiction.

First, Customs will continue to fulfill its responsibilities for interdiction of contraband, including drugs being smuggled by air, land and sea.

Second, regarding the air program, Customs will pursue all available avenues for obtaining detection targets for interception, tracking and arrest, including use of its own resources for that purpose, as well as the resources of other contributing agencies, including FAA, DOD, Coast Guard, and DEA.

Third, Customs will acquire the five additional P-3A aircraft from the military, at such time as the prototype demonstrates its operational capability.

Fourth, the administration will implement 14 of the 18 recommendations of the NNBS Joint Surveillance Committee. The remaining four are subject to validation by current studies before implementation.

Fifth, Treasury will complete several critical studies in this calendar year. These studies will enable Treasury to begin implementing a long-term approach balanced between air, land, and sea. They will also recommend appropriate long-term and short-term configurations for air and marine programs, and recommend appropriate agency roles for carrying out interdiction responsibilities over the short and long terms.

I will now go into each of these topics in further detail. Treasury and this administration have been firmly and unequivocally committed to enhancing our country's drug interdiction capability. We recognize that improvement of our Government's current ability to detect smugglers is essential to this task, and we will continue to seek every way possible to strengthen our effectiveness.

Mr. Chairman, no one agency alone can perform the entire function of surveillance or otherwise provide all intelligence necessary for target interception. The FAA, for example, because of its mission, must have a radar capability. Defense, of course, must have an extensive detection capability for national security reasons. The Coast Guard also has a role in providing detection targets. DEA, the FBI and the intelligence community provide information on which interdiction can be based.

The Customs Service has a major role, both because it is a consumer of air and marine drug target information and radar data, and because it has a substantial role in the development of targets. We envision that Customs installations, such as the existing Miami Command, Control and Communication Center, or C-3, or possibly the Customs presence at regional operational command centers, or ROCC sites, will remain the hub of interdiction activity, from which the interception, tracking and apprehension phases of air interdiction can be controlled. They must continue to be enhanced by data supplied by E-2C, AWACS, FAA and Coast Guard detection assistance.

I am hopeful that the procurement of P-3A aircraft will substantially increase our detection capability. Of course, the procurement of the remaining five of these aircraft must await the demonstrated acceptability of the prototype.

The technical evaluation of the P-3A by the Navy has come to a close. Now that it is complete, Customs will soon initiate an operational evaluation that will assess the effectiveness of the complete P-3A detection system when used in the Customs environment against actual intruding suspect aircraft as well as prearranged targets. It will also measure the adequacy of Customs' arrangements for operating and maintaining the P-3A, which include support agreements with private contractors, the Navy, and the Air Force.

I want to stress that the administration is committed to the P-3 program, which will enhance the Customs Service's air detection and surveillance ability.

Mr. Chairman, I am, therefore, pleased to report that during the operational evaluation the P-3A prototype will be in active service against drug smugglers by the end of this month. I would like to add that Treasury appreciates the effort and support that you, Mr. Chairman, and this committee and its staff have contributed to the P-3A project. We look forward to working with this committee in the consideration of options under which the P-3A's effectiveness in air interdiction could be further enhanced.

Also, with regard to detection, Customs stands ready to accomplish the deployment of a third aerostat for location in the Caribbean region. This administration continues to negotiate, through the State Department and NNBIS, with Bahamian officials to secure their agreement on a site for this aerostat. As of yet, the Bahamian Government has not agreed to award the lease for the previously planned site on the Grand Bahama Island.

Customs has accordingly begun efforts to examine and to secure an alternate site outside the Bahamas. Regrettably, such a change in plans would delay our present schedule, which calls for the aerostat to be fully operational by March 1985.

We share this committee's desire to move, as quickly as possible, to close the gap in our existing radar net around south and east Florida.

Mr. Chairman, I would like to add at this point that recent communications with Bahamian officials lead us to be more optimistic than would have been the case a week ago, and we feel that future discussions can move very rapidly perhaps in this month towards the establishment of this balloon and toward use of the Grand Bahamas site.

Since I last appeared before this committee, this administration, under the leadership of Vice President Bush in his capacity as Chairman of the Executive Board of NNBIS, has undertaken a critical examination of the air surveillance function. Last April, NNBIS created a Joint Surveillance Committee to perform this examination. The Joint Surveillance Committee forwarded 18 recommendations for consideration by the Executive Board which are designed to effect a reduction in drug trafficking. I understand that NNBIS has provided this committee a briefing on these 18 recommendations.

The NNBIS Executive Board has already begun the immediate implementation of 14 of the 18 recommendations. Because the four additional recommendations require additional analytical work, we will proceed with their implementation upon verification by current studies undertaken by the Treasury Department.

The Joint Surveillance Committee of NNBIS will continue to monitor these initial recommendations and continue to examine the detection function. The Treasury studies to which I have referred will have a bearing on this analysis. They include a study that SRI is now conducting on various program reconfigurations for air and marine interdiction. Although this study is expected to be formally completed in December, preliminary results are due in October. A second study is now being performed by the Mitre

Corp., which is developing a preliminary design and cost estimate for a system of C3-ROCC sites.

The administration intends to apply the results of these studies to the development of enhanced air and marine interdiction. We see this analytical work as essential to our implementation of long term, carefully designed, and cost-effective interdiction programs. We are aware that considerable resources will be required to fully develop and maintain our interdiction capability regardless of its configuration. Accordingly, our decisions, which will affect this Nation's interdiction capability for years to come, must be based on comprehensive information, analysis, and planning.

With regard to the SRI study, we believe it essential that our Government carefully analyze the resources it has available to perform the surveillance function and make a reasoned decision as to future enhancement. SRI is, therefore, looking at ways to achieve an optimum configuration of detection resources, given a threat that is substantial and constantly shifting.

I am sure you will agree that a balanced, carefully planned configuration of land, sea, and air resources is essential to our achieving a truly effective detection capability. It is also important that we carefully consider the respective agency responsibilities in managing these resources. We expect to develop a comprehensive proposal based on the results of our studies.

More immediately, it is essential that we continue our short-term improvements, as well. One significant improvement will be the enhancement of our existing air modules. We are currently deploying high-performance Citation aircraft at our Miami and Tucson air branches. Our air branches will acquire four additional Citations between October and December of this year.

Because of the active support of this committee and Senators Abdnor and DeConcini, we will also be receiving six C-12's from the Army as newer C-12's are added to their inventory during fiscal year 1985, and up to eight Customs high-performance dual-sensored turboprops in fiscal year 1985 as tracker aircraft.

Taken together, these additional aircraft will significantly enhance our intercept capabilities and allow better strategic deployment of our resources in accordance with our air threat analysis.

To further improve our current interdiction capability, I am working with the Department of Justice to arrange for Customs intelligence analysts to be placed in DEA offices abroad. In that regard, I can report that the Commissioner has had successful meetings with the DEA on this subject. This will promote earlier response to tactical intelligence. It will also allow better analysis of drug-related intelligence from an interdiction perspective. Given the multitude of ways drugs can be smuggled, and the size of our borders, the value of timely intelligence cannot be overemphasized.

With regard to air interdiction, we are pursuing with FAA ways of making incoming aircraft more accountable as they cross our borders. As you are aware, two of the recommendations of the Joint Surveillance Committee addressed this topic. We are looking at further possibilities in this area.

Mr. Chairman, we are working with the Department of Defense to accomplish this goal without affecting military readiness.

Our Marine Interdiction Program will immediately benefit from another step: The appropriation of an additional \$3 million in Customs funding for fiscal year 1984 to provide enhanced communications support to Customs patrol operations. In fiscal year 1985, we will be spending an additional \$7.13 million for marine modules.

In summary, this administration is firmly committed to moving forward to develop a first-rate drug interdiction capability. We share this committee's view that enhancement of our current detection capability is essential to a substantial increase in our rate of progress. The actions I have described reflect our desire to develop and deploy resources and to allocate responsibilities in ways that will bring about the maximum benefit to law enforcement.

When we achieve this long-range goal—and I am confident that we will—our achievement will reflect close cooperation between the legislative and executive branches of our Government in response to a pressing national problem. At the same time, we expect to see progress in the short term from the immediate enhancements in our current program.

Mr. Chairman, we recognize that continuing changes in drug smuggling techniques will pose new challenges for us. We are determined to meet them through a carefully coordinated and truly effective Interdiction Program. We will rely on this effort, in conjunction with the other broad initiatives in drug enforcement that this administration has put into place, in dealing a lasting blow to drug-related crime in our country.

Mr. Chairman, that completes my statement. I would be happy to answer any questions you or other members of the committee might have.

Mr. ENGLISH. Thank you very much, Mr. Secretary.

I might say that I am very pleased with respect to your efforts on communications. I understand that is an excellent effort and it is very encouraging to us. Also, the initiative with respect to placing intelligence people overseas, I think that that is one that holds great promise for increased intelligence capability; and I think without question that that will substantially increase the overall effectiveness of the detection equipment that you have.

You heard me ask the question earlier of the Navy whether the Navy's technical evaluation validated the confidential feasibility study which was contracted by Customs in regard to the detection ranges of the APG-63 as it was installed in the prototype P-3. The Navy said that it did meet all that criteria; it did perform that job.

Were you aware that it had met that criteria and that it did do all that your study hoped that it would do?

Mr. WALKER. My awareness is that it substantially met the requirements that Customs laid out for it, although I also understand that certain tests that Customs had required were not performed. I would like Mr. Lageman to expand on that.

My understanding is that the evaluation operated on targets nose to nose and on targets nose to tail, but not at angles off to either side, and that that had been requested.

But, as to the performance that was witnessed, it performed well, as we understand it.

Perhaps, Mr. Lageman, you could expand.

Mr. ENGLISH. Could you tell us what tests the Customs Service requested that were not performed?

Mr. LAGEMAN. Basically, there were some different azimuthal angles requested—target aircraft at different altitudes for those aircraft and the P-3 to operate at those different altitudes. They were not all performed.

In written projections of the equipment, all of those were either met or exceeded. We anticipate incorporating that in our operational evaluation really for our operational effectiveness.

Mr. ENGLISH. I see.

Of the tests that you were mentioning, could you give me—just a rough number percentagewise of the tests you requested—what percentage were done? 50 percent? 60? 70?

Mr. LAGEMAN. I think better than 40 percent was completed.

Mr. ENGLISH. Better than 40 percent?

Mr. LAGEMAN. That is correct.

Mr. ENGLISH. Completed?

Mr. LAGEMAN. Yes.

Mr. ENGLISH. So you are telling me there was over 40 percent not completed?

Mr. LAGEMAN. There was more than 40 percent that was not completed, as far as angles and altitudes.

Mr. ENGLISH. OK.

Mr. LAGEMAN. Of the nose-to-nose and nose-to-tail, all of those were completed.

Mr. ENGLISH. Could you tell me why those tests were not done that you asked them to do? Did you ask the Navy—was it that they ran out of time, or what?

Mr. LAGEMAN. I think it was time. And also it was also Customs' and Navy's desire to make sure that any discrepancies on the aircraft were repaired or noted or fixed. And it was mutual agreement, I think, that we went on with that.

Mr. ENGLISH. Was money an issue at all?

Mr. LAGEMAN. No, not—

Mr. ENGLISH. Any money needed to perform the rest of the tests?

Mr. LAGEMAN. Not that I am aware of.

Mr. ENGLISH. Captain Pivarnik, can you tell us, was money a problem in completing the other tests?

Captain PIVARNIK. I would point out we paid for the tests out of hide, and when you take things out of a hide it is always an issue, yes, sir.

Mr. ENGLISH. What was the cost of the test?

Captain PIVARNIK. I would have to get that for you for the record. I don't know exactly, sir.

[The information follows:]

The cost of the test is \$300,000.

Mr. ENGLISH. Neil, do you know the total cost of the tests?

Mr. LAGEMAN. I believe it was close to \$500,000 the Navy had to absorb. I think that is why in the meetings we felt—

Mr. ENGLISH. So \$500,000 was done and there were other tests to be made?

Mr. LAGEMAN. That is right.

Mr. ENGLISH. In your opinion, Neil, of the tests run, were those some of the more extreme in terms of altitude and speed and so on? Were they some of the more difficult for the radar to pick up?

Mr. LAGEMAN. Definitely.

Mr. ENGLISH. So we got the "toughies" out of the way, as far as testing; is that what you are saying? It wasn't the fact that the easy ones were out of the way?

Mr. LAGEMAN. As far as size of targets and low altitude; yes, we definitely got those out of the way.

Mr. ENGLISH. Well, that is helping us with some understanding on that.

Mr. Walker, is there a logistic and maintenance system in place to support the Customs' P-3 aircraft and the F-15 radars?

Mr. WALKER. Yes; there is, Mr. Chairman.

Mr. ENGLISH. Could you explain that to us in general terms? I don't want anything of a technical nature; just general terms.

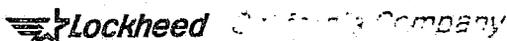
Mr. WALKER. We have numerous agreements in place to satisfy the various requirements of the P-3.

Mr. ENGLISH. Could you provide those for the record, too, so we would have copies of that—or provide it for the file, rather?

Mr. WALKER. We have a rather detailed answer that we can supply you which spells out the various agreements with respect to depot level maintenance, detection equipment, special tools and equipment, spare parts, publications, intermediate level maintenance, and organizational level maintenance, that kind of thing.

Mr. ENGLISH. If you could submit that for the record, I would be happy to have that. I don't think there is any reason to go into detail now.

[The information follows:]



A Division of Lockheed Corporation  
Burbank, California 91520

Refer to: PS/84-17882  
15 October 1984

To: U.S. Customs Service  
Contracts and Procurement Division  
1301 Constitution Ave., NW, Room 1144  
Washington, D.C. 20229

Attn: Diana V. Mukitarian

Subj: Letter Contract TC-84-59, Nonpersonal Technical Representatives  
Providing Assistance to the U.S. Customs Service for the P-3A  
Maintenance Plan; Firm Fixed Price Proposal

Encl: (1) Firm Fixed Price Breakdown with Premises, Basis of Estimate and  
Rate Support Data

1. The Lockheed-California Company hereby submits its firm fixed price proposal for the subject letter contract, in accordance with FAR clause 52.216-26 incorporated by modification 1 (one) thereto.

2. For your ease in review, the following breakdown of prices for the Basic Program and Fiscal Year 1985 option portion of the contract, as well as for proposed follow-on options to continue the services of the two Lockheed representatives ordered through Fiscal Year 1986, are listed below:

<u>DESCRIPTION</u>	<u>PERIOD OF PERFORMANCE</u>	<u>PRICE</u>
Basic Program	9-17-84 thru 9-30-84	
<u>First Year Option</u>	10-1-84 thru 11-30-84	
Total Contract Price		
First Year Second Option	12-1-84 thru 12-31-84	
First Year Third Option	1-1-85 thru 9-30-85	
<u>Second Year Option</u>	10-1-85 thru 9-30-86	
Total Proposed Options Price		
=====		
Grand Total Price		

3. The above prices do not include requirements for emergency purchases of aircraft related parts or supplies and cost reimbursable travel. Such costs will be separately reimbursable in accordance with Sections H-6 and H-7 of the subject contract.

4. The total contract price remains valid through 30 November 1984. Prices for proposed follow-on options remain valid through the beginning date of the respective periods. Please refer to enclosure (1) for additional premises.

571

5. Lockheed's price negotiator for this contract is Ed Negrete. Contact him at (818) 847-2553. Contact Bob Nethery, contract administrator, at (818) 847-5368 if additional information is required.

LOCKHEED-CALIFORNIA COMPANY

  
A. B. Heinrich, Manager  
Supply Division

Copies to: (w/2 copies of enclosure)

DCAA, Burbank, CA  
NAVPRO, Burbank, CA/KR, Irv Lester

ENCLOSURE (1) TO  
PS/84-17882

**LOCKHEED-CALIFORNIA COMPANY**

A Division of Lockheed Corporation

**FIRM FIXED PRICE**

**P-3A ORGANIZATIONAL LEVEL MAINTENANCE  
SUPPORT FOR THE U.S. CUSTOMS SERVICE**

(RFQ 83-42755.6)

THIS DOCUMENT CONTAINS TRADE SECRETS AND COMMERCIAL OR FINANCIAL INFORMATION THAT IS PRIVILEGED OR CONFIDENTIAL. THE DISCLOSURE OF SUCH INFORMATION IS PROHIBITED UNDER THE FREEDOM OF INFORMATION ACT (5 U.S.C. § 552) AND OTHER STATUTE(S) PROHIBITING DISCLOSURE (e.g., 18 U.S.C. § 1905).

<b>AWARD/CONTRACT</b>	1. CERTIFIED FOR NATIONAL DEFENSE UNDER BDSA REG. 2 AND/OR DMS REG. 1	PAYING	PAGE OF PAGES 1   52
2. CONTRACT (Proc. Inst. Ident.) NO. TC-84-59	3. EFFECTIVE DATE See Block 20C	4. REGISTRATION/PURCHASE REQUEST/PROJECT NO. Pr 2124/CS-84-70	

5. ISSUED BY Department of the Treasury U.S. Customs Service Contracts and Procurement Division 1301 Constitution Ave., NW, Room 1144 Washington, D.C. 20229	6. ADMINISTERED BY (If other than Item 5)
---	---

7. NAME AND ADDRESS OF CONTRACTOR (No., street, city, county, State and ZIP Code) Lockheed - California Company 2500 Empire Avenue Department 65-11 Bldg. 170, Extension 53-68 Burbank, California 91520 ATTN: M.R. Nethery	8. DELIVERY <input type="checkbox"/> FOB ORIGIN <input type="checkbox"/> OTHER (See below) 9. DISCOUNT FOR PROMPT PAYMENT NET 30 10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN ITEM G-4
---	--

11. SHIP TO/MARK FOR Air Support Branch Belle Chasse, Louisiana or air support branch field locations as required.	12. PAYMENT WILL BE MADE BY U.S. Customs Service Financial Services Division, Room 7131 1301 Constitution Ave., NW, Washington, DC 202
--	---

13. THIS ACQUISITION WAS (check applicable box(es)) A. ADVERTISED B. NEGOTIATED PURSUANT TO: <input type="checkbox"/> 10 USC 2304(a)(1) <input checked="" type="checkbox"/> 41 USC 252(c)(1)(I)	14. ACCOUNTING AND APPROPRIATION DATA U.S. Customs Service 031104/25.25 S&E 2040602
--	---

15A. ITEM NO.	15B. SUPPLIES/SERVICES	15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT
	<u>Letter Contract</u>			Total Amount	\$89,104 (FY 84 \$36,18 FY 85 \$52,92)
This agreement upon execution by the parties, constitutes a letter contract within the meaning and intent of subpart 16,603-3 of the Federal Acquisition Regulations.					

15G. TOTAL AMOUNT OF CONTRACT ▶ \$ 89,104

16. TABLE OF CONTENTS							
VI	SEC	DESCRIPTION	PAGE(S)	VI	SEC	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE				PART II - CONTRACT CLAUSES			
X	A	SOLICITATION/CONTRACT FORM	1-2	X	I	CONTRACT CLAUSES	18-27
X	B	SUPPLIES OR SERVICES AND PRICES/COSTS	3	PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS			
X	C	DESCRIPTION/SPECS/WORK STATEMENT	4	X	J	LIST OF ATTACHMENTS	28-52
PART IV - REPRESENTATIONS AND INSTRUCTIONS							
X	E	INSPECTION AND ACCEPTANCE	5	X	K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
X	F	DELIVERIES OR PERFORMANCE	5-6	X	L	INSTRS. COMDS. AND NOTICES TO OFFER	
X	G	CONTRACT ADMINISTRATION DATA	7-10	X	M	EVALUATION FACTORS FOR AWARD	
X	H	SPECIAL CONTRACT REQUIREMENTS	11-17				

CONTRACTING OFFICER WILL COMPLETE ITEM 17 OR 18 AS APPLICABLE

17. <input checked="" type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return 2 copies to issuing office. Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the solicitation stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (All documents are listed herein.)	18. <input type="checkbox"/> AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number _____ including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award constitutes the contract which consists of the following documents: (a) the Government's solicitation and your offer, and (b) this award/contract, no further contractual document is necessary.
---	---

19A. NAME AND TITLE OF SIGNER (Type or print)	20A. NAME OF CONTRACTING OFFICER Stanley H. Livingstone
19B. NAME OF CONTRACTOR	20B. UNITED STATES OF AMERICA
BY _____ (Signature of person authorized to sign)	BY _____ (Signature of Contracting Officer)
19C. DATE SIGNED	20C. DATE SIGNED

## STATEMENT OF WORK

The Lockheed-California Company will provide one Airframe and one Avionic Technical Representative to support the operations and maintenance of the U.S. Customs Service modified P-3A aircraft..

The contractor will be required to provide a onetime marked up MRC deck that has been modified in accordance with the changes incorporated into the USCS P-3A aircraft. Delivery of the deck is to be October 15, 1984.

The contractor shall initiate emergency purchases of aircraft related parts and supplies at the direction of the contracting officer or his designated technical representative.

The period of performance will be as specified by the contract.

The Technical Representatives will provide technical guidance and assistance to the USCS Maintenance Officer regarding maintenance and operation of functional systems, excluding the APG-63 radar and APG-63 ancillary equipment and AAS-36 IRDS. This guidance and assistance will be in accordance with Lockheed and applicable military specifications. Typical areas of expertise include but are not limited to: maintenance requirements and methods; interpretation of service manuals/change documents; planning and coordinating the implementation of field fixes and aircraft modifications, and historical failure data.

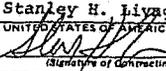
One Technical Representative will be designated as Senior Representative, and will be the focal point for communications and administrative matters between Lockheed and the U.S. Customs Service. The Senior Representative will coordinate working hours and schedule requirements with the U.S. Customs Service Maintenance Officer.

The Lockheed Representatives shall fly with the U.S. Customs Service for the purpose of problem definition/resolution and for transit to various sites in support of the aircraft when required and authorized by the CO, COTR or designated representative.

The U.S. Customs Service will provide adequate office space at the principle base of operation NAS New Orleans, Belle Chasse, Louisiana and office furniture including telephone, desks, file cabinets and book shelves, as these facilities become available to U.S. Customs Service. This space will be private and lockable.

<b>AWARD/CONTRACT</b>		1. CERTIFIED FOR NATIONAL DEFENSE UNDER ROSA REG. 2 AND/OR OMS REG. 1		PAYING		PAGE OF PAGES 1 / 52	
2. CONTRACT (Proc. Inst. 1446) NO. <b>TC-84-59</b>		3. EFFECTIVE DATE <b>See Block 20C</b>		4. ACQUISITION/PURCHASE REQUEST/PROJECT NO. <b>Pr 2124/CS-84-70</b>			
5. USED BY <b>Department of the Treasury U.S. Customs Service Contracts and Procurement Division 1301 Constitution Ave., NW, Room 1144 Washington, D.C. 20229</b>				6. ADMINISTERED BY (If other than Item 5)			
7. NAME AND ADDRESS OF CONTRACTOR (No., street, city, country, state and ZIP Code) <b>Lockheed - California Company 2500 Empire Avenue Department 65-11 Bldg. 170, Extension 53-68 Burbank, California 91520 ATTN: M.R. Nethery</b>				8. DELIVERY <input type="checkbox"/> FOB ORIGIN <input checked="" type="checkbox"/> OTHER (See below)			
9. DISCOUNT FOR PROMPT PAYMENT <b>NET 30</b>				10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN <b>ITEM 6-4</b>			
11. SHIP TO/MARK FOR <b>Air Support Branch Belle Chasse, Louisiana or air support branch field locations as required.</b>		12. PAYMENT WILL BE MADE BY <b>U.S. Customs Service Financial Services Division, Room 7131 1301 Constitution Ave., NW, Washington, DC 20</b>					
13. THIS ACQUISITION WAS (How?) (e.g., base/cell)		14. ADVERTISED A. ADVERTISED PURSUANT TO: <input type="checkbox"/> 10 USC 2304(a)(1) <input checked="" type="checkbox"/> 41 USC 252(c)(1)(i)		15. ACCOUNTING AND APPROPRIATION DATA <b>U.S. Customs Service 031104/25.25 S&amp;E 2040602</b>			
15A. ITEM NO.		15B. SUPPLIES/SERVICES		15C. QUANTITY		15D. UNIT PRICE	
		<b>Letter Contract</b>				<b>Total Amount \$89,104 (FY 84 \$36,1 FY 85 \$52,9</b>	
		This agreement upon execution by the parties, constitutes a letter contract within the meaning and intent of subpart 16,603-3 of the Federal Acquisition Regulations.					
15G. TOTAL AMOUNT OF CONTRACT <b>\$ 89,104</b>							
<b>18. TABLE OF CONTENTS</b>							
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X A	SOLICITATION/CONTRACT FORM	1-2	X I	CONTRACT CLAUSES	18-27		
X B	SUPPLIES OR SERVICES AND PRICES/COSTS	3	X J	LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS	28-52		
X C	DESCRIPTION/SPEC WORK STATEMENT	4	PART IV - REPRESENTATIONS AND INSTRUCTIONS				
O	PACKAGING AND MARKING		K REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS				
Y E	INSPECTION AND ACCEPTANCE	5	L INSTRS CONDNS AND NOTICES TO REFER				
Y F	DELIVERIES OR PERFORMANCE	5-6	M EVALUATION FACTORS FOR AWARD				
Y G	CONTRACT ADMINISTRATION DATA	7-10					
Y H	SPECIAL CONTRACT REQUIREMENTS	11-17					
<b>CONTRACTING OFFICER WILL COMPLETE ITEM 17 OR 18 AS APPLICABLE</b>							
17. <input checked="" type="checkbox"/> CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return 2 copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The terms and obligations of the portion of this contract that is subject to and governed by the following documents: (a) this award/contract; (b) the solicitation, if any; and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)				18. <input type="checkbox"/> AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number _____ including the additions or changes made by you which conditions or changes are set forth in full above, is hereby accepted as to the terms listed above and on any continuation sheets. This award constitutes the contract which consists of the following documents: (a) the Government's solicitation and your offer; and (b) this award/contract. No further contractual document is necessary.			
19A. NAME AND TITLE OF OFFEROR (Firm or Person) <b>LOCKHEED-CALIFORNIA COMPANY A. B. HEINRICH - ATTORNEY-IN-FACT</b>				19B. NAME OF CONTRACTING OFFICER <b>Stanley H. Livingstone</b>			
19C. DATE SIGNED <b>9/17/84</b>		19D. OFFICE SYMBOL AND ADDRESS <b>9/17/84</b>		19E. DATE SIGNED <b>9/17/84</b>		19F. OFFICE SYMBOL AND ADDRESS	

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1.7	TRACT ID CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NO.		3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REG. NO.	5. PROJECT NO. (if applicable)		
1		26/84	2408			
6. ISSUED BY Dept. of the Treasury U.S. Customs Service 1301 Constitution Ave., N.W. Washington, D.C. 20229		7. ADMINISTERED BY (if other than Item 6)		CODE		
8. NAME AND ADDRESS OF CONTRACTOR (Inc., street, county, State and ZIP Code)				9. AMENDMENT OF SOLICITATION NO.		
Hughes Aircraft Company Systems Support Division P.O. Box 9399 Building A1/ MS 4B522 Long Beach, CA 90810-0466 ATTN: A. Smillie						
CODE				10A. MODIFICATION OF CONTRACT/ORDER NO.		
FACILITY CODE				TC-84-12		
				10B. DATED (SEE ITEM 13)		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended.						
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.						
12. ACCOUNTING AND APPROPRIATION DATA (if required)						
Salaries and Expenses 2040602 USCS (FY 1984) 031104/25.53 \$70,000						
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.						
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
XX Changes Clause in Tc-84-12 (Change Order #1)						
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in pay rate office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).						
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
D. OTHER (Specify type of modification and authority)						
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.						
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/item number subject matter where feasible.)						
Reference: Telecon Between Smillie & Lohrli on 9/11/84 "						
The effort to support the P3A/F-15 radar, as outlined in the TWX to HAC dated 9/11/84, is hereby added to Tc-84-12. The Governments total liability shall not exceed \$70,000. The contractor is requested to submit a cost proposal within 30 days of this issuance.						
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.						
15A. NAME AND TITLE OF ISSUER (Type or print)				15B. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
				Stanley H. Livingston		
15C. CONTRACTOR/OFFEROR		15C. DATE SIGNED	15B. UNITED STATES OF AMERICA		15C. DATE SIGNED	
(Signature of person authorized to sign)			BY Stanley H. Livingston		9/11/84	
			(Signature of Contracting Officer)			
NSN 7540-01-182-6076 PREVIOUS EDITION UNUSABLE		30-103		STANDARD FORM 30 (REV. 10-73) Prescribed by GSA FAR (48 CFR) 53.243		

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			SYMBOL CODE	PAGE OF PAGES
2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REG. NO.	5. PROJECT NO. (If applicable)	
1	9/29/84	0146		
6. ISSUED BY Dept. of the Treasury U.S. Customs Service 1301 Constitution Ave., N.W. Washington, D.C. 20229		7. ADMINISTERED BY (If other than Item 6) CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No. street, county, State and ZIP Code)		9A. AMENDMENT OF SOLICITATION NO.		
Hughes Aircraft Company Systems Support Division P.O. Box 9399 Building A1/ MS 4B522 Long Beach, CA 90810-0466 ATTN: A. Smillie		9B. DATED (SEE ITEM 11)		
		10A. MODIFICATION OF CONTRACT/ORDER NO.		
		Tc-84-12		
		10B. DATED (SEE ITEM 13)		
CODE		FACILITY CODE		
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS				
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> it not extended.				
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 9 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
12. ACCOUNTING AND APPROPRIATION DATA (If required)				
Salaries and Expenses 2040602 USCS FY 1984 033803/25.25 \$50,000.00				
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.				
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.				
XX Changes Clause in Tc-84-12 (Change Order #2)				
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(d).				
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:				
D. OTHER (Specify type of modification and authority):				
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.				
14. DESCRIPTION OF AMENDMENT/MODIFICATION: (Organized by UCP section headings, including solicitation/contract subject matter where feasible.)				
CHANGE ORDER #2 is being issued to authorize HAC to procure spares from commercial sources in support of the P3A/P-15 radar effort. The Governments liability under this order shall not exceed \$50,000.00. The Contractor is requested to provide a cost proposal within 30 days of this issuance.				
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.				
15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
		Stanley H. Livingston		
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	15D. UNITED STATES OF AMERICA	16C. DATE SIGNED	
(Signature of person authorized to sign)		BY 		
(Signature of person authorized to sign)		(Signature of Contracting Officer)		
NSM 7240-01-352-8070 PREVIOUS EDITION UNUSABLE		30-105		STANDARD FORM 30 (REV. 10-73) Prescribed by GSA FPMR (41 CFR) 101-11.6

**HUGHES**

**HUGHES AIRCRAFT COMPANY**

 SUPPORT SYSTEMS  
 P.O. BOX 9399  
 LONG BEACH, CA 90810-0399

In Reply Refer To: 84H-CO-57-0044a/F3752-502 5 October 1984

 SUBJ: AN/APG-63 Radar Support, Linebacker Program, Contract  
 Tc-84-12

 TO: Department of the Treasury  
 U. S. Customs Service  
 ATTN: Mr. Kirk Lohrli  
 1301 Constitution Ave., N.W.  
 Room 1144  
 Washington, D.C. 20229

 REF: (a) U. S. Customs Mailgram, dtd 09/12/84 <sup>ES</sup>  
 (b) U. S. Customs Mailgram, dtd 06/26/84

1. In accordance with your request in reference (a) and (b) Mailgrams, Hughes Aircraft Company is pleased to submit herewith an original and three (3) copies of a Firm Fixed-Price Proposal for subject Radar Support.

2. This proposal consists of this letter and the following Attachments:

Attachment I	-	Statement of Work
Attachment II	-	Pricing and Supporting Data
Attachment III	-	Terms, Conditions, and Assumptions

3. This proposal is valid for 120 days from the date of this letter.

4. This Contractor will be pleased to furnish any additional information required in regard to this matter. The cognizant Contract Head is A. A. Smillie, who may be reached at the letterhead address shown above, Bldg. A1, Mail Station 4B522, or by telephoning 213 513-4822.

HUGHES AIRCRAFT COMPANY



 R. A. Needham  
 Assistant Manager  
 Product Line Contracts

AAS:ad

PROPOSAL FOR  
AN/APG-63 RADAR SUPPORT  
LINEBACKER PROGRAM

This data, furnished in connection with the Proposal shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate the proposal; provided, that if a contract is awarded to this offeror as a result of or in connection with the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the contract. This restriction does not limit the Government's right to use information contained in the data if it is obtained from another source without restriction. The data subject to this restriction is contained in ALL PAGES.

## ATTACHMENT I

STATEMENT OF WORK

Hughes Aircraft Company will provide the following technical services:

- I. Program Management for the AN/APG-63, P3 Aircraft, Radar Operational Support and Maintenance Program. Specific tasks will include the following:
  - a. Utilization of engineering laboratories and AN/APG-63, P3 Aircraft Radar in-house support efforts to maintain current technical competence of field personnel on technical matters related to the AN/APG-63, P3 Aircraft Radar.
  - b. Coordination of the AN/APG-63 Radar in-house effort to achieve timely performance as it relates to the total support program.
  - c. Preparation and maintenance of a data system to monitor product effectiveness and to identify trends which may have adverse impact on program performance.
  - d. Monitoring records of maintenance and modification activity to assist in the control of configuration and the quality of maintenance.
  - f. Analyzing and reporting maintenance and performance data from the data collecting reporting system used for technical problems and management visibility.
- II. Field support of the AN/APG-63, P3 Aircraft and for equipment at the various field locations. Manning shall consist of one engineer. Specific field support tasks will include the following:
  - a. Perform scheduled and unscheduled maintenance on the AN/APG-63 installed in the P3 aircraft. Maintenance to be performed on site will be to the organizational or direct support level consisting of alignment, adjustment, preventative maintenance, checkout, and repair necessary to proper operation of the equipment. Repairs to be performed will consist of Fault isolation and fault correction by replacing lowest subassembly consistent with the workload, mission requirements, availability of spares, and the established maintenance concept.
  - b. Submit technical problem and failure reports to home office and U. S. Customs Service and recommend engineering changes to improve the product.
  - c. Advise and assist Government system operator personnel in the operation and tactical utilization of the equipment.

STATEMENT OF WORK  
Continued

- d. Advise and assist Government personnel in determining operational test requirements, determining objectives, planning missions, evaluating performance, and preparing test reports.
  - e. Perform field level modifications as recommended by the contractor and approved by the Customer through the proper engineering change process.
  - f. Participate in mission briefing and debriefing as required.
  - g. Assist the Government maintenance personnel responsible for other systems in resolving interface or integration problems with the AN/APG-63 Radar.
- III. Systems Engineering support of the AN/APG-63 Radar System. Specific Tasks will include the following:
- a. Engineering support to assist in the identification and resolution of problems associated with the AN/APG-63 System.
  - b. Assist in the repair of failed, or suspected to have failed, units which have been returned to Hughes for evaluation and repair.
  - c. Assist in Software Engineering support on an as-required basis. Software modifications will be accomplished as required to ensure compliance with performance capabilities specified by U. S. Customs.
- IV. Conduct On-site Training at NAS New Orleans, Louisiana for the AN/APG-63 System in P-3 Aircraft. Specific tasks and schedule are as follows:
- a. 11 September 1984
    - o Introduction to complete system
    - o Basic Radar review
    - o Performance and slow speed modifications
    - o Radar/Operator interface
  - b. 12 September 1984
    - o Built-In-Test
    - o Preflight
    - o System Configuration, testing and reliability
    - o Sensor demonstration

STATEMENT OF WORK  
Continued

- c. 13 September 1984
  - o Training flight
  - o Hands-on training
  
- V. Coordination and guidance in determining optimum spare parts inventory required to support the AN/APG-63 System.
  
- VI. Support Program Management to provide overall coordination for the logistics support effort. Specific tasks include the following:
  - a. Program direction
  - b. Customer and inter-group coordination
  - c. Monitoring of performance against contract requirements and schedules



DEPARTMENT OF THE TREASURY  
U.S. CUSTOMS SERVICE  
WASHINGTON



REFER TO

FAC-8-01 E:T:A:E

Commanding Officer  
Naval Air Station  
New Orleans, Louisiana 70143

Dear Sir:

Enclosed is the FY 1985 Interagency Agreement, Custom Form 236, for the NAS, New Orleans/U.S. Customs Service Support Agreement.

It is requested that Blocks 12, 16, and 17 be completed, providing accounting data, and name and title of the responsible signatory.

Upon completion of the CF-236, please retain copy 2 (yellow copy) and return copies 1, 3, and 4 to:

Louis Mazza  
U.S. Customs Service  
Budget Division, Rm. 6328  
1301 Constitution Ave., NW  
Washington, DC 20229

Customs greatly appreciates the assistance rendered by the Naval Air Station, New Orleans. Should you require any additional information, please contact the Air Operations Division on (202) 535-9259.

Sincerely,

C. Valerie Hamilton  
Director, Office of  
Financial Management  
and Program Analysis

Enclosure



DEPARTMENT OF THE NAVY  
NAVAL AIR STATION  
NEW ORLEANS, LOUISIANA 70143

IN REPLY REFER TO

7000  
80  
30 Jul 84

From: Commanding Officer, Naval Air Station New Orleans LA 70143  
To: Director, Air Operations Division, U.S. Customs Service,  
1301 Constitution Ave., Washington, D.C. 20229

Via: Acting Branch Chief, U.S. Customs Service, Air Support  
Branch, Naval Air Station New Orleans LA 70143

Subj: ADDENDUM TO HOST TENANT AGREEMENT

Ref: (a) Department of the Treasury, U.S. Customs Service ltr  
FAC-8-01, E:P:A:E of 11 July 1984  
(b) OPNAVINST 4000.84

Encl: (1) DD 1144 with proposed changes to Support Agreement

1. In accordance with reference (a), enclosure (1) is forwarded for signature. This reflects an interim change only, resulting from increased operational commitment and support. In accordance with reference (b), a review will be conducted as part of the regular cycle at least 120 days prior to the agreement anniversary date, to begin no later than 9 March 1985.

  
M. J. LORENZO  
By direction

SUPPORT AGREEMENT		1. DOCUMENT IDENTIFIER ("X" one)			
2. SUPPLIER (Name, Office Symbol & complete address) NAVAL AIR STATION NEW ORLEANS, LA 70143		<input type="checkbox"/> NEW	<input type="checkbox"/> REVIEW NO.	<input checked="" type="checkbox"/> REVISION NO. 1	
		<input type="checkbox"/> TERMINATION	2a. MAJOR COMMAND CODE N00072	2b. SUBORDINATE COMMAND CODE	
GEOGRAPHICAL AREA OR COUNTRY CODE: 3. RECEIVER (Name, Office Symbol & complete address) U.S. CUSTOM SERVICE NEW ORLEANS, LA 70112		3. PRESENT AGREEMENT NUMBER N00206-82179-002		4. TERMINATION DATE (Month and Year) JUNE 1987	
		3a. SUPERSEDED AGREEMENT NUMBER N00206-78228-002		3b. DODAAC/FEDSTRIP NUMBER	
GEOGRAPHICAL AREA OR COUNTRY CODE:		5b. MAJOR COMMAND CODE	5c. SUBORDINATE COMMAND CODE		
6. SUPPORT AGREEMENT RESOURCE SUMMARY					
a. CATEGORY CODES	b. MAN YEARS		c. SUPPLIER		
	MILITARY	CIVILIAN	TOTAL	NON-REIMBURSEABLE	REIMBURSEABLE
AB			Common Service		
AE			Common Service		
AF			1500		1500
AH			Common Service		
AI			Common Service		
AJ			Common Service		
AM			Common Service		
AO			1000		1000
AP			8000		8000
AS			36,000		36,000
AT			5000		5000
AW			7000		7000
AY			1000		1000
AZ			Common Service		
BA			Common Service		
BB			Common Service		
BC			3000	1200	0
BE			3000		0
MA			50,000		50,000
MB			400,000		400,000
TOTAL					
6d. RECEIVER DATA (When applicable, provide similar data required in blocks 5a, b and c) U.S.CS IA1XB50027 / 25.52 APC43345B					
7. SAVINGS ACCRUED/COSTS INCURRED/MAN YEARS SAVED/EXPENDED TO FEDERAL GOVERNMENT					
7a. SAVINGS		7b. COSTS		7c. MAN YEARS SAVED	
FY:		FY:		FY:	
8. FUNDING AND REIMBURSEMENT ARRANGEMENT (Include all details concerning billing/reimbursement procedures, funding institutions, and the appropriate "Billing/submit thru" addresses. Also list those references which specifically pertain to the type of organization being supported.)					

<b>SUPPORT AGREEMENT</b> <small>Agency, Office Symbol &amp; complete address</small>		1. DOCUMENT IDENTIFIER ("X" one)		<input type="checkbox"/> NEW <input type="checkbox"/> REVIEW NO. <input type="checkbox"/> REVISION NO. <input type="checkbox"/> TERMINATION	
		2a. MAJOR COMMAND CODE		2b. SUBORDINATE COMMAND CODE	
GEOGRAPHICAL AREA OR COUNTRY CODE: 3. RECEIVER (Agency, Office Symbol & complete address)		3. PRESENT AGREEMENT NUMBER		4. TERMINATION DATE <small>(Month and Year)</small>	
		3a. SUPERSEDED AGREEMENT NUMBER		3b. DODAAC/PEDSTRIP NUMBER	
GEOGRAPHICAL AREA OR COUNTRY CODE: 5. RECEIVER (Agency, Office Symbol & complete address)		5a. MAJOR COMMAND CODE		5b. SUBORDINATE COMMAND CODE	
		<b>6. SUPPORT AGREEMENT RESOURCE SUMMARY</b>			
6. CATEGORY CODES	3. MAN YEARS		4. SUPPLIER		
	MILITARY	CIVILIAN	TOTAL	NON-REIMBURSEABLE	REIMBURSEABLE
MF			2000		2000
MN			50,000		50,000
SA			1,920,000		1,920,000
SD			Common Service		
ST			1,000,000		1,000,000
TOTAL			3,487,500	1200	3,486,300
6c. RECEIVER DATA (When applicable, provide similar data required in Blocks 6a, b and c)					
<b>7. SAVINGS ACCRUED/COSTS INCURRED/MAN YEARS SAVED/EXPENDED TO FEDERAL GOVERNMENT</b>					
7a. SAVINGS		7b. COSTS		7c. MAN YEARS SAVED	
FY:		FY:		FY:	FY:
8. FUNDING AND REIMBURSEMENT ARRANGEMENT (Include all details concerning billing/reimbursement procedures, funding limitations, and the appropriate "billing/submit to" addresses. Also list those references which specifically apply to the type of organization being supported.)					

DD FORM 139 (REV. 10-66) (Prescribed Form Approved) AND SUPPLYING GENERAL PROVISIONS, as set forth in Chapter III, DOD 4000.10-M, apply to this agreement unless otherwise specified in "Remarks" block below:

- a. The Receiving Activity will provide the Supplying Activity projections of support required to accomplish its mission. Significant changes in the Receiving Activity function, mission or support requirements will be submitted by the Receiving Activity in a manner that will permit timely modification of resource requirements.
- b. It is the responsibility of each agency providing support under this agreement to bring any required or requested change in support to the attention of \_\_\_\_\_ prior to providing/reducing unilaterally such additional/reduced support.
- c. Activities providing reimbursable support in this agreement will submit a monthly statement of costs to Naval Reserve Support Office for preparation of billing document, SF 1000.
- d. Manpower required in support of this agreement which is subject to return to the leading activity upon termination of the agreement: \_\_\_\_\_ (Enter number or if no manpower is required, enter "None").
- e. All rates expressing the unit cost of services provided in this agreement are based on current rates which may be subject to change for uncontrollable reasons, such as Congressional legislation, DOD directives, commercial utility rate increases, etc. The receiver will be notified immediately of such rate changes.
- f. This agreement will be reviewed biennially at least 120 days prior to the anniversary date. It may be revised at any time upon the mutual consent in writing of the parties concerned.
- g. This agreement may be cancelled at any time by mutual consent of the parties concerned. This agreement may also be cancelled by either party upon giving at least 150 days written notice to the other party.
- h. In case of mobilization or other emergency, this agreement will remain in force within supplier's capabilities, subject to normal cancellation provisions and will be subject to review at that time. This agreement will not be terminated if such action impairs the combat mission of the receiving activity as determined by higher headquarters.

## 10. REMARKS

- (a) This reflects an interim change only. It will be reviewed again, as part of the regular cycle, to commence no later than 9 March 1985.
- (b) Funding approved subject to the availability of funds.

11. SUPPLIER CONCURRENCE (Supplier Signature & Date) H. LORENZO, LCDR, USN 21 August 1984		12. COMPTROLLER CONCURRENCE (Receiver Signature & Date) N/A (See below)	
13. NAME AND ORGANIZATION OF SUPPLIER PROVING AUTHORITY C. STECKLER, CAPT, USN Commanding Officer		13a. SIGNATURE C. Steckler	13b. DATE 22 Aug 84
14. NAME AND ORGANIZATION OF RECEIVER PROVING AUTHORITY Wayne Hamilton, Director of Financial Mgmt. & Program Analyst		14a. SIGNATURE Wayne Hamilton	14b. DATE 8/1/84

1. Under item number 4, Description of Tenant, change number of civilian personnel to "approximately 46". ~~44~~
2. Under item number 6, Mission Equipment, change number of vehicles to "approximately 17". ~~14~~
3. Appendix II

Support Function

(MA) Aircraft

Under Tenant Will add: "Provide agreed upon levels of support personnel as required by the Host and approved by higher authority."

(MB) Aircraft Equipment  
& Components

Under Tenant Will add: "Provide agreed upon levels of support personnel as required by the Host and approved by higher authority."

(SA) Aircraft (Supply)

Host Will - Provide logistic support as outlined in attachment (A) and other applicable directives.

Tenant Will - Coordinate logistics requirements in accordance with attachment (A) and applicable local directives published by the host necessary to effectively process requirements.

### Specific Provisions for Logistics Support

1. For purposes of this enclosure, the following definitions apply:

#### Definitions

- a. Agent: The military service that provides supply to a governmental department, bureau, agency, etc.
- b. Principal: A governmental department, bureau, agency, etc., which obtains supply support from a military service.
- c. Initial Support Requirements: Those spares (repairables) and/or repair parts (consumables) required for the initial lay-in at the Principal's operating sites.
- d. Programmed/Replenished Requirements: Those spares and repair parts required by the Principal's operating sites to maintain operating stock levels.
- e. Unprogrammed Requirements: Requirements for any items for initial lay-in at a new or reactivated operating site; or for an increase in operating stock levels, or from items not identified by a National Stock Number (NSN).

#### Specific Provisions

##### a. Budgeting and Funding

(1) Budgeting and funding for initial support requirements, programmed or unprogrammed, will be the responsibility of the Principal.

(2) Budgeting and funding for wholesale lead time stocks for replenishment requirements pursuant to the data provided under paragraph 8b(1) will be the responsibility of the Agent.

(3) Budgeting and funding to reimburse the Agent for the replenishment spares/repair parts provided will be the responsibility of the Principal.

(4) The Principal will furnish funded MILSTRIP/FEDSTRIP requisitions for all programmed requirements.

(5) The Principal will provide appropriate procurement documents, citing obligated funds, for all initial lay-in and unprogrammed requirements.

Accessorial costs incurred by the Agent will be added to the monthly bills submitted by the Agent's issuing/billing activities at a rate of 3 percent transportation charge and a 3.5 percent packing, crating and handling charge for each line item of centrally procured material. For Navy Stock Fund items only, a 3.5 percent charge for packing, handling and crating will be made.

##### b. Reporting Data

(1) The Principal will provide the Agent's Coordinator Representative on a quarterly basis (as of 1 January, 1 April, 1 July and 1 October), the following

program data:

(a) Average number of aircraft operating each month, estimated on a quarterly basis.

(b) Total flying hours expected to be consumed each quarter for each aircraft.

(c) Number of sites operating each model, and number of aircraft at each site, in six-month increments.

(d) In addition to the above; actual, completed flying hours and number of aircraft operating each month will be required on a quarterly basis.

(e) The number of aircraft and/or engine reworks or overhauls scheduled.

(2) The Agent is responsible for the accumulation and recording of demands/usage data to accommodate the resupply of his wholesale stocks.

c. Requisitioning and Issue

(1) Requisition and issue documents will be prepared and processed in accordance with standard Department of Defense (DOD) Uniform, Material Movement and Issue Priority System (UMMIPS), Military Standard Requisition and Issue Procedures (MILSTRIP), Federal Standard Requisition and Issue Procedures (FEDSTRIP), Military Standard Transaction Reporting and Accounting Procedures (MILSTRIP), etc.). The Agent will process the Principal's requisition in the same manner as those requisitions originating within the Agent's own military service.

(2) National Stock Number (NSNs) will be used by the Principal in requisitioning documents. Requirements for items not identified to a NSN will be submitted in accordance with paragraph 8a(5) as unprogrammed requirements.

(3) The Principal's operating sites will submit all requirements to the Naval Air Station Supply Officer at New Orleans and, if unable to fill, requisitions will be passed to the Agent's appropriate cognizant Inventory Control Point (ICP). Material requirements will be provided in accordance with the provisions of paragraph 2b herein.

(4) The Agent's cognizant ICPs will direct the issue of superseding and/or interchangeable items without reference to the requisitioning activity. The Agent's cognizant ICP will not direct issue of substitute items without prior approval of the requisitioning activity.

(5) The Agent and the Principal mutually agree that the MILSTRIP/FEDSTRIP data elements listed in the appendixes (to this agreement) will not be unilaterally changed and that change thereto will become effective 30 days after approval by the Agent and the Principal.

d. Credit/Exchange of Spares (Repairables)

(1) The Agent will furnish repairable support on a credit/exchange basis.

Unserviceable repairables (recoverables) will be turned in for an appropriate credit. The percentage amount of credit may vary by line item. Transportation costs incurred in shipment/turn-in of defective repairables will be borne by the shipping activity. Credits will be allowed only for those items acceptable for USN rework. See Appendix B. Repairables will be turned in to the Supply Officer at NAS New Orleans at the same time that a new item is requisitioned.

<u>Agent's Cognizant ICP</u>	<u>Approximate Credit %</u>	<u>Receiving Activity for Defective Repairable</u>
ASO (2R, 6R, 8R)	65% or the difference between the standard repair cost and a new item.	Refer to current Management List-Navy (ML-N) and Master Repairable Item List (MRIL) (NAVSUP P4107) for item applicability and DOP.

(2) Defective repairables for which a credit allowance cannot be made will be disposed of by the USN receiving activity in accordance with current USN Survey/Disposal Procedures and the shipping activity so informed. No repairable item will be disposed of by the Principal unless directed to by the Agent's ICP.

e. Cataloging. Cataloging functions are not applicable to this agreement.

f. Billing and Accounting

(1) Billings will be prepared by the Agent's issuing/billing activities in accordance with DOD Instruction 7420.12; Subject: Billing, Collection and Accounting, or Sales of Material from Supply System Stocks.

(2) Billing will be submitted monthly in accordance with the Agents billing schedule and will be on a net basis on SF1080. Billings will include complete documentation on all reimbursable issues and credits for turned-in defective repairables accepted for USN rework. As a minimum, documentation will include:

(a) Reimbursable Issues

1. Requisition Number
2. HSN
3. Quantity
4. Unit Price
5. Extended
6. Fund Code

7. Accessorial charge for crating, handling, packing, etc., transportation costs as required by DODI 7510.4 (Uniforms Policy for Charging Accessorial and/or Administrative Costs incident to Issues, Sale and Transfer of Materials, Supplies and Equipment).

**(b) Credits**

1. Applicable shipping document number
2. NSN
3. Quantity
4. Unit Price
5. Credit Allowance
6. Fund Code

(3) **Excess of Credits.** If there should be an excess of credits over debits (reimbursements due the Principal) the Agent's issuing/billing activity shall settle such reimbursements between itself and the Principal's Coordination Representative. USN activities shall adhere to the "Credit Cash Sales" procedures prescribed by the Navy Comptroller (NAVCOMP) Manual, Volume 4, Chapter 3.

**3. Disposal/Excesses**

a. **Incorrect/damaged shipments.** The Agent will provide the Principal full credit for incorrect or damaged shipments for which the Agent is the responsible party. Turn-in of such shipments shall be made to and therefore shall be effected by the shipping activity. These credits will appear on the monthly billing specified in paragraph 8f. DD Form 13458-1 (DOD Single Line Item Release/Receipt Documents) will contain the following notation in block "AA":

"TURNED FOR FULL CREDIT  
INCORRECT/DAMAGED SHIPMENT"

b. **Excesses.** Material provided under this agreement will be the property of the U.S. Customs Service. Any excesses, regardless of the cause for generation thereof, may be returned to the USN through negotiated actions.

**4. Packaging/Marking**

a. All items within the scope of this agreement will be packaged in accordance with requirements established by the Agent. These requirements will be coordinated with the Principal and invoked for both contractual and operational packaging unless the Agent is specifically requested to utilize the Principal's specifications. The principles of minimum tare, cube, and cost consistent with required protection will be adhered to. If the Principal's specification required material is not available in the Agent's supply system, such material will be furnished by the Principal.

b. Unserviceable items returned by the Principal to the Agent's DOP will be provided the same degree of physical protection as required of a serviceable item to prevent deterioration or damage. Reusable Transportation Packing Order (TPO) containers, fast packs and standard packs, will be utilized by the

Principal for shipment of items to the DPO. When required, reusable containers will be furnished by the Agent. Costs associated with replacement of reusable containers will be the responsibility of the Principal.

c. All Shipping containers will be marked in accordance with MIL-STD-129 unless the Principal requires any special markings. If so, instructions will be provided by the Principal to the Agent.

5. Transportation. Mode of transportation utilized will be in consonance with the priority indicator of the requisition/passing order. Any accessorial costs for transportation of material will be indicated in the monthly billings prepared by the Agent's issuing/billing activities in accordance with paragraph 8f(2)(a)5.

6. Resources. Any resources requirements will be processed/provided in accordance with DOD Instruction 4000.19.

7. Security Classification. Project is unclassified.

8. Limitation. This agreement is limited to USN, Defense Logistics Agency (DLA), and GSA managed items needed to support the aircraft utilized to perform the U.S. Customs effort.



## DEPARTMENT OF THE NAVY

NAVAL AIR STATION  
NEW ORLEANS, LOUISIANA 70143

IN REPLY REFER TO  
80:MCL:bw  
7000  
15 Nov 1983

From: Commanding Officer, Naval Air Station New Orleans, LA 70143  
To: Commander, Naval Air Systems Command (AIR 410/A1A), Washington, DC  
Subj: Proposed P3A Customs Configured Aircraft Support Agreement, forwarding of  
Encl: (1) Naval Air Station, New Orleans/U.S. Customs Service Interdepartmental Support Agreement  
(2) Proposed changes to Support Agreement

1. Enclosure (1) is the existing NAS New Orleans/U.S. Customs Service Support Agreement. Enclosure (2) is forwarded as a proposed addendum to this support agreement, reflecting changes to the host/tenant relationship resulting from the increased operational commitment and support.

*M. C. Lorenz*  
M. C. LORENZ  
By direction

Copy to:  
AIMD (CDR Scheider)  
→ Customs



## SUPPORT AGREEMENT

1. DOCUMENT IDENTIFIER ("X" only)		2. NEW <input type="checkbox"/> REVIEW NO. <input type="checkbox"/> REVISION NO. <input type="checkbox"/> TERMINATION	
3. SUPPLIER (Name, Office Symbol & complete address)		2a. MAJOR COMMAND CODE N00072	2b. SUBORDINATE COMMAND CODE
3. PRESENT AGREEMENT NUMBER N00206-82179-002		4. TERMINATION DATE (Month and Year) JUNE 1987	
		3b. SUPERSEDED AGREEMENT NUMBER N00206-78228-002	
GEOGRAPHICAL AREA OR COUNTRY CODE:		5a. DODAAC/FEDSTRIP NUMBER	
5. RECEIVER (Name, Office Symbol & complete address)		5b. MAJOR COMMAND CODE	
U.S. CUSTOM SERVICE NEW ORLEANS, LA 70112		5c. SUBORDINATE COMMAND CODE	
GEOGRAPHICAL AREA OR COUNTRY CODE:			

## 6. SUPPORT AGREEMENT RESOURCE SUMMARY

a. CATEGORY CODES	b. SUPPLIER				
	MAN YEARS		GROSS ADDITIONAL COSTS		
	MILITARY	CIVILIAN	TOTAL	NON-REIMBURSEABLE	REIMBURSEABLE
AB			Common Service		
AE			Common Service		
AF			750		750
AH			Common Service		
AI			Common Service		
AJ			Common Service		
AM			Common Service		
AO			500		500
AP			1,100		1,100
AS			1,500		1,500
AT			1,500		1,000
AW			5,000		5,000
AY			200		200
AZ			Common Service		
BA			Common Service		
BB			Common Service		
BC			1,000	300	200
BE			500		500
BA			1,000		1,000
MB			2,000		2,000
TOTAL					

6c. RECEIVER DATA (When applicable, provide similar data required in blocks 6a, b and c)

## 7. SAVINGS ACCRUED/COSTS INCURRED/MAN YEARS SAVED/EXPENDED TO FEDERAL GOVERNMENT

7a. SAVINGS	7b. COSTS	7c. MAN YEARS SAVED	7d. MAN YEARS EXPENDED

8. FUNDING AND REIMBURSEMENT ARRANGEMENT (Include all details concerning billing/receipts and procedures, funding instructions, and the appropriate "Billing/submit thru" addresses. Also list those references which specifically apply to the type of organization being supported.)



THE NAVY

FORM TO

DDG 4000 (9-4) apply to this agreement unless otherwise specified in "Remarks" block below:

- a. The Receiving Activity will provide the Supporting Activity projections of support required to accomplish its mission. Significant changes in the Receiving Activity function, mission or support requirements will be submitted by the Receiving Activity in a manner that will permit timely modification of resource requirements.
- b. It is the responsibility of each agency providing support under this agreement to bring any required or requested change in support to the attention of \_\_\_\_\_ prior to providing/reducing unilaterally such additional/reduced support.
- c. Activities providing reimbursable support in this agreement will submit a monthly statement of costs to Naval Reserve Support Officer for preparation of billing document, SF 1030.
- d. Manpower required in support of this agreement which is subject to return to the leading activity upon termination of the agreement: NONE (Enter number or if no manpower is required, enter "None").
- e. All rates expressing the unit cost of services provided in this agreement are based on current rates which may be subject to change for uncontrollable reasons, such as Congressional legislation, JOD directives, commercial utility rate increases, etc. The receiver will be notified immediately of such rate changes.
- f. This agreement will be reviewed biennially at least 120 days prior to the anniversary date. It may be revised at any time upon the mutual consent in writing of the parties concerned.
- g. This agreement may be cancelled at any time by mutual consent of the parties concerned. This agreement may also be cancelled by either party upon giving at least 180 days written notice to the other party.
- h. In case of mobilization or other emergency, this agreement will remain in force within supplier's capabilities, subject to normal cancellation provisions and will be subject to review at that time. This agreement will not be terminated if such action impairs the combat mission of the receiving activity as determined by higher headquarters.

10. REMARKS

11. CONTRACTOR OR CONCURRENCE (Supplier Signature & Date)		12. CONTROLLER CONCURRENCE (Receiver Signature & Date)	
S. D. COMBSLAW, LCDR, USN 77482			
13. TYPED NAME AND ORGANIZATION OF SUPPLIER APPROVING AUTHORITY	13a. SIGNATURE	13b.	
F. R. SCHLUNTZ, CAPT, USN Commanding Officer	J R Schlutz		2 June 72
14. TYPED NAME AND ORGANIZATION OF RECEIVER APPROVING AUTHORITY	14a. SIGNATURE	14b.	

## APPENDIX I

## FACILITIES ASSIGNED THE TENANT

A part of Interdepartmental Support Agreement Number NND206-78228-002 between NAS, New Orleans and Air Support Branch, U.S. Customs Service, NAS New Orleans, Louisiana, as of 1 October 1978.

## FACILITIES ASSIGNED THE TENANT

1. TENANT shall have "sole use" of the following HOST owned facility, delineated with legend on Drawing Number PW-803, attached hereto and made a part hereof:

<u>Building Number</u>	<u>OOD Category Code</u>	<u>Building Description</u>	<u>Approx. Sq. Ft.</u>	<u>TENANT Purpose</u>
414	21105	U.S. Customs Hangar	7381	Office Spaces; Aircraft Maintenance

2. TENANT shall have the right to use in common with the HOST all roads, parking areas, and utilities.

3. It is the responsibility of the Tenant requiring an acquisition, construction, conversion, alteration, modification or rehabilitation of temporary or permanent facilities entirely for its own use, to program, obtain necessary authorization, and finance the work involved.

4. Siting of any TENANT facility shall conform with the HOST's station master plan, and will be in accordance with an agreed upon local Standards of design or construction will conform to directives governing the HOST. Exceptions may be made by the HOST to those instances where tactical or operational consideration would not economically justify construction of facilities of higher standards.

5. The HOST will retain plant account and inventory responsibilities for HOST facilities assigned for sole use by the TENANT. Accordingly, existing HOST facilities provided for the TENANT, regardless of sole use of anticipated tenure, will remain on the plant account of the HOST. Responsibility for cyclical maintenance and structural repair will remain the responsibility of the HOST.

6. The TENANT shall have sole use of any facility constructed by TENANT's funds for the duration of the TENANT's requirement. New construction sponsored, authorized, and funded as TENANT source MCON or O&M and built on HOST-owned Class I land, may be transferred to the HOST plant account designated for TENANT's use, or retained as a plant account responsibility of the TENANT. Specific determination will be made on a case-by-case basis, consistent with directives of higher authority. New construction of significant value or specialized nature may remain as a plant account responsibility of the TENANT. Consideration will be given to the requirements that cyclical maintenance and structural repair is a responsibility of the plant account holder (owner). Specific definitions or owner responsibilities for the cyclical maintenance and structural repair of facilities is contained in Appendix III.

7. Prior to the initiation of any major structural change, alteration, or improvement in any HOST owned building, the TENANT shall obtain written authorization and approval from the HOST. All permanent structural changes, additions, or installations accomplished and financed by the TENANT during occupancy shall remain in place at the discretion of the HOST upon vacancy or removal of the TENANT, and shall be maintained at a level of condition comparable with the rest of the building or structure. Structural changes, modifications, additions, alterations, or improvements financed by the TENANT may be removed by the TENANT, at its option, after giving notice of its intent, provided that, if removal is accomplished, the building or structure be returned by the TENANT to its original condition and usability, upon the request of HOST. All construction costs associated with vacating a facility will be borne by the TENANT.

b. This agreement is subject to modification or termination as mutually agreed in accordance with the following:

(1) Request for modification will be forwarded by one party to the other by written notice. Modifications to this agreement will be numbered.

(2) Modification of the intention by either party to terminate the agreement will be by written notice to the other party at least 180 days in advance of the proposed date of termination.

12. APPENDICES: The following appendices are hereby made a part of this agreement.

a. Appendix I - Facilities Assigned the TENANT. This appendix provides a description and plot drawing of land areas and buildings assigned for use by the TENANT.

b. Appendix II - HOST/TENANT Support Provisions. This appendix contains the functional categories of support applicable to this Intra-Service Support Agreement.

PROCEDURES AND INSTRUCTIONS. The HOST and TENANT will maintain procedures and instructions now in effect. Changes affecting the HOST and/or TENANT will be initiated under joint sponsorship.

14. WEATHER SERVICE (BJ): Functional area is not under the command of the Commanding Officer, Naval Air Station New Orleans. TENANT is advised to contact the Officer in Charge, Naval Weather Service Environmental Detachment New Orleans for support in this functional area.

APPENDIX II,

U.S. CUSTOMS INTERDEPARTMENTAL SUPPORT AGREEMENT

<u>FUNCTION</u>	<u>HOST WILL</u>	<u>TENANT WILL</u>	<u>BASIS</u>
(AB) Finance & Accounting	Provide only those financial and accounting services necessary to ensure proper reimbursement for all consumables consumed by the Tenant.	Provide any finance and accounting information and documents required by the Host to support of Tenant requirement.	Reimbursable
(AE) Mail Pickup & Delivery	Provide centralized service for U.S. and yard mail.	Receive U.S. mail at the NAS Post Office and yard mail in the Central Office, NAS Administrative Bldg.	Nonreimbursable
(AF) Custodial	Provide custodial services in office areas to the same extent provided to Host and other Tenant command personnel.	Budget and fund for actual costs. Provide Host with requirements.	Reimbursable
(AH) Fire Protection	Provide structural fire protection services to include fire prevention measures and fire inspections monthly. Provide inspection of Tenant fire extinguishers.	1. Comply with Host evacuation and fire prevention directives.	Nonreimbursable
		2. Tenant to provide ramp patrol for parked aircraft to assure a fire free environment for aircraft and facilities.	Nonreimbursable
(AI) Police Protec	Provide control of access to the Station, vehicle registration, and law enforcement activities for the Station, except in areas occupied exclusively by the Tenant, Provide armed assistance, on request of Tenant, in responding to incidents relating to the protection of government property, aircraft, weapons, building, monies,	1. Provide security as required by appropriate Tenant directives, in those areas occupied exclusively by the Tenant.	Nonreimbursable
		2. Be responsible for and accomplish personnel security actions for Tenant personnel.	Nonreimbursable
		3. Be responsible for Tenant administrative security programs, including responsibility for safeguarding classified information within the Tenant unit.	Nonreimbursable
		4. Operate personnel pass and identification function for the Tenant.	Nonreimbursable
	Provide QO accommodations to Tenant personnel at the standard and with the same requirements as is provided Host personnel. Adequacy of quarters to be determined in accordance with OPNAVINST 11012.2 series.	Comply with Host directives	Nonreimbursable

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<u>FUNCTION</u>	<u>TENANT WILL</u>	<u>TENANT WILL</u>	<u>BASIS</u>
ing	Provide to eligible Tenant personnel on the same basis as Host personnel.	Provide estimate of eligible personnel to be subsisted by Host. Meals will be on a cost sales basis.	Nonreimbursable
(AO) Transportation	Provide maintenance service for Customs automotive equipment on a reimbursable basis for parts and labor furnished by Host.	Budget and fund for material and labor.	Reimbursable
(AP) Utilities	Provide all utility services to Tenant exclusive areas, to include electric power, diesel fuel for standby generator, water, gas, sanitary sewage, and refuse collection. Bill the Tenant monthly for utility consumption by either metering or engineering estimates, which have been mutually agreed to by Host and Tenant approving authorities.	Budget and fund for utilities consumed at the activity utility rate.	Reimbursable
Utility Maintenance	Provide maintenance of service distribution system, and routine inspections of utility services.		Nonreimbursable
Calibration of Precision Instruments	Provide calibration of precision instruments upon request.	Provide qualified personnel or reimbursement for civilian services to the Aircraft Maintenance Department to calibrate precision instruments, including torque wrenches. Negotiate directly with Naval Air Logistics Center for calibration of items beyond the capability of a Type IV facility.	Reimbursable
(AT) Flight Operations	<p>1. Provide airfield operational support and the following services:</p> <p>a. Flight clearance support in accordance with normal field operations.</p> <p>b. Post up-to-date flight and NOTAM information, flight planning data (FLIP), and airfield status data at NAS Operations.</p> <p>c. Tower and GCA operations in accordance with normal field operations.</p> <p>Operation of aircraft crash and fire equipment and salvage equipment as required.</p> <p>Tower and GCA Operations after normal working hours if required for Tenant to accomplish mission.</p>	<p>1. Comply with Host flight regulations and instructions. Furnish advance written notice to Host prior to planning or effecting installation of electronic systems to safeguard against possible interference with existing operations for facilities.</p>	Nonreimbursable
		Reimburse Host for consumable supplies and materials consumed during operation.	Reimbursable

Engineering  
Property

WILL

... immediate... of aircraft either... involved in a... table...  
...ects the...  
...ord nate with Tenant for implementation of respecti...  
...aster control bills, hurricane bills, etc.  
...oordinate with Tenant in making hangar space available...  
for storage of aircraft during hurricane conditions.

1. Provide basic structural maintenance, and normal external cyclical repair for all existing facilities, facilities under construction, and any future construction when completed within the Tenant's Exclusive use area. Any facilities constructed for Tenant use will be carried on the Host Plant Account.
2. Perform additional maintenance/repairs on a request basis, after cost estimates are received and approved.
3. Provide minor construction/improvement/alteration/modification to Tenant exclusive use facilities in accordance with Tenant specifications, and Host concurrence on a request basis, after cost estimates are received and approved.
4. Provide within available resources, facility planning, engineering design, drafting and reproduction, job planning and estimating, and budget planning for recurring/non-recurring work, including contract procurement, military, and minor construction.
5. Provide maintenance of grounds within Tenant exclusive use area as requested.

TENANT WILL

1. Conduct investigations and report all findings in accordance with U.S. Customs regulations.
2. Coordinate with Host for implementation of respective disaster control bills, hurricane bills, etc.

BASIS

Nonreimbursable

Nonreimbursable

Reimbursable

Reimbursable

Reimbursable

Reimbursable

Reimbursable

Reimbursable

Reimbursable

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<u>ITEM</u>	<u>IL</u>	<u>TENANT WILL</u>	<u>BASIS</u>
Y) Administrative Services	printing and reproduction, and photographic services within existing capabilities.	Print and fund for actual costs which can be readily identified.	Reimbursable
*) Information Services	Assist the tenant as required and within station capability on all Public Affairs matters. This assistance pertains to internal and external information projects. This will be in accordance with Host Public Affairs regulations, other directives, and local operating procedures. Maintain a status of close liaison with the Tenant ensuring coordination in close cooperation in all community relations and other related services to Tenant personnel to the same extent as provided Host personnel.	Maintain close liaison with Host Public Affairs Office. Retain approval authority for all media releases pertaining to Tenant personnel and activities.	Nonreimbursable
*) Safety Flight	Coordinate ground safety program for joint use facilities.	Coordinate tenant activities with Host flight safety director. Maintain liaison with NAS Safety Council.	Nonreimbursable
*) Communication Services	Provide cable facilities and instruments for the Tenant. Provide normal station switchboard services and ensure that long distance and toll calls are properly authorized.	1. Make known its requirements. Budget and fund for installations and/or relocations, special equipment, and all long distance and toll calls.	Reimbursable
CMS Material	Provide CMS support to designated Tenant CMS custodian in accordance with Navy regulations. Provide instructions for handling and storage.	Provide Host with list of authorized personnel. Draw authorized allowance of CMS material as a local holder. Store and protect in accordance with Navy regulations.	Nonreimbursable

FUNCTION	HOST WILL	TENANT WILL	BASIS
1 1	Provide on-station material and freight handling. Provide services and material to pack and crate tenant owned material for shipment Provide freight traffic management services in accordance with DSAR 4500.3 Military Traffic Manage- ment Regulations, & DOD 4500.32R, Joint Military Standard Transportation & Movement Procedures (MILSTAMP)	Be responsible for all material and labor cost involved. Provide request for shipment accompanied with appropriate cost as required for completion of Government Bills of Lading.	Reimbursable
Aircraft	Perform intermediate level maintenance labor within station capability when available.	Provide technical assistance as required & within scope of Tenant ability. Submit funded requisitions for material & parts. Arrange for maintenance of peculiar systems beyond the Station capability.	Nonreimbursable
	Provide technical assistance for all Navy owned aircraft within station capability.		
	Provide use of existing washrack on a permission basis. Permission to use washrack will be obtained from Navy.	Notify AIMD of requirements. Obtain supplies for washing aircraft. Reimburse for supplies furnished by Host.	Reimbursable
Aircraft Equipment & Instruments	1. Perform intermediate level maintenance labor within station capability on Navy owned aircraft. Provide check and test services on any assigned aircrafts when available. a. Provide technical assistance for aircraft ejection seats within the station capability. b. Provide complete engine preparation (buildup, conditioning, tear down) & Maintenance within station capability. c. Assemble, balance, disassemble & crate propellers for aircraft within station maintenance capability. d. Fabricate/Manufacture specific items such as hydraulic lines etc. within station capability. e. Provide aircraft communications and naviga- tional systems maintenance within station capability. f. Furnish common ground support equipment (starter generators, jacks, work stands, etc.) for maintenance of aircraft when available.	Provide technical assistance as required and within scope of Tenant ability. Submit funded requisitions for material & parts. Arrange for maintenance of peculiar systems beyond the station capability. Reimburse Host based on actual cost of labor Material will be furnished by Tenant. a. Notify Host when assistance is required. b. Make requirements known to Host. c. Make requirements known to Host. d. Provide plans, drawings and specifica- tions. e. Make requirements known to Host. f. Notify the supplying activity of requirements. g. Make requirements known to Host. h. Deliver items scheduled for calibration to Host prior to calibration date. Arrange	Reimbursable

SUPPORT FUNCTIONHOST WILLTENANT WILLBASIS

of  
re  
le  
d)

Provide services for inspection and repacking machines within station capability. Provide maintenance & repair service of all life support systems and systems within the station capability. Provide within Base/Station capability, calibration of precision instruments. Notify Tenant of due for calibration under the measure program.

for the repair & calibration of equipment beyond Base/Station capability.

(MF) Communications  
Equipment &  
Components

Provide components necessary to effect repair.

Provide bench check surveys for communication equipment and components, and effect repair within Tenant capability. Budget and fund for components and civilian labor furnished by Host.

Reimbursable

Provide bench check surveys for electronic equipment and effect repair within station capability.

Provide all components necessary to effect repair. Budget and fund for components and civilian labor furnished by Host.

Reimbursable

Prepare & process Project LITICKACKER requisitions in accordance with MILSTRIP & COMMIPS procedures. Funding criteria is as follows:

Prepare & submit requisition (DD1348) citing Advice Code 56; turn in document (DD1348-1) citing Project Code ZU2, perpetuating requisition document number with suffix "T"; & maintenance action form (OPNAV 4790/41).

Reimbursable

1. Consumable material is issued at standard unit price plus surcharge.

In addition to requirements in para. 2 above, Nonreimbursable annotate DD1348-1 with D.O.P. obtained from NRIL & the statement "TURN IN FOR CREDIT IAW ISA NAVSUP 424-9-114".

Locally repairable material, including requests for additional repair will be issued at 100% standard unit price & allowing credit of 90% for the non-RFI repair-able being exchanged.

Not locally repairable material will be accepted from the receiving activity accompanied by a turn in document (DD1348-1) & annotate the amount of credit authorized in accordance with NAVSUPSYSCOM Interdepartmental Support Agreement SUP 424-9-114/Treasury TCA-807 & NAVMATINST 4400.21.

Accessorial costs incurred will be added to the monthly bills submitted at the rate of 3% transportation & 3.5% crating & handling charge for centrally procured materials. Only a 3.5% crating & handling charge will be applied for System Support (Stock Fund) items.

SUPPORT FUNCTION

(SO) Ordnance  
Storage/  
Disposal

(ST) Petroleum,  
Oils, Lubricants  
& Chemicals

HOST WILL

1. Provide storage of Tenant pyrotechnic supplies, ammunition, and other ordnance upon request. Storage to be in accordance with Navy regulations. Issue and receipt will be during normal Navy working hours, Wednesday through Sunday, unless prior arrangements are made with the Weapons Division, Aircraft Maintenance Department.

1. Provide normal petroleum products for operation of aircraft and automotive vehicles. Furnish deliveries from the installation POL points to parked aircraft.

TENANT WILL

1. Make requirements known. Provide qualified working party to handle ammunition for issue, receipt, and emergency removal.

1. Notify the supplying activity of requirements. Budget and fund for POL products issued and for civilian personnel overtime costs incurred by the Host in delivering POL to Tenant after field is closed.

IS

Nonreimbursable

Reimbursable

INTERDEPARTMENTAL SUPPORT AGREEMENT FOR THE SUPPORT OF  
THE AIR SUPPORT BRANCH (U.S. CUSTOMS SERVICE) BY THE  
NAVAL AIR STATION, NEW ORLEANS, LOUISIANA

1. **PURPOSE:** The purpose of this agreement is to define the authorities and responsibilities of the Naval Air Station New Orleans and U.S. Treasury Department regarding administrative and logistical support of the Headquarters Region 5, U.S. Customs Service, hereinafter referred to as the Tenant, by Naval Air Station, New Orleans, Louisiana, hereinafter referred to as the Host.

2. **AUTHORITY:**

- a. DOD Manual 4000.19-M dated September 1978.
- b. SECNAVINST 7020.40 - APR 72-3 - JR 37-13.

3. **POLICY:**

a. This agreement is based upon the establishment of functional/funding responsibilities of the Host and/or Tenant prescribed by current directives from higher authority. When changes in these responsibilities are promulgated by superseding directives, this agreement will be amended to reflect such changes, and requests for funding adjustments will be made as required.

b. This agreement will become effective upon signature by both the Commanding Officer, Naval Air Station, New Orleans, Louisiana, and the Interdepartmental Support Agreement Coordinator, Logistics Management Division, U.S. Customs Service.

4. **DESCRIPTION OF TENANT:** The Air Support Branch, U.S. Customs Service, is a unit of the U.S. Treasury Department. This unit consists of approximately 20 civilian personnel.

5. **MISSION STATEMENT:** The mission of the Air Support Branch, U.S. Customs Service, is classified.

6. **MISSION EQUIPMENT:** Various aircraft and approximately 12 vehicles.

7. **FACILITIES:** Real and related personal property tenant exclusive and joint use are set forth in Host-Tenant Real Estate Agreement, NF(R)-35674.

8. **SERVICES, SUPPLIES AND UTILITIES:** The Host and Tenant agree to provide the services, supplies, utilities, facilities, assistance, and data in accordance with Appendix II. The Tenant shall finance the performance of all functions within its mission which are not specifically enumerated in Appendix II. All support furnished by the Host to the Tenant is reimbursable. Aircraft maintenance support is restricted to Navy owned aircraft.

9. **PLANNING REQUIREMENTS:** Tenant will advise the Host relative to changes in station support requirements in sufficient time to permit the Host to respond to these changes.

10. **FUNDING:** Tenant will provide funding document in advance to the Host Comptroller for reimbursable work/services prior to performance by the Host of reimbursable work/services.

11. **REVIEW, REVISION, MODIFICATION, OR CANCELTAT**

a. This agreement shall be reviewed biennially by each party to evaluate its effectiveness and efficiency, and to determine what modifications.

1. Changes in funding levels on Support Agreement - Resource Summary. Estimates based on support of eight aircraft.

<u>Category Code</u>	<u>Total</u>	<u>Reimbursable</u>	<u>Nonreimbursable</u>
AF (Custodial)	1,500	1,500	
AO (Transportation)	1,000	1,000	
AP (Utilities)	8,000	8,000	
AS (Calibration)	36,000	36,000	
AT (Flight Operations)	5,000	5,000	
AW (Engineering)	7,000	7,000	
AY (Administrative Services)	1,000	1,000	
BC (Communications)	3,000	1,800	1,200
BE (Material Handling)	3,000	3,000	
MA (Aircraft)	50,000	50,000	
MB (Equip. and Components)	400,000	400,000	
MN (Electronic Equip. and Components)	50,000	50,000	
SA (Aircraft/Supply)	1,920,000	1,920,000	
ST (Supply-Petroleum, Oils, Lubricants & Chemicals)	1,000,000	1,000,000	

2. Appendix II

Support Function

(MA) Aircraft

Under Tenant Will add: "Provide agreed upon levels of support personnel as required by the Host and approved by higher authority".

(MB) Aircraft Equipment & Components

Under Tenant Will add: "Provide agreed upon levels of support personnel as required by the Host and approved by higher authority".

(SA) Aircraft (Supply)

Host Will - Provide logistic support as outlined in attachment (A) and other applicable directives.

Tenant Will - Coordinate logistics requirements in accordance with attachment (A) and applicable local directives published by the host necessary to effectively process requirements.

Mr. ENGLISH. What is your position on the current law which permits private boat owners not to report to Customs for up to 24 hours after arrival from a foreign port, and then only by telephone? Has the Treasury Department made any request for legislative relief in this area? I know the Commissioner of Customs testified before us that this was something that he thought was a problem.

Mr. WALKER. Yes; we are in the process now—we think it is an excellent idea; that it requires legislation. And right now we are still working on the legislation, refining it and perfecting it. We would expect it to be submitted by the administration in the near future.

Mr. ENGLISH. How important is the availability of tactical intelligence to the accomplishment of your interdiction mission, in your opinion?

Mr. WALKER. It is extremely important. You know, we have—as we have discussed so many times in these hearings, Mr. Chairman—a vast border in this country. We cannot hope to erect a Maginot Line of detection equipment and, given our resource limitations, such as you described earlier today, we have to be selective. We have to pinpoint and target our resources.

So tactical intelligence is absolutely critical both in terms of air interdiction and in marine interdiction. That is one of the reasons why we have undertaken the initiatives we have in improving tactical intelligence, particularly the stationing of Customs analysts and intelligence officers abroad.

Mr. ENGLISH. OK.

I will put you on the spot just a little bit, Mr. Secretary. How good is the tactical intelligence which you receive from DEA at the present time?

Mr. WALKER. Well, I suppose if it were perfect we wouldn't be seeking to put officers in their offices. I have no quarrel with DEA, because DEA's function, as I see it, is to participate, involve themselves in investigations abroad, to try to develop cases and assist other countries in developing cases against drug traffickers.

Institutionally, DEA is not oriented toward looking at the modus operandi of smugglers. That is Customs' basic interest. DEA provides us with intelligence that they deem relevant to Customs' mission. But, in my judgment, it is far better to have the Customs officer there making that judgment, because Customs knows what it wants in terms of that kind of intelligence, and DEA can only speculate. Therefore, we feel that we are much better off if we can have Customs officers performing this mission.

As is always the case between consumers of intelligence and producers of intelligence, the consumers will never say they are getting enough. And I am afraid we are in that position with DEA at the present time, or, I should say, prior to this new initiative—and that is why this new initiative is so important.

Mr. ENGLISH. We have a Customs document that indicates in 1983, of the 212 arrests made, only 2 were the result of prior information.

Mr. WALKER. I can't quarrel with that.

Mr. ENGLISH. OK.

The best detection resources in the world, of course, require good intelligence to maximize their potential, as we pointed out earlier. And now we are bringing all these new resources on line and they are certainly a lot more than the Customs Service has ever had in the past.

Mr. WALKER. Right.

Mr. ENGLISH. However, they will not be perfect. I don't suppose we will ever arrive at the point where we have a perfect system pulled together. But we are hoping that we will have a much improved intelligence operation, of course.

Do you think that, given the new people that you are talking about, and the agreement that has been reached by the Treasury Department with DEA on this matter, that new people that will be put in place overseas—is that going to substantially increase and improve the amount of tactical intelligence that Customs will be receiving?

Mr. WALKER. It will not improve it to the point where we can forget other avenues. We will have to rely on the intelligence community. We will have to rely on the Coast Guard, Coast Guard sightings; continue to rely on regular surveillance techniques.

I can't predict right now how this will work out, but we believe that there is a significant amount of intelligence just sitting beneath the surface in the investigations that DEA conducts abroad that will be useful to Customs. I think that probably after we have this in practice for a period of time—6 months or so—that I could give you a much better answer to that.

Mr. ENGLISH. Earlier this year I went to Puerto Rico and was pretty much amazed at the ease with which drug smugglers could enter there without fear of detection. At that time, the DEA person there estimated that as many as 800 flights a year could be illegally landing there. We have no detection capability facing Colombia, and that is only about 300 miles away. There was no indication of resources being available—interdiction resources being available.

He also said Puerto Rico could be as large a transshipment point as the Bahamas—this is according to the DEA man that was there.

Have we been able to accurately assess the problem? And, if so, how did we do that?

Mr. WALKER. Well, Mr. Chairman, right now the strategic intelligence relative to Puerto Rico that has been generated by Customs' special operations and by DEA is considered to be adequate. We would like to improve tactical intelligence. In that regard, we are in the process of putting in a TPS-44 on to the southwest side of Puerto Rico in an attempt to monitor the area.

We have to take the report or estimate of the DEA SAC down there that 800 aircraft per year come in there with a little bit of a grain of salt. Our experience has not borne that out. But we do recognize that obviously there is trafficking going on in Puerto Rico, and that the potential is very high. And, of course, there is an added problem of Puerto Rico: The fact that it is within the territory of the United States, and once they get to Puerto Rico goods can be shipped by cargo to the United States without being subject to Customs inspection. So we have to be extremely vigilant with respect to Puerto Rico.

Let me conclude by saying that we are on top of this problem. We want to find out exactly what the level of threat is down in Puerto Rico before we just blindly commit resources to the area.

Frankly, my own view is that in addition to the TPS-44, that once we move the operational evaluation of the P-3A down to that area, that that also can be very useful in assessing the threat in Puerto Rico.

Mr. ENGLISH. At this time, do you have a good enough feel for it that you can give us an estimate of what you think the current traffic might be down there?

Mr. WALKER. We don't believe that it approaches the traffic through the Bahamas, but that there is a substantial threat. I can't really give it to you with any more certainty.

Mr. ENGLISH. Is that more from the standpoint of a feel or guess-timate, or do we have strategic assessments that come from DEA or somebody else that would bear this out and give us hard figures to look at?

Mr. WALKER. I would like to ask Mr. Lageman to comment on this in terms of any special operations that Customs may be aware of on this.

Mr. LAGEMAN. One of the biggest problems, as Mr. Walker just mentioned, is we don't have a southern-looking radar, and that is why our TPS-44 will provide us, I think, some long-term ability to look south.

Mr. ENGLISH. When will that be installed?

Mr. LAGEMAN. It is really there. We are waiting for one telephone line now, I believe. It is there. It has the ability to be used now currently in a portable mode, but we want to hard-site it making it a little more permanent. We are in the process of selecting two pilots, and we had already identified an aircraft that would be transferred to Puerto Rico but we came on to serious engine problems with it, so we are in the process of selecting another aircraft. It will be twin engine and will be able to respond to targets from the radar plus assist the other Customs officers there.

Mr. ENGLISH. It is also my understanding, Neil, that the Customs Service has made a decision not to buy more spare parts for the TPS-44's; is that correct? Will that be the exception, or what?

Mr. LAGEMAN. That was the decision of early 1983. I think we will not only continue with the use of our TPS-44's but we will ask DOD for some assistance in some of the enhanced 44 portable-type radars. It is an active gap filler and we will continue to use it.

Mr. ENGLISH. Thank you.

Is DEA providing assistance in developing that strategic assessment?

Mr. LAGEMAN. No more than the very viable threat they have provided for the NNBIS Joint Surveillance Committee. The strategic intelligence DEA will provide has always been, I think, adequate. It is the tactical intelligence that lacks so much. I think DEA is reassessing their 800 flights, annual flights.

Mr. ENGLISH. As I understand it, that is our only strategic assessment from DEA—roughly 800 flights into that area. If I understand what you are saying to me, as of this point at least we don't have any other intelligence information, tactical, strategic, or anything else, that would in effect say that is wrong—you don't think it is right—but would in fact show that that is wrong and demonstrate that it is wrong. And until we get some results off the TPS-44 or get the P-3 with the F-15 down there to make an assessment, we really don't know; we are guessing.

Isn't that right?

Mr. LAGEMAN. That is true, with the exception that last fall—from the summer through late last fall, we had three ongoing special operations with extensive southbound detection, and we were not able to substantiate anywhere near the DEA figures, so we feel that there is a general downtrend. But I think the P-3 and TPS-44 are going to—and the location, Puerto Rico, is in itself always going to be a threat.

We are going to be prepared, and hopefully through the Coast Guard coverage with their aerostats and with the P-3 we will all have a better look at what we have.

Mr. ENGLISH. If I remember, that particular evaluation was preceded by a great deal of press activity stating that this evaluation was taking place, and in fact we had members of the media out taking pictures of the setting up of where the radars were before they got operational. Isn't that true?

Mr. LAGEMAN. There was some leakage. We had two others. One preceded that operation, and one after it.

Mr. ENGLISH. OK.

Staff just pointed out to me we also had similar special operations in Florida where we didn't come up with anything. I don't think anyone would say there is nothing coming into south Florida. I think the point is, what we need is a real hard look at Puerto Rico.

Mr. LAGEMAN. No question about that.

Mr. ENGLISH. And just find out the problem we are dealing with.

I agree, we shouldn't be shifting resources around willy-nilly on the basis of a guess. We need to get good, hard information both from a strategic and tactical viewpoint before we proceed.

I am very delighted to note that Senator DeConcini has joined us. Senator, it is always a pleasure to have you join us on this side of the Hill, and we would be happy for any statement you care to make or any questions you care to ask Secretary Walker.

Mr. DECONCINI. Thank you very much, Mr. Chairman.

I really think I should give up one of my committees on the Senate side and make application to be part of your committee. You have been kind enough to invite me here. I appreciate this opportunity to be here and to hear the testimony of the administration. Mr. Chairman, indeed, you are a legend on the issue we are

discussing here today and have discussed for some time. I am talking, of course, about drug interdiction.

I also want to thank Secretary Walker for his diligence. I know a little of what he has been through over the past many months, trying to put together a comprehensive drug interdiction policy at Treasury. There is no need to wash laundry, either, but I appreciate that effort, Secretary Walker, and the struggle you have gone through.

I was not here for your testimony, but I have had the chance to read most of it. I am deeply appreciative of the fact that it appears that we are all on the same team now, and it is encouraging that we now have a quarterback, a fullback, linemen, and a commitment. We certainly have plenty of fans. We certainly have the same objective.

That is one of the most encouraging things that has happened over the 2 years that Congressman English and I and others have been working at this drug interdiction effort. The administration has been most helpful.

General Tice, who is in the audience, too, deserves great credit on behalf of the Defense Department for his willingness to get in and roll up his sleeves and do what needs to be done.

Just a couple questions, Secretary Walker, if I could. Your statement says that Customs will acquire the five additional P-3A aircraft from DOD at such time as the prototype demonstrates its operational capabilities.

My question is, has Customs requested from main Treasury, or has Treasury requested from OMB, the funds for the modification of the next P-3's in the 1985 or 1986 budget? If so, how much does that amount to? If not, when do you intend to do it?

Mr. WALKER. The funds have been or are in progress, I believe, in the 1986 budget, which has not yet been approved through the Department. But I don't have the specific numbers in front of me at the present time, but I would be happy to supply what our estimates are for those costs.

Mr. DECONCINI. Would you, please? You intend to have funds for the next P-3's in the 1986 budget?

Mr. WALKER. We intend to keep budgeting for the P-3 whatever that number is.

Mr. DECONCINI. Thank you.

On this same subject of the fiscal year 1986 air program, I am informed Treasury may be asking for a major budget enhancement for the Customs air interdiction budget for fiscal year 1986. That would be welcome news from this Senator.

Could you tell us what interdiction enhancement you may be requesting from OMB? I know you can't reveal the dollars and what have you, but is that correct, that that is seriously under consideration?

Mr. WALKER. Yes, it is; this is really the purpose for the SRI study that is underway now at the present time. We are not in a position right now to predict the outcome of that study. We hope to have some information in October. But we have asked SRI to look comprehensively at resources over the long term. This could entail substantial budget increases for 1986.

One of the options that might be considered is whether the F-15 radar is the appropriate radar for, if not this generation of P-3's, maybe for the second generation of P-3's. Maybe we ought to go to a 360-degree radar. All I am saying is that that is an option. We are not pressing for it, but we have asked SRI to look at all aspects of this.

Mr. DECONCINI. I thank you, Mr. Walker.

I know yesterday in Las Cruces, NM—

Mr. WALKER. I might mention one other thing. We currently have an understanding with OMB that we may be coming in for as much as a 45-percent enhancement for 1986, which would be approximately \$20 million above our current level.

Mr. DECONCINI. Thank you, Mr. Walker. That is encouraging.

Yesterday in Las Cruces, NM, holding hearings there with the Appropriations Committee with Senator Abdnor; Senator Domenici, chairman of the Budget Committee joined us, and made a very strong statement that though there was certainly responsibility on Congress and the administration to do something about the deficits, to nickel and dime the drug enforcement effort was one of the biggest mistakes. And he is a key member of the leadership on the Senate side and said he would do all that was necessary to see that the funding was there for the drug interdiction program. I was encouraged to hear that.

Mr. WALKER. That is encouraging, indeed.

Mr. DECONCINI. You are talking about a \$20 million or \$25 million enhancement versus a \$178 billion deficit. We are just talking about a small amount of money in that respect, but this is toward a most important effort.

We have all spent the better part of a couple years here struggling back and forth, and it appears we are all onboard and have all made some changes and sacrifices. The tenacity of Chairman English is so outstanding that I think all of America owes him a great debt of gratitude.

Now that we are all talking the same language, what institutional structures, both management and deployment, have you established in main Treasury—not Customs; in main Treasury—to support the new Customs air program and plan ahead for the new wave of P-3's and a second complement of assets that may be coming along the line after this one is firmly in place?

Mr. WALKER. Essentially, we have taken existing personnel and existing offices and worked and sought to mobilize them in the effort.

I would like to introduce to you Treasury's Assistant Secretary for Administration, Terry Golden, who is also active and instrumental in our effort.

Terry, would you be acknowledged?

Mr. Golden is working very closely on all the administrative budgetary aspects of the air program. He works very closely with my office in this regard and is fully supportive of our efforts. And in my office I have several full-time positions dedicated to this. So that is essentially the—but my office is the focal point.

Mr. DECONCINI. Can I interpret that that may be part of the structural part of Treasury—not just totally Customs—now that

you are adopting 14 of the 18 recommendations, that we are going to see more emphasis right at main Treasury?

Mr. WALKER. That is correct.

Mr. DECONCINI. Thank you.

Thank you, Mr. Chairman, very much.

Mr. ENGLISH. Thank you, Senator, it is always a pleasure to have you over here on this side of the Hill. Please, be welcome to join us at the present time, at any time.

Mr. Secretary, it would seem that we would need to be a little more aggressive in the installation of transponders and beacons on suspect aircraft and boats. Do you have any plans in that area, any thoughts about what could be done in that area?

Mr. WALKER. Yes; as far as Customs strategy is concerned where we have intelligence or have reason to believe that aircraft are engaged, we would seek to use transponders. But, more broadly, we feel that there is a real need for some rethinking of whether planes coming into the country all ought to be squawking a code on a transponder. In fact, this is one of the items that has been under consideration by the Joint Surveillance Committee.

Mr. ENGLISH. This is what I will be talking to our next witness about, that very item. I think it is an excellent point. Anything that we can do to simplify the identification of the drug smuggler obviously will substantially enhance the system.

Mr. WALKER. In our internal reviews, we have gone so far as to think of mandating transponders on planes with a fixed code for each plane. That would cost, we estimate, something like \$300 million to do, and that would be a burden imposed on the private sector. Changing the four digits to six or eight digits would actually accomplish that. And we have even considered that. But that may not be necessary to go that far because many planes are not engaged in this traffic, and of course that would be a substantial burden on the private aviation industry.

But stepping back from that, which would be to provide an absolute guarantee, if an individual transponder were mandated on every aircraft in this country, at least I think we ought to be considering mandating a prescribed assigned code squawking whenever a plane enters or leaves this country.

Mr. ENGLISH. Well, what I was referring to—I think that that is a very good point and very valid one—I have a difficult time understanding why a plane entering the ADIZ, for instance, should not be required to have a transponder that is squawking, and that would help a great deal if that were a requirement in filtering out the traffic coming from the Bahamas or elsewhere. I am also talking about covertly installed transponders and beacons. That, too, would greatly simplify the problem if we had those.

Mr. WALKER. Yes.

Mr. ENGLISH. More active use of covert transponders and beacons installed on boats and aircraft to identify suspects as they come in.

Mr. WALKER. Yes.

Mr. ENGLISH. I understand.

The Stanford Research Institute has been placed under contract by you to study the interdiction problem.

What criteria have they been given, and how long before you expect that they will provide a report? And what do you expect to do with it once you get it?

Mr. WALKER. Well, the criteria are really lengthy, and I would be happy to provide a set of criteria to the committee.

Mr. ENGLISH. We would appreciate that.

[The information follows.]

## Air Interdiction Program

### Statement of Work

This statement of work provides for a comprehensive review of the air interdiction program of the U.S. Customs Service and its effectiveness in stemming the flow of illegal drugs into the country. In addition, the study will assess the marine program.

### Background

#### Air Program:

The major goal of the U.S. Customs air interdiction program is to stem the increasing flow of drugs into the United States by: (1) detecting and apprehending persons involved in the smuggling of contraband by private aircraft; and (2) providing aviation assistance to land and marine interdiction efforts as well as those of other law enforcement agencies.

The U.S. Customs air program began in 1968, when Congress authorized Customs to begin using aircraft to assist in combatting drug and narcotics trafficking. At that time intelligence indicated that smugglers had begun to use light, private aircraft as a means of border penetration, particularly along the southern coast.

At first, the role of Customs aircraft was limited to the support of investigations dealing with narcotics and contraband smuggling by land and sea. Over the 1970's, the Service acquired aircraft with greater capabilities and moved toward an interdiction program. For the most part, the Service's equipment during this period was suitable only for a "hot" interdiction strategy, relying on intelligence leading to court-ordered covert electronic tracking device installations and on close cooperation with other federal, state, and local law enforcement agencies. By the end of the decade, it became clear that greater reliance on a "cold" strategy, as well as increased priority, was necessary in order to make the air program effective.

Over the last several years, the Customs Service has developed a more comprehensive air interdiction strategy, including enhancing available equipment and resources. The backbone of this strategy is the detection of intruding aircraft and identification of them as potential smugglers. To facilitate this detection, the Service uses strategic and tactical intelligence. Once a detected target is classified as "suspect," a suitably equipped intercept aircraft is launched for intercept and tracking. The final phase of the strategy is apprehension, the actual seizure of contraband and arrest of suspects.

Concerning current equipment, as of May 1984 the Customs Service has the following equipment available for detection purposes:

- o airborne radar (E-2 and AWACS surveillance by the Department of Defense, primarily in the Southwest and Gulf Coast Areas);
- o fixed radar (FAA/NORAD radar facilities);
- o transportable radar (TPS-44 and similar mobile radar positioned where the smuggling threat is greatest);
- o Unattended Border Alert Surveillance Systems (UBASS) (located in the Southwest and Southeast United States, UBASS detects aircraft which have had a transmitting device installed); and
- o tethered balloon-borne radar (SEEK SKYHOOK located at Cudjoe Key and Patrick AFB, Florida, used to detect low-flying aircraft evading conventional ground radar).

For interception and tracking, the Customs Service currently has the following:

- o two interceptor aircraft, Cessna Citation II jet aircraft, located at Miami Air Support Branch. A Cessna Citation I, with more limited capabilities, is stationed at Tucson.
- o seven tracker aircraft, five King Air turboprops (Miami, San Antonio, El Paso, Tucson, and New Orleans) and two Mohawks (Jacksonville and Houston). All are equipped with infrared sensors, the King Airs with infrared detection systems and the Mohawks with forward looking infrared.
- o occasional assistance from the U.S. Marines, who provide tracking during special operations, using OV-10D tracker aircraft equipped with forward looking infrared.

For apprehension, the Customs Service has eight helicopters, four Cobra (Houston, El Paso, Tucson, and San Diego) and four Black Hawk (Miami, Jacksonville, and New Orleans) all on loan from the Department of Defense.

Several near-term enhancements are planned in the equipment area. A tethered aerostat will be located in the Bahamas starting in Fiscal Year 1985. The Customs Service will lease four intercept aircraft beginning in early Fiscal Year 1985. In addition, eight P-3 aircraft, equipped with F-15 radar, have been requested from the Department of Defense. Contingent on successful testing, delivery will start during Fiscal Year 1985.

Longer-term enhancements are also under consideration. The Customs Service is proposing establishment of two Regional Operational Command Centers, at March and Tyndall Air Force Bases. Also, during Fiscal Years 1986 and 1987 the Service hopes to obtain 13 C-12 tracker aircraft from the Department of Defense and four additional Black Hawk helicopters.

To date, several evaluations of the air program have occurred. The most recent was conducted in the summer of 1983; a Blue Ribbon panel, operating under a contract with Hadron, Inc., prepared an overall assessment of the program. The panel reviewed such areas as aviation infrastructure; command and control; surveillance; intelligence; suspect aircraft sorting; security and communication; relationships with the Department of Defense; and performance and reporting.

This study, however, focused on developing performance requirements for the air interdiction program, and did not attempt to measure the deterrence impact of an enhanced air program.

By all available measures, the drug threat posed by airborne smugglers remains high. To illustrate, in September 1982 the Customs Service estimated that 1.4 million pounds of narcotics would enter the United States in 1983 by air. The study also estimated that the Southeast and the Southwest would receive approximately 90 percent of the total contraband smuggled in 1983 by private aircraft.

The total drug contraband in 1983 was estimated to include:

- 40,157 pounds of cocaine valued at over \$12 billion brought in on 149 to 299 flights;
- 1.3 million pounds of marijuana valued at over \$1 billion brought in on 596 to 1,194 flights;
- 88 pounds of heroin valued at \$52 million brought in on 24 flights; and
- 10,000 pounds of dangerous drugs, principally methaqualone, valued at \$5 million brought in on three to six flights.

In general, the contraband smuggler uses a propeller-driven fixed wing aircraft. He flies under visual flight rule conditions at an altitude from 100 feet above ground level to 18,000 feet above mean sea level with a true air speed from approximately 110 to 320 knots. Ninety percent of the suspected aircraft are estimated to have an air speed capability under 210 knots. The majority of smuggling flights are made under cover of darkness without using navigation lights with penetration of the border at low altitudes.

Against this threat, Customs operations produced 250 arrests and the seizure of 87 aircraft in FY 1983. Drugs confiscated included 3,782 lbs. of cocaine, 124,931 lbs. of marijuana, and 86,836 units of other drugs.

#### Marine Program:

The Marine program was instituted in 1974 when Customs Service managers perceived the rapidly expanding smuggling threat from waterborne conveyances. A 1979 study by SRI International concluded that there are approximately 15,000 vessels used for smuggling with approximately 2,700 vessels dedicated solely to smuggling. The study further concluded that these vessels are responsible for carrying 18 million pounds of marijuana, 17,500 pounds of cocaine and 350 pounds of heroin annually.

The Customs Service patrol fleet currently comprises approximately 102 boats in 51 different locations. The vessels used vary from high performance boats to yachts, as well as lobster and shrimp boats used for surveillance.

During Fiscal Year 1983, the Marine Program accounted for seizures of narcotics valued at more than \$5 billion and other contraband valued at more than \$60 million. The narcotics seizures included 83.1 pounds of heroin, 11,666 pounds of cocaine, and 2.2 million pounds of marijuana.

The Customs Service has recently developed a new approach to marine interdiction organized around the concept of marine modules. The Service has established two modules, at Fort Myers and Fort Lauderdale, Florida and hopes to add as many as 26 more through Fiscal Year 1990.

Each marine module will include at least one radar platform vessel and two interceptor vessels. The platform ship will be a pleasure craft type or a work/crew type vessel from 50 to 60 feet in length. The interceptors will be high performance racing type boats in the 30 to 40 foot range. The platforms will be equipped with sophisticated radar capable of tracking 10 suspect vessels and with equipment capable of communicating with Customs Service stations and aircraft and Coast Guard vessels and stations. The platform vessels will be deployed based on intelligence and, once a suspect vessel is detected, will direct the interceptors. The interceptors will either intercept or track the suspect vessel with continued support from the platform vessel.

Tasks to be Performed**Air Program:**

The contractor will conduct a comprehensive assessment of the air program, including:

1. Assessing the likely impact in terms of aircraft intercepted, tracked or apprehended, of each of the following aircraft types under current operating conditions over the period of a year:

Interception: Cessna Citation I, Cessna Citation II  
 Tracking: King Air, Mohawk, C-12, Merlin  
 Apprehension: Black Hawk, Cobra, S-76

The assessment should indicate the principal factors controlling or limiting the capability of each type of aircraft.

2. Assessing the likely impact, in terms of aircraft apprehended, aircraft seized and pounds of specific drugs seized (cocaine, marijuana, heroin, and dangerous drugs) over the period of a year of the five configurations of aircraft detailed in attachment A and of other configurations to be determined by the Department and the contractor.

The assessment should indicate the principal factors controlling or limiting the impact of each configuration.

The assessment should also indicate the likely deterrent effect of each of the configurations.

These impacts should then be related to the nature and extent of the known and projected threat of drug smuggling by air.

- 2a. Assessing how much of the likely impact of each configuration is attributable to air interdiction activities and how much is related to air support of other Customs Service interdiction efforts, particularly the Marine program.
- 2b. Assessing how the likely impact of each configuration would be effected by:
  - \* changing the base location of the aircraft; and
  - \* changing the percentage of effort devoted to air interdiction activities versus air support of other Customs Service interdiction efforts.

2c. Assessing how the likely impact of each configuration would be effected by:

- \* adding two Regional Operational Command Centers;  
or
- \* enhancing the capability of the existing command centers.

The Mitre Corporation is currently conducting an assessment of the ROCC proposal on behalf of the Customs Service.

3. Identifying the optimum mix, in terms of pounds of narcotics seized over the period of a year, of air interdiction activities and air support of other Customs Service interdiction activities.
4. Identifying the optimum ratios, in terms of pounds of narcotics seized over the period of a year, of interceptor aircraft to tracking aircraft to apprehension aircraft.
5. Making recommendations to the Department and the U.S. Customs Service concerning the future directions for the program, including advising on appropriate roles for the various federal agencies involved in the effort.

--- These recommendations will be based on the analyses described above, and will take into account cost/benefit considerations, as well as existing organizational and personnel considerations.

The assessment will consider, at a minimum, the following:

1. existing data and information concerning the flow of illegal drugs into the country, including:
  - point of origin of the illegal drugs;
  - mechanisms for transporting these drugs into the country (i.e., land, sea, and air borders);
2. current and planned equipment resources of the U.S. Customs Service;
3. alternative air program configurations, as agreed to by the Department and the contractor;
4. cost/benefit considerations; and
5. current organizational and staffing capabilities.

**Marine Program:**

The contractor will conduct a comprehensive assessment of the marine program including:

1. Assessing the likely impact, in terms of vessels apprehended, vessels seized and pounds of specific drugs seized over the period of a year of (1) the current equipment, locations, and strategy; and (2) additional marine modules.

The assessment should indicate the principal factors controlling or limiting the impact of the options assessed.

The assessment should also indicate the the likely deterrent effect of the options assessed.

These impacts should then be related to the nature and extent of the nature and extent of the known and projected threat of drug smuggling by sea.

2. Making recommendations to the Department and the Customs Service regarding future directions for the program, in the same terms and on the same basis as the recommendations regarding the air program described above.

**Sources of Information**

The U.S. Customs Service will provide a list of over 100 documents that will describe and assess various aspects of the air program. It is expected that the contractor will already be familiar with a significant portion of these documents.

In addition, it is expected that the contractor will interview various individuals and organizations associated with the program, including not only Customs' field and headquarters staff but also appropriate Congressional staff and offices, Treasury personnel, and officials in the Department of Defense, White House and the executive branch.

**Deliverables**

The contractor will deliver a written report detailing its findings and recommendations. The contractor will also provide oral briefings concerning the findings to the Deputy Secretary, Assistant Secretary (Administration), Assistant Secretary (Enforcement and Operations), and Commissioner, U.S. Customs Service.

Mr. WALKER. The basic questions are: What is the proper configuration of resources over the long term given improvements in technology that are with us today and maybe with us in the future of interdiction resources, both air, marine, and land, in order to properly address the interdiction threat?

Second, which agencies of Government are best suited to manage these resources, all these resources, and they may be developed over time?

We are looking at radar advances generally. We are looking at different kinds of configurations of interception and tracking and apprehension of vehicles.

Mr. ENGLISH. I believe the last time Customs got a Stanford research report was in 1979. There hasn't been much more done with that now other than it being allowed to gather dust.

Can we be assured that the information provided from this report will be used?

Mr. WALKER. Yes; we are, in effect, holding our budget open, if you will, for 1986 in order to do the kind of review of the studies that are currently underway in time for the next budget cycle. We intend to fully incorporate the findings of the studies into our thinking in the Department immediately.

Mr. ENGLISH. That is very encouraging.

I have just one last question here, Mr. Walker. As far as the Department of the Treasury is concerned, who has the responsibility of detection for low-level airborne drug smugglers entering the United States?

Mr. WALKER. Customs has the responsibility, primary responsibility for detection. Customs must define the requirements for detection and must acquire detection targets. That is not to say that Customs is the sole agency for developing detection targets. Indeed, if I were to make that statement we were afraid we might lose the valuable assistance we get from everyone else. We want to keep everyone's feet in the ring in providing detection targets to us.

As matters presently stand, we are fully active in acquiring these detection targets and will, as far as I can see in the foreseeable future, continue to do so.

Mr. ENGLISH. Are you concerned about the \$10 million issue that I raised earlier with Captain Schowengerdt and with General Tice?

Mr. WALKER. I am. We definitely don't want to see any diminution in military surveillance coverage. Indeed, we have met with the DOD to review their readiness contentions, and we want to make sure that at all times, to the extent that air surveillance is not affecting readiness, that it is provided to us. So, naturally, if there are any budgetary questions arising in that area, we are concerned about it.

Mr. ENGLISH. Very good.

I want to thank you very much, Mr. Secretary. I appreciate your testimony here today. And, as I said, you brought us some good news, and in this particular effort it is extremely encouraging when we hear good news. I think that you have given the country a reason for encouragement in this area, that we can do something about stopping the flow of drugs into this country, and that this Nation's Government, the Congress, and the administration are

getting serious about it and are going to deal with it. So that should be good news for the Nation.

Mr. WALKER. I think so, Mr. Chairman.

I again want to thank you and other members of the committee, Senator DeConcini, and members of your staffs, for the work you have done. I also want to mention that we in the executive branch are fully committed to this effort, and that when it comes to drug law enforcement and smuggling of drugs, in particular, there is the highest degree of cooperation between agencies, more than has been seen in the executive branch at any time before. I have nothing but kind words for the cooperation provided by other agencies involved—the Defense Department, the FAA, the Drug Enforcement Administration, the Coast Guard, NNBIS—all of whom have mobilized to meet this challenge.

I think the spirit of cooperation over the years has to be maintained and encouraged if we are to successfully meet this threat. I would hate to see a time occur when, for some reason, agencies or bureaucracies slip back into more parochial attitudes about this. It is a problem that is much too large to be addressed by any single agency.

We simply have to mobilize all the resources at our command in all the agencies that possess the resources if we are to meet this threat.

Mr. ENGLISH. Thank you very much, Mr. Secretary.

Our last witness is Mr. Anthony J. Broderick, Deputy Associate Administrator for Aviation Standards of the Federal Aviation Administration. I believe Mr. Broderick will be accompanied by Raymond J. Van Vuren.

I want to welcome both of you here. We would be happy to hear your testimony.

**STATEMENT OF ANTHONY J. BRODERICK, DEPUTY ASSOCIATE ADMINISTRATOR FOR AVIATION STANDARDS, FEDERAL AVIATION ADMINISTRATION, ACCOMPANIED BY RAYMOND J. VAN VUREN, ASSOCIATE ADMINISTRATOR FOR AIR TRAFFIC**

Mr. BRODERICK. Thank you very much, Mr. Chairman.

I am Anthony Broderick, FAA Deputy Associate Administrator for Aviation Standards. Among the offices reporting to me is the Office of Civil Aviation Security, which is the FAA's focal point for our efforts in support of those Federal agencies which have responsibilities for drug interdiction.

With me today, as you indicated, is Raymond Van Vuren, Associate Administrator for Air Traffic, who is responsible for overseeing air traffic operations throughout the country.

We appreciate the opportunity to appear before the subcommittee to describe the FAA's efforts to assist in combating the illegal carriage of drugs by air. As the members of the subcommittee are aware, the FAA is charged with the responsibility of fostering aviation safety. We are a technical agency rather than a law enforcement agency. Nevertheless, we have a serious concern with illegal drug trafficking because, apart from general social concerns, it can adversely impact aviation safety.

Those who transport drugs by air typically have little regard for the safety of others. The profits to be made from illicit drugs apparently outweigh for many of them the risks associated with poor safety practices. Contributing to that is the fact that profits from drug smuggling may substantially exceed the expense associated with replacing an aircraft used for transporting those drugs.

In terms of an impact on safety, we have found that aircraft may fly low or without lights to avoid detection. Aircraft may be modified illegally to increase the payload or range. Pilots may not be certified to operate the equipment flown. In short, there is little doubt that those who smuggle drugs by air can pose a threat to aviation safety.

Both the House and Senate, recognizing the potential safety impact of transporting drugs by air, have reported legislation which will stiffen the penalties for those who do so. H.R. 1580 calls for mandatory revocation by the FAA of airman certificates of those caught illegally transporting drugs, and, except in exceptional circumstances, prohibits the issuance of new certificates to such individuals in less than 5 years following revocation. The FAA has testified in support both of H.R. 1580 and of S. 2505, a comparable bill which has been passed by the Senate.

Let me turn now to a brief discussion of the actions FAA has taken to support the Federal drug enforcement agencies in their efforts to combat illegal drugs. We work closely with the Customs Service and the Drug Enforcement Administration both at the headquarters level and at the local level to enable them to take advantage of our technical capabilities. The FAA participates in the National Narcotics Border Interdiction System. We also have an employee assigned on a full-time basis to the El Paso Intelligence Center.

In addition, our Civil Aviation Security Office maintains ongoing contacts at the staff level with all of these organizations. Through this kind of cooperative working arrangement, we have been able to identify areas where we have been able to provide support that assists these agencies in the detection of drug offenders.

At the Customs Service's request, we have made available to them the technical capabilities of designated air traffic control facilities in those regions of the country where drug trafficking is most prevalent. We have provided training to Customs personnel in how to monitor radar and coordinate with controllers. We have also provided them with radar displays, dedicated air-to-ground frequencies to their use, and made available to them FAA communication capabilities. Direct lines have also been installed between selected flight service stations and Customs offices to bolster communications.

Through these measures, Customs' ability to monitor air traffic entering the United States has been improved for purposes of interdicting suspected or questionable operators. Also, we have jointly established an arrangement whereby FAA is alert for and relays flight information to EPIC on operators designated as being suspected of illegal drug activities.

We are now working with the Customs Service concerning the establishment of a command, control, and communications operation in FAA's San Juan, PR, combined center and radar approach con-

trol facility similar to the CCC currently in operation at the FAA's Miami Air Route Traffic Control Center. Customs has also requested additional space for their CCC operation in Miami, and we expect to be able to comply with this request.

The FAA is also working with EPIC to provide both a short-term and long-term enhancement of our ability to provide flight plan information on a real-time basis. Installation is currently under way of a communication tie-in between EPIC and FAA's National Communications facility at Kansas City. An EPIC computer will be used to screen FAA communications for information concerning flight plans of interest to them. Longer range plans are underway to establish in 1985 an even more sophisticated computer tie-in between EPIC and FAA's new National Automated Data Interchange Network located in Atlanta and Salt Lake City.

The FAA has also worked with EPIC to provide access to data maintained in our Airman and Aircraft Registry located in Oklahoma City. We have been discussing with EPIC the installation of a terminal at EPIC to access the computerized portions of our registry. We also have three individuals at the registry who provide telephonic assistance to EPIC and other law enforcement agencies concerning data maintained at the registry.

One additional action we are currently considering involves a possible change in our air traffic rules concerning operating into the Air Defense Identification Zone, ADIZ, adjoining the U.S. coastal zones. Part 99 of the Federal Aviation Regulations prescribes rules for operating civil aircraft into, within, or out of the United States through an ADIZ. Among the requirements is one calling for the filing of a flight plan.

Aircraft operating at a true air speed of less than 180 knots have been excepted from this requirement. In 1982, this exception was withdrawn for aircraft operating in the ADIZ in the south Florida area—that is, south of 30 degrees north latitude and east of 86 degrees west longitude. We are considering proposing a rule change which would eliminate the 180-knot exception elsewhere in the ADIZ. The Customs Service has indicated that it would be desirable from a law enforcement perspective to do so, as you heard earlier.

In summary, we have taken a number of measures supportive of the efforts of the drug enforcement agencies which bear the responsibility for interdicting illegal drug traffickers. We will continue to do so. In addition to aiding in achieving the important objective of ridding our society of illicit drugs, stopping the carriage of illegal drugs by air will enhance aviation safety.

That completes my prepared statement, Mr. Chairman. We would be pleased to respond to any questions you may have at this time.

[The prepared statement of Mr. Broderick follows:]

STATEMENT OF ANTHONY J. BRODERICK, DEPUTY ASSOCIATE ADMINISTRATOR FOR  
AVIATION STANDARDS, FEDERAL AVIATION ADMINISTRATION

Mr. Chairman and Members of the Subcommittee: I am Anthony Broderick, FAA's Deputy Associate Administrator for Aviation Standards. Among the offices reporting to me is the Office of Civil Aviation Security, which is the FAA's focal point for our efforts in support of those Federal agencies which have responsibilities for drug interdiction. With me today is Raymond Van Vuren, Associate Administra-

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We are pleased that our legislative committee, the House Public Works and Transportation Committee, in reporting out H.R. 1580, recognized that a proper role for the FAA is not that of a law enforcement agency but rather one of a supporting nature. In doing so, the Committee emphasized that the legislation "is not intended to place the primary responsibilities for enforcing the drug laws in FAA." The Committee further observed that the new authority granted FAA would, in addition to aiding the national effort to reduce illegal drug trafficking, contribute to aviation safety by protecting "innocent airmen from threats to themselves and to their aircraft." We agree, and are hopeful that a conference committee will be able to complete action on this legislation so that a final bill can be enacted this Congress.

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In summary, we have taken a number of measures supportive of the efforts of the drug enforcement agencies which bear the responsibility for interdicting illegal drug traffickers. We will continue to do so. In addition to aiding in achieving the important objective of ridding our society of illicit drugs, stopping the carriage of illegal drugs by air will enhance aviation safety.

That completes my prepared statement, Mr. Chairman. We would be pleased to respond to questions you may have at this time.

Mr. ENGLISH. Thank you very much, Mr. Broderick.

One of Customs' greatest problems, especially in the area, of course, of dense aircraft traffic, is separating the lawful traffic from the smuggler traffic, and smugglers, of course, constantly have been taking advantage of that.

The problem has not been readily solvable because the FAA and Customs couldn't detect low-flying aircraft in many cases. They would simply come in under your radar. Customs is now operating, of course, with the first of the P-3's, with an F-15 look-down radar that will allow us to try some new sorting approaches.

With that in mind, we developed several actions that we thought the FAA could take, and we would like to get your thoughts on them. Try to keep in mind from the context of south Florida—I think that is one area that most people are familiar with, and certainly you all are. Could the FAA require that all private aircraft crossing the ADIZ from a foreign country be equipped with a transponder and that a discrete code be assigned to each? Is that a possibility?

Mr. BRODERICK. It certainly is, sir. As indicated by the previous witnesses from Treasury, we are taking a look at this idea to see if we should propose such a regulatory change. They did indicate that there are a few things that we need to sort out. One of them is cost. The second is effectiveness, compared to what we have right now. In other words, what fractional increase in the carriage of transponders would we actually see with such a regulation. At first blush it would appear that most people engaged in these kinds of flights would already have transponders.

A third consideration is the question of timing with regard to the enhancement of the air traffic control system, and the National Airspace System in general. We are changing the transponder standard, and want to make sure that we don't levy a requirement on people that 1 year later would be changed, when in fact that requirement is of the order of magnitude that Treasury indicated. It is hundreds of millions of dollars in potential.

Last, there is a serious question in some areas about the ability of the air traffic control computer to actually handle a large number of additional targets. As you and members of the subcommittee are well aware, for example, in the Gulf of Mexico area, we have about 700 or so helicopters which are operating back and forth to oil rigs.

They can be involved in as many as 4,000 operations a day, most of which do cross the ADIZ. It is these kinds of complications that we are right now studying, and it is for these reasons that we haven't just immediately adopted such a project, sir.

Mr. ENGLISH. I think it would be very helpful if we didn't do anything else at this point other than to require that all aircraft that are crossing the ADIZ be squawking. Is there any reason that that couldn't be done? I would think that if for no other reason than for safety reasons you are not going to have any aircraft that are going to be crossing that ADIZ that wouldn't have a transponder on it.

Mr. BRODERICK. In fact, we don't require a transponder in VFR conditions for an aircraft to cross the ADIZ.

Mr. ENGLISH. That is what we are asking. We are asking that you change that.

Mr. BRODERICK. There is no reason that we couldn't do that, except the practical question of requiring those people who do not now have a transponder to install one, and it is exactly that which we are looking at.

Mr. ENGLISH. The only thing that you are asking them to do is if they cross the ADIZ they have to have a transponder.

Mr. BRODERICK. Yes, sir.

Mr. ENGLISH. And as I said, I wouldn't think that you would have very many folks that are presently crossing the ADIZ that don't have a transponder just for safety reasons.

Mr. BRODERICK. I suspect that you are right, although it isn't a requirement, and that is one of the first things we are trying to study right now, to find out if in fact we made such a regulatory change, would that affect a large number of people adversely. I suspect you are right, though, Mr. Chairman.

Mr. ENGLISH. Then I guess the question comes down to when are you going to have a decision on that?

Mr. BRODERICK. I don't know when we will be able to do that. We have started that project in terms of evaluating the number of people that do, and we are trying to find out what the best way to do it is. It is, frankly, rather difficult to get a good data base, and we are going to have to try through the aeronautical center.

Mr. ENGLISH. Mr. Broderick, it is hard for me to understand, as I said. I think we are in agreement that you have got very few aircraft that are crossing that ADIZ that don't have a transponder, very few.

Mr. BRODERICK. I suspect, sir, that is true.

Mr. ENGLISH. Then the question is, Why would you have a problem with requiring all aircraft that are crossing the ADIZ, why would you have a problem in requiring those to be squawking? If they don't have a transponder, I think if for no other reason than for safety there is a serious question what business they have got going out there across that ADIZ. I don't think that you are going to be imposing much of a burden, particularly when you consider the fact that you are going to be tremendously simplifying the job of the Customs Service, particularly with the type of equipment that we have got coming on the line now. With that P-3 we are going to be able to do some real good if they are required to squawk, and if we can separate those that are squawking from those that are not squawking all of a sudden we have got a real good ID on a potential drug smuggler.

Mr. BRODERICK. Mr. Chairman, let me ask Mr. Van Vuren to explain how the air traffic control system deals right now with aircraft that cross the ADIZ that do not have transponders on them.

Mr. VAN VUREN. Yes, sir; right now the Federal air regulation 99 requires that a pilot must file, if he is VFR, file a DVFR flight plan, which would be the point of departure, the route taken, the altitude, and whether they do have transponder carriage on board. And we can assign a transponder.

We have an agreement right now with the Bahamian Government, right now in the Bahamas, that between us and our flight service station at Miami and the one at Vero Beach, that we will assign a VFR subset coding to those aircraft, just in that one area there crossing that area of the water.

However, right now if they are coming into that area, it requires that they must advise or report at all reporting points prior to penetrating the ADIZ. If there is no reporting point along that route, then they must advise us 15 minutes ahead of time, or any aeronautical facility, that they are going to be penetrating. Normally that is the way we operate it.

One of the other things that I might bring out that happens when you put a lot of different codes or apply a lot of different codes to our computer program as it exists today, our computers right now are about 20 years old, as I am sure you know, Mr. Chairman, and we are in the process of changing those. The problem now is core storage, and capability to do tracking of large numbers of airplanes.

Mr. ENGLISH. But at this point all I am asking for is a very simple change in regulations to simply require that every plane that crosses that ADIZ has to be squawking. If he is not squawking, why, he is subject to a fine. Is there anything wrong with that problem?

Mr. BRODERICK. That can be done.

Mr. ENGLISH. The question I have in my mind is why it isn't being done, and if you are considering it, when you are going to have a decision on it. Because, as I said, that would greatly simplify the situation as far as coming into high traffic areas in particular. The P-3, with its capability, as well as E-2's, will substantially simplify the problem that they have, if you simply take that one little step.

Mr. BRODERICK. Mr. Chairman, if in fact we can get any kind of a data base at all, we can certainly make that decision in the next

couple of months. All we need to do is to find out what kind of an impact it would have, so that we have the basis to go forward with a notice of proposed rulemaking.

Mr. ENGLISH. So we can expect a decision from you in the next few months?

Mr. BRODERICK. We can get you a decision on that in the next few months, sir.

Mr. ENGLISH. Also, I understand that there is already a requirement that all the aircraft, as I think you point out, penetrating the ADIZ must report their positions to the FAA. If so, it would seem that it is not being very actively enforced. If it were better enforced, this would be a second helpful method in separating legal traffic from sugglers. Could you comment on that?

Mr. BRODERICK. Mr. Chairman, I asked that very question a few days ago about the enforcement of this. I did not get an answer, and I expect within a few weeks to have a better answer as to exactly what the enforcement record is of people who have not filed, either filed the appropriate flight plans or done some other violation of the regulations.

Mr. ENGLISH. We can expect that when, within the next month?

Mr. BRODERICK. Certainly.

Mr. ENGLISH. Would you supply that for the record?

Mr. BRODERICK. Yes, sir; we will.

Mr. ENGLISH. Customs interceptor planes, which are scrambled to respond to targets which the P-3 detects far out to sea, will need to be directed to the P-3's. You have testified that many of your en route centers already have Customs personnel in them who are trained to provide this type of assistance. In the event that there is no Customs employee present who is qualified to do this, will the FAA provide this assistance?

Mr. VAN VUREN. Yes, sir; we plan on supporting the Customs mission anywhere we can. However, our overriding responsibility and mission, as you know, is safety of separating airplanes, and a controller's primary responsibility is to separate two IFR airplanes they are working at that time. If he has the workload, he or she at that time, sometimes they may not be able to comply with that, because we do not staff extra people on the positions.

We are training the Customs people right now. We have been doing that. We have them trained down in Miami center and spend about 6 weeks with those folks, training them, and now they actually operate on two PVD's that we have set up for them for doing their vectoring in VFR conditions. Now, in IFR or marginal weather conditions, we at the FAA will perform that function, workload permitting—yes; we will.

Mr. ENGLISH. That is helpful. I appreciate that.

Mr. Broderick, I appreciate your testimony, and we are going to be looking forward to those reports from you, and I am hopeful that you will give that very serious consideration.

Mr. Van Vuren, I appreciate your coming too. It is very kind of you.

Mr. BRODERICK. Thank you, sir.

Mr. ENGLISH. That concludes the questions I have, so we will recess subject to the call of the Chair. Thank you very much.

[Whereupon, at 12:45 p.m., the subcommittee adjourned, to reconvene subject to the call of the Chair.]

## APPENDIXES

APPENDIX 1.—LETTER TO HON. GLENN ENGLISH, DATED MARCH 17, 1984, FROM WILLIAM H. TAFT IV, DEPUTY SECRETARY OF DEFENSE, ENCLOSING A LETTER FROM SECRETARY CASPAR WEINBERGER, DEPARTMENT OF DEFENSE, TO SECRETARY DONALD T. REGAN, DEPARTMENT OF THE TREASURY, REGARDING MAINTENANCE COSTS FOR DOD EQUIPMENT LOANED TO THE CUSTOMS SERVICE



THE DEPUTY SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

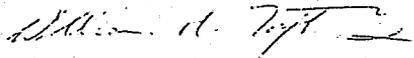
March 17, 1984

Honorable Glenn English  
House of Representatives  
Washington, D.C. 20515

Dear Congressman:

I am writing to follow up on our telephone conversation of earlier this week. Enclosed is a copy of Secretary Weinberger's response to Secretary Regan's letter regarding the \$11 million of maintenance costs for DoD equipment loaned to the Customs Service.

Sincerely,

  
William H. Taft, IV

Enclosure

(633)



THE SECRETARY OF DEFENSE  
WASHINGTON, THE DISTRICT OF COLUMBIA

16 MAR 1984

Honorable Donald T. Regan  
Secretary of the Treasury  
Washington, D.C. 20220

Dear Don:

Thank you for your February 6, 1984 letter commending our assistance to Treasury's anti-drug trafficking programs. I am also pleased with the Department's vigorous commitment to the President's drug policy. At the same time, we must balance the national defense priorities--as established by law and policy--with our capabilities to provide incidental assistance to the civilian law enforcement community.

I regret that we are unable to assume maintenance costs for Defense Department assets on loan to the Customs Service. I find no military operational or training benefit that comports with the Congressional expectations stated in the legislative history of P.L. 97-86. Moreover, I am concerned that Congress would perceive such actions as inconsistent with the strong views expressed during the consideration of P.L. 97-86. It is the clear expectation of Congress that DoD should not perform missions within the capability of civilian agencies (e.g., the aircraft maintenance functions Customs has performed during the last two years). If we were to deviate from the expectations of Congress, we would invite Congressional restrictions on the flexibility we now possess to provide assistance to civilian agencies.

I continue to share your determination to eradicate drug trafficking as a major national problem, and we will continue to work toward that end within our legal limits.

Sincerely,

Don - I'm really sorry about this - There seems to be no way we can find it within the existing law - & our Committee seem very suspicious that we will try. I wish we could help. C

APPENDIX 2.—MARINE RESOURCE READINESS, U.S. CUSTOMS SERVICE  
BRIEFING BOOK, MARCH 20, 1984

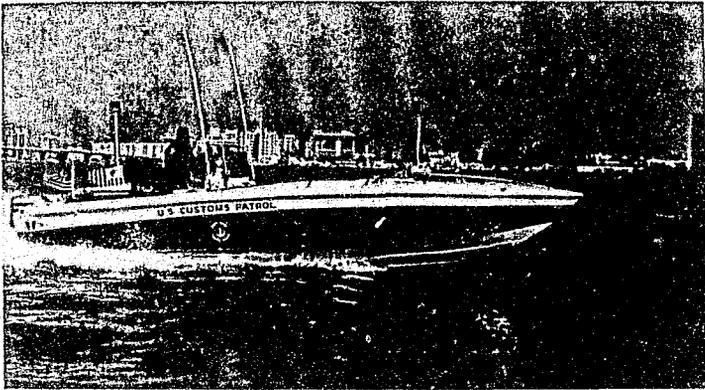
# MARINE RESOURCE

## READINESS

MARCH 1984

(635)

# MARINE INTERDICTION PROGRAM



**U.S. CUSTOMS SERVICE**  
Office Of Patrol

637

BRIEFING BOOK

U. S. CUSTOMS SERVICE

THIS BRIEFING BOOK PRESENTS AN OVERVIEW OF THE MISSION,  
OPERATIONS, AND ACCOMPLISHMENTS OF THE CUSTOMS MARINE  
INTERDICTION PROGRAM.

MARCH 20, 1984

## EXECUTIVE SUMMARY

THE PRIMARY OBJECTIVE OF THE ENHANCED NATIONAL MARINE INTERDICTION PROGRAM IS TO INTERDICT AND DETER THE SMUGGLING OF NARCOTICS AND OTHER CONTRABAND INTO THE UNITED STATES.

THE CUSTOMS MARINE PROGRAM WAS FIRST INSTITUTED IN 1974 WHEN CUSTOMS MANAGERS PERCEIVED THE RAPIDLY EXPANDING SMUGGLING THREAT FROM WATERBORNE CONVEYANCES.

MARINE INTERDICTION RESOURCES CURRENTLY INCLUDE 723 CUSTOMS PATROL OFFICERS AND 116 VESSELS LOCATED IN SOME 40 DIFFERENT LOCATIONS. TYPES OF VESSELS IN OUR FLEET VARY FROM HIGH PERFORMANCE BOATS TO YACHTS, AS WELL AS THE USE OF LOBSTER AND SHRIMP BOATS FOR SURVEILLANCES. AT THE PRESENT TIME, 25 BOATS ARE NOT OPERABLE. THIRTEEN OF THESE BOATS HAVE BEEN TARGETED FOR EXCHANGE/SALE AND 12 ARE CURRENTLY BEING SERVICED. OF THE 12 THAT ARE BEING SERVICED, 10 WILL BE OPERATIONAL IN 30 DAYS.

TO IMPROVE OUR ENFORCEMENT POSTURE, THE OFFICE OF PATROL IS ESTABLISHING TWO MARINE ENFORCEMENT MODULES. ONE WILL BE ESTABLISHED IN FORT MYERS, FLORIDA, AND THE OTHER IN FORT LAUDERDALE. THESE WILL BE FUNDED FROM OUR EXISTING FUNDS AND WILL UTILIZE THE LATEST STATE-OF-THE-ART TECHNOLOGY AND RESOURCES FROM THE SEIZED/FORFEITED AND ABANDONED PROPERTY PROGRAM.

OVER THE NEXT THREE YEARS, WE ANTICIPATE THE IMPLEMENTATION OF SEVEN ADDITIONAL MODULES THROUGHOUT THE COUNTRY WITHIN EXISTING FUNDING LEVELS.

THE FOLLOWING SECTIONS PRESENT WHAT WE BELIEVE IS A HIGHLY SUCCESSFUL MARINE INTERDICTION PROGRAM. OUTLINED ARE THE MARINE RESOURCES BY CUSTOMS REGION AND AN OVERVIEW OF THE MARINE MISSION, OBJECTIVES, PROJECT PLANS, AND GOALS OF OUR MARINE INTERDICTION PROGRAM.

PROGRAM MISSION AND OBJECTIVE

The primary objectives of our marine program are to interdict and deter the smuggling of narcotics and other contraband into the United States. Patrol officers assigned to marine operations seize merchandise and conveyances detected arriving in violation of our laws and arrest those persons detected violating Customs and related laws.

The Customs Marine Program was instituted in 1974 when Customs managers perceived the rapidly expanding smuggling threat from waterborne conveyances. This perception was validated in the Stanford Research Institute (SRI) study which concluded that there are approximately 15,000 vessels used for smuggling with approximately 2,700 vessels dedicated to the sole functions of smuggling. The study further concludes that these vessels are responsible for carrying 18 million pounds of marihuana, 17,500 pounds of cocaine, and 350 pounds of heroin annually.

The Customs Patrol fleet current comprises 116 boats in 40 different locations. This number is indeed modest considering the 95,000 linear miles of shoreline of the United States.

MARINE PROGRAM ACTIVITIES

- o INTERDICT VIOLATORS OF IMPORT/EXPORT AND NEUTRALITY LAWS
- o ENFORCE PENALTIES FOR NAVIGATION VIOLATIONS
- o SUPPORT AIR AND LAND PATROL OPERATIONS AND THE FBI AND DEA
- o ASSIST STATE AND LOCAL LAW ENFORCEMENT AGENCIES

COLD INTERDICTION - Acting without prior information, Patrol officers apprehend violators in the act."

SURVEILLANCES AND COVERT OPERATIONS - These are "plain clothes" assignments to identify, track, and apprehend known and suspected smugglers and their conveyances and contraband.

INTERDICTIONAL INVESTIGATIONS - Marine officers gather facts, information, and evidence contributing to development of cases on individuals and organizations smuggling controlled substances via waterborne conveyances. Development of confidential informants is a vital facet of this type of activity. Officers also collect and disseminate information to other enforcement agencies, as appropriate.

UNDERCOVER OPERATIONS - An officer represents himself as other than a legitimate law enforcement officer for the purpose of acquiring intelligence or evidence in furtherance of an approved case or operation. For example, an officer might penetrate a smuggling operation and participate in an offloading operation; in such a case, he would learn the identities of the violators and the salient factors of the smuggling operation.

COMMERCIAL VESSEL SEARCHES - Intensive searches of commercial cargo vessels in major ports of entry. Crew members on such vessels smuggle cocaine and other controlled substances in a variety of secret compartments and stash locations on large ships.

COORDINATED INTERDICTIONAL EFFORTS WITH COAST GUARD -- Based on a mutual sharing of information, Customs officers and/or the Coast Guard seizes vessels carrying controlled substances. However, Patrol officers develop cases to penetrate shoreside smuggling operations for further arrests and prosecutions.

## MARINE SMUGGLING THREAT

The preponderance of the narcotics smuggling addressed by the Marine Interdiction Program originates in South America, particularly Colombia. Marihuana is loaded aboard motherships at the Guajira Peninsula, and cocaine is loaded aboard aircraft at clandestine airstrips for later transfer to vessels.

Prior to the recent reallocation of Patrol's resources to the southeast, and the concentration of enforcement activity resulting from Operation FLORIDA, the primary smuggling routes employed by the criminal organizations using motherships were to transverse the Mona and Windward passages or the Yucatan Channel. A course would then be set for the southeast coast of the United States where the motherships would transfer the marihuana to large pleasure or fishing vessels for the ultimate run to the landing site (Chart 1). Aircraft laden with cocaine would generally fly their cargo directly into the United States utilizing small airports or clandestine strips.

After the enforcement buildup in the southeast, a significant amount of smuggling was displaced to areas with less enforcement presence. Customs also encountered changes in smuggling methods as a result of increased enforcement pressure.

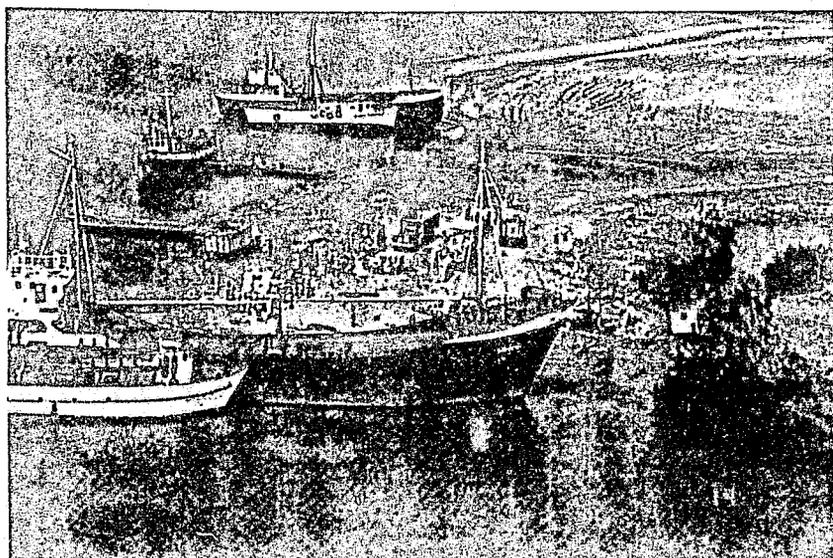
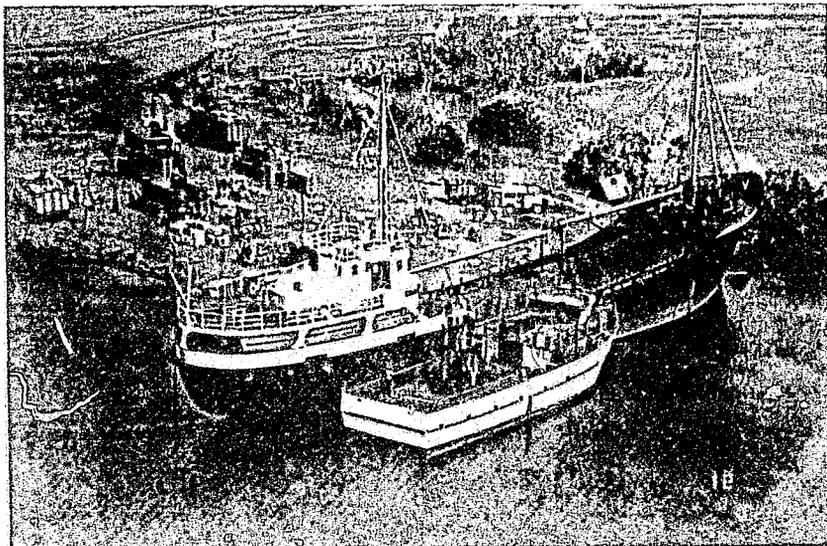
Motherships, in addition to the previously mentioned passages, began to utilize the Guadaloupe Passage to make the smuggling run to the New England coast which then began to experience a significant increase in marihuana smuggling. Other organizations began to develop distribution systems along the northwest coast, as far north as Oregon (Chart 2).

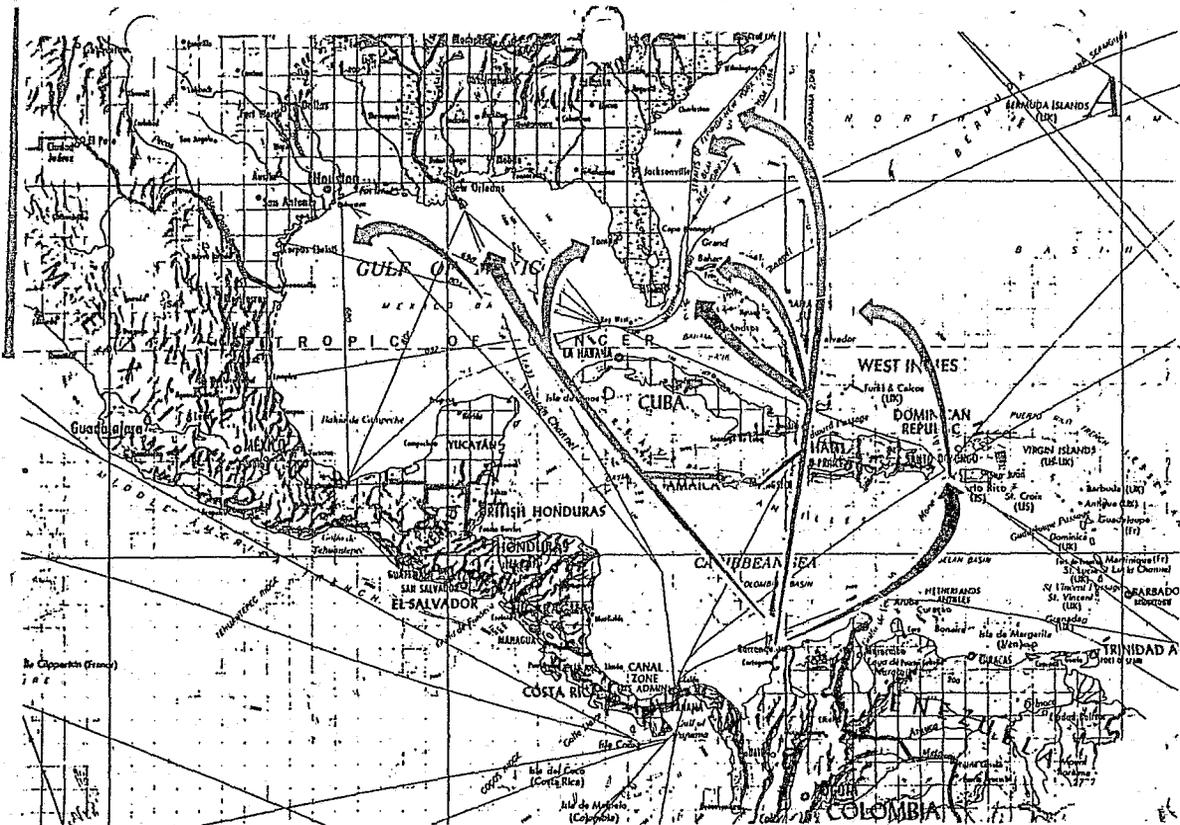
Mothership operators continue to use the southeast but there have been significant changes in some operations. Marijuana is often offloaded in the Bahamas, either to small fast boats directly, or onto stash sites in the islands. In either situation, the smaller fast boats make the final run to the United States mainland. This shotgun approach reduced the probability that the organization would suffer the loss of the entire load.

The buildup in the southeast also addressed the cocaine smuggling by aircraft. Increased air interdiction effectiveness produced a change in smuggling methods which impacted the marine interdiction effort. Aircraft departing Colombia with cocaine began to land in the Bahamas and transfer the narcotics to the smaller fast vessels, similar to the mothership operation. Additionally, Patrol began to detect a significant increase in airdrops to vessels which would complete the run to the United States.

The Marine Interdiction Program also addresses smuggling of heroin and cocaine by commercial vessels. These vessels carry legitimate cargo; however, the contraband is concealed in the cargo itself or within the normally inaccessible areas such as the shaft alley.

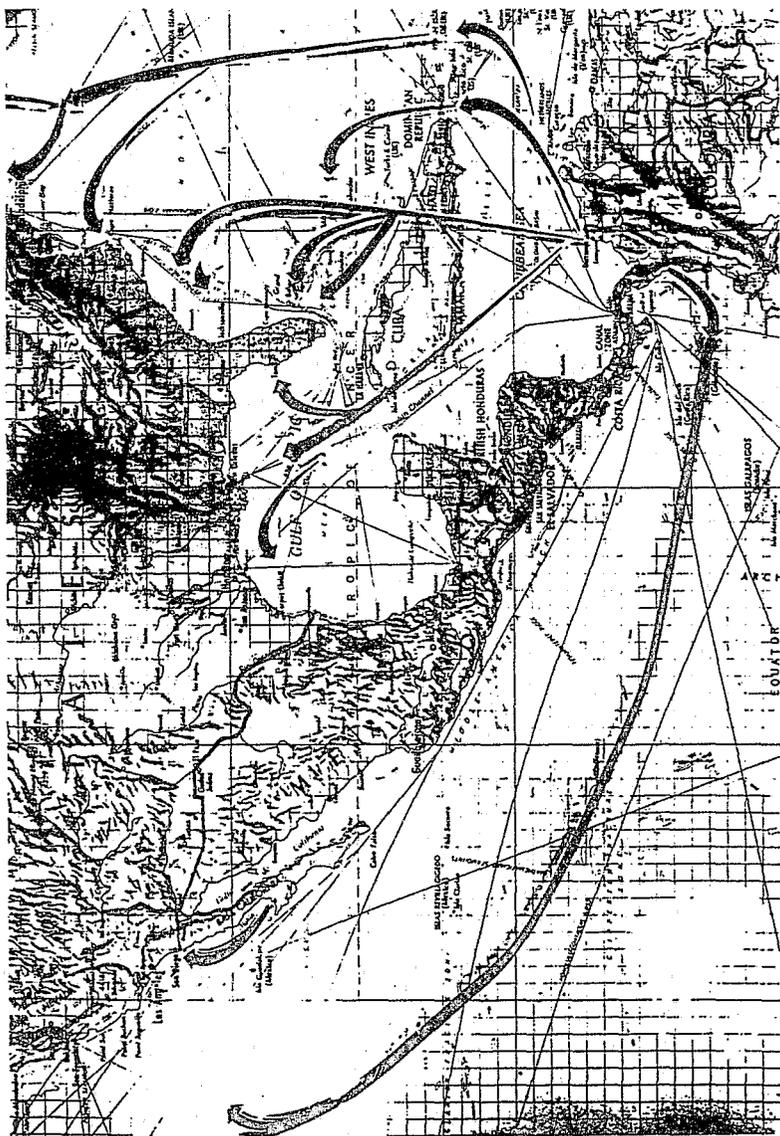
MOTHERSHIP LOADING OPERATION





646

-9- (SMUGGLING TRENDS)  
 DRUG TRAFFICKING PATTERN PRIOR TO OPERATION FLORIDA



EXPANDED DRUG TRAFFICKING PATTERN WHICH EMERGED AFTER OPERATION FLORIDA

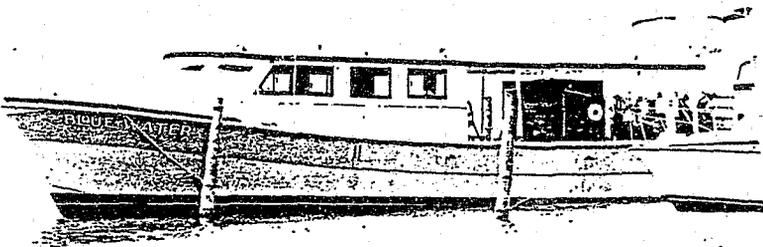
Sportfisherman



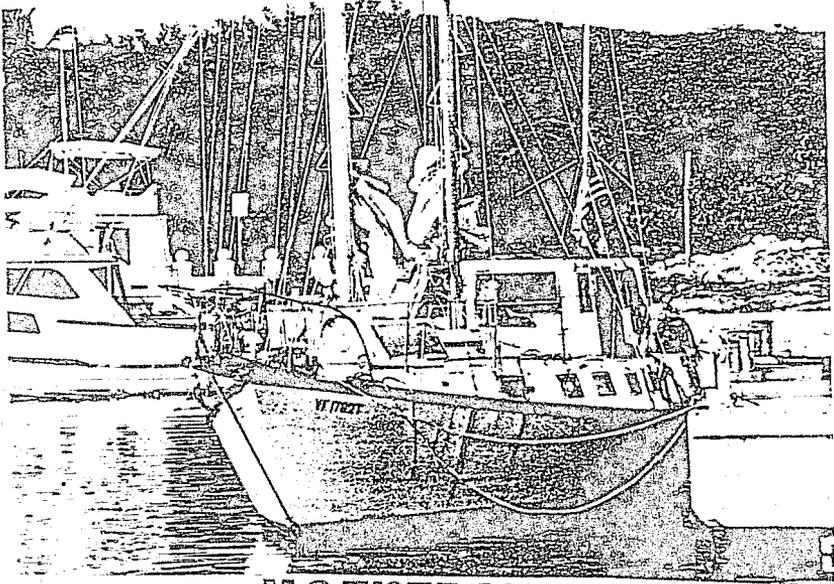
**MOTHERSHIPS**  
Cargo Ship



Lobster Boat

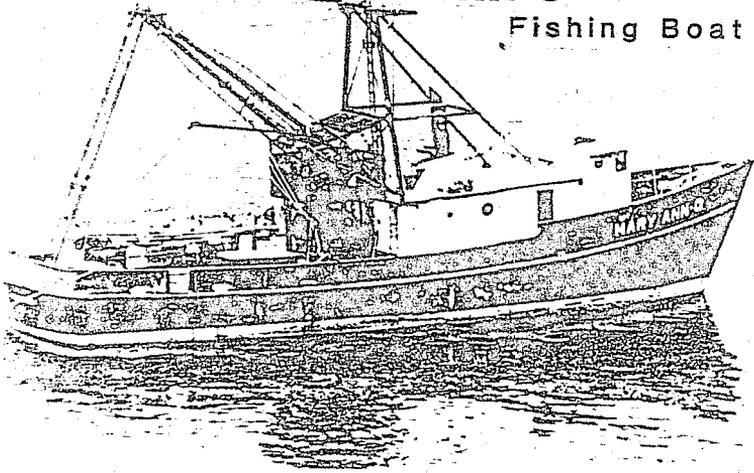


Sail Boat



**MOTHERSHIPS**

Fishing Boat



MARINE PATROL RESOURCES AND  
CURRENT BOAT DEPLOYMENT BY STATION  
FY 84

NORTHEAST ( I )

	<u>CPO</u>	<u>BOAT</u>
BOSTON DISTRICT	18	0
BALTIMORE DISTRICT	26	2
PHILADELPHIA DISTRICT		
Philadelphia	19	0
TOTAL	<u>63</u>	<u>2</u>

NEW YORK ( II )

	<u>CPO</u>	<u>BOAT</u>
NEW YORK SEAPORT	48	3
NEWARK	38	0
REGIONAL TACTICAL UNIT		0
TOTAL	<u>86</u>	<u>3</u>

SOUTHEAST ( IV )

	<u>CPO</u>	<u>BOAT</u>
MIAMI DISTRICT		
Miami Station	33	6
Ft. Lauderdale Station	12	3
Key West Station	12	3
West Palm Beach	12	2
Key Largo Station	6	3
Marco Island (Everglade City)	2	2
Ft. Pierce Station	4	1
WILMINGTON DISTRICT		
Wilmington Station	10	1
Morehead City	7	3
CHARLESTON DISTRICT		
Charleston Station	25	5
Beaufort	7	2

	<u>CPO</u>	<u>BOAT</u>
SAVANNAH DISTRICT		
Savannah Station	13	3
Brunswick Station	6	2
TAMPA DISTRICT		
Cape Canaveral	7	1
Pensacola	7	1
Cortez	4	1
Tampa Station	34	3
Tallahassee Station	4	1
Jacksonville Station	10	2
Cocoa Beach Station	7	1
Ft. Myers Station	13	3
Clear Water	5	2
Panama City	6	1
NORFOLK DISTRICT	18	4
SAN JUAN DISTRICT		
San Juan Station	17	2
Ponce Playa Station	6	2
Fajardo Station	6	1
Mayaguez Station	7	2
TOTAL	279	64

## SOUTH CENTRAL (V)

	<u>CPO</u>	<u>BOAT</u>
NEW ORLEANS DISTRICT		
New Orleans Station	31	3
Houma Station (Morgan City)	6	2
Lafayette Station	7	2
Dauphine Island	6	4
Slidel	2	1
Venice	2	1
MOBILE DISTRICT		
Mobile Station	10	1
Gulfport Station	8	3
Grand Island	9	1
TOTAL	81	18

## SOUTHWEST (VI)

	<u>CPO</u>	<u>BOAT</u>
HOUSTON DISTRICT		
Houston Station	23	2
Galveston Station	14	5
Corpus Christi	6	1
PORT ARTHUR DISTRICT		
Port Arthur Station	6	1
LAREDO DISTRICT		
Falcon Dam	13	2
Brownsville	<u>15</u>	<u>1</u>
TOTAL	77	12

## PACIFIC (VII)

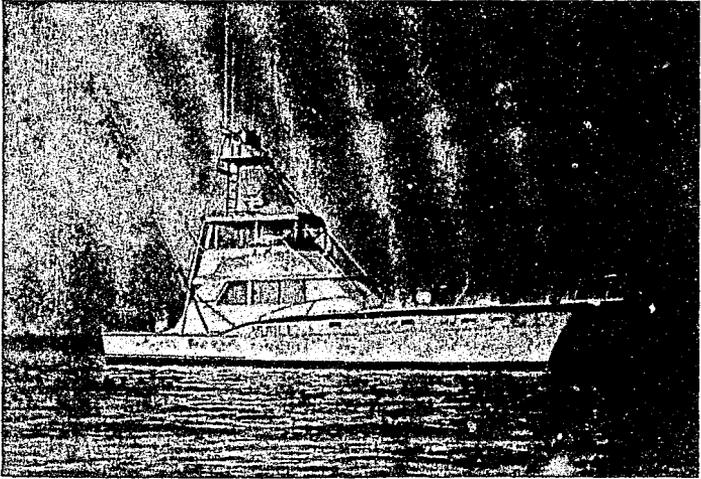
	<u>CPO</u>	<u>BOAT</u>
LOS ANGELES DISTRICT		
Los Angeles Station	4	0
Terminal Island (Ventura)	19	4
Ventura	5	1
SAN DIEGO DISTRICT		
San Diego Marine Station	11	4
Oceanside		1
SAN FRANCISCO DISTRICT		
San Francisco Station	19	3
Eureka Station	1	0
PORTLAND DISTRICT		
Portland Station	8	0
Coos Bay Station	1	0
Astoria	2	1
SEATTLE DISTRICT		
Seattle Station	16	0
Bellingham Station	6	1
HONOLULU STATION	<u>15</u>	<u>2</u>
TOTAL	117	17

	<u>CPO'S</u>	<u>BOATS</u>
TOTAL	723	116

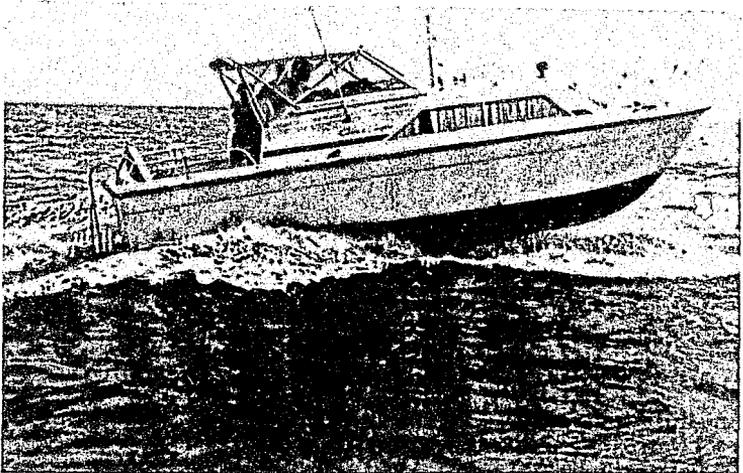
\*The total number of Patrol boats varies frequently as boats are retired and newer equipment is acquired, primarily through forfeiture.

## SPORTFISHERMEN/CABIN CRUISERS

These vessels are primarily used as radar, communications, and surveillance platforms. These vessels have also been instrumental in undercover operations.



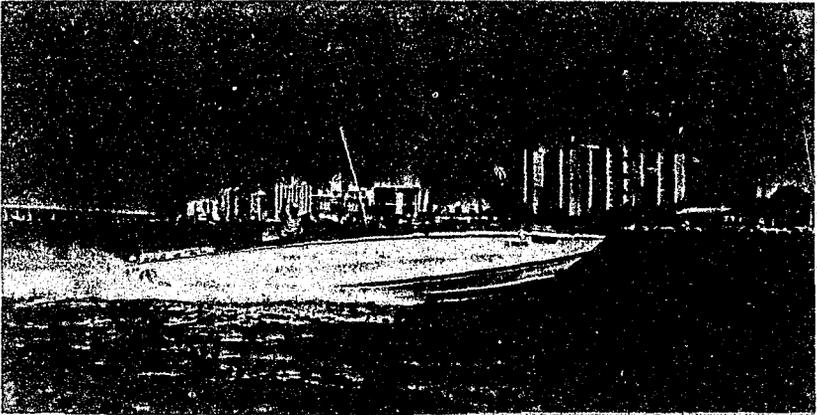
53' HATTERAS



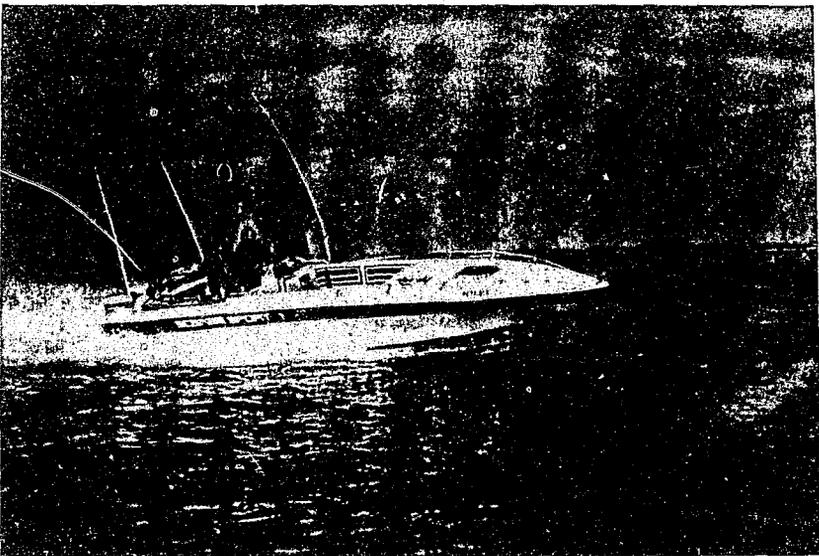
28' CHRIS CRAFT

## HIGH-PERFORMANCE/INTERCEPTORS

These boats are fast and maneuverable in moderate seas. They are used in conjunction with larger communications and surveillance platforms. Their speed makes them ideal pursuit craft in apprehending shuttle vessels.



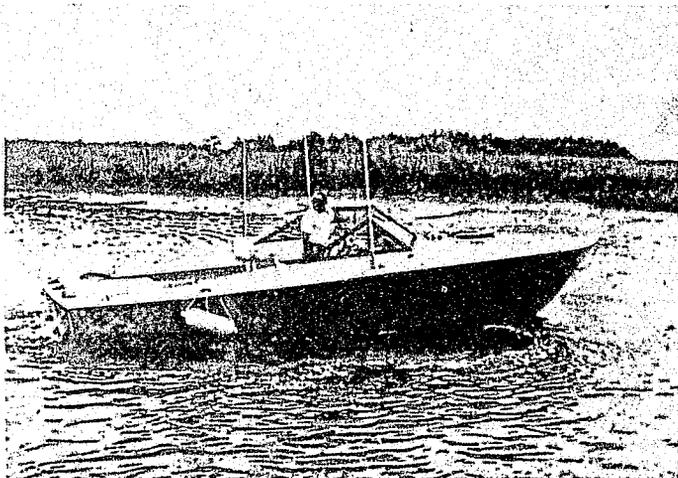
35' CIGARETTE



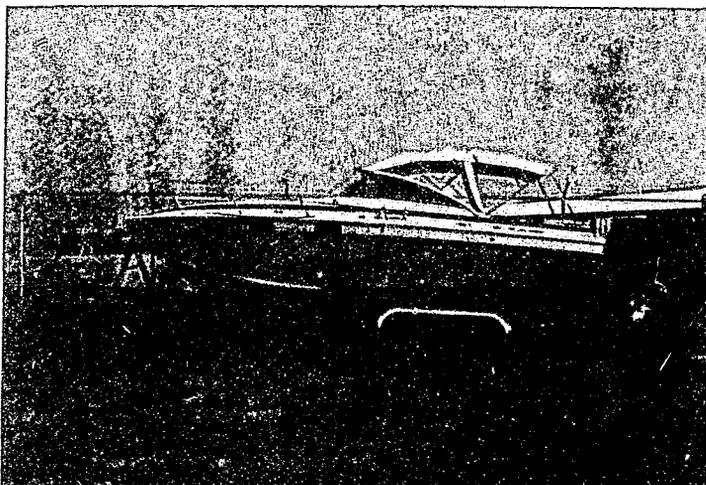
30' WELLCRAFT SCARAB

## SHALLOW WATER CRAFT

These boats are used to locate and conduct surveillances on contraband stash sites. Their shallow draft provides them with needed mobility in shallow waters. They are easily "beached" for quick landings. Also, they can be trailered quickly from one location to another.

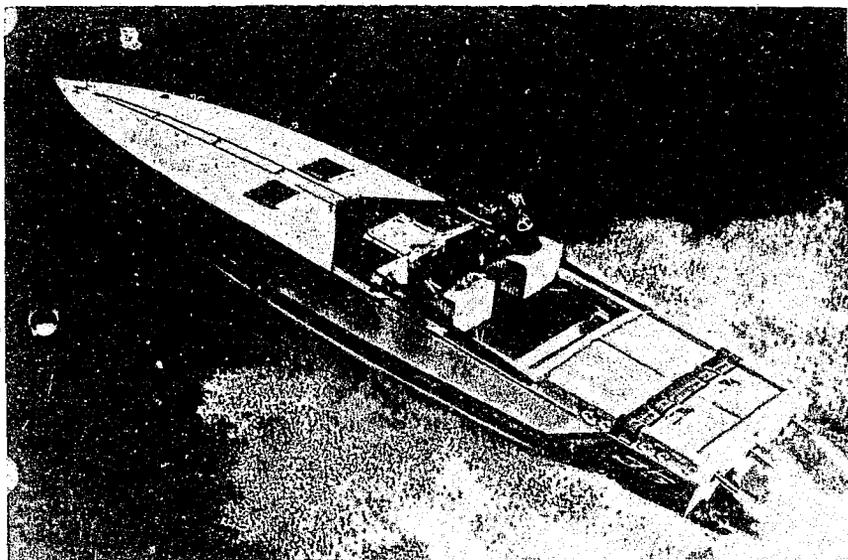


25' MAKO

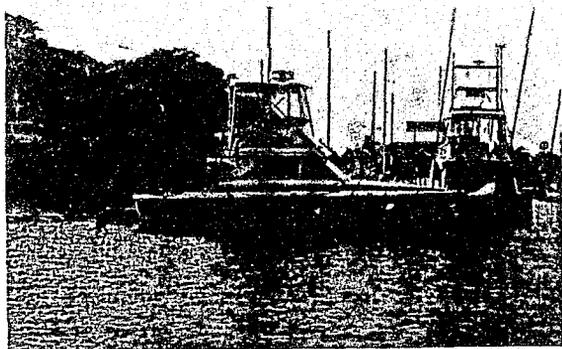


26' FORMULA

EXAMPLES OF VESSELS ACQUIRED THROUGH EXCHANGE/SALE



35' CIGARETTE



35' BERTRAM SPORTFISHERMAN

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: NORTHEAST

DISTRICT: BALTIMORE

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
BALTIMORE	214116	WHALER		12MOS	NONE	GOOD	0	TUNE-UP	*
	302139	CORSA		12MOS	NONE	GOOD	0	TUNE-UP	*

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STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \* DUE TO THE LACK OF USAGE OF THE TWO VESSELS IN THE BALTIMORE DISTRICT, BOTH VESSELS WILL BE REDEPLOYED TO AREAS OF GREATER NEED WILL BE ACCOMPLISHED IN THE NEXT 60 DAYS.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: NEW YORK

DISTRICT: NEW YORK

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
NEW YORK	39101	BERTRAM		N/A		GOOD		N/A	
	371169	CIGARETTE	0	6MOS		POOR		ENGINES*	
		BOSTON WHALER (JUST ACQUIRED)	N/A	N/A		EXCELLENT		N/A	

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \* FINDED \$25,000. BY HEADQUARTERS PATROL FEBRUARY 1984. SHOULD BE FULLY OPERATIONAL IN 30 DAYS.

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MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: BRUNSWICK

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
BRUNSWICK	214115	80 BOSTON WHALER	32 HRS	3DAYS	BAD POWER	FAIR	300 HRS	BOTH BOATS NEED CLOSED IN CABINS FOR COLD WEATHER; BOTH ARE TOO SMALL FOR ROUGH WATER.	
	252140	P&D (YR IKM)	40 HRS	6DAYS	NEW STARTER INSULATION OF LORAN-C RADAR	VERY GOOD	110 HRS 2 ENG		

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: VEHICLES IN GOOD CONDITION

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: CHARLESTON

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
CHARLESTON	175212	70 SEA OX	17 HRS	NONE		GOOD	140 HRS		
	194190	76 MAKO	20 HRS	NONE		GOOD	85 HRS		
BEAUFORT	224129	BOSTON WHALER	25 HRS	NONE		EXCELLENT			
	262147	FORMULA	NONE	30DAYS	BOTTOM	GOOD	100 HRS		
CHARLESTON	272122	72 CUSTOM BOAT	96 HRS	18DAYS	OHIT GEAR REPAIRED; OPERATIONAL NOW	GOOD		COULD USE TWO NEW ENGINES	
	272203	83 MAGNUM	172 HRS	NONE		EXCELLENT	200 HRS		
	421810	76 POST	168 HRS	NONE		GOOD	3000 HRS		

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \_\_\_\_\_

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: MIAMI DISTRICT

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
MIAMI	302172	83 SCARAB	88 HRS	1DAY	FUEL LINE	GOOD	UNKNOWN	TO BE REPAIRED WITH \$183,000 RECENTLY TRANSFERRED	
	302173	83 SCARAB	32 HRS	2DAYS	OIL MIXER	GOOD	UNKNOWN		
	302175	83 SCARAB	48 HRS	0		GOOD	UNKNOWN		
	352157	82 CIGARETTE	88 HRS	1DAY	REPLACE BATTERIES	GOOD	UNKNOWN		
	352158	82 CIGARETTE	102 HRS	2DAYS	REGULAR MAINTENANCE	GOOD	UNKNOWN		
	38116	76 BERTRAM	16 HRS	2DAYS	ENGINE REPAIR	GOOD	UNKNOWN		
WEST PALM BEACH	302176	83 SCARAB	102 HRS	0		GOOD	UNKNOWN		
	302213	80 SCARAB	144 HRS	1DAY	TUNE-UP				

STATION VEHICLES OK \_\_\_\_\_ POOR 4WD

COMMENT: NEED FOR 4WD VEHICLES TO REPLACE TOWING VEHICLES THAT ARE OLD AND HIGH MILEAGE.

MARCH 20, 1984

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REGION: SOUTHEAST DISTRICT: MIAMI DISTRICT

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
KEY LARGO	234196	75 SEACRAFT	0	30DAYS	SURVEYED-TOTALLED DURING CHASE	GOOD	UNKNOWN		NEED REPLACEMENT
	313208	PHANTOM	8 HRS			GOOD	UNKNOWN		
	362159	77 CIGARETTE	0	30DAYS	BLOWN ENGINE		UNKNOWN	*	
FORT LAUDERDALE	27261	72 MAGNUM	11 HRS	5DAYS	ENG REBLT - 2-WEEKS	OUT OF WATER GOOD	UNKNOWN	*	
	362204	81 CIGARETTE	20 HRS	1DAY		GOOD	UNKNOWN		
	531206	79 HATTERAS	0	30DAYS	RECYCLE FUEL MARCH 19	FAIR	UNKNOWN	*	

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \*WITH \$183,000 RECENTLY TRANSFERRED, ALL REPAIRS TO THE ABOVE VESSELS WILL BE ACCOMPLISHED.

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MARCH 20, 1984

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REGION: SOUTHEAST

DISTRICT: MIAMI DISTRICT

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
MARCO ISLAND	174185	82 MAKO	32 HRS	0		GOOD	UNKNOWN		
	252121	79 NOVA	40 HRS	13DAYS	ENG REPAIR - OPERATIONAL	GOOD	UNKNOWN		
KEY WEST	302177	83 SCARAB	8 HRS	29DAYS	\$1,400 WORK ON ENG. SHAFT	EXCELLENT	UNKNOWN	SHAFT ORDERED, WILL BE OPERABLE IN 2-WKS	
	302227	81 SCARAB	40 HRS	0		EXCELLENT	UNKNOWN		
	471154	80 TORRES	64 HRS	0		GOOD	UNKNOWN		
FORT PIERCE	302174	83 SCARAB	48 HRS	0		GOOD	UNKNOWN		

STATION VEHICLES OK            POOR           

COMMENT: ALL VESSELS ABOVE SHOULD BE FULLY OPERATIONAL WITHIN TWO WEEKS.

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MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: NORFOLK

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
NORFOLK	224133	79 BOSTON WHALER	16 HRS	NONE		GOOD	481 HRS	MALFUNCTION OF FATHOMETER, TRAILER IS TOO SMALL, NEEDS BOTTOM PAINT JOB. *	LIMITED TO WEATHER CONDITIONS
	252123	FOUR STAR	IS CURRENTLY BEING SURVEYED BECAUSE OF SEVERAL PROBLEMS WITH BOAT.						
	302179	82 SCARAB	16 HRS	NONE		VERY GOOD	129 HRS 2 ENG	NEEDS SPRING TUNE-UP BOTTOM PAINT JOB. WEATHER LIMITS USE. NO TOP. *	
	421211	72 HATTERAS	NONE	30DAYS	\$7,000 TO REPAIR, 3MKS WHEN STARTED RETUNE ENG PORT ENG REPAIR, INJECTORS REBUILT FUEL PUMP REPLACED TURBO CHARGER REPLACED.	FAIR	NONE	PURCHASED TWO SEATS THREE BATTERIES SCREENS CARPET SPOT-LIGHT, MERCATHODE ANTI-ELECTROLYSIS SYSTEM. *	OPERATION SPRING-BOARD IS HELD UP

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STATION VEHICLES OK \_\_\_\_\_ POOR ONE 4WD

COMMENT: ONE FOUR WHEEL DRIVE VEHICLE NEEDED TO REPLACE WORN OUT VEHICLE NOW BEING UTILIZED FOR TOWING OF SMALLER VESSELS.\* ABOVE MENTIONED MAINTENANCE NEEDS TO BE ACCOMPLISHED WITH FUNDS RECENTLY TRANSFERRED TO THE MIAMI REGION.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: PUERTO RICO

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED LAST 30	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
SAN JUAN	174186	82 MAKO	70 HRS	0	N/A	GOOD	UNKNOWN		*OPERATION AERO/STAT
MAYAGUEZ	371170	80 STAPLETON	0	30DAYS	CHANGING FUEL TANKS; READY SOON.	VERY GOOD	UNKNOWN	TANKS HAVE HAD TO BE CHANGED TWICE, FIRST INSTALLATION POOR.	
PONCE	371210	STAPLETON	90 HRS	0		GOOD	UNKNOWN		
SAN JUAN	373200	82 MIDNIGHT EXPRESS	0	30DAYS	TRANSMISSION 1-WEEK.	GOOD	UNKNOWN		
FAJARDO	38142	75 BERTRAM	80 HRS	0		FAIR	UNKNOWN	NEEDS TRANSMISSION AND WIRING REPLACED.	
MAYAGUEZ	511201	FISHING TRAWLER	0	30DAYS	RECENTLY OUT OF SEIZURE 2-3 WKS.			ENGINES AND TRANSMISSION BEING OVERHAULED.	
PONCE	25495	77 MAKO	70 HRS	0	N/A	GOOD	UNKNOWN	NONE	*OPERATION AERO/STAT

STATION VEHICLES OK EXCELLENT POOR #3 FOR TOWING

COMMENT: THREE VEHICLES NEEDED FOR TOWING OF SMALL BOATS AND REPLACEMENT. \*OPERATION AERO/STAT IS UTILIZING FLEET #174186 AND #25495

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEASTDISTRICT: SAVANNAH

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
SAVANNAH	174194	76 RENKEN	80/HRS 4.4ENG HRS 2/29	NONE		VERY GOOD	2 ENG		
	262149	79 FORMULA	150P/HRS 9ENG HRS	NONE		GOOD	2 ENG	PROBLEMS W/CANVAS, WOOD, CHROME. NO BUDGET PROBLEMS. \$110 MONTH TO DOCK	
	353161	82 BERTRAM	65 HRS	24HRS	FUEL LEAK	GOOD	470 HRS/ 2 ENG	MINOR APPEARANCE PROBLEM, CANVAS, WOOD, CHROME. NO BUDGET PROBLEM. \$140 MONTH TO DOCK	

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \_\_\_\_\_

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: TAMPA DISTRICT

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
TAMPA	302156	79 SCARAB	16 HRS	NONE		GOOD	UNKNOWN	TAMPA NEEDS NEW VEHICLE FOR BOAT TOWING USAGE.	
	31394	75 BERTRAM	NONE	NONE	SURVEY	POOR	UNKNOWN		
	401100	77 PERFORMER	NONE	30DAYS	SURVEY	POOR	UNKNOWN		
CORTEZ	282171	77 CHRIS CRAFT	16 HRS	NONE	MOVED TO PANAMA CITY	UNKNOWN	UNKNOWN		
	302191	81 SCARAB	8 HRS	NONE		GOOD	UNKNOWN		
FORT MYERS	302178	83 SCARAB	112 HRS	NONE		GOOD	UNKNOWN		
	382153	80 SCARAB	48 HRS	NONE		GOOD	UNKNOWN		
	601193	78 SMITH	16 HRS	1DAY	MISC.	GOOD	UNKNOWN		
COCO BEACH	302180	81 CORSA	40 HRS	NONE		GOOD			

STATION VEHICLES OK \_\_\_\_\_ POOR ONE VEHICLE

COMMENT: ONE VEHICLE NEEDS REPLACEMENT FOR TOWING OF SMALL VESSELS.

MARCH 20, 1984

PAGE 2

REGION: SOUTHEAST DISTRICT: TAMPA DISTRICT

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
CLEARWATER	302192	80 SCARAB	60 HRS	NONE		GOOD	UNKNOWN		
	44187	79 STRIKER	NONE	30DAYS	SURVEY	POOR	UNKNOWN		
JACKSONVILLE	451109	72 HATTERAS	112 HRS	8DAYS	TUNE-UP, TRANSFERRED TO PANAMA CITY	GOOD		8DAYS; HAD NO CREW	
	224108	78 AQUASPORT	32 HRS	14DAYS	ENG. PROBLEM	GOOD	UNKNOWN	NOW IN OPERATION	
CAPE CANAVERAL	224134	BOSTON WHALER	32 HRS	NONE		GOOD	UNKNOWN		
PENSACOLA	253145	80 FLETCHA	NONE	30DAYS	ENG. PROBLEM	GOOD	UNKNOWN	NOW IN OPERATION	
TALLAHASSEE	253202	83 BOSTON WHALER	72 HRS	1DAY	RADIO REPAIR	GOOD	UNKNOWN		

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \_\_\_\_\_

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MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHEAST

DISTRICT: WILMINGTON

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
MOREHEAD	135195	82 BOSTON WHALER	NONE	NONE		EXCELLENT	76 HRS	NO PROBLEMS EXCELLENT SHAPE	
MOREHEAD	224181	79 PANTERA	NONE	30DAYS	ENGINE REBUILDING; HULL PAINTING; RUNNING NOW	GOOD	2 HRS		
WILMINGTON	253214	79 RABALO	6 HRS	NONE		GOOD TO EXCELLENT	428 HRS	NEW WIRING	
	272205	83 MAGNIM	NONE	21DAYS	PROPSPACER			BEING SERVICED	
MOREHEAD	302207	84 SCARAB	NONE	30DAYS	CANVAS WORK; RUNNING NOW	EXCELLENT	89 HRS		EFFECTED SHORT TERM DAILY OPERATIONS.
WILMINGTON	481112	74 PACEMAKER	NONE	30DAYS	STRUT WORK; ENGINE WORK; IS NOW RUNNING	EXCELLENT	1,026 HRS	NEW CANVAS ENCLOSURE. PROBLEM WITH RADAR & STRUT WORK, JUST COMPLETED.	EFFECTED DAILY OPS. DID NOT ALLOW FOR LONG TERM PATROL.

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STATION VEHICLES OK \_\_\_\_\_ POOR 4

COMMENT: FOUR VEHICLES FOR TOWING OF SMALL CRAFT NEEDED TO REPLACE HIGH MILEAGE OLDER VEHICLES NOW BEING UTILIZED.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTH CENTRAL

DISTRICT: MOBILE

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
MOBILE	155228	SKIFF	1HR	0	N/A	GOOD		*	
DAUPHINE ISLAND	272219	WELLCRAFT	11.5HRS	0	N/A	GOOD		*	
	431218	CREWBOAT	NONE	29DAYS	EXTENSIVE MAINTENANCE. SEIZED VESSEL NOW OPERABLE	GOOD		*	
	431167	SHRIMP BOAT	26HRS	NONE	N/A	GOOD		*	
	302144	SCARAB	23HRS	NONE	N/A	GOOD		*	
GULFPORT	272217	WELLCRAFT	71HRS	1DAY	RADAR REPAIR	GOOD		*	
	24469	CHAPPERAL	NONE	0	N/A	FAIR		*	
	145229	SPORTSMAN	2HRS	0	N/A	GOOD		*	
GRAND ISLE	28241	LIVESAY	8HRS	0	N/A	FAIR		*	

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: ANTICIPATED INCREASE IN DEPLOYMENT OF REGION'S VESSELS WILL CAUSE A FUEL SHORTAGE ESTIMATED AT \$25,000. ACTION TO OBTAIN CREDIT FOR FORFEITED, SEIZED DIESEL FUEL HAS BEEN INITIATED WHICH, IF SUCCESSFUL, MAY ALLEVIATE SHORTAGE. TWO VESSELS UP FOR EXCHANGE/SALE: ALFIN AND A 26' GRAND FRIX.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTH CENTRAL

DISTRICT: NEW ORLEANS TEB

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
NEW ORLEANS	28288	ALFIN	NONE	29DAYS	MAINTENANCE PROBLEMS	POOR		UP FOR EXCHANGE/SALE	NONE
	25220	WELLCRAFT	7 HRS	0	N/A	EXCELLENT		*	NONE
	25221	WELLCRAFT	232 HRS	0	N/A	EXCELLENT		*	NONE
LAFAYETTE	252222	WELLCRAFT	15 HRS	0	N/A	EXCELLENT		*	NONE
LAFITTE	313223	LAFITTE SKIFF	NONE	0	N/A	EXCELLENT		*	NONE
HOUMA	214118	BOSTON WHALER	16 HRS 8ENG HRS	0	N/A	EXCELLENT		*	NONE
	234224	T-CRAFT	NONE	0	N/A	EXCELLENT		*	NONE
SLIDELL	224135	BOSTON WHALER	NONE	0	N/A	FAIR		*	NONE
VENICE	26282	FORMULA	35 HRS	5DAYS	PORT ENGINE OUT	GOOD		ENGINE BEING REPAIRED (30 DAYS)	

STATION VEHICLES OK \_\_\_\_\_ POOR FAIR SHAPE

COMMENT: ANTICIPATED INCREASE IN DEPLOYMENT OF REGION'S VESSELS WILL CAUSE A FUEL SHORTAGE ESTIMATED AT \$25,000. ACTION TO OBTAIN CREDIT FOR FORFEITED, SEIZED DIESEL FUEL HAS BEEN INITIATED WHICH, IF SUCCESSFUL, MAY ALLEVIATE SHORTAGE. TWO VESSELS UP FOR EXCHANGE/SALE: ALFIN AND A 26' GRAND PRIX.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHWEST

DISTRICT: HOUSTON

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
HOUSTON	16625	BOSTON WHALER	0	0	SURVEYED	POOR			
	224143	79 WELLCRAFT	20 HRS	0		GOOD			
GALVESTON	471131	70 CONCORD	25 HRS	20HRS	RADAR REPAIR OPERATIONAL NOW	FAIR			
	214226	79 SEACRAFT	20 HRS	0		GOOD			
	214117	79 BOSTON WHALER	0	0	JUST RECEIVED	GOOD			
	454118	71 HATTERAS	0	30DAYS	SURVEYED	POOR			
	252152	CHRIS CRAFT	0	30DAYS	SURVEYED				
CORPUS CHRISTI	224136	81 BOSTON WHALER	45 HRS	0		GOOD			OPERATION COLUMBIA

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: NEED VEHICLES TO SUPPORT MARINE OPS.

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MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHWEST

DISTRICT: LAREDO

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
FALCON DAM	17624	69 BOSTON WHALER	40 HRS	0		GOOD			"OMSTAD DETAIL"
	234121	THUNDERBIRD FORMULA	10 HRS	0		GOOD			
BROWNSVILLE	353160	VIKING	25 HRS	0		GOOD			

STATION VEHICLES OK \_\_\_\_\_ POOR \_\_\_\_\_

COMMENT: \_\_\_\_\_

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MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: SOUTHWEST

DISTRICT: PORT ARTHUR

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
PORT ARTHUR	253215	83 BOSTON WHALER	0	30 DAYS	NEEDS PARTS: BOAT NEW BUT REQUIRES MAJOR CORRECTIONS BEFORE IT CAN BE OPERATIONAL	GOOD	0	VESSEL REPAIR BEING DONE UNDER WARRANTY.	

STATION VEHICLES OK ..... POOR .....

COMMENT: .....

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC

DISTRICT: HONOLULU

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
HONOLULU	42103	75 INIFLITE	10 HRS	0	N/A	GOOD	2470	*FUEL	
	19439	77 AQUASPORT	10 HRS	0	N/A	GOOD	3582	*FUEL	

STATION VEHICLES OK XXX POOR \_\_\_\_\_

COMMENT: \*FUEL PROBLEM ONLY THAT THEY CANNOT OPERATE MORE OFTEN THAN CURRENT LEVEL OR RISK DEPLETING FUNDS.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC DISTRICT: LOS ANGELES

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON EXPECTED DOWN OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
TERMINAL ISLAND	451187	67 HATTERAS	80 HRS	0	N/A	GOOD	8500	PROJECTED \$5,000 DEFICIT BY LAST QUARTER IN FUEL COST.	UNDERCOVER OPERATION SAN DIEGO/LA PATROL ONGOING
	363165	70 UNIFLITE	NOT OPERABLE		TO BE SURVEYED/ EXCH/SALE		N/A		
	24474	76 SEARAY	EXCHANGE SALE		NOT OPERABLE	POOR	N/A		
	554555	71 HOME MADE	120 HRS	0		EXCELLENT	UNKNOWN	FUNDED BY OPERATION WOLVERINE	UNDERCOVER OPERATION LOS ANGELES. NO CURRENT OPERATING PROBLEM
VENTURA	31309	75 UNIFLITE	SUNK	30 DAYS	EXCHANGE/ SALE	POOR	UNKNOWN	N/A	VENTURA NEEDS, REPLACEMENT 31 FOOT VESSEL - NO MARINE OPS AVAILABLE AT THIS TIME

STATION VEHICLES OK \_\_\_\_\_ POOR ONE 4 WD

COMMENT: NEED ONE 4 WD VEHICLE TO REPLACE POOR CONDITION VEHICLE NOW ON HAND.

677

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC DISTRICT: PORTLAND

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
ASTORIA	21465	78 GLASPY	0	4 MOS	RECENT APPROVAL OF \$1,500 WILL GET VESSEL IN OPERATION WITHIN 30 DAYS	GOOD	659	FUNDING GOOD AT THIS TIME	NO MARINE PATROL AT THIS TIME IN THE PORTLAND AREA, DUE TO DOWN TIME.

STATION VEHICLES OK: GOOD POOR \_\_\_\_\_

COMMENT: \_\_\_\_\_

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC \_\_\_\_\_

DISTRICT: SAN DIEGO \_\_\_\_\_

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
SAN DIEGO	38102	74 BERTRAM	0	0		POOR	2225	NOT ENOUGH PREVENTIVE MAINTENANCE FUNDS.	TOO SLOW FOR PATROL OPERATION, WELL KNOWN IN S.D. AREA
	26204	74 LIVESAY	48 HRS	3DAYS	CARBURETOR	POOR	1450	ON EXCHANGE/SALE	
	224107	76 MAKO	32 HRS	3DAYS	CANVAS	GOOD	358	ON EXCHANGE/SALE	
	24485	76 SEARAY	0	30DAYS	OUT OF SERVICE	POOR		TO BE EXCHANGE/SALE	NOT OPERABLE
OCEANSIDE	283216	81 BAYLINER	32 HRS	0		GOOD	15	NO PROBLEM STAYING WITH CURRENT USE OF VESSEL DIST. WILL BE SHORT ABOUT \$5,000 IN FUEL EXPENSE.	VESSEL ON EXCHANGE/SALE LIST NOT SERVICEABLE FOR USE. NEED REPLACEMENT FOR ENHANCED PATROL.  FEPA FUNDS NOT AVAILABLE FOR EXTENDED PATROLS.

679

STATION VEHICLES OK \_\_\_\_\_ POOR 2 TOW VEHICLES \_\_\_\_\_

COMMENT: NEED TO REPLACE TWO VEHICLES NOW BEING UTILIZED FOR TOWING, WOULD LIKE THEM REPLACED WITH VAN TYPE VEHICLES, FOR TOWING AND SURVILLANCE. VEHICLES NOW BEING UTILIZED WELL OVER 100,000 MILES.

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC

DISTRICT: SAN FRANCISCO

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
SAN FRANCISCO	31311	75 UNIFLITE	41 HRS	18DAYS	CREW SHORT-AGE	GOOD	3500 HRS	RUPTURED STARBOARD TANK-BEING REPAIRED	NORMAL PATROLS OR RESPONSE NOT BEING PERFORMED DUE TO LACK OF MANPOWER TO MAN BOATS.
	19472	75 UNIFLITE	0	30DAYS	NO CREW	GOOD	OUTBOARD		USED TO COVER NORTH SF BAY, NO CREW.
	521198	62 MORO BAY	0	30DAYS	NO ENGINE	EXCH/SALE		POOR CONDITION	NOT EFFECTING OPS AT PRESENT, WHEN NEW CPO'S RETURN FROM SCHOOL, A REPLACEMENT VESSEL OF SAME TYPE WILL BE NEEDED.

STATION VEHICLES OK \_\_\_\_\_ POOR 3

COMMENT: THREE VEHICLES WILL NEED TO BE REPLACED ASAP; VERY BAD CONDITION-USED TO SUPPORT MARINE INTERDICTION.

680

MARCH 20, 1984

UNITED STATES CUSTOMS PATROL  
VESSEL FLEET  
CURRENT LOCATION AND  
OPERATIONAL STATUS

REGION: PACIFIC DISTRICT: SEATTLE

STATION	CUSTOMS FLEET #	VESSEL TYPE/YR	DAYS/HRS OPERATED	DOWN TIME	REASON DOWN EXPECTED OPS RETURN DATE	OVERALL CONDITION	# HRS ON ENGINE	BUDGET/MAINTENANCE PROBLEM AREAS	SPECIAL OPS/OPS EFFECTED BY DOWN TIME OR LACK OF EQUIPMENT
BELLINGHAM	21478	78 GLASPLY	1DAY	0	N/A	EXCELLENT	641	BUDGET ADEQUATE AT THIS TIME. SHOULD AN INCREASE OF MARINE PATROL ACTIVITY DEVELOP WOULD BE SHORT OF FUNDS THE LAST QUARTER.	VESSEL NOT OPERATED MORE OFTEN IN THE LAST 90 DAYS DUE TO POOR WEATHER AND HIGH SEAS. SUGGEST AT LEAST 36-FOOTER TO HANDLE SEAS.

681

STATION VEHICLES OK \_\_\_\_\_ POOR 1-4WD \_\_\_\_\_

COMMENT: ONE VEHICLE NEEDED TO REPLACE CURRENT FOUR WHEEL DRIVE NOW BEING UTILIZED. OVER 100,000 MILES ON VEHICLE.

MARINE ENFORCEMENT RESULTS

In FY 83, Customs marine interdiction resources included 723 positions and 116 vessels dedicated to the marine interdiction effort. Seizures valued at more than \$5 billion in narcotics and slightly more than \$60 million in general merchandise, monetary instruments, vehicles, vessels, and firearms were made. Included in these seizures were 83.1 pounds of heroin, 11,666 pounds of cocaine, and 2.2 million pounds of marijuana. This was accomplished with a total Marine budget of approximately \$36 million. The Marine Program provided a return of \$139 worth of seizures for every \$1 in the operating budget. The Marine Program remains Customs most productive drug interdiction force, accounting for approximately 89 percent of the value of all Customs drug seizures.

U.S. CUSTOMS PATROL  
MARINE INTERDICTION PROGRAM

During FY 1983 the Customs Service designed a new comprehensive Marine Interdiction Program. The program integrates enforcement tactics and techniques, logistic and maintenance requirements, and state-of-the art technology.

The basic field organizational unit of the Marine Interdiction Program is the marine module. Each module is composed of one supervisor, eight marine enforcement specialists, and one clerical person. Marine specialists will gather intelligence and operate large "tracker" vessels in an offshore capacity as a detection and communication platform. Vessels will be deployed based on intelligence. As suspect smuggling vessels are located, other marine specialist will respond with small "interceptor" vessels to pursue and apprehend violators and their contraband.

The staff of a module will address three types of cases: Customs marine interdiction, where Customs is the lead agency; support cooperative cases in conjunction with other agencies; and where applicable, smuggling by crewmembers of a commercial freighter.

A marine module will be minimally equipped with a radar platform vessel and two interceptor-type vessels. A platform will be either a pleasure craft-type boat with a minimum 60 foot length or a working vessel with a minimum 50 foot length. Platforms will be equipped with a sophisticated radar system capable of tracking 10 suspect vessel targets. Also, radar platforms will have equipment which allows them to communicate with Customs Communication Centers, Customs aircraft, Coast Guard vessels, and Coast Guard land stations.

The interceptors are high performance racing-type boats in the 30-40 foot range. Their speed will give them the capability to overtake any vessel which is shuttling bulk contraband from a mothership and most vessels which are carrying low-volume, high-value contraband from offshore islands. Interceptors are also utilized in undercover operations and for intelligence gathering functions.

Based on intelligence, the vessels of module will be deployed to maintain surveillance of a particular area via radar. As suspect vessels and/or rendezvous are detected, the radar platform will vector our interceptors to the suspect shuttlecraft. The interceptors can either make an open water boarding or tail the suspect to the off-load point. The crew of the interceptor will notify the radar platform of the results of their actions. Then, depending on the size and location of the suspect mothership, our radar platform will either stop and board the suspect vessel or vector a Coast Guard vessel to the mothership.

Program improvements include establishment of the radar detection net as an example of a new enforcement technique; achieving standardization and requiring 60-day and 6-month maintenance checks, there by maintaining the fleet in readiness. Also, Servicewide training will be implemented both to raise the skill level and numbers of certified vessel operators.

## INTERAGENCY COOPERATION

Discussions are underway with the Coast Guard to develop a new and more effective relationship between the Coast Guard and the Customs Service in the area of Marine Interdiction.

Coast Guard vessels have been working the high seas and "choke points" leading from source countries with an increased degree of effectiveness. Intelligence information, substantiated by changing methods of smuggling, shows an increased trend toward large quantities of narcotics being flown from source countries and airdropped to vessels or islands in close proximity to the United States. Small vessels are then shuttling the contraband over relatively short distances, through areas not commonly patrolled by the Coast Guard.

The enhanced Marine Interdiction Program is designed to offset this threat. The utilization of Customs vessels in an offshore detection net environment has been discussed with the Coast Guard and mutual agreement reached where both agencies would benefit from deployment.

Customs and Coast Guard have agreed on the following:

- o The Customs operated High-Frequency Radio Direction-Finding network known as "PINPOINT" is providing valuable realtime information relating to activities of smuggling organizations. Coast Guard will be implementing a system utilizing the same concept but with significantly greater effectiveness later this year. Both agencies have agreed that Customs will share its information with the Coast Guard prior to implementation of their system, and that Customs will deactivate PINPOINT upon activation of the Coast Guard system, with Coast Guard sharing information with Customs from that point forward.

- o IOIC - The Coast Guard has established the Interdiction Operations Information Center (IOIC) in the Florida area to more effectively coordinate information and intelligence relating to Marine smuggling. Customs established a presence at the IOIC facility during the test of the Marine Module concept by locating its Command and Control function within the IOIC.

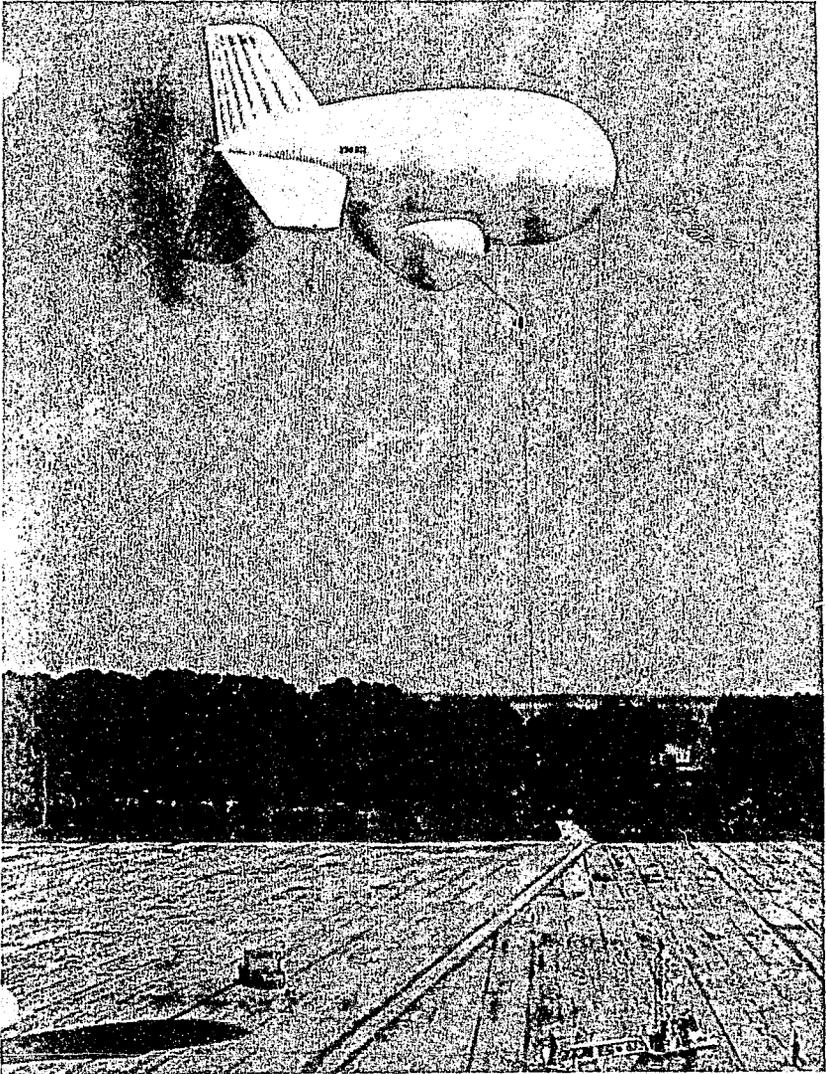
#### MILITARY VESSELS

The Navy has proposed a program in which Customs officers would operate from the Navy's Mark III 65-foot patrol boats in support of Customs Marine Law enforcement efforts.

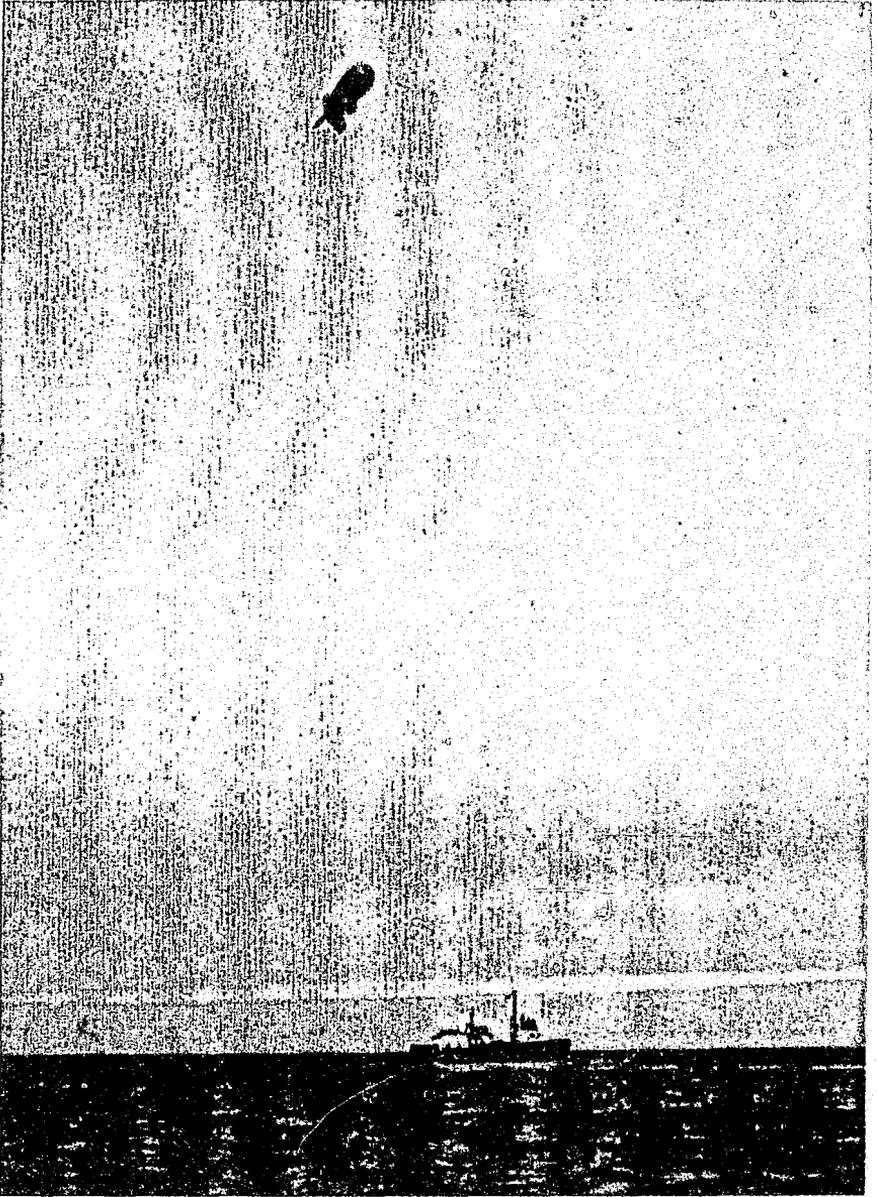
An evaluation study is presently underway by Customs Marine personnel who have visited the Amphibious Assault Station at Norfolk, Virginia.

#### MAINTENANCE

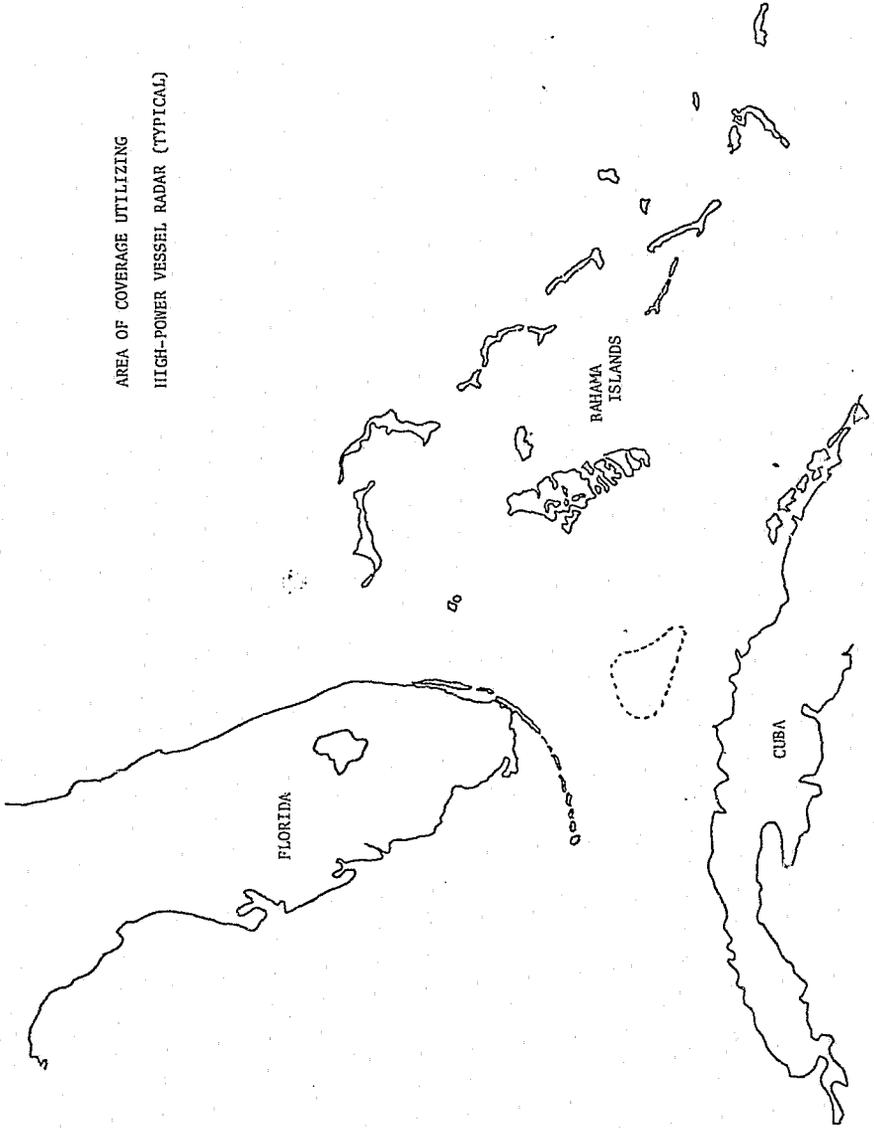
Vessel maintenance presently has no standardized format in the Marine Program of the Customs Service. Routine maintenance and breakdowns are handled on a single vendor contract basis or at marinas on a cash basis. An effort is underway to design and implement a standardized nationwide Service and Maintenance Program.



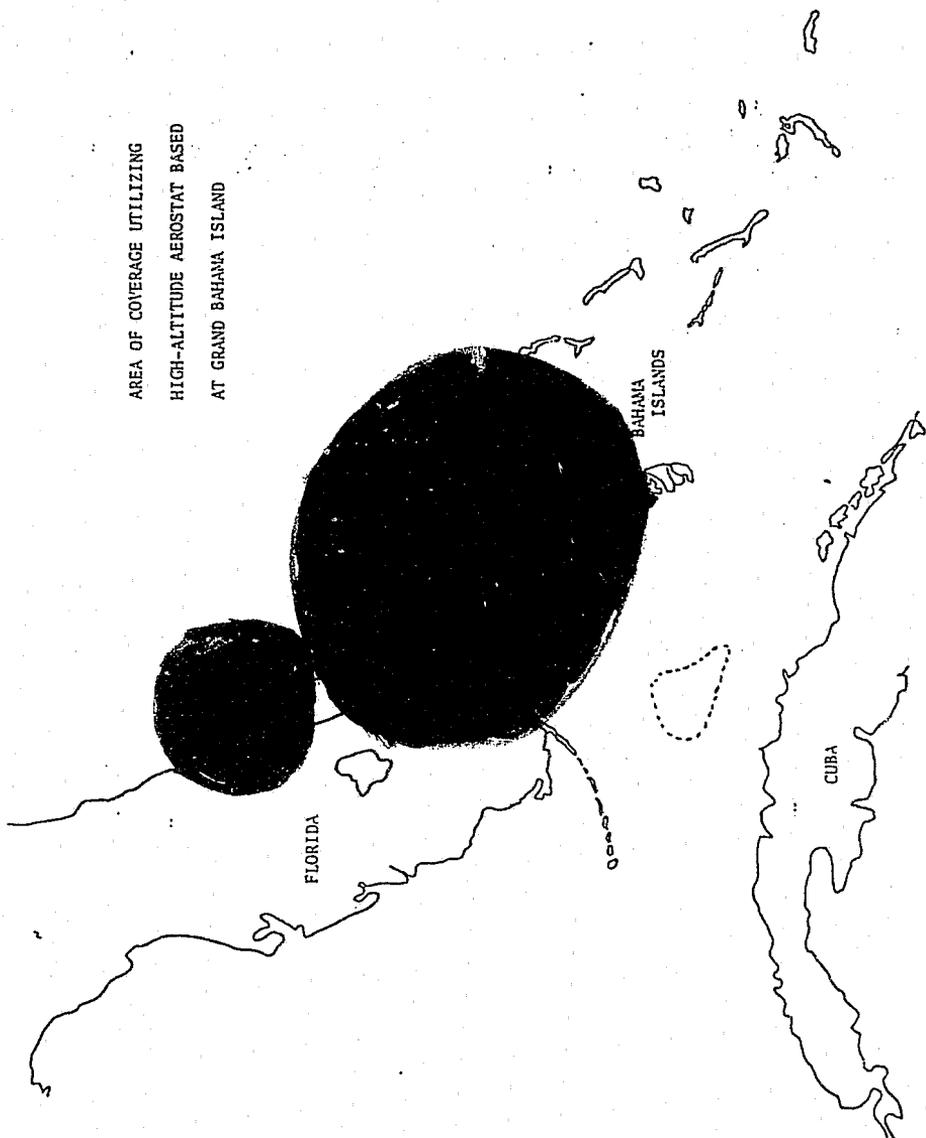
STARS—Small Tethered Aerostat Relocatable System



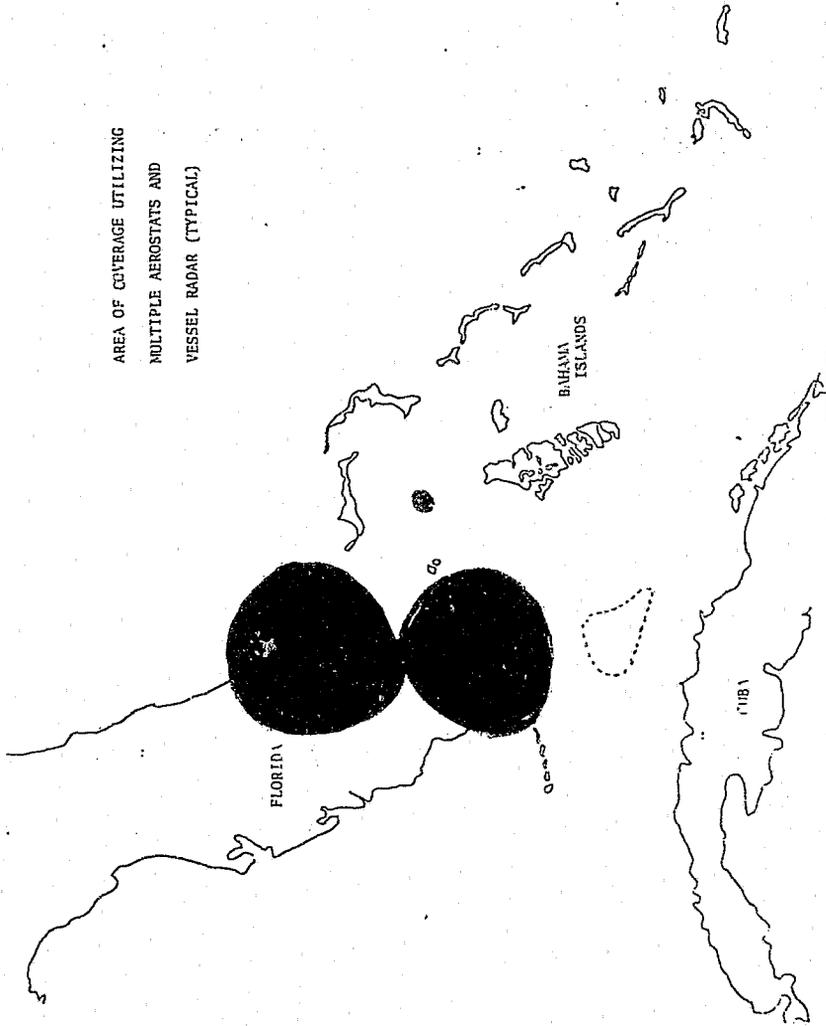
AREA OF COVERAGE UTILIZING  
HIGH-POWER VESSEL RADAR (TYPICAL)



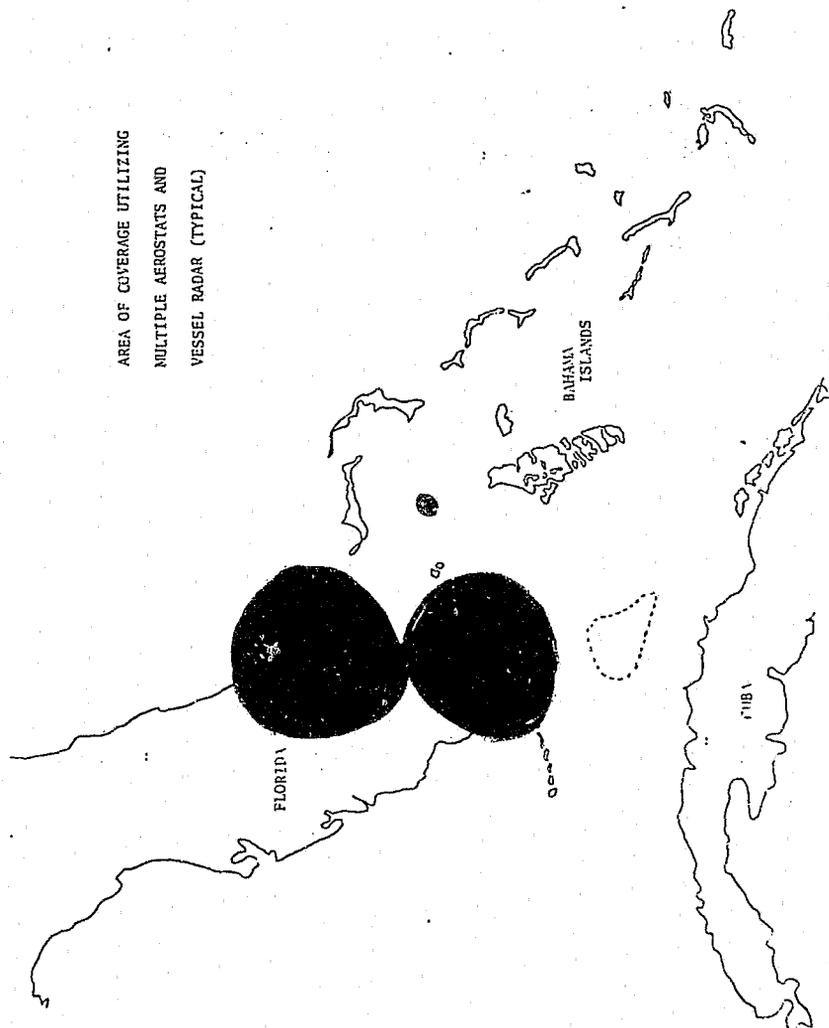
AREA OF COVERAGE UTILIZING  
HIGH-ALTITUDE AEROSTAT BASED  
AT GRAND BAHAMA ISLAND



AREA OF COVERAGE UTILIZING  
MULTIPLE AEROSTATS AND  
VESSEL RADAR (TYPICAL)



AREA OF COVERAGE UTILIZING  
MULTIPLE AEROSTATS AND  
VESSEL RADAR (TYPICAL)



APPENDIX 3.—LETTER FROM REPRESENTATIVE THOMAS N. KINDNESS,  
DATED OCTOBER 5, 1984, TO MR. JOHN M. WALKER, ASSISTANT SEC-  
RETARY FOR ENFORCEMENT, DEPARTMENT OF THE TREASURY, WITH  
RESPONSE DATED NOVEMBER 23, 1984

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NINETY-EIGHTH CONGRESS

Congress of the United States  
House of Representatives  
COMMITTEE ON GOVERNMENT OPERATIONS

2157 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515

October 5, 1984

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MAJORITY—225-5051  
MINORITY—225-5024

Mr. John M. Walker  
Assistant Secretary for Enforcement  
Department of the Treasury  
Washington, DC

Dear Mr. Walker:

Upon review of testimony received by the Government Information Subcommittee this year from the Drug Enforcement Administration and the U.S. Customs Service, I would like to pose some questions to you for the purpose of clarifying the Subcommittee's record on the extent to which tactical intelligence for the purpose of airborne drug interdiction is available and has been communicated by the DEA to the Customs Service.

A summary of the relevant testimony will, I believe, illuminate the problem in our record as it stands right now.

— In his opening statement at the Subcommittee's June 14, 1984, hearing, Chairman Glenn English asserted that "of the 203 air interdictions made by Customs last year, our investigation reveals that none of the targets was detected based on tactical intelligence that had been received from DEA."

— During that hearing, DEA Administrator Mullen testified that

"From February 1983 through May of 1984, DEA developed over 59,000 separate pieces of information relating to the movement of private aircraft in Latin America. After analyzing the information, a total of 990 aircraft were identified as actionable targets.

EPIC telephonically passed 851 of these targets to the United States Customs Service. As a result, 38 of the aircraft were seized. Eight additional aircraft crashed en route. DEA received no feedback on the remaining 805 targets. From this, we must conclude that, (A) the target was intercepted but no drugs were found; (B) a response was attempted without success; or (C) there was no response possible."

— Finally, during the Subcommittee's September 6 hearing, Chairman English referred to "a Customs documents that indicates in 1983, of the 212 arrests made, only two were the result of prior information," to which you replied: "I can't quarrel with that."

As you can see, our record is a bit muddled, and I do not believe that our Committee will be able to make accurate findings and well-founded recommendations unless we clear up the discrepancies.

In posing the questions that follow, I trust that we are all relying upon the same definition of "tactical intelligence." In the Government Operations Committee's Interim Report on the War Against Drug Smuggling of October, 1983, "tactical intelligence" was defined as

"information which provides actionable information before actual commission of a crime to the interdiction agency. Tactical intelligence should provide the user with information helpful in positioning resources at the right place at the right time to increase the probability of arrest."

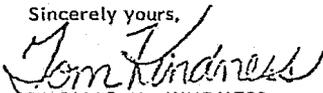
The last part of that definition is particularly important because it means that we cannot determine that a piece of information falls within our definition of "tactical intelligence" only if a seizure is made on that basis of information.

Having said that, I would appreciate it if you would answer the following questions for our record in the hope that I might better understand the basis for the apparent discrepancies in the testimony that we have received:

1. Was the U.S. Customs document referred to during the hearing by Congressman English a special report or was it derived from an ongoing management or record keeping system? Please describe the process by which the statistical data was developed and authenticated.
2. Please explain what is meant by the term "air interception" and how it is distinguished from a seizure or an interdiction.
3. How can the number of "interceptions" be a useful indicator of the adequacy of intelligence to support the air interdiction effort.
4. Please explain the procedure involved in conducting an interception operation when there is no prior information available.
5. How many resources (personnel and aircraft) were dedicated to the air interception effort in FY-83?
6. How many of the 212 interceptions led to interdictions or seizures? Please provide the following information for each of the FY-83 interdictions or seizures made by U.S. Customs:
  - a. identification number of aircraft
  - b. location of seizure or interdiction (or nearest city)
  - c. date of seizure or interdiction
  - d. Was there any information available on these aircraft in EPIC prior to the interdiction?
  - e. What was the basis for the interdiction?

7. I recognize there are inherent difficulties in developing tactical intelligence on future drug smuggling activity. You have testified on several occasions, as has Commissioner Von Raab, that the U.S. Customs Service receives inadequate tactical intelligence to support its air interdiction effort. Please describe what level of tactical intelligence would be considered adequate for these purposes.

Sincerely yours,



THOMAS N. KINDNESS  
Ranking Minority Member  
Government Information, Justice and  
Agriculture Subcommittee

TNK:jp:sc



ASSISTANT SECRETARY

DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220

NOV 23 1984

Dear Mr. Kindness:

Thank you for your letter of October 5, 1984, concerning apparent discrepancies in the testimony presented to the Government Information Subcommittee by Mr. Mullen of the Drug Enforcement Administration and myself concerning tactical intelligence to support the air interdiction effort. The enclosed responds to each of the questions you posed.

I hope this will clarify these issues. However, if I can provide any further information, please do not hesitate to contact me.

Sincerely,

*John Walker*  
John M. Walker, Jr.  
Assistant Secretary  
(Enforcement and Operations)

The Honorable  
Thomas N. Kindness  
Ranking Minority Member  
Government Information, Justice and  
Agriculture Subcommittee  
Committee on Government Operations  
House of Representatives  
Washington, D.C. 20515

Enclosures

- 1: Was the U.S. Customs document referred to during the hearing by Congressman English a special report or was it derived from an ongoing management or record keeping system? Please describe the process by which the statistical data was developed and authenticated.
- A: The document in question is a product of an ongoing data collection system, the Aviation Operations Reporting System (AOR) designed by Customs to collect and evaluate program activity.
- System data input is obtained by completion of a CF-269 (AOR) form that is required for each activity performed by a Customs aircraft (whether launch or no launch) and for every incident of arrest, seizure or violation which resulted from detection, intelligence or casework.
- This system is programmed rigidly from the established and approved Air Strategy Design. A copy of the CF-269 is attached.
- 2: Please explain what is meant by the term "air interception" and how it is distinguished from a seizure or an interdiction.
- A: An air interception takes place when a detected suspect target is located (visually or on radar) by the intercepting aircraft. An air interdiction consists of four distinct and independent functions: 1) detection, 2) interception, 3) tracking and 4) apprehension. A successful interdiction mission is the culmination of all four functions and usually results in a seizure.
- 3: How can the number of "interceptions" be a useful indicator of the adequacy of intelligence to support the air interdiction effort?
- A: Interceptions are initiated based on two types of detection functions. Unknown, based on routine detection capability in FAA, NORAD and scheduled airborne sorties. Tactical interceptions, based on specific information that an aircraft will be, or is proceeding northbound via a particular route. With tactical information Customs can establish a window of probable penetration and dedicate a detection resource to a specific area thus increasing detection as well as interceptions.

- 4: Please explain the procedure involved in conducting an interception operation when there is no prior information available.
- A: Customs utilizes stationary land based radar as well as limited DOD airborne radar platforms for the detection function. When a suspect target is detected an interceptor aircraft is launched and vectored to the suspect target. Should the interceptor aircraft make contact with the suspect target either visually or on radar an intercept has occurred.
5. How many resources (personnel and aircraft) were dedicated to the air interception effort in FY 83?
- A: In FY 83 there were 175 personnel and 65 aircraft assigned to the Customs Air Interdiction Program.
- 6: How many of the 212 interdictions led to interceptions or seizures? Please provide the following information for each of the FY 83 interdictions or seizures made by U.S. Customs: See Q.6, p.693
- a. identification number of aircraft
  - b. location of seizure or interdiction (or nearest city)
  - c. date of seizure or interdiction
  - d. Was there any information available on these aircraft in EPIC prior to the interdiction?
  - e. What was the basis for the interdiction?

- A: For the testimony of June 14, 1984, to the English Committee, statistics provided for Mr. Walker's testimony were derived from Customs automated "Aviation Operations Reporting System" which revealed that during FY 83 Customs intercepted 212 illegal targets, 23 of which indicated DEA involvement. Upon individual review of these 23 incidents, 2 were found to have resulted from prior DEA tactical intelligence as per the Committee's definition.

A separate analysis has been completed using Air Operations Report data and available intelligence files. We have identified 93 interdictions (including 27 Bahamian actions not included in the original 212 interceptions). EPIC data, which includes DEA data, was available on 75 of the 93 interdictions. A breakout of the EPIC data known to be available at the time of the intercept is as follows:

Tactical information (available and forwarded to Customs by DEA)	2
Tactical information (available, but not necessarily transmitted to Customs)	6
Current information (available on TECS query or request)	46
Background information (only available on request)	21
Unknown	18

Of the 93 interdictions, 65 occurred in the United States, and the balance of 27 in the Bahamas. A breakout of those results is as follows:

	U.S.	Bahamas	Total
Positive results	65	27	93
Navigation Violations	8		8
Aircraft seized/crashed	57	24	81
Cocaine seized	3,625 lbs	473 lbs	4,098 lbs
Marijuana seized	103,583 lbs	25,165 lbs	128,748 lbs
Arrests	112	37	149
Bodies recovered	3		3

We are including a computer print-out showing (a) identification number and type of aircraft, (b) the location of the seizure, the results, (c) the date of the seizure, (d) indication of EPIC information known to Customs intelligence, and (e) the means of detection/basis for interdiction.

- 7: I recognize there are inherent difficulties in developing tactical intelligence on future drug smuggling activity. You have testified on several occasions, as has Commissioner von Raab, that the U.S. Customs Service receives inadequate tactical intelligence to support its air interdiction effort. Please describe what level of tactical intelligence would be considered adequate for these purposes.
- A: On a single case basis, adequate tactical intelligence would be described as information that is provided in sufficient time as to result in a successful intercept, resulting in a seizure and arrest.

On an overall basis, adequate tactical intelligence might be described as providing the type of intelligence cited above in a sufficient number of cases to: 1) tax Customs response capabilities to the limit, and 2) enable Customs to intelligently choose those targets most likely to result in success in those instances where Customs' ability to respond is exceeded.

The ideal situation would be to have adequate tactical intelligence on every smuggling flight.'



DEPARTMENT OF THE TREASURY  
UNITED STATES CUSTOMS SERVICE

AVIATION OPERATIONS REPORT

4132. P/PM

1. ID	2. DATE	
3. PREPARING OFFICER (Print)	4. REPORTING UNIT	
5. A/C ID	6. FLIGHT HRS.	7. MISSION HRS.

A. REPORT CATEGORY	1. AIRCRAFT MISSION (Check One)		2. LAW ENFORCEMENT SUPPORT	
	a. <input type="checkbox"/> Search for A/C or Airstrip Recon.	j. <input type="checkbox"/> Enforcement Related	A. OTHER CUSTOMS	
	b. <input type="checkbox"/> Surveillance of A/C or Airport	k. <input type="checkbox"/> Information Gathering	<input type="checkbox"/> Marine Patrol	<input type="checkbox"/> Land Patrol
	c. <input type="checkbox"/> Interdiction of A/C	l. <input type="checkbox"/> Beeper/Transponder Installation or Removal	<input type="checkbox"/> Inv.	<input type="checkbox"/> C.G.
d. <input type="checkbox"/> Radar Patrol	m. <input type="checkbox"/> Humanitarian	<input type="checkbox"/> Other-Specify:	<input type="checkbox"/> DEA	
e. <input type="checkbox"/> Search for Vessel or Marina Recon.	n. <input type="checkbox"/> Maintenance Check Flight	<input type="checkbox"/> STATE/LOCAL-Specify:	<input type="checkbox"/> INS	
f. <input type="checkbox"/> Surveillance of Vessel or Marina	o. <input type="checkbox"/> Maintenance Support	B. OTHER FEDERAL		
g. <input type="checkbox"/> Search for Vehicle or Land Recon.	p. <input type="checkbox"/> Training	<input type="checkbox"/> C.G.	<input type="checkbox"/> DEA	
h. <input type="checkbox"/> Surveillance of Vehicle or Location	q. <input type="checkbox"/> Administration	<input type="checkbox"/> Other-Specify:	<input type="checkbox"/> INS	
i. <input type="checkbox"/> Enforcement Relocation	r. <input type="checkbox"/> CASE ONLY	C. <input type="checkbox"/> STATE/LOCAL-Specify:		
		D. <input type="checkbox"/> FOREIGN-Specify:		
		3. INFORMATION/INTELLIGENCE		
		Detection Due To Prior Information?	<input type="checkbox"/> Y <input type="checkbox"/> N	
		<input type="checkbox"/> ASB Case	<input type="checkbox"/> FAA Data	
		<input type="checkbox"/> FECS Record	<input type="checkbox"/> Other-Specify:	

B. DETECTION	1. TARGET (Check One)		2. MEANS OF DETECTION							
	<input type="checkbox"/> AIR	<input type="checkbox"/> LAND	A. Ground Radar	<input type="checkbox"/> FAA	<input type="checkbox"/> NORAD	<input type="checkbox"/> USC Fixed	<input type="checkbox"/> USC Mobile	<input type="checkbox"/> Other-Specify:		
	<input type="checkbox"/> MARINE		B. Airborne Radar	<input type="checkbox"/> AWACS	<input type="checkbox"/> Customs	D. Detection Facility				
			C. Other Means	<input type="checkbox"/> Visual	<input type="checkbox"/> UBASS	<input type="checkbox"/> Ground Sensor	<input type="checkbox"/> Beeper	<input type="checkbox"/> Transponder		
	3. INITIAL DETECTION DATA	Target Type/ID (If Known)	B. Lights	Y	N	C. Point of Initial Detection	D. Time	E. Course	F. Speed	G. Altitude (AGL)
	4. SUSPECT BORDER INTRUSION DATA	A/C Type/ID (If Known)	G. Lights	Y	N	C. Border Segment Location ID Code	D. Time	E. Course	F. Speed	G. Altitude (AGL)

C. LAUNCH	REQUESTED BY	DATE	TIME	LAUNCH DATE	LAUNCH TIME	SCRAMBLE?
	IF LAUNCH, GO TO "D" (INTERCEPT) OR "E" (JOIN-UP/TRACK) AS APPROPRIATE.					
	NO LAUNCH	1. <input type="checkbox"/> Proper A/C Not Available (Maintenance)	5. <input type="checkbox"/> Visual Sighting Only	9. <input type="checkbox"/> Other-Specify:		
	LAUNCH	2. <input type="checkbox"/> Proper A/C Not Available (Capability)	6. <input type="checkbox"/> Other Mission Priority	AMPLIFY		
	3. <input type="checkbox"/> Proper Aircrew Unavailable	7. <input type="checkbox"/> Weather				
	4. <input type="checkbox"/> Target Lost Or Insufficient Time	8. <input type="checkbox"/> Target Legal				

D. INTERCEPT OR SEARCH	1. INTERCEPT/LOCATE DATA		A. Target Type/ID (If Known)	B. Lights	Y	N	C. Location	D. Time	E. Course	F. Speed	G. Altitude (AGL)
	2. PRIMARY AIRBORNE ACQUISITION SENSOR USED (Check One)										
	<input type="checkbox"/> Radar <input type="checkbox"/> IRDS <input type="checkbox"/> Visual <input type="checkbox"/> Other-Specify:										
	IF LOCATED, GO TO "E" (JOIN-UP/TRACK)										
NO INTERCEPT/UNABLE TO LOCATE TARGET											
1. <input type="checkbox"/> Interceptor Too Slow											
2. <input type="checkbox"/> A/C Sensors Inadequate											
3. <input type="checkbox"/> A/C Sensors Inoperative											
4. <input type="checkbox"/> Ground Radar Lost Target											
5. <input type="checkbox"/> Target Legal											
6. <input type="checkbox"/> Insufficient/Inadequate Info.											
7. <input type="checkbox"/> No Target Pop-Up											
8. <input type="checkbox"/> Other-Specify:											

E. JOIN-UP/TRACK OR SURVEILLANCE	EVENT DESCRIPTION		A/C NO.	LOCATION	TIME	4. PRIMARY AIRBORNE SENSOR USED TO MAIN-TAIN TRACK (Check One)
	1. TARGET ACQ'D FROM	N.				<input type="checkbox"/> Radar <input type="checkbox"/> IRDS <input type="checkbox"/> Visual
	2. HAND-OFF TO	N.				<input type="checkbox"/> Other-Specify:
	3. ASSIST BY	N.				
IF TRACKED AND NOT HANDED OFF, GO TO "F" (ENF. STOP/GND. PHASE)						
LOST TARGET/SURVEILLANCE TERMINATED						
1. <input type="checkbox"/> Tracker Too Slow						
2. <input type="checkbox"/> Tracker Lacked Endurance						
3. <input type="checkbox"/> Tracker Sensors Inadequate						
4. <input type="checkbox"/> Target Legal						
5. <input type="checkbox"/> Locate Only						
6. <input type="checkbox"/> Other-Specify:						
AMPLIFY						

F. ENF. STOP/ GND. PHASE	ENFORCEMENT STOP BY		LOCATION		TIME	<input type="checkbox"/> ASB Interog.	<input type="checkbox"/> ASD Search
	<input type="checkbox"/> A/C Crew	<input type="checkbox"/> ASB Backup					
	<input type="checkbox"/> Other-Specify:						
	NO STOP						
1. <input type="checkbox"/> Tracking A/C Unable to Land							
2. <input type="checkbox"/> Communication/Coord. Problem							
3. <input type="checkbox"/> Target Legal							
4. <input type="checkbox"/> Other-Specify:							
COMPLETE "G" (ENF. RESULTS).							

G. ENF. RESULTS	1. SEIZURE NO.	2. PATROL ID NO.	3. MISSION ROLE (Check One)		4. ARRESTS
			<input type="checkbox"/> s. Air Initiator	<input type="checkbox"/> b. Support	<input type="checkbox"/> Vital <input type="checkbox"/> Assist <input type="checkbox"/> Participation Only
	HEROIN		LBS.	AIRCRAFT	
	COCAINE		LBS.	VEHICLES	
MARIJUANA		LBS.	VESSELS		
HASHISH		LBS.	MONETARY INST. \$		
OTHER-SPECIFY:		OTHER-SPECIFY:			

REVIEWING OFFICER SIGNATURE	PREPARING OFFICER SIGNATURE
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N7823L BEECHCRAFT A65	FT LAUDERDALE NAVIGATION VIOLATION	FL	821001	BACKGROUND ONLY/ PRIOR FAA LOOKOUT	GROUND RADAR
N37FL DOUGLAS DC-3A	CAY SAL BANKS AIRDROPPED ESTIMATED 100 BALES MARIJUANA/UNKNOWN AMOUNT RECOVERED BY BAHAMIANS	BF	821027	CURRENT TACTICAL INFO/LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE/ CUSTOMS INTELLIGENCE
N120D PIPER PA-23-250	LEESBURG 1,135 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS	FL	821031	CURRENT TACTICAL INFO/LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N2611B AERO COMMANDER 520	NASSAU AIRDROPPED ESTIMATED 960 LBS MARIJUANA/BOATS/LOAD/ACFT SEIZED CREW APPREHENDED BY BAHAMIANS	BF	821102	BACKGROUND ONLY/ PRIOR LOOKOUT BASED ON DEA/CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N46680 BEAGLE 206 SERIES 1	FT LAUDERDALE ACFT/MARIJUANA DEBRIS/WEAPON/ BEEPER DETECTOR/DUFFEL BAGS SEIZED	FL	821102	BACKGROUND ONLY PRIOR LOOKOUT BASED ON CUSTOMS/DEA DATA	FAA RADAR/PRIOR INTELLIGENCE
N5725J CESSNA P206E	GAINSVILLE NAVIGATION VIOLATION/PROBABLE LOAD SEEN IN ACFT/ACFT LOST NEAR CROSS CITY, FL	FL	821103	CURRENT INFO/FAA LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N234GD PIPER PA-23-250	MARSH HARBOR/ABACO I BF CRASH-LANDED/2,000 LBS MARIJUANA SEIZED/2 ARRESTS BY BAHAMIANS	BF	821107	NEARLY CURRENT TACTICAL INFO/ LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE

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N744V DOUGLAS DC-3C	WEST END/GRAND BF IS BF AIRDROPPED 80-100 BALES MARIJUANA/440 LBS RECOVERED/ACFT SEIZED BY BAHAMIANS		821113	RECENT INFO/LOOKOUT BASED ON DEA DATA	GROUND RADAR/EPIC INTELLIGENCE
N7819L BEECHCRAFT A65	BIMINI BF 1,500 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS BY BAHAMIANS		821114	CURRENT TACTICAL INFO/LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N2614B AERO COMMANDER 520	BIMINI BF AIRDROPPED ESTIMATED 1,250 LBS MARIJUANA/50 LBS RECOVERED/ACFT SEIZED/2 ARRESTS BY BAHAMIANS		821116	RECENT INFO/LOOKOUT BASED ON CUSTOMS/ ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N9199Y PIPER PA-31	FT LAUDERDALE FL AIRDROPPED ESTIMATED 43 BALES MARIJUANA NEAR BILLY'S IS/BF 1 BALE RECOVERED BY BAHAMIANS ACFT SEIZED/2 ARRESTS BY USCS		821119		GROUND RADAR
N6875D CESSNA 402C	PEMBROKE PINES FL NAVIGATION VIOLATION/1 FUGATIVE ARRESTED/\$8,080 CASH SEIZED		821120		GROUND RADAR
N1855B CESSNA 310C	OPA LOCKA FL NAVIGATION VIOLATION		821127		NORAD RADAR
N56CM CESSNA 310R	FT LAUDERDALE FL NAVIGATION VIOLATION		821203		FAA RADAR

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N511BC BEECHCRAFT 65-80	HOUSTON 1,300 LBS MARIJUANA/1 WEAPON/ 1 VEHICLE/ACFT SEIZED/2 ARRESTS	TX	821204	BACKGROUND ONLY BASED ON PRIOR LOOKOUT/CUSTOMS DATA	CURRENT CASE INFO/VISUAL SIGHTING
N70Z PIPER PA-31	BROOKSVILLE 1,500 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS	FL	821205	BACKGROUND ONLY/ PRIOR LOOKOUT/PRIOR FOREIGN SEIZURE	GROUND RADAR/PRIOR INTELLIGENCE
N6126X AERO COMMANDER 560F	PORTER/KINGWOOD 800 LBS MARIJUANA/ACFT SEIZED/ 1 ARREST	TX	821207	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO
N101KF PIPER PA-23-250	QUITMAN 500 LBS MARIJUANA/ACFT SEIZED	MS	821209	FAA LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/CURRENT CASE INFO/ EPIC INTELLIGENCE
N5440G CESSNA 404	OPELOUSAS NAVIGATION VIOLATION TARGET LOST/LATER FOUND ON GROUND	LA	821210	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	FAA RADAR/CURRENT CASE INFO/EPIC LOOKOUT
N60063 CESSNA 210L	SANDY POINT 22 BALES MARIJUANA/ACFT SEIZED/ 2 ARRESTS BY BAHAMIANS	BF	821210	CURRENT TACTICAL LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N4994F CESSNA U206B	MIAMI 566 LBS MARIJUANA/ACFT SEIZED/ 2 ARRESTS	FL	821211	LOOKOUT BASED ON FLORIDA JOINT TASK FORCE DATA	GROUND RADAR/EPIC INTELLIGENCE

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N153X BEECHCRAFT D50B	FT LAUDERDALE MARIJUANA DEBRIS/ACFT SEIZED/ NAVIGATION VIOLATION/OBSERVED OFF-LOADING ON GRAND BAHAMA IS/ BF	FL	821219	RECENT INFO BASED ON ACFT MOVEMENT DATA	GROUND RADAR/VISUAL SIGHTING OF OFF-LOADING IN PROGRESS
N42LA BEECHCRAFT D50	KILEEN 1,000 LBS MARIJUANA/ACFT SEIZED	TX	821220	LOOKOUT BASED ON JOINT CUSTOMS/DEA/ STATE INFO TRANSPONDER	NAVY GROUND RADAR/CURRENT CASE INFO
N14053 PIPER PA-23-250	LORAIN NAVIGATION VIOLATION/ELUDED CAPTURE ON FIRST LANDING	OH	821227	LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/EPIC INTELLIGENCE
N86K BEECHCRAFT D-18S	FT LAUDERDALE 1,580 LBS MARIJUANA/ACFT SEIZED/ 2 ARRESTS	FL	830105	LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE/ EPIC LOOKOUT
N3278P PIPER PA-23-160	GEORGETOWN/GT EXUMA 4 BALES MARIJUANA/ACFT SEIZED/ 4 ARRESTS BY BAHAMIANS	BF	830106		GROUND RADAR/VISUAL SIGHTING
N4889C DOUGLAS DC-7B	DODGE CITY 20,000 LBS MARIJUANA/ACFT/SEIZED 3 ARRESTS	KS	830107	RECENT INFO FM DEA/ LOOKOUT BASED ON CUSTOMS/DEA DATA	GROUND RADAR/EPIC INTELLIGENCE
N139PM BEECHCRAFT E-18S T/P CONV	CUTHBERT 1,500 LBS MARIJUANA/ACFT/SEIZED 4 ARRESTS	GA	830112	LOOKOUT BASED ON CUSTOMS/DEA DATA	GROUND RADAR/EPIC INTELLIGENCE/ PRIOR INTELLIGENCE

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N6890S AERO COMMANDER 680	BRADY 820 LBS MARIJUANA/ACFT SEIZED 3 ARRESTS	TX	830113	LOOKOUT BASED ON CUSTOMS/STATE DATA	FAA RADAR/EPIC LOOKOUT/PRIOR INTELLIGENCE
N7340U CESSNA T207A	KEENANSVILLE 800 LBS MARIJUANA/ACFT/\$3,912 CASH SEIZED/1 ARREST	TX	830114	BACKGROUND INFO BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N2742J CESSNA 421A	VENICE 1,500 LBS MARIJUANA/ACFT SEIZED/ 1 ARREST	FL	830116		GROUND RADAR
N3041R CESSNA 310B	CROSS CITY JETTISONED LOAD OVER GULF OF MEXICO/42 BALSE RECOVERED/ACFT SEIZED/2 ARRESTS	FL	830117	LOOKOUT BASED ON CUSTOMS/LOCAL DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO/ EPIC INTELLIGENCE
N9371R AERO COMMANDER 680E	FT LAUDERDALE ACFT/1 WEAPON SEIZED/ILLEGAL FUEL SYSTEM	FL	830117	BACKGROUND INFO BASED ON PRIOR LOOKOUT	GROUND RADAR
N8423Y PIPER PA-32R-301	SPRING VALLEY 1,400 LBS MARIJUANA/ACFT SEIZED 3 ARRESTS	NY	830120	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO/ EPIC INTELLIGENCE
N8356Z PIPER PA-34T-220T	BIMINI ESTIMATED 9 BALES SUSPECTED MARIJUANA JETTISONED AT SEA/ ACFT SEIZED/2 ARRESTS BY BAHAMIANHS	BF	830126	CURRENT TACTICAL INFO BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE

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N711ES PIPER PA-23-250	FT LAUDERDALE MARIJUANA DEBRIS/ACFT SEIZED/ 2 ARRESTS/AIRDROPPED ESTIMATED 19 BALES TO VLSL NEAR WEST END GRAND BAHAMA IS, BF	FL	830127	CURREN TACTICAL INFO /LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
PTKXD BEECHCRAFT 18	TREASURE CAY AIRDROPPED ESTIMATED 20 BALES SUSPECTED MARIJUANA/ACFT SEIZED/ 2 ARRESTS BY BAHAMIANS	BF	830130	LOOKOUT BASED ON U.S. MARSHALL'S DATA	GROUND RADAR/EPIC INTELLIGENCE
PTKZH DOUGLAS DC-3	EXUMA IS CHAIN AIRDROPPED SUSPECTED MARIJUANA ACFT/MARIJUANA DEBRIS SEIZED BY BAHAMIANS FOLLOWING DAY	BF	830209	LOOKOUT BASED ON DEA DATA	AEROSTAT RADAR/EPIC LOOKOUT
YV437CP BEECHCRAFT 200	GREENVILLE 1,500 LBS MARIJUANA SEIZED/ STOLEN ACFT RECOVERED/4 ARRESTS	MS	830212	LOOKOUT BASED ON DEA DATA/TRANSPONDER STOLEN ACFT REPORT	FAA RADAR/EPIC INTELLIGENCE
N51ZP CESSNA 404	MIAMI AIRDROPPED EST 50 BALES TO 2 VSL NEAR ELBOW CAY/BF/ACFT/DEBRIS SEIZED/2 ARRESTS BY USCS/2 VSLs 2000 LBS MJ SEIZED BY USCG	FL	830220	RECENT TACTICAL INFO BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N9613R BEECHCRAFT 050B	ANDROS IS AIRCROPPED EST 25 BALES NEAR GREAT WHALE CAY/17 BALES (1,105 LBS) RECOVERED/ACFT SEIZED/2 ARRESTS BY BAHAMIANS	BF	830226	BACKGROUND INFO BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N336W PIPER PA-31	SPRINGFIELD JETTISONED LOAD NEAR OSAGE BEACH MO/676 LBS MARIJUANA RECOVERED ACFT SEIZED/2 ARRESTS	MO	830312		GROUND RADAR/CURRENT CASE INFO/ TRANSPONDER

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N2240B PIPER PA-32-300	KEY WEST AIRDROPPED EST 15 BALES TO 2 VSL 650 LBS MARIJUANA RECOVERED BY USCG/2 VSL/ACFT SEIZED/2 ARRESTS BY USCS	FL	830313	CURRENT TACTICAL INFO BASED ON ACFT MOVEMENT DATA FM CUSTOMS	FAA RADAR/CURRENT CUSTOMS DATA EPIC LOOKOUT
N8124G CESSNA 210K	BARSTOW 603 LBS MARIJUANA/ACFT SEIZED 3 ARRESTS	CA	830314	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	FAA RADAR/CURRENT CASE INFO/EPIC LOOKOUT
N5437S CESSNA 337B	CAT CAY OBSERVED CIRCLING BOATS IN ELUTHERA IS AREA/CRASH-LANDED/ 800 LBS MARIJUANA/ACFT LATER SEIZED BY BAHAMIANS	BF	830320	LOOKOUT BASED ON PREVIOUS ACFT MOVEMENT DATA	VISUAL SIGHTING/EPIC LOOKOUT
N5786J CESSNA T210K	POLLOCK CRASHED/MARIJUANA DEBRIS/ACFT SEIZED/OUTFITTED FOR SMUGGLING	LA	830322	LOOKOUT BASED ON CUSTOMS DATA	FAA RADAR/PRIOR INTELLIGENCE/ EPIC LOOKOUT
N50233 CESSNA U206F	RIVERSIDE SUSPECTED OFF-LOAD IN ARIZONA/ ACFT/MARIJUANA DEBRIS SEIZED/ 1 ARREST	CA	830324	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	FAA/NORAD RADAR/CURRENT CASE INFO/EPIC LOOKOUT
N518DE PIPER PA-31-350	TURNER FALLS JETTISONED LOAD AT SEA AFTER SPOTTING CUSTOMS ACFT/MARIJUANA DEBRIS/ACFT SEIZED	MA	830325	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO/ EPIC LOOKOUT
N1037F DOUGLAS DC-6B	WILLARD 20,000 LBS MARIJUANA/ACFT SEIZED 7 ARRESTS	NM	830327		GROUND RADAR

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N3972G CESSNA U206C	COTTONWOOD 1,000 LBS MARIJUANA/ACFT/SEIZED 2 ARRESTS	AZ	830329		GROUND RADAR
N3CA BEECHCRAFT 65-80	MIAMI 1,500 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS	FL	830402	LOOKOUT BASED ON CUSTOMS DATA	AIRBORNE RADAR/PRIOR INTEL/EPIC LOOKOUT
N91053 CESSNA 207	WAKEENEY 400 LBS MARIJUANA/ACFT SEIZED 1 ARREST	KS	830409	LOOKOUT BASED ON CUSTOMS DATA	RFEOPER/CURRENT CASE INFO/EPIC LOOKOUT
N5759X CESSNA 320	FALFURRIAS 583 LBS MARIJUANA SEIZED IN FALFURRIAS, TX/ACFT SEIZED 2 ARRESTS IN MCALLEN, TX	TX	830410		NAVY GROUND RADAR/PRIOR CUSTOMS/ DEA INFO
N832B BEECHCRAFT 65	CHANDLER 1,500 LBS MARIJUANA SEIZED IN CHANDLER, AZ/ACFT SEIZED IN CASA GRANDE, AZ	AZ	830416	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	NORAD RADAR/CURRENT CASE INFO/ EPIC LOOKOUT
N6624X BEECHCRAFT DEBOHAIRE	GULF OF MEXICO FALSE REG NR/JETTISONED LOAD IN TAMPA BAY/DITCHED ACFT SOUTH OF APALACHICOLA, FL/USCG RECOVERED UNKNOWN AMOUNT OF MARIJUANA	FL	830419	LOOKOUT BASED ON CUSTOMS INFO AFTER INITIAL DETECTION	GROUND RADAR/PROFILE
N6608C CESSNA T210M	FREEPORT LANDED/ABANDONED AFTER SPOTTING CUSTOMS ACFT 396 LBS COCAINE/ACFT SEIZED BY BAHAMIANSI	BF	830423	BACKGROUND BASED ON PRIOR LOOKOUT FROM CUSTOMS DATA	VISUAL SIGHTING/PRIOR INTEL

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NS913Y PIPER PA-23-250	LABELLE 600 LBS COCAINE/\$10,000 CASH/ ACFT SEIZED/2 ARRESTS	FL	830427		NAVY AIRBORNE RADAR
N6290Y PIPER PA-23-250	SEBASTIAN NAVIGATION VIOLATION/ACFT CONFIGURED FOR AIRDROP	FL	830502	BACKGROUND ONLY BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N5690Y PIPER PA-23-250	HOMESTEAD 205 LBS COCAINE/ACFT SEIZED 3 ARRESTS	FL	830504	BACKGROUND ONLY PRIOR LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N6144F CESSNA 210H	GOVERNORS HARBOR BF JETTISONED LOAD AT SEA/ESTIMATED 1,000 LBS MARIJUANA RECOVERED/ 2 ARRESTS/ACFT SEIZED BY BAHAMIANS	BF	830504	BACKGROUND ONLY/ PRIOR LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N51025 BEECHCRAFT 65-80	BIMINI OFF-LOAD OBSERVED/ACFT ABANDONED MARIJUANA DEBRIS/ACFT SEIZED BY BAHAMIANS	BF	830505	LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N777MK CESSNA 411	NASSAU OBSERVED ESTIMATED 35 BALES JETTISONED AT SEA/1 BALE RECOVERED/ACFT SEIZED/2 ARRESTS BY BAHAMIANS	BF	830508	RECENT TACTICAL INFO LOOKOUT BASED ON ACFT MOVEMENT DATA	GROUND RADAR/EPIC INTELLIGENCE
N3525R PIPER PA-31-350	WALLER 1,620 LBS MARIJUANA/ACFT SEIZED 3 ARRESTS	TX	830509	LOOKOUT BASED ON CUSTOMS/DEA/STATE DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO

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N411EX CESSNA 404	CLAYTON 2,000 LBS MARIJUANA/ACFT SEIZED 1 ARREST	NM	830509	LOOKOUT BASED ON CUSTOMS/DEA/STATE DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO
N35946 CESSNA U206F	FT LAUDERDALE AIRDROPPED INTO SEA NORTH OF CUBA/ACFT/MARIJUANA DEBRIS SEIZED	FL	830512	LOOKOUT BASED ON EPIC/CUSTOMS DATA	GROUND RADAR/EPIC LOOKOUT
N7571Q CESSNA 310R	CLEBURNE 2.2 LBS COCAINE SEIZED/2 ARRESTS IN CLEBURNE, TX ACFT SEIZED IN MEMPHIS, TN	TX	830513		GROUND RADAR/CURRENT CASE INFO (TRANSPONDER)
N5210E CESSNA A185F	ANDROS TOWN/ANDROS I BF ACFT/ESTIMATED 25-30 BALES MARIJUANA TORCHED/1 ARREST BY BAHAMIANS		830515		GROUND RADAR
N6611B CESSNA T210M	TAMPA NAVIGATION VIOLATION	FL	830522	LOOKOUT BASED ON CUSTOMS DATA	FAA RADAR/VISUAL SIGHTING/EPIC LOOKOUT
N2718P CESSNA 402C	BIMINI 1,300 LBS MARIJUANA SEIZED/ STOLEN ACFT RECOVERED/1 ARREST BY BAHAMIANS	BF	830527	RECENT TACTICAL INFO BASED ON ACFT MOVEMENT DATA/STOLEN ACFT REPORT	GROUND RADAR/EPIC INTELLIGENCE
N36S BEECHCRAFT 65	CHILDRESS 2,500 LBS MARIJUANA/ACFT SEIZED	TX	830617	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	AIR FORCE AIRBORNE RADAR/CURRENT CASE INFO

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N3646H PIPER AEROSTAR 600	JACKSON 600 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS	MS	830620		AIR FORCE AIRBORNE RADAR
N333FB LOCKHEED 18	WAYCROSS JETTISONED PART OF LOAD OVER GEORGIA/CRASHE/49 BALES MARIJUANA/2 BODIES RECOVERED	GA	830623	LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE EPIC LOOKOUT
N547RB CESSNA 404	TALIHINA 530 LBS COCAINE SEIZED/2 ARRESTS BY FBI IN TALIHINA, OK/ ACFT SEIZED/2 ARRESTS BY USCS AT HOUSTON, TX	OK	830701	BACKGROUND ONLY BASED ON CUSTOMS/FBI DATA	CURRENT CASE INFO
N1931U CESSNA U206F	BIMINI AIRDROPPED EST 20 BALES TO VLSL NEAR ORANGE CAY, BF/UNKNOWN AMT HJ RECOVERED/ACFT SEIZED/2 ARR BY BAHAMIANS/1 VSL/3 ARR BY USCG	BF	830710	BACKGROUND ONLY PRIOR LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/CURRENT TACTICAL INTELLIGENCE BASED ON ACFT MOVE
N5439C CESSNA T210H	MILLFORD 600 LBS COCAINE/ACFT SEIZED/ 4 ARRESTS	GA	830710	BACKGROUND ONLY PRIOR LOOKOUT BASED ON DEA DATA	CURRENT CASE INFO/GROUND SENSOR/ JOINT CUSTOMS/STATE CASE
N428Q CESSNA 402A	HOMESTEAD PROBABLE AIRDROP TO VESSELS ACFT/MARIJUANA DEBRIS SEIZED	FL	830714	CURRENT TACTICAL INFO BASED ON ACFT MOVEMENT DATA	AEROSTAT RADAR/EPIC INTELLIGENCE
N775Y PIPER PA-23-250	BROWARD COUNTY 700 LBS MARIJUANA/ACFT SEIZED 2 ARRESTS	FL	830718	CURRENT LOOKOUT BASED ON DEA DATA	GROUND RADAR/EPIC LOOKOUT

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N3773B BEECHCRAFT E-18S	BOCA RATON ACFT/MARIJUANA DEBRIS SEIZED 2 ARRESTS	FL	830722	BACKGROUND ONLY PRIOR LOOKOUT BASED ON DEA/CUSTOMS DATA	VISUAL SIGHTING BY MARTIN CO SHERIFF'S OFFICER
N5730Y PIPER PA-23-250	BIMINI 23 BALES MARIJUANA/ACFT SEIZED BY BAHAMIANS NEXT DAY	BF	830723		GROUND RADAR
N12DS CESSNA 310J	FREEPORT/GRAND ACFT/MARIJUANA DEBRIS SEIZED BY BAHAMIANS	BF IS BF	830727	BACKGROUND ONLY PRIOR LOOKOUT BASED ON STATE DATA	NAVY AIRBORNE RADAR
N920RB CESSNA P206C	GREENLEE COUNTY 670 LBS MARIJUANA/ACFT SEIZED 1 ARREST	AZ	830727	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO
N500YC PIPER PA-31	MONTGOMERY 815 LBS COCAINE/ACFT SEIZED 7 ARRESTS	AL	830803		MOBILE RADAR/CURRENT CASE INFO
N852C DOUGLAS DC-3C	BIMINI AIRDROPPED EST 4,000 LBS MJ TO VLSLS NEAR ELBOW CAY. BF/76 BALS RECOVERED BY USCG/ACFT SEIZED 2 ARRESTS BY BAHAMIANS	BF	830804	BACKGROUND ONLY PRIOR LOOKOUT BASED ON CUSTOMS DATA	AEROSTAT RADAR/PRIOR INTEL
N87640 DOUGLAS DC-3C	CAY CAL BANKS AIRDROPPED OVER 100 BALES TO VLSLS/90 BALES (6,300 LBS) MARIJUANA RECOVERED BY USCG	BF	830810	LOOKOUT BASED ON FBI DATA/BACKGROUND BASED ON CUSTOMS/DEA DATA	AEROSTAT RADAR/EPIC LOOKOUT/ PRIOR INTELLIGENCE

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REGISTRATION NR TYPE AIRCRAFT	LOCATION RESULTS	ST	DATE	EPIC INFORMATION	BASIS FOR INTERCEPT
***** N1289D CESSNA 170A	ST LUCY COUNTY LOST DURING INTERCEPT/ACFT FOUND ABANDONED/400 LBS MARIJUANA/ACFT SEIZED	FL	830814		GROUND RADAR
N6605Y CESSNA 210N	SANDY POINT/GT ABACO BF OFF-LOADED 40-50 PACKAGES TO VEHICLE/1,000 LBS MARIJUANA/ACFT VEH SEIZED/6 ARRESTS BY BAHAMIANS		830818	BACKGROUND ONLY PRIOR LOOKOUT BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N206TB BEAGLE 206 SERIES 1	HALF MOON BAY LOST IN FOG BANK OFF-SHOR/ CRASHED/2 BALES 1 BODY WASHED ASHORE LATER	CA	830914	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	FAA RADAR/CURRENT CASE INFO/EPIC LOOKOUT
HK2469P CESSNA 210	WEST END/GRAND BF IS BF OFF-LOADED ALONG RUNWAY/ACFT ESCAPED/BAHAMIANS RECOVERED 77 LBS COCAINE		830915	BACKGROUND ONLY BASED ON CUSTOMS DATA	GROUND RADAR/PRIOR INTELLIGENCE
N4556F PIPER PA-32-260	KEY WEST SUSPECTED AIIRDROP TO VESSELS ACFT/MARIJUANA DEBRIS SEIZED 2 ARRESTS	FL	830916	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO
N8852 DOUGLAS DC-7C	HANKSVILLE 25,200 LBS MARIJUANA/ACFT SEIZED 11 ARRESTS	UT	830917	BACKGROUND ONLY PRIOR TRANSPONDER LOOKOUT BASED ON CUSTOMS DATA	NORAD RADAR/EPIC LOOKOUT
N144KY PIPER PA-31	CAPE ELEUTHERA AIIRDROPPED TO VLSL NEAR GREAT HARBOR CAY, BF/660 LBS MARIJUANA RECOVERED/ACFT SEIZED BY BAHAMIANS	BF	830922	LOOKOUT PLACED SAME DAY AFTER EVENT	GROUND RADAR

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N3ZM PIPER PA-31	PANAMA CITY 873 LBS COCAINE/\$27,790 CASH/ ACFT SEIZED/3 ARRESTS	FL	830924	LOOKOUT BASED ON CUSTOMS DATA TRANSPONDER	GROUND RADAR/CURRENT CASE INFO/ EPIC LOOKOUT
N3010P CON AERONAUTICS LA-4-200	BOCA RATON 380 LBS MARIJUANA/1 WEAPON/ACFT SEIZED/2 ARRESTS	FL	830927		GROUND RADAR