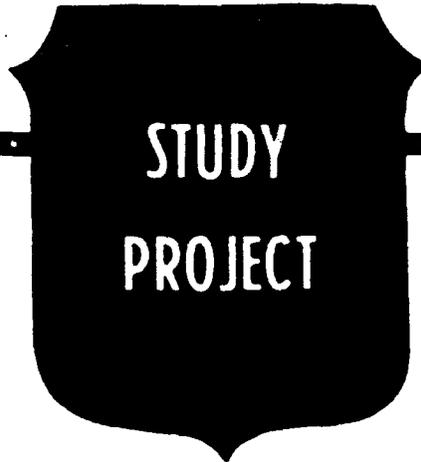


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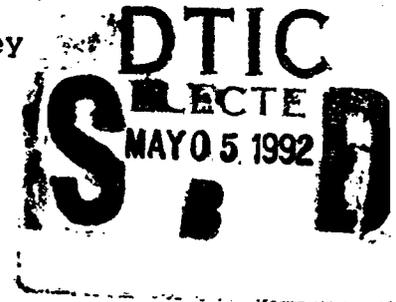


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**PROJECT NORTH STAR:
DRUG INTERDICTION AT THE UNITED STATES-CANADA BORDER**

BY

Lieutenant Colonel Thom E. Tuckey
United States Army



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This study examines the current drug threat, particularly at the United States - Canada border, drug law enforcement efforts thus far, the Project North Star organization and development, and the direction Project North Star must travel to counter the projected drug threat.

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PROJECT NORTH STAR:

DRUG INTERDICTION AT THE UNITED STATES-CANADA BORDER

AN INDIVIDUAL STUDY PROJECT

BY

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ABSTRACT

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In April of 1989 the largest Canadian cocaine seizure to date occurred in New Brunswick and five South American Drug traffickers were captured. Five months later, U.S. and Canadian law enforcement agencies in Maine and New Brunswick accidentally foiled a highly sophisticated guerrilla operation intended to free the April captives from the Canadian prison where they were awaiting trial. These two incidents highlighted a continuing shift of drug related crime to the United States - Canadian border, and the need for a coordinated law enforcement effort to counter the increasing drug threat. President Bush's 1989 *National Drug Control Strategy* introduced the concept of a central agency to coordinate drug law enforcement along the U.S. Northern border, similar to the Operation Alliance program along the U.S. Southwest border. In July, 1990, the Project North Star office was officially opened in Buffalo, New York. Project North Star is a multi-agency coordination center responsible for assisting drug law enforcement agencies throughout the sixteen U.S. Northern states and ten bordering Canadian provinces along the 5000 mile common border. This study examines the current drug threat, particularly at the United States - Canada border, drug law enforcement efforts thus far, the Project North Star organization and development, and the direction Project North Star must travel to counter the projected drug threat.

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At 8:00 a.m., 3 April 1989, a small, twin engine airplane skidded off the runway and crashed through the trees at a remote airfield north of Fredericton, New Brunswick, Canada. The pilot had flown over the airfield a month before and had asked his Canadian contact to trim the tops of the trees at one end of the runway, an action that had not been completed. Nor did the pilot know that his Canadian contact had disclosed the plan to the Royal Canadian Mounted Police (RCMP) and that the reception committee was mostly undercover RCMP officers. José Galindo and Fernando Mendoza, two Colombians who are members of the famed Medellín drug cartel, had piloted the plane from Colombia to this remote airfield. Galindo and Mendoza, uninjured in the crash, unknowingly turned 1,100 pounds of cocaine over to the RCMP officers while other officers assisted them with the continuation of their plan. Sugar was substituted for the cocaine and shipped to Montreal as scheduled. Over the next several days, an additional twelve people were arrested in Montreal and Toronto and a total of 250 million dollars worth of cocaine was seized, the largest seizure in Canadian history.^{1,2}

About five months later, on Wednesday, 13 September, a woman in Edmundston, New Brunswick, reported seeing several men in two cars and a van acting suspiciously. About 5:30 p.m., on a quiet residential street, Edmundston police stopped a car and van matching the description. Inside the van, police found a small arsenal of automatic and semi-automatic weapons, camping

equipment, an inflatable boat and diving gear. The two drivers were arrested. The second car was sighted about two miles away and its two occupants were also arrested. A fifth member of the group was arrested the next day returning a rental car. It was later discovered that these men were Colombian and Venezuelan Nationals and were part of the Revolutionary Armed Forces of Colombia (FARC).³ They had travelled through Maine and New Brunswick, crossing the border at will with the false Venezuelan passports. The men had been seen and some had actually been detained by law enforcement officials, but were released when no criminal charges could be brought against them. It was only after discovery of the weapons that the different law enforcement agencies involved began comparing notes and uncovered a complex plot to break Galindo and Mendoza, the two men arrested in April, out of prison.⁴

Law enforcement agencies were stunned when they realized that it was only by accident that they had stumbled upon a sophisticated military operation. It was apparent that significant improvements were necessary to effect coordination not only within the U.S. law enforcement community, but also between the many U.S. and Canadian agencies responsible for the integrity of the more than 5000 miles of open border.

This paper will address the principle improvements that have been made, primarily through the establishment of Project North Star, a multi-agency law enforcement coordination center which functions through the cooperative efforts of its members. Before

addressing the efforts along the U.S. Northern border, it is important to understand the overall National drug threat and the efforts that have been taken thus far to counter that threat. Although the *National Drug Control Strategy* calls for both supply and demand reduction,⁵ my focus is on illicit drug supply interdiction.

How Serious is the Threat?

The drugs that are the basis of the illicit drug threat are cannabis (marijuana and hashish), heroin, cocaine, diverted substances, and dangerous drugs. Diverted substances are legal drugs diverted for illegal use. Dangerous drugs are synthetically produced drugs such as lysergic acid diethylamide (LSD) and methamphetamine, commonly known as 'speed'. Over 8 million Americans are regular marijuana users, over four million regularly use cocaine, and over one-half million regularly use heroin⁶. This totals less than five percent of the U.S. population and, as such, could be regarded as a relatively minor problem when compared to many of today's domestic issues. More significant, however, are the arrest of two thousand Americans daily for drug related offenses⁷ and the continued increase in drug related violent crime.

The majority of illicit drugs are produced outside the United States and brought in, resulting in an external focus on eliminating the drug supply, and an internal focus of

interdicting drug trafficking and distribution. The illicit drug industry grosses billions of dollars annually, much of which is used to undermine the legitimate governments of the countries where the drugs are produced. This, in turn, leads to the destabilization of entire regions and threatens not only U.S. National security, but world economics as well. When justifying the need for counterdrug programs, the impact of illicit drugs should be viewed from an international perspective, not just from a perspective of the small percentage of Americans directly involved.

Is the threat increasing or decreasing? Use of cannabis has declined significantly since 1985 and the Drug Enforcement Administration (DEA) predicts that U.S. use will continue to steadily decline.⁸ Although there has been an increase in the amount of domestically grown marijuana, over eighty-five percent is currently supplied by Mexico. Southwest Asia is the primary source of hashish destined for the United States.⁹

Cocaine usage has predominantly been in the form of cocaine hydrochloride, or cocaine HCL. Cocaine HCL abuse has decreased among U.S. users, however, the use of 'crack,' a cocaine derivative, has increased to near epidemic proportions in major U.S. cities.¹⁰ Crack is a highly addictive drug made from cocaine base, popular because it is easily converted for smoking, brings rapid effects, and is very inexpensive. Eighty-five percent of the U.S. cocaine market originates in Bolivia and Peru, and is processed and imported as cocaine HCL.¹¹ The DEA

predicts that the use of cocaine HCL will continue to decrease but that the use of crack will increase, resulting in greater trafficking of cocaine base for domestic conversion to crack.¹²

Heroin is rapidly becoming the greatest illicit drug threat, and the DEA predicts that by 1995, heroin will be the predominant illicit drug used in the United States.¹³ Heroin purity has gone from ten percent to over ninety percent,¹⁴ resulting in very high potency with very little quantity. Higher purity heroin is preferred because it can be easily concealed and transported, and can be smoked or snorted, thus eliminating the risk of contracting AIDS from needles. Most heroin found in the United States originates in Southeast Asia, with Southwest Asia and Mexico being the other major suppliers.

Diverted substances and dangerous drugs originate and are distributed almost entirely within U.S. boundaries. Abuse of diverted substances spans all levels of the U.S. population and these legal drugs are procured primarily through legitimate chemical companies, pharmacies, and through medical personnel. Dangerous drugs, however, are produced and distributed primarily through motorcycle gangs and inner city street gangs.

Is there a Canadian Border Threat?

The volume of drug trafficking activity across the United States-Canadian border currently does not compare with that on the United States-Mexican border. However, the capture of

Galindo and Mendoza and subsequent capture of the Columbian terrorists have been the most publicized of an increasing number of incidents involving illicit drugs seized at or near the United States-Canadian border. The trend thus far has been the movement of drugs north into Canada and the movement of money south into U.S. money laundering schemes, although the trend seems to be reversing. Over 5,000 miles of open border, numerous unguarded roads and waterways, undocumented airstrips, insufficient law enforcement assets for such a large area, and a continuously growing United States-Canadian trade market make the shipment of illicit drugs relatively easy and inviting to trafficking organizations being pressured at the southern border areas.

Much of the marijuana and hashish entering the United States through western ports is being transported to an increasing Canadian market.¹⁵ Increased enforcement and interdiction efforts along the U.S. southern borders have resulted in an increase in the use of Canadian routes by the Colombian cartels for trafficking cocaine. Isolated portions of the Nova Scotia coastline have become principle entry points for small boats carrying hashish, marijuana, and cocaine, having transferred their cargo from freighters operating in international waters.¹⁶ Canada has also become the final stop for large numbers of ethnic Chinese fleeing the 1997 return of Hong Kong to the Republic of China.¹⁷ Vancouver now has the largest Asian population percentage of North American cities. The Chinese organized crime elements have brought their Southeast Asian heroin trade with

them and have established a supply network for Canada and the United States, as well as a source of supply for shipment to Europe.¹⁸ Motorcycle gangs operating along the border and Native American reservations spanning both sides of the border have become primary sources of illicit drug flow in both directions.¹⁹ With the implementation of tighter governmental controls on U.S. chemicals and chemical manufacturing, Canada is also now becoming a source of chemical supplies.²⁰

Although the flow of drugs across the United States- Canadian border is the major concern, it is not the only concern. The smuggling of contraband, specifically cigarettes and alcohol, into Canada to avoid Canadian revenues continues to be a major problem. A carton of cigarettes costs about sixteen dollars in the U.S. The same carton costs about forty-five dollars in Canada. One tractor trailer of U.S. cigarettes smuggled into Canada is worth about 800 thousand dollars in profit.²¹ At the Peace Bridge in Buffalo, NY, one of numerous border crossing points, a tractor trailer clears customs and enters Canada every twenty seconds.²² The high level of commerce between the United States and Canada makes a thorough customs inspection of every vehicle infeasible.

Drug Law Enforcement

Numerous federal, state, and local agencies are involved in drug law enforcement. The Office of National Drug Control Policy

(ONDCP) develops the President's annual National Drug Control Strategy which defines policies, objectives, and priorities for national counterdrug activities. The Departments of Justice, Treasury, and Transportation house the principle agencies directly involved in the execution of counterdrug policy efforts. The Departments of Defense and the Interior provide support to the principle counterdrug agencies.

The Drug Enforcement Administration (DEA) is the primary agency for drug law enforcement. Its responsibilities include investigation of major interstate and international drug violations, coordination of counterdrug efforts with foreign agencies, and management of a national narcotics intelligence system.

The Federal Bureau of Investigation (FBI) focuses its counterdrug efforts on the investigation and apprehension of organized crime elements, major trafficking organizations, and gangs involved in drug trafficking and distribution.

The U.S. Border Patrol (USBP), under the Immigration and Naturalization Service (INS), is primarily responsible for preventing illegal entry of persons and contraband into the United States.

The U.S. Customs Service (USCS) has a role similar to the USBP, with a focus on detection and seizure of contraband at air and sea ports of entry and at established border crossing areas.

The U.S. Coast Guard is the primary agency responsible for interdiction of drugs transported to the U.S. by sea. Coast

Guard air interdiction responsibilities are shared with U.S. Customs.

The Federal Aviation Administration (FAA) assists with air interdiction by providing information concerning aircraft, pilots, and flight plan registration.

The Bureaus of Land Management and Indian Affairs and the National Park Service coordinate and assist drug law enforcement efforts on Federal lands.

The counterdrug role of the Department of Defense (DOD) continues to increase within the limitations and constraints of Federal statutes. DOD efforts and restrictions will be addressed in greater detail later in this paper.

In addition to these agencies, numerous other Federal, state and local agencies have elements directly involved in counterdrug efforts. These Drug Law Enforcement Agencies (DLEAs) include state, county, and local police forces, the U.S. Marshal Service, and state Departments of Justice and Public Safety.

One of the greatest challenges has been and continues to be the coordination of law enforcement efforts between the many agencies involved. There is no central agency with directive authority over all agencies, hence cooperation between agencies has been more voluntary than directive.

In 1989 the Supply Reduction Working Group was formed under the ONDCP to coordinate and oversee the implementation of national drug control policies and objectives relating to drug supply. Representation in the group consists of the parent

Departments of the principle Federal enforcement and support agencies. Implementation of the Group's efforts is through four subcommittees, the High Intensity Drug Trafficking Area (HIDTA) Committee, the Southwest Border Committee, the Border Interdiction Committee (BIC), and the Public Lands Drug Control Committee (PLDCC).

Areas designated as HIDTAs are the major drug trafficking areas which have National impact. The President's 1991 National Drug Control Strategy identified New York City, Miami, Houston and Los Angeles as the four metropolitan HIDTAs.²³ Additionally, the four states which border Mexico have been declared the Southwest Border HIDTA, under the Southwest Border Committee. A major portion of Federal counterdrug funding and law enforcement effort is dedicated to the HIDTAs. The HIDTA committees are responsible for coordinating Federal, state, and local drug law enforcement activities within their respective areas. These committees also provide recommendations to the ONDCP as to how Federal funds should be allocated to state and local agencies. The ONDCP, after consulting with the Departments of Justice and Treasury, makes the final funding decisions.²⁴ This would appear to be a major influence to interagency cooperation. As yet, the Canadian border region has not been designated a HIDTA and does not receive special funding.

The BIC coordinates and deconflicts interagency efforts for drug interdiction operations between drug source and transit countries and the U.S. border.

The Public Lands Drug Control Committee is primarily responsible for coordinating marijuana eradication efforts on Federal lands.

DLEA regional offices have been established by the major Federal agencies primarily to coordinate specific operations with other Federal, state and local agencies operating within their geographic area.

Operation Alliance: A Model on the SW Border

Efforts to develop interagency coordination have met with some success on the Nation's Southwest border. Operation Alliance, originally formed in 1986, today serves as a multi-agency joint coordination center responsible for interdicting the flow of illicit drugs and contraband across the United States-Mexico border. The Southwest Border Committee has oversight responsibility for Operation Alliance and, as such, establishes policy guidance, objectives, and priorities. The Operation Alliance Joint Command Group (OAJCG) consists of representatives of the principle Federal, state and local agencies operating in the U.S. Southwest. The OAJCG is chaired by a senior coordinator from the U.S. Customs Service, DEA, or U.S. Border Patrol (alternating annually) and is the central body responsible for planning and directing the coordinated law enforcement operations along the United States-Mexico border. The primary mission of Operation Alliance is to assist the lead DLEA for law enforcement

operations and coordinate necessary support from other agencies. Support includes not only active participation by personnel from other agencies, but shared intelligence, equipment, and training.

Adjacent to the Operation Alliance coordination center at Fort Bliss, Texas, is Joint Task Force Six (JTF-6). JTF-6, an Active military headquarters element under U.S. Forces Command, coordinates military support requests from Operation Alliance for missions such as intelligence analysis, ground and air reconnaissance, transportation, and training. JTF-6 also assists Operation Alliance with the development of plans and procedures for Southwest border law enforcement operations.

Project North Star

The increase in drug related incidents along the United States-Canada border made it apparent that coordinated efforts needed to be undertaken to bring drug-related crime in that region under control. The 1989 National Drug Control Strategy introduced the concept of a central agency similar to Operation Alliance to coordinate and assist law enforcement efforts along the United States-Canada border. The need for such an organization was further emphasized by the September 1989 terrorist incident which may have been uncovered sooner had interagency coordination and intelligence sharing been more readily available. The Project North Star (PNS) office was formally opened in Buffalo, New York, on July 13, 1990, by the

Assistant Secretary of the Treasury, Enforcement, and remains under the leadership of the Secretary in his role as Chairman of the Southwest Border Committee.

As with Operation Alliance, the Director of Enforcement, or senior coordinator, at PNS alternates annually between permanently assigned senior supervisory personnel from the USCS and the USBP. When the senior coordinator at Operation Alliance is from the USBP, the Director of Enforcement at PNS is from USCS and vice versa. The current staffing at PNS consists of an USBP Chief Patrol Agent as director, an USCS Supervisory Special Agent as Deputy Director, an Air Force liaison officer from the National Guard Bureau who coordinates National Guard support, and four members of the New York National Guard who provide administrative and operational planning support. As PNS relationships with DLEAs mature, the intent is to add representatives from other agencies, to include the DEA, Internal Revenue Service (IRS), U.S. Marshal Service, Canadian National Defense Headquarters (NDHQ), Royal Canadian Mounted Police (RCMP), Canada Customs, and U.S. Forces Command (in the form of staff assistance and military intelligence analysts).

The PNS area encompasses the sixteen Northern U.S. border states and the ten bordering provinces of Canada. Law enforcement and military agencies with responsibilities in this area provide representation to a Joint Coordination Group (JCG), chaired by the PNS Director. The JCG is similar in function to the OAJCG, serving as a forum for the exchange of information and

the coordination of multi-agency law enforcement efforts. Because PNS has no directive authority over DLEAs, the term Joint Coordination Group was more appropriate and acceptable to the participating agencies than the term Joint Command Group. The first JCG meeting was held in March, 1991. Because of the size of the United States-Canada border area, it was divided into three regions, East, Central, and West, as shown in the diagram at Appendix 1. Each region has its own Joint Coordination Group chaired by a DLEA official selected from within the regional membership. The regional JCGs meet quarterly, and the PNS JCG holds an annual meeting for the entire border law enforcement community. The basic organizational structure is shown at Appendix 2.

At the PNS National level there are two standing committees, the Executive Steering Committee and the Training Committee. The Executive Steering Committee consists of the PNS cadre, the regional JCG chairmen and co-chairmen, and representatives of Canadian and U.S. Federal agencies with expertise in a specific aspect of law enforcement common to all three regions. These include the IRS (money laundering), the U.S. Marshal Service (fugitive apprehension), the Federal Law Enforcement Training Center (FLETC) (training), Canada Customs, RCMP, and U.S. Forces Command (military support). The committee meets at least twice annually to discuss time sensitive issues and requirements common to all regions.

The PNS Training Committee is chaired by the Director,

National Office of State and Local Training, FLETC. The Training Committee is responsible for dissemination of available training information and for the coordination of training requested by the regional JCGs.

Within each regional JCG, separate Maritime, Land, and Air Interdiction Committees plan and coordinate the execution of law enforcement operations in their respective environments. Identification and sharing of assets, sharing of information, identification of training priorities, and coordination to prevent duplication of effort are the primary missions of the regional committees.

Project North Star Priorities

The success of Project North Star is dependent upon its continued development and improvement in several critical areas.

Membership

The strength of PNS is its membership. The exchange of information and assets between agencies results in more effective and efficient law enforcement and less duplication of effort. Approaching major issues as a group rather than independent agencies has resulted in solutions acceptable to the entire DLEA community. The JCG meetings are the forum for the exchange of information, discussion of issues, and coordination of law enforcement efforts. The Federal agencies usually can afford to

send representatives to the JCG meetings, however, the budgets of the state and local agencies often prevent attendance unless the meeting is held in their general vicinity. Efforts are underway by PNS to identify alternatives such as using military airlift for some or all of the transportation requirements or requesting budgetary funding for use by DLEAs for PNS activities.

One imperative to the success of PNS is the sharing of information gained by the JCG meeting attendees with the state and local agencies in their regions. PNS cadre and JCG personnel have also presented separate PNS information briefings to state and local agencies, such as sheriff or state police organizations.

A second imperative is Federal agency representation to the different committees and subcommittees by the same people so that the institutional knowledge remains and each committee meeting can progress from where the last ended. The PNS cadre emphasized at every meeting that their role is strictly as coordinators, not directors. The functioning of the JCGs and the committees is the responsibility of the DLEAs, and the PNS cadre will serve as facilitators to assist only. The obvious advantage is the greater acceptance of plans, policies and solutions by the DLEAs if they are directly involved in the process.

Training

A study conducted by the FBI found that eight of the top twenty training priorities of law enforcement agencies nationwide

were specifically related to counterdrug operations.²⁵ Nine of the remaining twelve priorities pertained to activities which could include counterdrug operations such as weapons qualification, physical fitness, surveillance methods, and vehicle pursuit operations. With seventeen of the top twenty training priorities having a counterdrug application, it is understandable why training is a major concern of PNS. The PNS goals are the identification of available training support and improved access to training by the general membership.

Most Federal, state and many local DLEAs have their own internal training programs. Additionally, most agencies have access to state and national training facilities, however, their budgets may not support desired attendance. Many agency training programs are duplicates of other agency training programs. As previously stated, the Director of State and Local Training, FLETC, has the lead for PNS training issues. The FLETC publishes a catalog of available training, as do the DOD, DEA, FBI and numerous other agencies. The Canadian law enforcement agencies also have excellent training programs. PNS has undertaken the task of compiling all the different training programs into a single computerized listing which will be accessible by the general membership through a computer bulletin board system. This will permit rapid identification of subjects available as well as specific course information. Agencies without a computer access capability will be able to request training information through their JCGs or the PNS office.

Access to training is limited primarily by budget constraints, especially among state and local agencies. PNS is alleviating this problem through the development of exportable training packages such as audio-visual presentations, publications, mobile training teams, and train-the-trainer programs. PNS is establishing a training video and publication library. Agencies will request specific types of training through their JCGs, who in turn will pass their training requests to PNS. If there is sufficient demand for a specific type of training that is exportable, the JCG and PNS training committees will coordinate training at a location convenient to the members. The intent is to optimize training opportunities through interagency coordination and planning.

Intelligence

The exchange of counterdrug intelligence information is not only critical to actual arrests and seizures, but is critical to the planning of future counterdrug operations through the identification of trafficking trends and patterns. A single, central intelligence source, accessible to all counterdrug agencies, is also critical to counterdrug operations. The El Paso Intelligence Center (EPIC) is the principle counterdrug intelligence source. EPIC is comprised of representatives from the twelve major Federal counterdrug agencies, headed by the DEA. Within EPIC is a massive data base of vehicles, aircraft, watercraft, corporations, businesses, property, and people

suspected of being involved in illicit drug or contraband activities. This data base is accessible by all U.S. DLEAs either directly or through regional DEA and state law enforcement offices.

The EPIC data base remains current only through input received from DLEAs nationwide. Currently there is very little information in the EPIC data base regarding drug related incidents along the United States-Canada border, giving the indication that drug trafficking in that region is insignificant. The limited information makes it impossible for DEA to identify trafficking trends along the United States-Canada border which would facilitate counterdrug operations over such a vast area.

PNS, DEA, and the other DLEAs have several initiatives underway to improve United States-Canadian border intelligence information. First, increased emphasis on reporting of drug related incidents by DLEAs at all levels. Standardized reporting forms are being developed to ensure the necessary information is obtained. Clear reporting channels and procedures are being established to ensure the information is timely.

A second initiative is the addition to the data base of drug incidents occurring near the border but on the Canadian side. Currently, only arrests and seizures on the U.S. side are maintained.

A related initiative is the development of a policy authorizing access to EPIC information by Canadian law enforcement agencies. The cooperation and working relationships

between U.S. and Canadian law enforcement personnel are considered by the PNS cadre to be the best in the world.²⁶ Access by the Canadians will require the agreement of the agencies contributing the information to its release. Until such a policy is approved, Canadian agencies must work through a U.S. Federal agency, the DEA attache, or the North American Aerospace Defense Command (NORAD) on a case by case basis.

A highly successful program resulting from analysis of EPIC data is Operation Pipeline. EPIC analyzes trafficking data and determines characteristics or 'profiles' of trafficking methods, routes, or personnel. Personnel or vehicles stopped for routine traffic violations or inspections that match these profiles are asked to consent to a full search, which has resulted in a high percentage of arrests and seizures. Although eleven of the sixteen PNS states have not yet implemented Pipeline programs, its success rate is such that it is receiving National interest and programs are being established.

One of the direct outcomes of the 1989 Columbian terrorist incident in Maine was the establishment of the Border Region Intelligence Network (BRIN) by the Maine U.S. Attorney's office. Had such a network existed at the time, the law enforcement agencies involved feel they would have uncovered the plan much sooner.²⁷ The BRIN consists of the collection and analysis of information concerning suspicious activity in the vicinity of the Maine-Canadian border. Canadian and U.S. law enforcement personnel complete a standardized form which is submitted to a

central collection point and entered into a computer data base. When a suspicious vehicle or person is reported by several different agencies or in several different locations, law enforcement agencies are alerted to possible criminal activity. The BRIN system permits reporting of apparently insignificant incidents or activities which do not meet EPIC thresholds²⁸ and, because of direct Canadian involvement, permits a timely exchange of information with Canadian officials.

Threat Assessment

A team from the Forces Command Intelligence Center (FIC), Fort MacPherson, GA, developed the *Project North Star Drug Threat Assessment* based on input from DLEAs throughout the PNS area. This document provides an excellent summary of the scope of the drug threat on both sides of the border, however, its accuracy is only as good as the input from the DLEAs. PNS intends to publish semi-annual updates to the threat assessment.

Military Support

Secretary of Defense Richard B. Cheney made it clear in his statement on 18 September 1989 that Department of Defense (DOD) involvement in the National counterdrug effort would be "...through the effective application of available resources consistent with our national values and legal framework."²⁹ The legal framework that Secretary Cheney is referring to concerns the current laws affecting military involvement in civilian

domestic law enforcement activities. The Posse Comitatus Act (PCA), supplemented by DOD policies and directives, is the major restriction to the full utilization of military assets. Title 10, United States Code (USC), Chapter 18 (Military Cooperation with Civilian Law Enforcement Officials) further defines the authorized types of assistance that DOD can provide. The PCA and Title 10 restrictions³⁰ basically prohibit the use of Active and Reserve Component (AC/USAR) personnel for:

- a. The interdiction of a vehicle, vessel, aircraft, or other similar activity
- b. A search or seizure
- c. An arrest, apprehension, stop and frisk, or similar activity
- d. The surveillance or pursuit of specific individuals, use as undercover agents, informants, investigators, or interrogators

Title 32, USC, Chapter 112 (Drug Interdiction and Counterdrug Operations of the National Guard) authorizes and funds National Guard counterdrug missions. National Guard personnel remain under state control but receive Federal funding.

Military support falls into two categories, operational and non-operational. Operational support is support in which military personnel are direct participants in a specific counterdrug operation. The types of operational support missions most commonly requested and approved are:

- a. Ground or aerial reconnaissance or surveillance, however use of AC/USAR personnel to reconnoiter or surveil private property requires the written permission of the property owner, hence is limited.
- b. Ground and aerial transportation support, however

transportation onto private property by AC/USAR personnel requires the written permission of the property owner.

c. Ground radar support, within the restrictions governing surveillance of private citizens.

d. Inspection of cargo, vehicles, air and watercraft, and baggage at border points of entry/exit. This mission is limited to National Guard personnel working with DLEA personnel and who, as a matter of National Guard policy, are not directly involved in actual arrests or apprehensions. One exception is the authorized use of AC/USAR military dog teams to assist DLEA personnel with the types of searches indicated.

e. Operational planning assistance to DLEA personnel.

f. Aerial photo reconnaissance, and subsequent photo processing, analysis, and interpretation.

g. Engineer support to include construction, repair, denial or demolition missions, within the legal constraints concerning private property and liability.

h. Aerial interdiction using National Guard personnel when accompanied by DLEA personnel. Missions which cross the U.S.-Canada border also require Canadian law enforcement personnel to be present.

i. Tunnel detection using seismic, acoustic or magnetic detection equipment and operators.

j. The use of military divers to detect modifications to ship hulls, however the search of such modifications must be by DLEA personnel.³¹

Non-operational support includes administrative, intelligence, and maintenance support provided by military personnel. Linguist support is also available for the translation or transcription of documents or recordings. Linguists cannot, however, be used during actual interrogation or eavesdropping activities. The most common forms of non-operational support are the loan or transfer of military equipment, the use of military facilities such as buildings, training areas, and ranges, and formal training courses conducted

by the service schools. This type of non-operational support is coordinated through a Regional Logistics Support Office (RLSO). To coordinate non-operational military support for DLEAs within the entire PNS region, a RLSO is collocated with the PNS office. Listings of some of the excess property transferred and support loaned or provided to PNS agencies between July and December 1991 can be found at Appendices 3 and 4, respectively. The principle beneficiaries of RLSO support are the state and local agencies operating under major budget constraints.

U.S. Forces Command has the responsibility for planning and coordinating Active and Reserve Component support within the continental United States. This support is primarily through the U.S. Army Forces Command's Continental U.S. Armies (CONUSA). Within the PNS area, the East and Central Regions fall within First Army's area, and the West Region (less Alaska) falls within Sixth Army's area. Support for Alaska is coordinated through U.S. Pacific Command.

In addition to JTF-6, there are two other AC joint task forces directly supporting counterdrug operations. Joint Task Forces Four and Five (JTF-4, -5), under U.S. Atlantic and Pacific Commands respectively, are primarily responsible for intelligence gathering and coordination with the DLEAs along their parent command U.S. coastal boundaries. There are currently no plans for the establishment of a joint task force similar to JTF-4, 5, or 6 in direct support of PNS.

There are several other aspects of military support which are

critical to the enhancement and success of PNS.

The National Guard (NG), a longtime advocate of supporting counterdrug operations, welcomed the PNS organization and has established an active liaison between each state's NG counterdrug office and the PNS JCGs. Most states have NG troops working full time with DLEAs conducting the types of missions listed earlier. The JCG meetings serve as an excellent forum for the exchange of initiatives developed by state NG elements. For example, the Maine NG conducts a 'Clear Skies' program, where NG troops search for remote airfields. As of 1 December 1991, over 150 previously uncharted airfields have been identified.³² The Maine NG has also developed a directory of interpreters available to DLEAs throughout the state for translation or transcription requirements in almost every common foreign language. The Wisconsin NG conducts operation 'Drop-In,' where NG troops, working with FAA personnel, visit small airports and look for aircraft with indications of possible illegal activity. These indicators include chipped paint on the undercarriage and extended or reinforced struts (indicators of possible use at unimproved airstrips), seats removed, or evidence of altered or covered identification numbers. Suspicious aircraft are reported to EPIC. Operation 'Cash Crop' is an extensive marijuana eradication program conducted by the Illinois NG. Additionally, the availability of Georgia NG OV-1D Mohawk assets for PNS DLEA air photo reconnaissance missions was announced at the JCG meetings.

At a time when budgets are becoming tighter and tighter, most NG representatives indicated that funding and manpower authorization for counterdrug operations continue to receive the largest increases every year, evidence of the NG commitment to the counterdrug mission.

Another major contributor to the PNS mission is NORAD. Besides the obvious advantages and relevance of the direct United States-Canadian relationship, NORAD is actively involved in providing support to PNS DLEAs. This support is primarily in the form of intelligence and aircraft intercept (for identification and location purposes only). Military mobile radar teams have been used with DLEAs on short term exercises to monitor illegal border crossings. Operation 'Skywatch,' the first such operation in the East Region, was conducted in June 1991. Although no seizures or arrests resulted from Skywatch, the exercise identified the need for an improved communications capability and greater coordination between DLEAs down to the local level. The next Skywatch exercise is scheduled for the Fall of 1992. Washington state conducts similar exercises known as the 'Trident' series.

The INS Northern Region office in Minnesota is currently using two military intelligence analysts to review and purge intelligence information that, in the past, had been collected and filed without any action being taken. With the help of the analysts the INS is now able to provide data to EPIC and other agencies useful for future planning.

CLIC is currently assisting PNS with the development of a United States-Canadian counterdrug strategy based on the threat assessment. The focus of CLIC is to facilitate the development process while the DLEAs establish the overall PNS strategy.

The U.S. Army office for Counterdrug Research, Development, and Acquisition is actively involved with PNS for three reasons. First, to share existing military knowledge and military equipment capabilities. Second, to review the application of civilian counterdrug requirements to military applications. The third, and perhaps most important reason, is to determine the feasibility of the shared development and production of counterdrug hardware and software, thus reducing overall costs and preventing duplication of effort.³³

The Defense Information Systems Agency, in conjunction with Forces Command, is sponsoring a survey to be conducted to determine the communications needs for DLEA interconnectivity along the United States-Canada border. DOD is funding the survey at a cost of 600 thousand dollars, with an additional 3.5 million dollars identified for the procurement of the initial communications system.

Conclusion

Project North Star was not established to be yet another of a multitude of drug law enforcement agencies. Its primary purpose is to serve as a multi-agency central clearing house for

information and coordination. Capitalizing on lessons learned by Operation Alliance, North Star has gone from a concept to a fully functioning coordination center in less than one year.

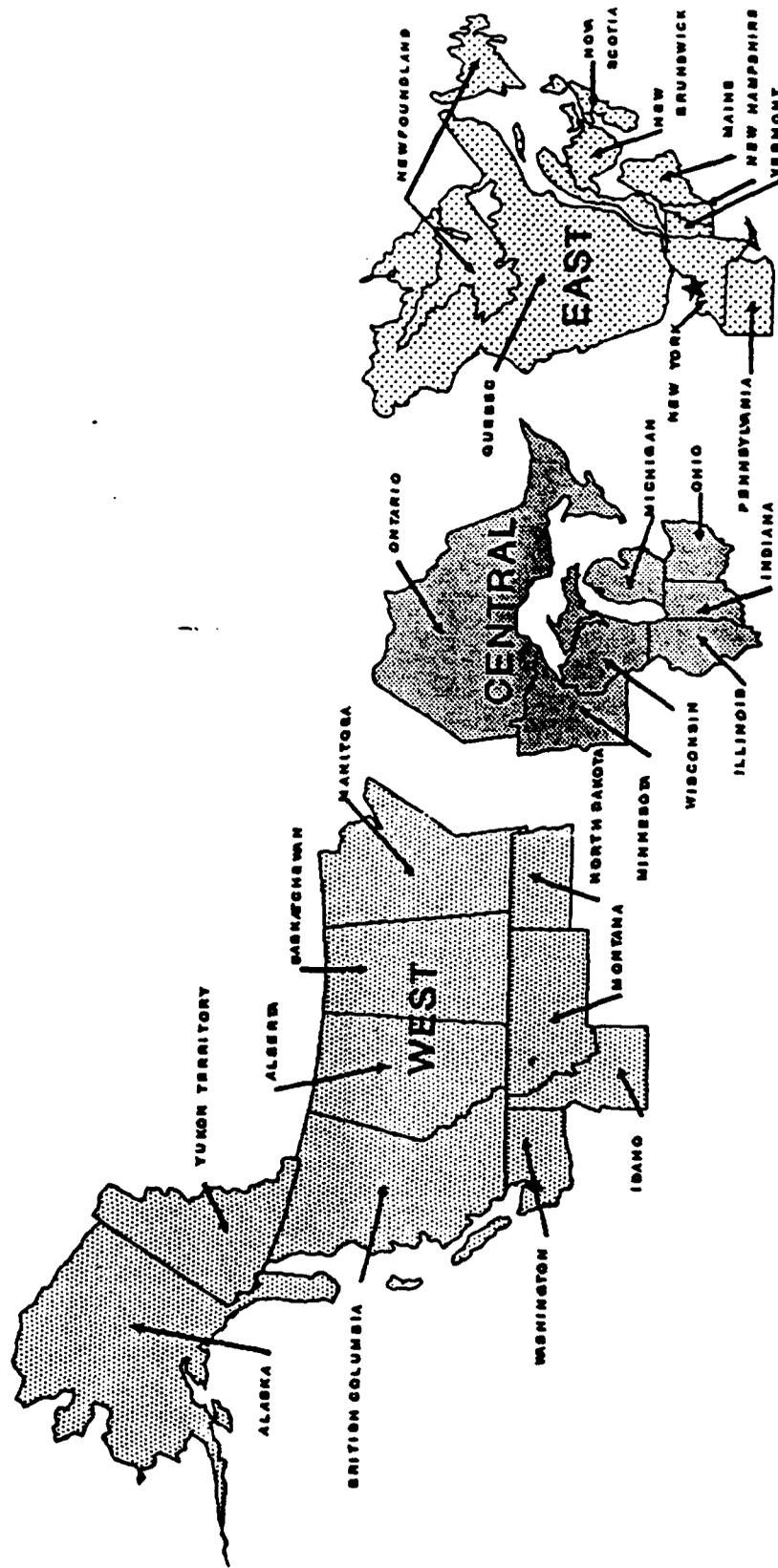
There is still much progress to be made, especially at the state and local level, as more and more agencies become aware of the capabilities available through North Star. Interagency coordination and cooperation have improved significantly. As more and more joint operations are conducted, including Canadian agencies, standing procedures will be developed and maximum use will be made of limited assets and limited budgets. Individual proficiency will be enhanced by the training opportunities available through the different agencies. The ability to quickly share intelligence information will result in a greater awareness of possible illegal activity and to the development of a rapid, coordinated response to that activity. Maintaining a current threat assessment through the analysis of intelligence data will ensure the limited law enforcement assets available are used efficiently and effectively.

The DLEAs, particularly at the state and local level, must also be made aware of the available military support. Those agencies that have utilized military equipment and services have found them to be great force multipliers.

All indications are that the United States-Canada border is rapidly becoming a major drug trafficking area. Project North Star has come along just in time and is the key to the integration of the many independent law enforcement agencies into

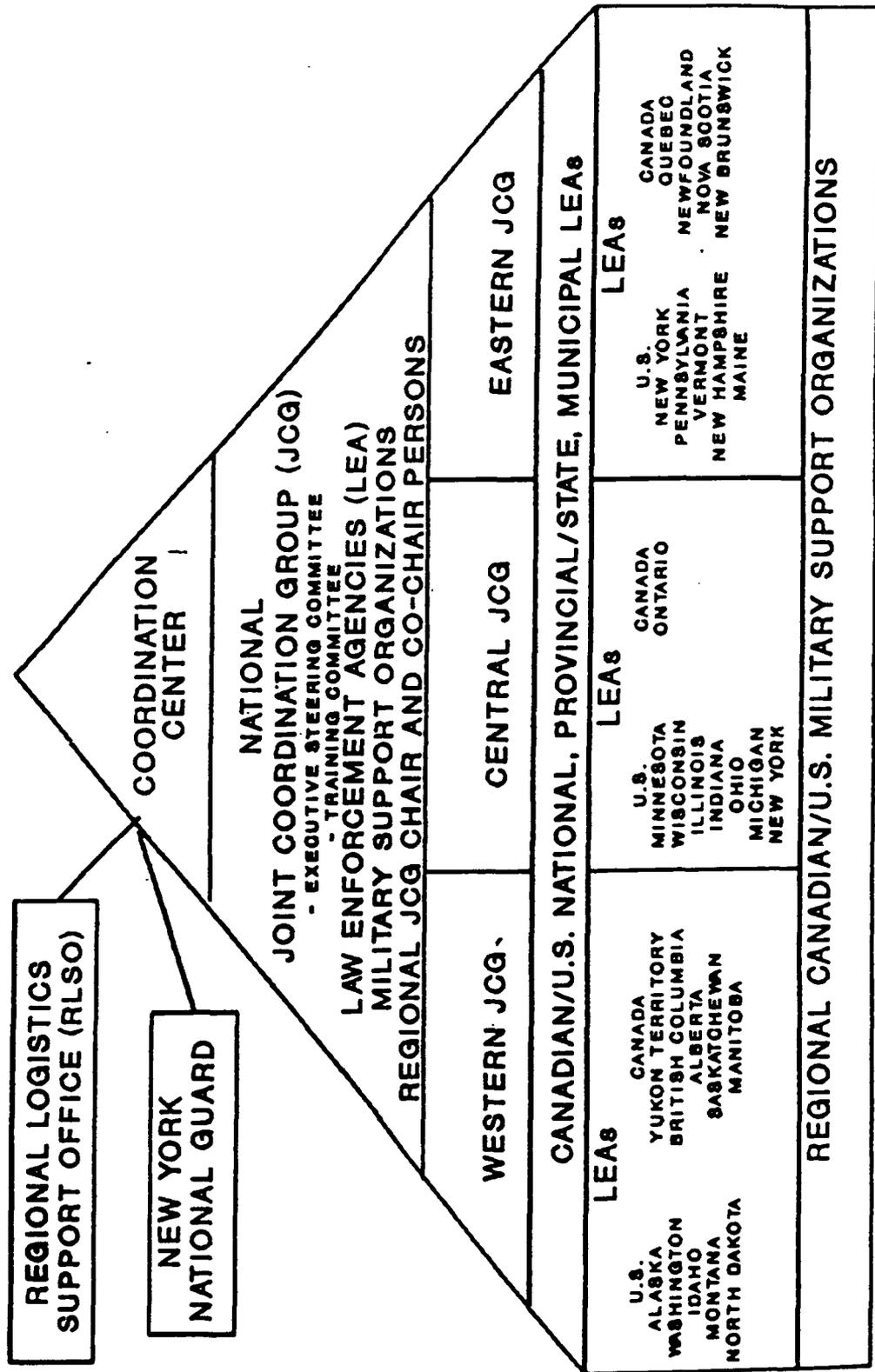
a coordinated law enforcement system which will be necessary to counter the threat on our Northern border.

PROJECT NORTH STAR JOINT COORDINATION GROUP (JCG) REGIONS



NOTE: New York is in both the CENTRAL & EASTERN JCG REGION
★ PROJECT NORTH STAR COORDINATION CENTER

Project NORTH STAR Organization



Excess military equipment transferred from Defense Resource Management Offices (DRMO) to U.S. DLEAs in the Project North Star area of responsibility from July - December 1991.

Air Hoist	Ammo Can
Answering Machine	Automobile
Band Saw	Battery Charger
Bayonet	BDUs
Binoculars	Blanket
Boat	Body Armor
Book Case	Boots, Cold Weather
Boots, Jungle	Camera, 35mm
Camera, Flash	Canteen/Canteen cover
Case, Small Arms	Centrifuge
Chair	Chemical Suit
Coat, Cold Weather	Computer
Copier	Coveralls
Desk	Detector
Developing Paper	Duffel Bag
Engine	Fax Machine
File Cabinet	Film, Photo
Fingerprint Kit	Flight Suit
Flight Helmet	Forklift
Generator	Gloves, Cold Weather
Gloves, Surgical	Handcuffs
Helmet	Heater, Duct
Holster	Mobile Telephone
Monitor	Multimeter
Office Equipment	Otoscope
Overshoes	Pager, Pager Charger
Parka	Periscope
Poncho	Portable Radio
Power Supply	Printer
Projector	Projection Screen
Pylon Assembly	Radio Set
Rain Gear	Refrigerator
Safe	Shredder
Sleeping Bag	Sockets
Spotting Scope	Suspenders
Tarp	Telephone
Television	Tent
Tires	Tool Box
Tools	Torch Set
Trailer	Truck
Typewriter	Van, Step
Vehicle Parts	Video Recorder
Waterproof Bag	Wire Rope
Wire Brushes	Zoom Lens

Source: RLSO I information briefing dated January 1992.

Appendix 3

Military equipment loaned and service support provided to U.S. DLEAs for counterdrug operations in the Project North Star area of responsibility from July - December 1991:

Antennas	Ground Surveys
Binoculars	Ground Transportation
Kevlar Helmets	Air Transportation
Lithium Batteries	
Minisid AN/GSQ-1548	
Night Vision Goggles	
Power Supplies	
Receivers, AN/GRQ-21	
Rifles, 5.56mm, M-16	
Rifles, 7.62mm, M-14	
Transmitters, TC-516	
Shotguns	

Source: RLSO I information briefing dated January 1992.

ENDNOTES

¹Peeter Kopvillem, "Shuttle to jail," Macleans 102, No. 47 (27 November 1989), 14.

²John DeMont, "The Wild Coast: Drug runners work the Atlantic connection," Macleans 104, No. 45 (11 November 1991), 20.

³Ronald L. Carnes, Statement before the U.S. House of Representatives Select Committee on Narcotics Abuse and Control, 15 July 1991, Buffalo, NY.

⁴Greg W. Taylor, "Drugs and guns," Macleans 102, No. 38 (25 September 1989), 14.

⁵George Bush, National Drug Control Strategy, Washington: The White House, February 1991, 2.

⁶First U.S. Army, information briefing presented at the First U.S. Army Counter-Drug Conference, 28 January 1992, Indianapolis, IN.

⁷Ibid.

⁸Robert C. Bonner, "DEA Strategic Management System (FFS:190-01)," Drug Enforcement Administration, 26 February 1991, 4.41, 4.45.

⁹Ibid.

¹⁰Ibid, 4.11.

¹¹Ibid.

¹²Ibid, 4.19.

¹³Ibid, 4.30.

¹⁴Joint Coordination Group Central, minutes of the PNS JCG Central meeting 8-9 October 1991, Niagara Falls, Ontario.

¹⁵Robert C. Bonner, 11.1.

¹⁶John DeMont, 20.

¹⁷Army - Air Force Center for Low Intensity Conflict (CLIC), "CLIC Counterdrug (CD) Management System (CDMS)" (Final Draft), CLIC-FCCC, Langley AFB, VA, 5 April 1991, B-3.

¹⁸Ibid.

¹⁹Douglas R. Knorr, Supervisory Special Agent, U.S. Customs Service, Deputy Director, Project North Star, interview by author, 8 November 1991, Buffalo, NY.

²⁰Robert C. Bonner, 10.1.

²¹Notes by author, JCG Central meeting, 30 January 1992, Indianapolis, IN.

²²Douglas R. Knorr, interview by author 8 November 1991, Buffalo, NY.

²³George Bush, Appendix A.

²⁴Ibid, 129.

²⁵Institutional Research and Development Unit, Training Division, Federal Bureau of Investigation, "Training Priorities for Students at the National Center for State and Local Law Enforcement Training Compared to Training Priorities for State and Local Law Enforcement Officers Nationwide, Quantico, VA, March 1990.

²⁶Douglas R. Knorr, interview by author 8 November 1991, Buffalo, NY.

²⁷Ronald L. Carnes, interview by author 31 January 1992, Indianapolis, IN.

²⁸EPIC reporting thresholds for drug seizures currently are 100 grams for heroin, 500 grams for cocaine, and 1 kilogram for marijuana, although EPIC is currently considering lowering these. Source: EPIC briefing by Mr. Jerry Nunemaker, JCG Central conference, 31 January 1992, Indianapolis, IN.

²⁹Richard B. Cheney, "Department of Defense Guidance for Implementation of the President's National Drug Control Strategy," Washington: Department of Defense, 18 September 1989, 1.

³⁰As briefed by CPT Michael P. Nida, USA, Counterdrug Legal Advisor, at the First Army Counter-Drug Conference, 29 January 1992, Indianapolis, IN.

³¹As presented by U.S. Forces Command at the First Army Counter-Drug Conference, 29 January 1992, Indianapolis, IN.

³²LTC Richard Duffy, USANG, interview by author 6 January 1992, Pittsburgh, PA.

³³COL Dick Lunsford, USA, interview by author 31 January 1992, Indianapolis, IN.

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