

## ENFORCEMENT ORGANIZATIONS

An alphabet soup of Federal agencies is involved in carrying out the Nation's efforts to combat contraband drugs. The agencies with direct drug enforcement and/or interdiction responsibilities are: the Drug Enforcement Administration, the Federal Bureau of Investigation, the Customs Service, the Coast Guard, and the Immigration and Naturalization Service (Border Patrol). In addition, a wide variety of other agencies support the interdiction efforts. And other organizations have been set up to coordinate activities, including large-scale, multi-agency special operations.

Most of the organizations have multiple responsibilities, frequently responsibilities that are of equal or higher priority than drug interdiction. Drug interdiction activities include the routine efforts that are worked into the normal operations of the agencies and special intensive multi-agency operations.

The complex of organizations responsible for drug interdiction is characterized by fragmentation, and there are many impediments to effective cooperation. This fragmentation makes information exchange, coordination, and cooperation difficult. Many of these problems are resolved at least temporarily, during large-scale, intensive, special interdiction operations.

What follows is a brief characterization of the capabilities and responsibilities of the organizations that carry out and support the Nation's efforts to block drug smuggling. Routine operations are described for the agencies. Special multi-agency operations are described with the coordination organizations.

### *Drug Enforcement Administration*

The Drug Enforcement Administration (DEA) was established in 1973 as the lead agency in the Federal Government's efforts to suppress the illegal drug trade. A division of the Department of Justice, DEA is the only Federal agency that has drug violations as its sole responsibility. DEA has primary responsibility for investigating drug-related events and operations; for collecting and disseminating drug-related intelligence information; and for securing cooperation and coordination between those Federal, State, and local agencies which have responsibilities and capabilities for conducting drug

interdiction operations and other drug-related activities. DEA's responsibility directly related to border interdiction is mainly gathering, analyzing, and providing intelligence, and investigating the violators when drug smugglers are caught.

DEA's mission is both domestic and foreign with a total of over 2,400 special agents and intelligence analysts located throughout the United States and in 42 countries worldwide. These agents and analysts provide intelligence not only on the general character of international drug trafficking systems but also on specific smuggling activities. This intelligence collection begins in the source countries and includes information and analysis on drug production and processing laboratories. DEA is able to provide information from source countries on smuggling routes; and, by tracking and analyzing that intelligence over a period of time, is then able to draw conclusions regarding trafficking trends and organizations involved in smuggling.

Intelligence collected by DEA agents is a major source of information alerting the agencies with direct operational responsibility for interdiction of drugs in transport. DEA, through the El Paso Intelligence Center (EPIC), also collects, analyzes, and disseminates tactical drug intelligence from all enforcement agencies.

The dominant philosophy of the Drug Enforcement Administration is to eliminate drugs as close as possible to their source and to disrupt the drug trafficking system by collecting evidence on traffickers leading to arrests and convictions. Investigations resulting from interdiction provide useful evidence. DEA, in seeking to identify drug trafficking networks and key individuals in those networks, sometimes prefers to allow drug shipments to enter the United States so that it can follow their movement and obtain the necessary evidence to convict leaders of the organizations. The DEA focus on convictions as opposed to immediate interdiction is sometimes in conflict with the strategy of other agencies whose goal is to interdict drugs. Mechanisms are available, however, for DEA to notify Customs or Coast Guard when it does not want a drug shipment seized at the border and for Customs' inspectors at ports to contact DEA when drugs are detected to determine whether or not to seize them immediately.

### ***Federal Bureau of Investigation***

The Federal Bureau of Investigation, as the chief law enforcement arm of the Federal Government, exercises jurisdiction over violations of all U.S. laws. In 1982, the FBI was designated by the Attorney General to exercise concurrent jurisdiction with DEA for the overall drug law enforcement effort.

The FBI currently has 1,000 special agents assigned to drug cases. The primary focus of the FBI's drug investigative activity centers on organized crime families trafficking in drugs and illegal financial transactions. If, in the course of pursuing one of the above, the FBI receives information of trans-border smuggling that might lead to a seizure of drugs or arrest of a smuggler, it passes that information to DEA, or the appropriate interdiction agency.

Both the FBI and DEA are responsible for enforcing the Controlled Substances Act. However, the FBI has stated it is usually more concerned with drug-related violations of such laws as the Continuing Criminal Enterprise (CCE) statute and the Racketeer Influenced and Corrupt Organizations (RICO) law.

The FBI brings considerable experience and expertise to the drug law enforcement effort and attempts to define its role as complementary to DEA's. However, some degree of conflict, overlapping responsibilities, and confusion about jurisdiction between the FBI and DEA was noted by OTA's advisory panel as detrimental to aspects of drug law enforcement.

### ***Coast Guard***

The Coast Guard focuses on identification and interdiction of maritime drug smuggling, principally by private, sea-going vessels. The Coast Guard focuses major drug law enforcement efforts on the open ocean, although it also conducts patrols and makes seizures in near-shore areas where it has concurrent jurisdiction with the U.S. Customs Service. The major portion of the Coast Guard's drug law enforcement efforts is concentrated in the Gulf of Mexico, the Caribbean, and around south Florida.



Photo credit U.S. Coast Guard

The Coast Guard boards and searches suspect vessels on the high seas as part of their drug interdiction mission.

Coast Guard seizures are of three distinct types. First, seizures that occur incidentally in the course of carrying out other missions. Most incidental seizures occur in connection with search-and-rescue operations where the vessel in trouble turns out to be involved in smuggling. Second, seizures resulting from hard intelligence that provides the approximate position and time of the smuggling operation. These operations are usually high-payoff. Because of this characteristic, the Coast Guard is now developing its own intelligence capabilities. The third and predominant type of seizure results from drug interdiction patrol operations. Coast Guard cutters, frequently supported by aircraft, search for, identify, visually inspect, and board suspicious targets.

Coast Guard routine drug patrol operations concentrate on four Caribbean and Gulf of Mexico choke points (shown in figure 8). The primary foci of these patrols are mother ships that meet contact boats near the coast that deliver the drugs into the United States. The Coast Guard has established profiles of the vessels commonly used as mother ships.

The vast majority of Coast Guard seizures are of marijuana, although the quantity of cocaine seized in 1984 and 1985 increased markedly. Available data indicate that the Coast Guard interdicts 10 to 15 percent of marijuana transported by sea. Most seizures result from dedicated drug patrols.

The constraints on the Coast Guard's ability to interdict drug smuggling are several. First, although the Coast Guard focus is on choke points, these may be expanses of ocean 100 miles wide patrolled by a single cutter. Thus, surveillance, identification, and capture is difficult. Second, the quantity of vessel traffic through choke points is large, and only a small number of the vessels can be stopped and searched. Third, the Coast Guard is currently able to maintain choke point coverage only part of the time. Several factors explain this. The Coast Guard has limited equipment and personnel resources. When a drug seizure occurs, the cutter must escort the seized vessel to a U.S. port, and this escort often ties up the cutter for several days leaving the choke point unpatrolled. Finally, even when Coast Guard vessels are committed to dedicated drug patrols, their highest priority is search and rescue. Faced with a choice between seizing a vessel and search and rescue, the Coast Guard will carry out the search-and-rescue operation.

The Coast Guard states that its drug interdiction goal is to 'eliminate the maritime routes as a significant trafficking mode for the supply of drugs to the U.S.'<sup>8</sup> Its operational strategy is directed at apprehension of smugglers, vessels, and the drugs. Existing resources and capabilities suggest that success in achieving the goal of eliminating maritime routes is not a near-term prospect.

### ***Customs Service***

The Customs Service has primary interdiction responsibilities for drugs smuggled through official ports of entry and by general aviation, as well as concurrent jurisdiction with the Coast Guard vessels in coastal waters of the United States, up to 12 miles off shore, the 'Customs zone. Responsibilities for these three areas are assigned to separate units within the Customs Service.

As of late 1986, the Customs Service had about 4,200 full-time inspectors (with about 500 assigned to special contraband enforcement teams) located at 290 ports of entry. They have responsibility for processing all individuals entering the United States. The total number of such persons is almost

290 million annually. Customs inspectors also have responsibility for processing all international cargo, all vessels entering sea ports from foreign countries, all aircraft entering the United States from foreign countries (including general aviation aircraft), all land vehicles (trucks, buses, trains, and cars) entering from both Mexico and Canada, plus all international mail. In addition to drug interdiction, Customs officers have responsibility for regulations and laws related to immigration, agriculture, health, trade restrictions, and, of course, collection of duties. Some of these responsibilities are shared with other agencies. Customs indicates that it assists in the enforcement of some 400 provisions of law on behalf of 40 government agencies. The Immigration and Naturalization Service helps perform some drug enforcement activities at ports-of-entry.

Customs also has responsibility for assisting the Commerce Department in protecting against illegal exports of high-technology products. Finally, Customs inspectors are expected to facilitate movement of traffic through ports of entry. Under the present administration, Customs inspectors are directed to give priority attention to law enforcement, specifically drugs.

The Agency's interdiction strategy at ports of entry has several components. First, it operates most effectively when it has good prior intelligence. Such intelligence comes from paid informants, private citizens, transportation companies, and intelligence agencies. Customs has increased its efforts to gain the cooperation of major carriers and facility managers. Second, inspectors select individuals, cargo, and vehicles for detailed inspection on the basis of profiles. Profiles may include such data as the origin of the individual or cargo; the sex, age, or citizenship of the individual; or any of a variety of other characteristics associated with individuals, luggage, cargo, or vehicles. Third, inspectors carry out periodic, random checks of passengers and cargo which may involve intensive blitz operations. Finally, Customs uses dogs to sniff out hidden drugs, metal probes, and a variety of support and detection technologies.

Using the above strategy, Customs processed the following traffic through official ports of entry during 1985: 506,000 aircraft, 89 million land vehicles, 204,000 sea-going vessels, 100 million parcels and letters, and 253 million persons who crossed

<sup>8</sup>U.S. Coast Guard, 'U.S. Coast Guard Drug Interdiction Mission,' Operational Law Enforcement Division Report, Washington, DC, January 1986.

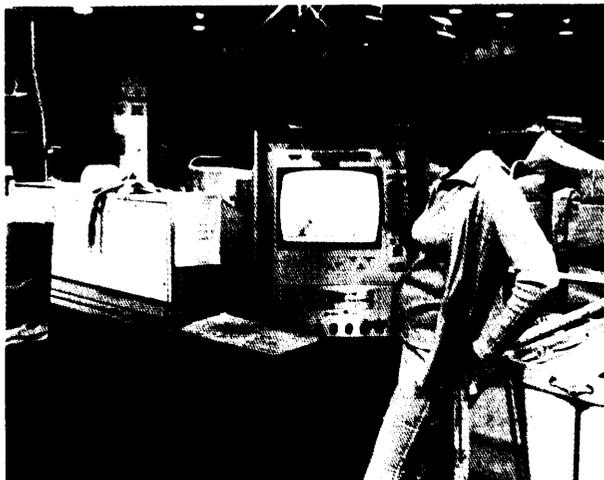


Photo credit: U.S. Customs Service

The Customs Service inspects international mail parcels from selected regions using X-ray technology.

the Canadian-American and Mexican-American borders.

The amount of illegal drugs coming through ports of entry is believed to be much higher than the amount that is seized. Clearly, Customs has a formidable task, given the quantity and diversity of people and items processed through ports of entry.

Customs responsibilities for interdicting drugs in the Nation's near-shore waters rest with its Marine Branch. In 1986 it had 472 personnel and 155 operational vessels distributed among 54 Marine stations. About 80 percent of the fleet is located in regions that cover Customs waters from Virginia to Texas. Florida has the largest concentration of Customs' Marine capabilities. Customs units typically go to sea for the purpose of stopping and searching in-coming vessels that have been identified by intelligence or are behaving suspiciously. Small, high-speed vessels (called "go-fast boats") illustrate one type of suspect vessel.

Effective near-shore interdiction frequently requires a quick response since the focus is on small and often fast smuggling vessels used to make the transit from the Bahamas or from mother ships.

Normally, Customs interceptor craft are directed to targets by land-based radar or radar located on other boats that are part of the interceptor team.

Interceptors are usually unmarked and chosen to blend into the mix of boats operating in their area.

The best-developed Customs marine interdiction capabilities appear to be in the Miami area, where the Blue Lightning Operations Center (BLOC), was established in February 1986. BLOC will collect and coordinate radar information from air-, land-, and marine-based radars. It is intended to be a joint Customs and Coast Guard marine command and control center. It can track certain suspicious vessels, display information on video screens, plot the course and speed of suspect targets and direct interceptors to them. BLOC also is developing the capability for communicating with operational units of local law enforcement agencies. Finally, the center maintains tactical intelligence files and coordinates with other enforcement agencies in the Miami area.

The Customs' Marine Branch faces a formidable challenge since it is responsible for the entire U.S. coast line that smugglers assault using a wide array of techniques. Drugs may be hidden in containers, carried by crew members of vessels, swum in from ships anchored close to shore, or air-dropped with attached beacons relatively close to shore for immediate or delayed pickup by small boats which leave from and return to the U.S. coast. Given the heavy concentration of craft in urban coastal areas, Customs' Marine Branch faces a difficult problem in determining where the threat will justify deployment of its limited resources. Since it has joint authority with the Coast Guard in these waters, the agencies also face a major challenge of cooperative planning, setting strategies, and jointly allocating resources.

The Customs Air Branch is responsible for interdicting airborne drug smuggling. In 1985 general aviation aircraft were estimated to be the mode of transport for over 50 percent of cocaine and 4 percent of marijuana entering the United States.

In April 1986, the Air Branch had 234 personnel and 100 aircraft, 23 specially equipped for air interdiction, the others being used in various support roles. An OTA analysis, using 1984 data, estimated that between 1,300 and 3,500 drug smuggling flights enter the United States each year, an average of 3.5 to 10 flights a day. Drug smugglers prefer light, twin-engine general aviation aircraft

and normally fly at low altitudes which puts them under the line-of-sight coverage of coastal radar. Smugglers typically operate at night to minimize the chances of visual sighting.

Air interdiction begins with aircraft identification and sorting. Identification may come from prior intelligence or from radar coverage. The Air Branch relies on surveillance by Federal Aviation Administration (FAA) radar as well as its own.

Once suspicious aircraft have been identified, they are normally tracked both by radar and/or by chase planes. Interdiction normally involves the Customs Service utilizing strike teams carried to the landing site by helicopters.

Carrying out an air interdiction operation is a complex communications and coordination activity. Following a plane from Colombia to a landing site in, for example, Tennessee may involve not only a team of aircraft and helicopters but coordination with FAA, the North American Air Defense Command (NORAD), and a variety of Federal, State, and local police organizations. The problem is made more difficult because the drug smugglers may not have the drugs on board when they land the airplane. In some instances smugglers fly in, air drop, or land their cargo at prearranged sites and then fly on to landing sites elsewhere in the United States. Interdicting drugs under these circumstances is particularly difficult.

### ***Border Patrol***

Minimal effort has been devoted to interdicting drugs that bypass ports of entry on the Mexican border. Until the early 1980s, the Customs Service had some presence along this border, but most of those resources have been moved to other areas. The Federal agency most actively involved in interdiction on land between ports-of-entry is the Border Patrol (under the Immigration and Naturalization Service, Department of Justice). While the Border Patrol has no specific statutory authority for interdicting drug shipments, it intercepts drugs and smugglers in the course of performing its primary function—enforcing laws related to the admission, exclusion, and expulsion of aliens. All Border Patrol officers along the Mexican border have been given more formal authority to perform drug interdiction and related law enforcement tasks by

designation from DEA. Cross designation of 1,000 Border Patrol officers by Customs was recently announced as part of a stepped-up Southwest Border initiative known as "Operation Alliance," and some Border Patrol agents are being trained by DEA, enhancing their ability to conduct drug searches and arrest violators in the course of their normal duties.

At the close of 1986 the Border Patrol had approximately 3,700 officers, with 3,000 located along the 2,000-mile U.S./Mexican border. Most of the drugs coming into the United States from Mexico are thought to pass through ports of entry. There is growing evidence, however, of an increasing volume of drugs crossing the border between ports of entry. As interdiction efforts in other areas increase in effectiveness, the U.S.-Mexican border offers an attractive alternative. Historically, Mexican marijuana has been the primary drug smuggled across the border. Transport modes include groups of people carrying marijuana in backpacks, cars, trucks, horses, and rafts. Some drug smugglers enter the United States through the same routes used by illegal aliens, and some of the people who smuggle aliens also smuggle drugs.

The challenge faced on the Mexican border is clear when it is recognized that the Border Patrol made almost 1.8 million illegal immigrant apprehensions in fiscal year 1986. The Border Patrol believes that an even greater number—in part made up of persons previously apprehended and released—successfully entered the United States without being captured. Law enforcement coverage of the border is so sparse that it is doubtful whether a clear picture of this drug smuggling mode exists.

### ***Support Agencies***

Several Federal agencies cooperate with and support the Coast Guard and Customs Service in carrying out drug interdiction. Support and participation ranges from intelligence to equipment and/or personnel to participation in special concentrated interdiction operations. The Department of Defense and the Federal Aviation Administration and State and local enforcement agencies are discussed here. Other support agencies include the Department of State; the Intelligence agencies; the Internal Revenue Service; the Bureau of Alcohol, Tobacco and Firearms; and the U.S. Marshals Service.

State and local law enforcement agencies also cooperate with and support Federal interdiction activities on a case-by-case basis. In many areas, special task forces exist to facilitate coordinated drug enforcement operations among Federal, State, and local organizations.

### ***Department of Defense***

The largest scale support for Coast Guard and Customs Service interdiction is provided by the Department of Defense (DOD). DOD support has been growing since 1981 and, under several new initiatives, it is likely to continue to expand.

The historical separation of police and military authority is defined by the Posse Comitatus Act. It was revised in 1981 amendments to relax the proscriptions against using military equipment and personnel for civil law enforcement. While the DOD personnel still may not make arrests, their support role was redefined to include sharing of intelligence, providing facilities and equipment, and assisting in certain operations leading to arrest and seizure.

DOD now plays an important role in drug interdiction. DOD loans various types of aircraft and other equipment to the law enforcement agencies. DOD aircraft fly regular surveillance missions to detect potential smugglers, and Navy ships frequently carry Coast Guard Tactical Law Enforcement Teams (TACLETS) to board suspect vessels. Resources from all the military services support various special interdiction operations. An April 1986 National Security Decision Directive (NSDD) on Narcotics and National Security, coupled with anticipated additional resources to be provided by the military for air detection, reemphasize the DOD support role in interdiction and drug law enforcement. The NSDD calls for an expanded role for U.S. Military Forces in supporting counter-narcotics efforts. The Anti-Drug Abuse Act of 1986 authorizes DOD to procure and loan additional equipment to law enforcement agencies and to transfer funds to the Department of Transportation to be used for the Coast Guard's TACLET program.

While the Anti-Drug Abuse Act of 1986 calls for DOD to loan or transfer to drug enforcement agencies a number of specific additional technologies

(airplanes, radars, aerostats, communication equipment), expectations also are for increased use of DOD surveillance systems in identifying and tracking drug smugglers. Possibilities could range from land-based detection systems operated by NORAD, to detection systems carried by Air Force, Army, and Navy aircraft, to the shipborne detection systems operated by the Navy. DOD is also required to provide a list of options and a plan to assist drug interdiction agencies for congressional approval during 1987.

Many observers believe that another of the assets DOD could bring to drug enforcement operations is its extensive command and control capabilities. Other areas, which have not received much attention, include DOD assistance in systems design as well as R&D including sharing of capabilities in national laboratories. The personnel and equipment resources of the Department of Defense offer the possibility of significantly increasing the pressure on drug traffickers.

### ***Federal Aviation Administration***

The Federal Aviation Administration supports drug interdiction with its radar and flight information systems. Recently, FAA has required all flights by private aircraft originating in other countries to file flight plans 24 hours in advance and to land at the airport nearest to its point of entry that has a Customs officer. By coordinating flight plan information with radar surveillance, any aircraft crossing a U.S. border without a flight plan can be identified as suspicious. A major problem is that significant areas of the U.S. southern border do not have low-altitude coverage by FAA radar, so small craft flying at low altitudes frequently go undetected.

### ***State and Local Enforcement Agencies***

State and local law enforcement agencies are regularly involved in drug interdiction activities on a case-by-case basis. Frequently, the State and local organizations provide a substantial portion of the manpower involved in drug arrests, and cooperation between these agencies and the Federal enforcement agencies is important to effective drug interdiction activities. In numerous instances there are enforcement groups made up of Federal, State,

and local officials that operate on a continuing basis. For example, at the airport in Honolulu, a continuing enforcement group involves Federal agents and members of the Honolulu Police Department.

### ***Coordination Organizations***

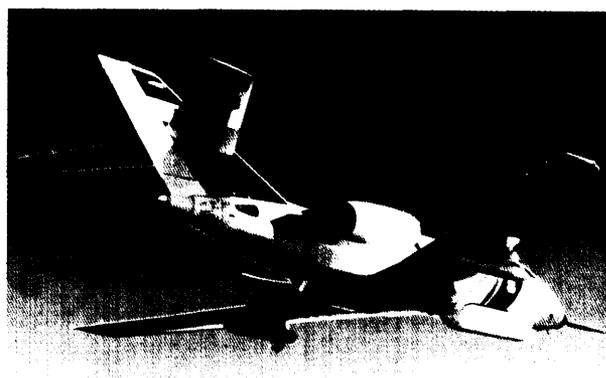
Effective drug interdiction requires cooperation and coordination among a large number of agencies. Consequently, a number of coordinating mechanisms have emerged. The National Drug Enforcement Policy Board, under the chairmanship of the Attorney General, seeks to provide unified direction and to develop and coordinate overall national policy.

The National Narcotics Border Interdiction System (NNBIS) was created to provide guidance for interdiction operations. Under the chairmanship of the Vice President, NNBIS seeks to coordinate the activities of the national enforcement agencies and to facilitate other agency assistance—especially from DOD and the intelligence community. Regional NNBIS units have been created at six locations. These regional components of NNBIS are chaired by the heads of various regional enforcement organizations that have primary responsibility in a particular area. For example, three of the regional NNBIS units are chaired by Coast Guard admirals. The regional NNBIS organizations have been particularly important in coordinating operations among Federal drug enforcement, Department of Defense, and local law enforcement agencies.

To supplement routine interdiction activities, NNBIS has coordinated major special operations involving both national and international drug law enforcement activities in recent years. Some of these operations are designed to disrupt the flow of drugs through particular geographic areas. Others are

broader in scope with objectives to improve intelligence, to disrupt and deny the primary and alternate routes of shipment used by drug traffickers, and to seize and destroy illicit drugs at or near their source. NNBIS is also planning a number of future operations such as: special operations along the U.S. borders; coordinated, foreign in-country efforts; interoperable and secure command and control communications; an integrated, coordinated intelligence effort; and preparation of a joint operations plan.

Special operations are evaluated in “after-action” reports, which are often classified. In addition to comparatively high levels of seizures, major accomplishments described often include improvements in coordination and particular elements of the operation such as planning, intelligence, communications, and foreign country cooperation. Recommendations are made that are incorporated into plans for future special operations as well as the day-to-day operations of drug interdiction agencies.



*Photo credit: Aerojet Electro Systems*

Several of the Coast Guard's medium-range surveillance aircraft are being fitted with a multi-sensor system for detecting suspect ships and boats.