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In the past few years, law enforcement efforts along the United States-Mexico border have grown because of the increasing transit of illicit drugs and undocumented aliens. Although the percentage of heroin entering the United States from Mexico has declined in the last two years, due mainly to the cooperative campaign to eradicate opium poppy cultivation, Mexico is still considered the major source of heroin reaching this country. While it is not possible to measure the deterrent effect of the current level of border law enforcement, the available supply of drugs and the number of illegal aliens attest to the fact that it has not been a serious impediment to illegal entry. The substantial Federal investment in enforcement at the Southwest border is achieving only a limited impact on the drug and alien problem. Border forces intercept only a small quantity of the estimated heroin and cocaine entering the United States from Mexico. Most seizures are of marijuana, and border apprehensions seldom involve high-level traffickers. Among the problems affecting border law enforcement are: shortage of inspectors, limited detection devices, and overlapping roles for the law enforcement agencies. Joint operations between Federal agencies have not been effective. Control of the border requires a comprehensive, coordinated effort by all segments of the border law enforcement community. (RRS)

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STATEMENT OF  
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BEFORE THE  
SUBCOMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY  
SENATE COMMITTEE ON THE JUDICIARY  
ON  
FEDERAL EFFORTS TO STEM THE FLOW OF DRUGS ACROSS  
THE U.S.-MEXICAN BORDER

Mr. Chairman and Members of the Subcommittee:

You have requested that we discuss today a report of the General Accounting Office of December 2, 1977, dealing with illegal entry at the United States-Mexico border. Although our report discussed the entry of drugs and people, our comments today will deal primarily with efforts to halt the transit of illicit drugs across the border.

As you know, Mr. Chairman, in the past few years law enforcement efforts along the United States-Mexico border have grown in significance because of the increasing transit of illicit drugs and undocumented aliens across this border. United States authorities estimated that in 1971, heroin flowing from and through Mexico represented 20 percent of the heroin consumed in the United States. For 1975, they estimated that 89 percent of the heroin reaching the United States came from poppies grown in Mexico.

Current information shows that this percentage has dropped significantly in the last two years, due mainly to the Mexican-U.S. cooperative campaign to eradicate opium poppy cultivation through the use of herbicides. Mexico, however, is still considered to be the major source of heroin reaching this country.

Although meaningful figures on undocumented aliens are hard to come by, INS data shows that from 1971 through 1975 the number of such aliens apprehended increased by about 85 percent--from 420,126 to 766,000. Most undocumented aliens apprehended are Mexican--about 90 percent.

The Federal policy on preventing illegal immigration emphasizes interdiction at the border rather than apprehension of illegal aliens after settlement. For drugs the policy calls for giving priority in both supply and demand reduction efforts to those drugs which inherently pose a greater risk to the individual and to society. Heroin is the top priority drug.

FEDERAL AGENCIES RESPONSIBLE  
FOR BORDER CONTROL

Control of the border is basically a task of controlling the movement of people, vehicles, aircraft, boats, and goods. There are over 400 Federal laws and regulations governing entry and departure of people and goods across the border. Agencies with a role in controlling the Southwest border include the Federal Bureau of Investigation (FBI); Bureau of Alcohol, Tobacco, and Firearms (ATF); Department of Defense; Federal Aviation Administration (FAA); Coast Guard; Department of Agriculture; and Public Health Service. The principal agencies involved in law enforcement are the Customs Service, Immigration and Naturalization Service (INS), and the Drug Enforcement Administration (DEA).

From a law enforcement standpoint, the primary responsibilities of these three agencies at the border are

- preventing the illegal entry of persons into the United States,
- preventing contraband from entering the country, and
- investigating narcotics and dangerous drug violations.

In carrying out these responsibilities, both INS and Customs use patrol officers, port-of-entry inspectors, and investigators. DEA is the single Federal agency charged with responsibility for investigation pertaining to narcotics and dangerous drug violators.

Smugglers enter the United States by four modes: through ports-of-entry; by boat into coastal areas between ports-of-entry; on foot or by vehicle between ports-of-entry; or over the border by air.

#### Ports-of-Entry

Before crossing the border into the United States, vehicles and pedestrians are stopped at the primary inspection lanes where only the most cursory inspections of vehicles, persons, and baggage are conducted. The primary inspectors are responsible for determining whether a vehicle and its occupants or a pedestrian should be referred to the secondary inspection area for a thorough examination. Customs and INS share responsibility for staffing the primary lanes.

#### Land Patrols Between Ports-of-Entry

The vast areas between the ports-of-entry along the United States-Mexico border and the limited resources available to prevent illegal entry demand that available resources be deployed in a manner to gain optimum results. The INS Border Patrol and the Customs Patrol have overlapping roles for control of illegal movement across the land borders between the ports. The patterns of illegal entry result in concentration of each agency's patrol officers in

the same high volume crossing areas.

### Air Interdiction

Air interdiction forces have had some success in apprehending smugglers using aircraft to cross the border. The results to date, however, are considered marginal.

The aircraft deployed by INS are not capable of air interception operations. These aircraft operate at low altitudes and at slow speeds in support of Border Patrol ground activities. Similar aircraft are operated by Customs in support of Customs Patrol ground operations.

DEA's air operations are devoted mainly to surveillance flights with an increasing number of pilots and aircraft being devoted to special operations.

### Marine Interdiction

Customs, DEA, and the Coast Guard all have roles in preventing drug smuggling by sea. The agencies have had some success in interdicting marihuana being smuggled by sea. The Coast Guard, as you know, has made some large seizures off the East Coast in recent months. Generally, however, marine enforcement efforts have rarely resulted in hard narcotics seizures in other than user amounts.

### ACHIEVEMENTS OF BORDER LAW ENFORCEMENT

While it is not possible to measure the deterrent effect of the current level of border law enforcement, the available supply of drugs and the estimated number of illegal aliens attest to the fact that it has not been a serious impediment to illegal entry. The substantial Federal investment for enforcement at the Southwest border is achieving only a limited measurable impact on the drug and alien problem.

Border forces interdict only a small quantity of the estimated heroin and cocaine entering the United States from Mexico. Most seizures are of marihuana. In fiscal year 1976, Customs and INS seized about 2 percent of the heroin, less than 1 percent of the cocaine, and 10 percent of the marihuana estimated to come from and through Mexico. When DEA's border area seizures are added, these interceptions equal 6 percent of the heroin, 3 percent of the cocaine, and 13 percent of the marihuana. It is fairly obvious that the quantity of drugs being interdicted is not having a significant impact on the drug problem. This is especially true when one considers that these figures presume the drug seizures to be 100-percent pure while the purity of border seizures are generally significantly less--usually below 50 percent purity.

Border apprehensions seldom involve high-level traffickers. The overwhelming majority of persons crossing the border in possession of drugs who are apprehended by Customs and INS are drug users, small-time operators, couriers, or low-level members of drug trafficking organizations. DEA's data show that less than 2 percent of the interdictions referred from INS and Customs involve major violators, and about three-fourths of these were marihuana violators.

The results with respect to apprehension of aliens are more impressive but the problem remains serious. More illegal aliens are successful in getting into the United States than are prevented from entering. Many aliens apprehended are repeaters; some have been apprehended as many as 10 times.

PROBLEMS AFFECTING BORDER  
LAW ENFORCEMENT

Although border control alone will not solve the drug or illegal alien problems, it is a necessary element if the Nation is ever to control these problems. We believe that much more could be done if Federal border law enforcement activities were better planned, coordinated, integrated, and executed. The efficiency and effectiveness of law enforcement efforts at the border would be enhanced if intelligence support was improved and the costly overlapping and poor coordination of enforcement activities and support systems were corrected.

These are some of the specific problems we identified:

- There was a shortage of inspectors at the four ports-of-entry we visited along the Southwest border, even though most seizures of hard narcotics were made at the ports-of-entry. Inspection manpower has a significant impact on the thoroughness of inspections performed at these locations.
- The only detection devices available to assist inspectors at the ports-of-entry are TECS data--Treasury's automated intelligence system, which is used by Customs for disseminating information to inspection and enforcement personnel--and trained detection dogs. The value of TECS data for ports-of-entry interdictions is limited because it is primarily keyed to vehicle license numbers.

Detector dogs are effective time-saving drug interdiction aids. However, border officials believe that much of the hard narcotics which comes through the ports is packaged and inserted into the human body. Detector dogs are not used to search people, and inspectors are reluctant to perform intensive personal searches.

--The INS Border Patrol and the Customs Patrol have overlapping roles for control of illegal movements across the land borders between the ports. Poor coordination and cooperation between the Customs and INS border patrols, as well as costly overlapping facilities, have contributed to conflicts and tension and produced only marginal results.

Although a Memorandum of Understanding exists between INS and Customs mandating "full cooperation between the two Services," this cooperation does not, in reality, exist. To illustrate, while waiting and watching with a Customs Patrol officer at a border canyon where a sensor hit occurred, the supervisory patrol officer told us that a lack of personnel might cause them to miss the intruder. Right after he made this statement, an INS Border Patrol car cruised slowly by our position, but no attempt was made to contact it and ask for assistance. Patrol officers could not recall a single example of assistance to one agency by the other on an as-needed basis.



## JOINT OPERATIONS BETWEEN AGENCIES HAVE NOT BEEN EFFECTIVE

The Presidential White Paper on Drug Abuse issued in 1975 recommended that a program for more effective border control be developed and that the principal law enforcement agencies along the border improve their coordination activities to include joint task force operations.

There have been several of these joint operations since 1975. These were to be cooperative coordinated efforts among the various law enforcement agencies, but in actuality they very rarely turned out that way. There have been minimal or no coordination efforts among agencies involved and interdiction results have been varied and not very impressive. There were some large marihuana seizures but heroin seizures were disappointing. A discussion of a few of the operations follows:

--Operation Diamond Back, which took place April 20-May 26, 1976, was initiated to augment Customs resources with those of other Federal agencies--DEA, FAA, Border Patrol, and the U.S. Coast Guard--to increase interdiction capability. In post-operative evaluations the participants reported a lack of planning, coordination, cooperation and intelligence. Fundamental planning and coordination never got out of the idea stage. The decision making process was very poor due to confusion as to who had the authority to direct action. Customs Air Support Branch and Customs patrol officers considered the air and sea operations a failure. No arrests or seizures were made.

--Operations Star Trek I and II were initiated by Customs along the California and Arizona borders with Mexico. Star Trek I took place in 1975 and Star Trek II a year later. DEA was to provide the intelligence information needed for the operation.

Star Trek I, and intensified air, land, and sea operation primarily aimed at interdictions between ports-of-entry resulted in some large marihuana seizures and small quantities of various other drugs.

Customs officials felt that the weakness of the operation was the scant information provided by DEA. A DEA official at the El Paso Intelligence Center said they were not asked to support the Star Trek I operation and actually received only two phone calls from Star Trek personnel.

Star Trek II involved DEA, FAA, Customs Service, the Air Force, and the Coast Guard. Cooperation was poor and lack of intelligence was still a major weakness. U.S. Coast Guard participation was much less than in Star Trek I. There were no joint patrols by Customs and the Coast Guard. The Coast Guard followed its own patrol program and operated independently of Customs. Drug seizures during Star Trek II increased over the first operation, but total seizures had very little impact on the constant flow of dangerous drugs coming from Mexico.

Border Needs an Integrated Strategy  
and Overall Control Plan

Control of the United States-Mexico border is a complex and most difficult task that requires a comprehensive, coordinated effort by all segments of the border law enforcement community.

The executive branch of the Federal Government has not developed an integrated strategy or a comprehensive border control plan to consider all aspects of the problem and establish clear, measurable objectives indicating what it intends to accomplish with the various law enforcement resources. A plan of this type is critical because of the many agencies with overlapping responsibilities.

Over the past few years the Congress, the executive branch, and GAO have issued reports identifying problems among Federal border enforcement agencies and containing suggestions for improving their cooperation and coordination. While some recommendations have been implemented and outward appearances have changed as a result of these efforts, the essential characteristics of the problem remain. Separate agencies with different orientations continue to identify the best means to meet their specific missions, with limited consideration for the activity of the others. This has led to the development of separate but similar lines of effort that continue to dilute border coverage and impact. Little consideration is given to overall border security.

There is obviously a need for an integrated Federal strategy and comprehensive border control plan. Assignment of border control responsibilities to a single agency would be the surest way of achieving this. Pending any decision in this regard, we believe:

--The executive branch should provide the Congress, along with its appropriations requests, an overview of law enforcement along the United States-Mexico border. Included in this overview should be an analysis which brings together the budget requests and law enforcement strategies of the various border law enforcement agencies.

--The Office of Management and Budget, Office of Drug Abuse Policy, and the principal border agencies should develop an integrated strategy and comprehensive operational plan for border control. This plan should consider the various alternatives to managing border operations ranging from the present management structure to single-agency management.

The President's Reorganization Project has circulated a document containing reorganization options related to border management to various individuals and groups for comment and suggestions. Until agreement is reached on the fundamental question of purpose or mission at the border, the selection of reorganization options would appear to be premature.

Ironically, and perhaps predictably, since the current efforts toward reorganization were initiated the agencies involved in border enforcement have placed an increased emphasis on voluntary cooperative agreements. Similar abortive efforts in the past do not convince us that any lasting good will result.

Some hard decisions remain to be made regarding how this country can best respond to its Southwest border problems. The options range from the extreme of a politically and economically infeasible "Berlin-wall" arrangement that would almost guarantee no illicit intrusion to the loose controls over entry along the Canadian border. Somewhere in between lies an optimum mix of people and resources that should be applied to the border. Development of an overall Federal strategy is the first step that needs to be taken in coming to grips with this major problem.



This concludes my prepared statement, Mr. Chairman. We would be pleased to respond to any questions.