

DOCUMENT RESUME

02155 - [A1572545]

If Defense and Civil Agencies Work More Closely Together, More Efficient Search/Rescue and Coast Law Enforcement Could Follow. LCD-76-456; B-114851. May 26, 1977. 54 pp. + appendices.

Report to the Congress; by Robert F. Keller, Acting Comptroller General.

Issue Area: Military Preparedness Plans: Military Forces Readiness (805).

Contact: Logistics and Communications Div.

Budget Function: National Defense: Department of Defense - Military (except procurement & contracts) (051).

Organization Concerned: Department of the Navy; Department of Defense; Department of the Army; Department of the Air Force; Department of the Treasury; Department of Justice.

Congressional Relevance: House Committee on Armed Services; Senate Committee on Armed Services; Congress.

Increased coordination is needed among several Federal services in providing assistance to people in distress. This could be accomplished by greater sharing of aircraft and crews and support equipment and facilities by the Air Force, Navy, and Coast Guard under the National Search and Rescue Plan. The National Search and Rescue policy was established in 1954 to provide: a basic network of facilities, an overall plan for effective use of all available people and equipment, and for maximum use of State and local facilities.

Findings/Conclusions: Despite National Search and Rescue Plan guidelines, the Air Force, Navy, and Coast Guard are essentially computing their own search and rescue requirements independently to satisfy their individual needs without adequately considering the assets of others in the plan. They are also stationing aircraft in some of the same areas without adequately coordinating their use. This has resulted in more aircraft, crews, and supporting services than are needed to provide adequate coverage. The coordination of the rescue objectives of the National Search and Rescue Plan was not being met in maritime regions in fiscal year 1975. Coordination of operations and joint planning to clarify total aircraft requirements could result in a reduction in the number of aircraft needed.

Recommendations: The Secretaries of Defense and Transportation should direct the military services and the Coast Guard to determine jointly the total search and rescue aircraft requirements for both peacetime and wartime and begin joint effective use of search and rescue aircraft. The Coast Guard should reevaluate the number of aircraft it plans to purchase. Congress should enact legislation authorizing Defense to loan personnel and equipment to civil law enforcement agencies to transport agency representatives on law enforcement missions.

(RRS)

02155 2545

REPORT TO THE CONGRESS

*BY THE COMPTROLLER GENERAL
OF THE UNITED STATES*

If Defense And Civil Agencies Work More Closely Together, More Efficient Search/Rescue And Coastal Law Enforcement Could Follow

This report discusses the potential for increased coordination among Department of Defense components, the Coast Guard, and civil law enforcement agencies in using their aircraft and ships. It discusses economies that could be realized from greater sharing of assets and provides alternatives for more effective use of people and equipment.



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

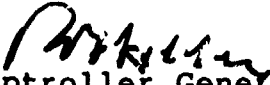
B-114851

To the President of the Senate and the
Speaker of the House of Representatives

This report discusses the need for greater cooperation among military and Federal civil agencies conducting operations, particularly search and rescue and law enforcement missions along the coasts or in U.S. coastal waters.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We are sending copies of this report to the Director, Office of Management and Budget; the Secretaries of Transportation, Defense, and the Treasury; the Attorney General; the Secretaries of the Army, Air Force, and Navy; and the Commandant of the Coast Guard.


ACTING Comptroller General
of the United States

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

IF DEFENSE AND CIVIL AGENCIES WORK
MORE CLOSELY TOGETHER, MORE EFFICIENT
SEARCH/RESCUE AND COASTAL LAW
ENFORCEMENT COULD FOLLOW

D I G E S T

Increased coordination is needed among several Federal services in providing assistance to people in distress. This coordination is provided for under the National Search and Rescue Plan. If this plan were sufficiently adhered to, which it is not, substantial savings to American taxpayers could be realized.

This could be done by greater sharing of aircraft and crews and support facilities and equipment, chiefly by the Air Force, the Navy, and the Coast Guard in meeting their cooperative responsibilities under the National Search and Rescue Plan.

In fact, excellent opportunities exist for joint determination of aircraft and personnel requirements and sharing of resources among agencies which, if realized, would result in less total resource requirements and more efficient use of Federal aircraft, ships, and personnel.

SEARCH AND RESCUE POLICY

The national policy on search and rescue was established in 1954 to provide

- a basic network of facilities,
- an overall plan for effective use of all available people and equipment and provisions for controlling and coordinating search and rescue missions, and
- for use of State and local facilities to the maximum extent possible.

The National Search and Rescue Plan, revised in 1969, implements this policy.

NETWORK FOR SEARCH AND RESCUE
NOT FUNCTIONING PROPERLY

Despite National Search and Rescue Plan guidelines, the Air Force, Navy, and Coast Guard are essentially computing their own search and rescue requirements independently to satisfy their individual needs, without adequately considering available assets of the others in the plan. Also, they were stationing aircraft in some of the same areas without adequately coordinating their use. Result: overabundance of aircraft, people, and equipment.

The objective of the National Search and Rescue Plan is to integrate all facilities into a cooperative network to render aid to distressed civilian and military persons and property, to coordinate the use of facilities, and to promote efficiencies and economies. (See p. 15.)

But Coast Guard and Department of Defense units are computing requirements and stationing search and rescue aircraft to provide for their peak needs without adequately considering assistance available from other services. This practice has resulted in more aircraft, crews, and supporting services than are needed to provide adequate coverage to both the military and civilian areas.

For example, enough H-3 helicopters capable of performing search and rescue missions are available at the Naval Air Station, Jacksonville, Florida, at all times, to reduce Navy dedicated search and rescue helicopter needs. Some of Jacksonville's helicopters and crews could be reassigned to other missions.

An overabundance of search and rescue aircraft in the Pensacola, Florida, and San Francisco, California, areas also exists. (See pp. 20 and 21.)

GAO recommends that the Secretaries of Defense and Transportation direct the military services and the Coast Guard to determine jointly total search and rescue aircraft requirements for both peacetime and wartime. (See p. 23.)

While the Departments of Defense and Transportation agreed that there are opportunities for increased cooperation, they disagreed with the above recommendation. (See p. 24.)

Defense said its search and rescue assets are maintained and justified to support military forces, and cooperation in civil search and rescue missions will be done, but on a basis of noninterference with military operations. The Coast Guard disagreed on the basis that they have statutory responsibility for civil maritime search and rescue.

GAO believes that since Defense assets are Federal assets they should be used for civil as well as military search and rescue purposes if physically available and not otherwise actively engaged in critical military operations.

Also, the Coast Guard's statutory responsibility for civil maritime search and rescue does not preclude use of other available Federal assets.

BETTER USE OF SEARCH AND RESCUE ASSETS

The coordination of resource objectives of the National Search and Rescue Plan were not being met in the maritime regions in fiscal year 1975. The Coast Guard did not adequately use other available resources, choosing instead to fly all but 3 percent of the maritime search and rescue missions that fiscal year. Defense units could have performed many of these missions. (See p. 26.)

GAO could not determine the precise amount of search and rescue assistance Defense units could annually provide the Coast Guard but believes the amount is substantial.

The Air Force, Navy, and Coast Guard flew over 27,800 hours on search and rescue training flights in fiscal year 1975, at an estimated cost of over \$12.4 million. Many of these hours could have been used for such missions. Had this been done, two purposes (search and rescue and training) would have been met and a number of flight-hours could have been eliminated. (See p. 29.)

Substantial economies of operation would result from greater shared use of search and rescue assets by Defense units and the Coast Guard.

GAO recommends that the Secretaries of Defense and Transportation direct Defense branches and the Coast Guard, respectively, to begin joint effective use of search and rescue aircraft, including stationing, personnel staffing, training, and future deployments. Such use should consider the alternatives GAO suggests. (See p. 44.)

But the Coast Guard, the Navy, and the Air Force said that Defense facilities are available to meet civil search and rescue needs on a basis that they do not interfere with military missions. Their comments are discussed in detail on pages 35 and 36, and 40 and 41.

GAO does not believe the intent of the National Search and Rescue Policy or Plan was to place higher priorities on military missions than on civil search and rescue missions. GAO believes more effective use of Federal search and rescue aircraft is needed.

POSSIBLE REDUCTION OF COAST GUARD AIRCRAFT PURCHASES

The Coast Guard, the Navy, and the Air Force should improve their coordination of operations and joint planning to clarify total requirements for aircraft. This would result in more efficient and effective operations and could reduce the total quantity of aircraft needed.

Currently the Coast Guard is planning to purchase 56 aircraft at a cost of \$287 million. In making its requirements computations, the Coast Guard did not consider the aircraft available from the Air Force and Navy which could satisfy, in part, the Coast Guard's requirements. (See pp. 37 to 39.)

The Coast Guard replied that GAO assumes Air Force and Navy aircraft are available for Coast Guard missions on a continuing basis, and because such is not the case, sufficient aircraft must be procured to "satisfactorily meet statutory responsibilities."

GAO does not subscribe to the logic that because Air Force and Navy aircraft are not available for civil search and rescue missions on a continuing basis the Coast Guard must procure sufficient aircraft and equipment to satisfy all civil maritime search and rescue requirements.

GAO recommends that in light of the assistance available from Defense, the Secretary of Transportation require the Coast Guard to reevaluate the number of aircraft it plans to purchase.

LAW ENFORCEMENT ALONG U.S. COASTS

Several branches of the Federal Government have law enforcement functions along the coasts and in U.S. coastal waters.

The opinion is widely held that Defense cannot assist in civil law enforcement because of the Posse Comitatus Act. (See p. 47.) GAO believes Defense can provide more assistance to civil law enforcement agencies without violating the Posse Comitatus Act.

Defense believes its current relationship with civil law enforcement agencies to be realistic and that clarifying legislation is not needed. However, both the Departments of the Treasury and Justice said that clarification of the

Posse Comitatus Act is needed. Therefore, GAO recommends that the Congress enact legislation authorizing Defense to loan personnel and equipment to civil law enforcement agencies to transport agency representatives on law enforcement missions.

C o n t e n t s

		<u>Page</u>
DIGEST		i
CHAPTER		
1	INTRODUCTION	1
2	SEARCH AND RESCUE POLICY	2
	SAR responsibilities under the National Plan	2
	Coast Guard organization for SAR	5
	Air Force organization for SAR	5
	Navy SAR assets	9
	Coordinating the use of aircraft	9
3	THE NATIONAL INTEGRATED NETWORK FOR SEARCH AND RESCUE IS NOT FUNCTIONING PROPERLY	15
	Computing requirements to support individual services' needs	15
	Concentrations of SAR aircraft	16
	Are the Nation's SAR assets being effectively used?	17
	Examples of redundant SAR capabilities	19
	Naval Air Station, Jacksonville, Florida	19
	SAR aircraft in and around Pensacola, Florida	20
	San Francisco, California	20
	Wartime availability of SAR assets in the United States	21
	Conclusions	23
	Recommendation	23
	Agency comments and our evaluation	24
4	OPPORTUNITIES FOR BETTER USE OF SEARCH AND RESCUE ASSETS	26
	Executing maritime SAR missions	26
	The Coast Guard flew many maritime missions near DOD activities having SAR facilities	27
	Availability of DOD assets for SAR	28
	Other available assets	30
	The Coast Guard could make greater use of DOD SAR assets	31
	DOD SAR aircrew capability	33
	DOD and Coast Guard SAR aircraft have similar equipment	33

CHAPTER**Page**

	Response time objectives	33
	Conclusions	34
	Recommendations	35
	Agency comments and our evaluation	35
5	USE OF AVAILABLE ASSETS COULD REDUCE COAST GUARD AIRCRAFT PURCHASES	37
	Coast Guard purchase of aircraft	37
	Potential reductions in Coast Guard aircraft purchases	39
	Conclusions	39
	Recommendation	39
	Agency comments and our evaluation	40
6	ALTERNATIVES FOR IMPROVED SEARCH AND RESCUE OPERATIONS	42
	Alternatives for more efficient use of available assets for SAR	42
	The Coast Guard as single manager for SAR worldwide	42
	DOD SAR units could perform SAR missions in designated sectors	43
	DOD SAR units and the Coast Guard could alternate SAR alert periods	43
	DOD SAR units could provide long-range SAR capability for the Coast Guard	44
	Conclusion	44
	Recommendation	44
	Agency comments and our evaluation	44
7	OTHER OPPORTUNITIES FOR ACHIEVING GREATER EFFICIENCY AND ECONOMIES THROUGH INCREASED COORDINATION	46
	Control of illegal entry of persons and goods	46
	Military assistance to civil law enforce- ment agencies	47
	Marine environmental protection surveil- lance	48
	Conclusions	50
	Recommendations	50
	Agency comments and our evaluation	50
	Recommendation to the Congress	52
8	SCOPE	53

APPENDIX**Page**

I	Letter dated December 14, 1976, from the Assistant Secretary of Defense (Comptroller)	55
II	Letter dated December 22, 1976, from the Assistant Secretary for Administration, Department of Transportation	57
III	Letter dated November 11, 1976, from the Deputy Assistant Secretary of the Treasury (Operations)	67
IV	Letter dated January 5, 1977, from the Assistant Attorney General for Administration, Department of Justice	70
V	Number of search and rescue aircraft in the continental United States as of June 30, 1975, by type and owning service, and their related capital cost and estimated annual operating costs	74
VI	Other GAO reports relating to the matters discussed in this report	75
VII	Principal officials responsible for administering activities discussed in this report	76

ABBREVIATIONS

ARRS	Aerospace Rescue Recovery Service
CAP	Civil Air Patrol
CONUS	continental United States
DEA	Drug Enforcement Administration
DOD	Department of Defense
GAO	General Accounting Office
INS	Immigration and Naturalization Service
MRS	medium-range search
NAS	Naval Air Station
NOAA	National Oceanic and Atmospheric Administration
RCC	Rescue Coordination Center
SAR	search and rescue

CHAPTER 1

INTRODUCTION

The U.S. Coast Guard is the principal U.S. Government maritime law enforcement agency, providing assistance to those in distress in U.S. maritime regions. Other Coast Guard missions include marine environmental protection and marine science activities, and upon declaration of war or when the President otherwise directs, it becomes part of the U.S. Navy. To accomplish its missions the Coast Guard has a fleet of 240 ships and 141 aircraft and is authorized over 39,000 personnel in the continental United States (CCNUS).

The Department of Defense (DOD) service branches have missions throughout U.S. coastal waters. Some, such as search and rescue (SAR) of persons and property, closely parallel Coast Guard missions and require similar equipment.

Many civil agencies also have activities along the U.S. coasts or in coastal waters. These include law enforcement agencies such as the Drug Enforcement Administration (DEA) and the Immigration and Naturalization Service (INS), both organizations of the Department of Justice; the U.S. Customs Service, an element of the Department of the Treasury; and parts of the Department of Commerce, which conduct operations such as marine research, weather observation and prediction, and ocean monitoring. All these activities require equipment such as aircraft or ships, although needs and assets vary among agencies.

We examined the operations of several Federal agencies with similar functions in U.S. maritime areas to determine (1) common functions, (2) intercoordination, and (3) their potential for increased coordination and more effective use of resources.

We concentrated on SAR, enforcement of laws and treaties, and marine environmental protection.

This report discusses the need for increased coordination among DOD branches, the Coast Guard, and civil law enforcement agencies; savings that could be realized from greater sharing of assets; and alternatives for more effective use of personnel and equipment.

CHAPTER 2

SEARCH AND RESCUE POLICY

The national policy on SAR was established in 1954 to (1) provide a basic network of SAR facilities to serve both civil and military aviation, (2) provide an overall SAR plan for effective use of all available facilities to include provisions for the control and coordination of SAR missions, and (3) use State and local SAR facilities to the maximum extent possible and encourage their continued development. An SAR facility is any unit, command, device, or system used for SAR operations.

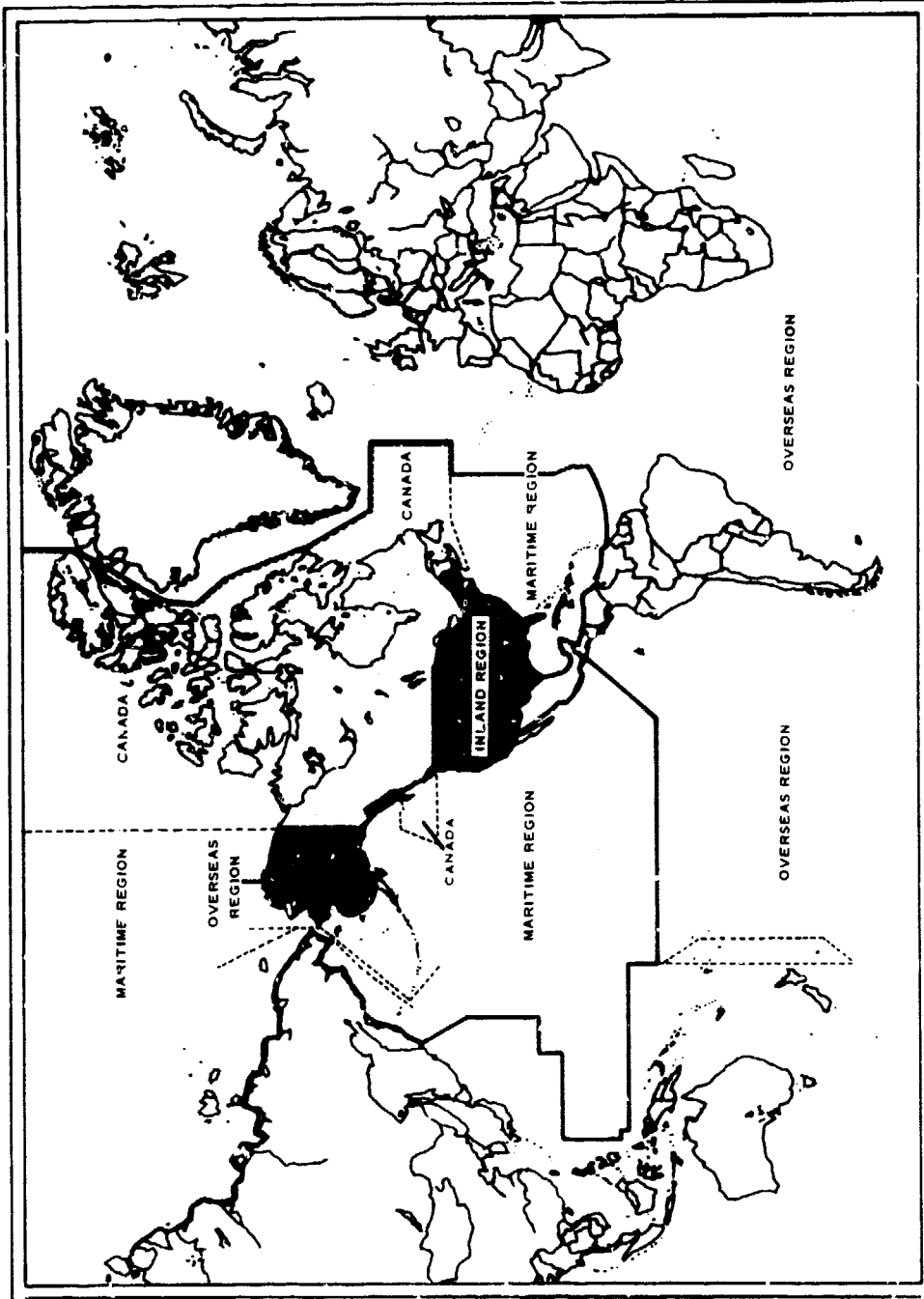
The National SAR Plan implements this policy. The 1969 revision was signed by the Secretaries of Transportation and Defense, the Administrator of the National Aeronautics and Space Administration, and the Commissioner of the Federal Communications Commission.

SAR RESPONSIBILITIES UNDER THE NATIONAL PLAN

The National SAR Plan divides responsibility for coordinating SAR efforts geographically among the Coast Guard, the coordinator within the maritime regions; the Air Force, the coordinator for the inland region; and military commands, coordinators for overseas regions. Maritime regions include waters under the jurisdiction of the United States and certain adjacent waters, the coastal areas of Alaska, the State of Hawaii, and U.S. territories and possessions (except the Panama Canal Zone). Land masses within the continental United States make up the inland region. All other areas, including the inland areas of Alaska and the Panama Canal Zone, comprise the overseas regions. Figure 1 shows the maritime, inland, and overseas SAR regions.

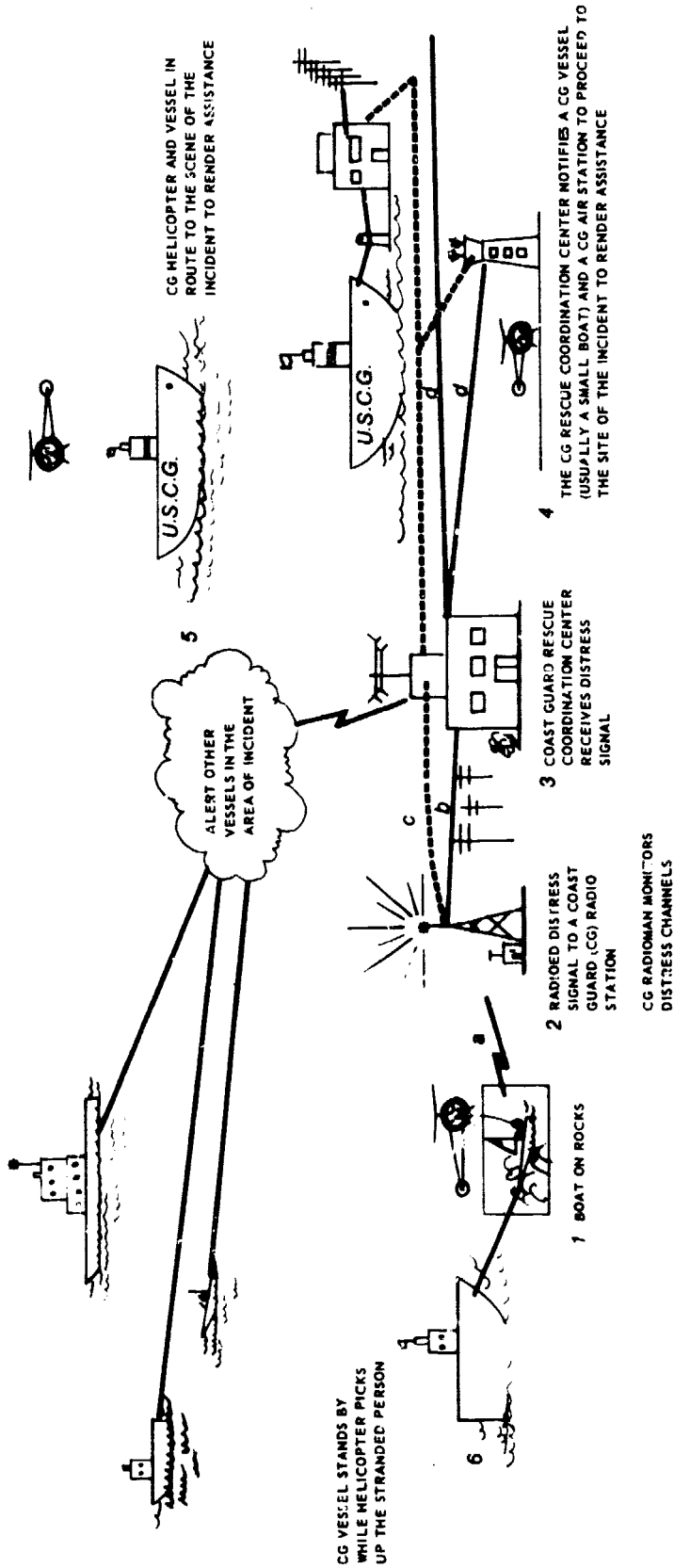
SAR coordinators are responsible for promptly beginning and ending operations with maximum efficient use of available resources. The Coast Guard and the Air Force have delegated this responsibility to major subcommands: the Coast Guard to the Commanders of the Atlantic and Pacific areas in New York City, New York, and San Francisco, California, respectively; and the Air Force to the Commander, Aerospace Rescue and Recovery Service, Scott Air Force Base, Illinois. Each service uses Rescue Coordination Centers (RCCs) for the overall control and coordination of SAR operations.

FIGURE 1
GEOGRAPHY OF THE MARITIME, INLAND, AND OVERSEAS
SEARCH AND RESCUE REGIONS



SOURCE: THE NATIONAL SEARCH AND RESCUE PLAN

**A TYPICAL U.S. COAST GUARD SEARCH AND RESCUE MISSION
BASED ON A PLEASURE BOAT GROUNDED ON ROCKS.**



a RADIOED DISTRESS SIGNAL

b TELEPHONED DISTRESS SIGNAL

c BACK UP VERIFICATION BY TELETYPE

d TELEPHONED (HOTLINE) MESSAGE SENT TO A CG VESSEL AND A CG AIR STATION

COAST GUARD ORGANIZATION FOR SAR

For maritime SAR, the Coast Guard's Atlantic and Pacific Area Commands are divided into subregions, generally by Coast Guard district with each district commander acting as the SAR coordinator for the area. Each subregion operates an RCC. The Atlantic area has eight subregions, the Pacific three. One Atlantic area subregion and the three Pacific area subregions also command one or more subordinate sectors, each having its own RCC. In most subregions and sectors, the Coast Guard has aircraft which are on call to the SAR coordinator.

The Coast Guard had a total of 141 short-, medium-, and long-range helicopters and fixed-wing aircraft in its inventory available in CONUS for SAR missions as of June 30, 1975. The acquisition cost of these aircraft was \$110.4 million. ^{1/} Coast Guard aircraft flew a total of 18,040 hours in performing maritime SAR missions in fiscal year 1975.

Projected Coast Guard SAR flight-hour requirements are based on historical SAR flight-data, with a 6.4-percent factor added for anticipated increases in future SAR incidents.

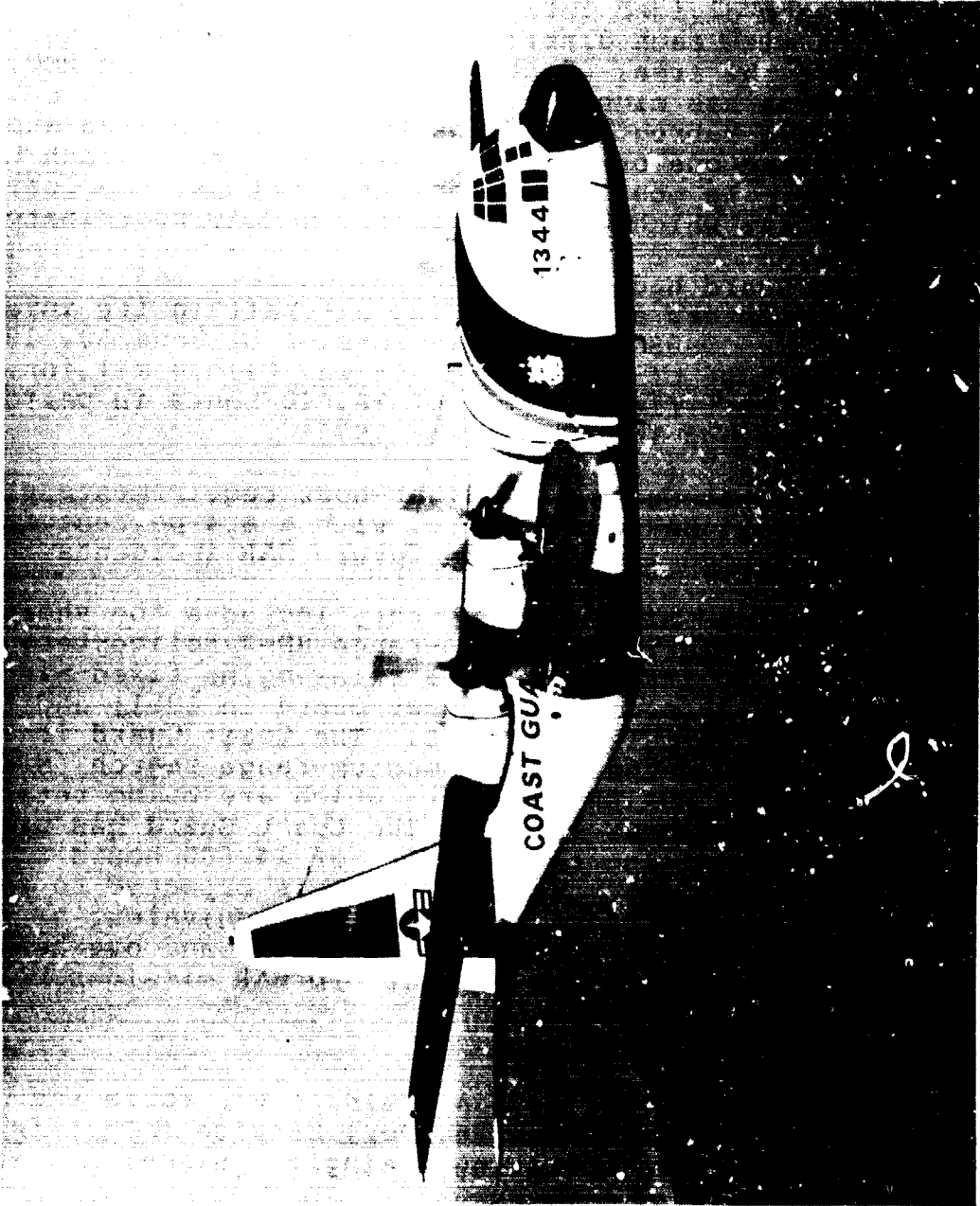
The Coast Guard aircraft inventory includes the short-range HH-52 helicopter; the medium-range HH-3 helicopter; the medium-range HU-16E aircraft, a twin-engine fixed-wing aircraft first purchased by the Coast Guard in 1951; and the long-range C-130B Hercules aircraft. The Coast Guard is purchasing a new twin-engine jet, medium-range search (MRS) aircraft to replace HU-16E aircraft, which are being retired as they reach flight-hour limits. The Coast Guard has projected annual SAR mission flying requirements of 14,000 hours for the new MRS aircraft by 1986. Each aircraft is expected to fly about 1,000 hours each year; therefore, an equivalent of at least 14 MRS aircraft (not including training and overhead flight-hours) will be required to perform SAR missions by 1986.

AIR FORCE ORGANIZATION FOR SAR

Inland SAR is centralized in a single Air Force sub-command. The Aerospace Rescue Recovery Service (ARRS) is the inland SAR coordinator, operating a single national RCC at Scott Air Force Base.

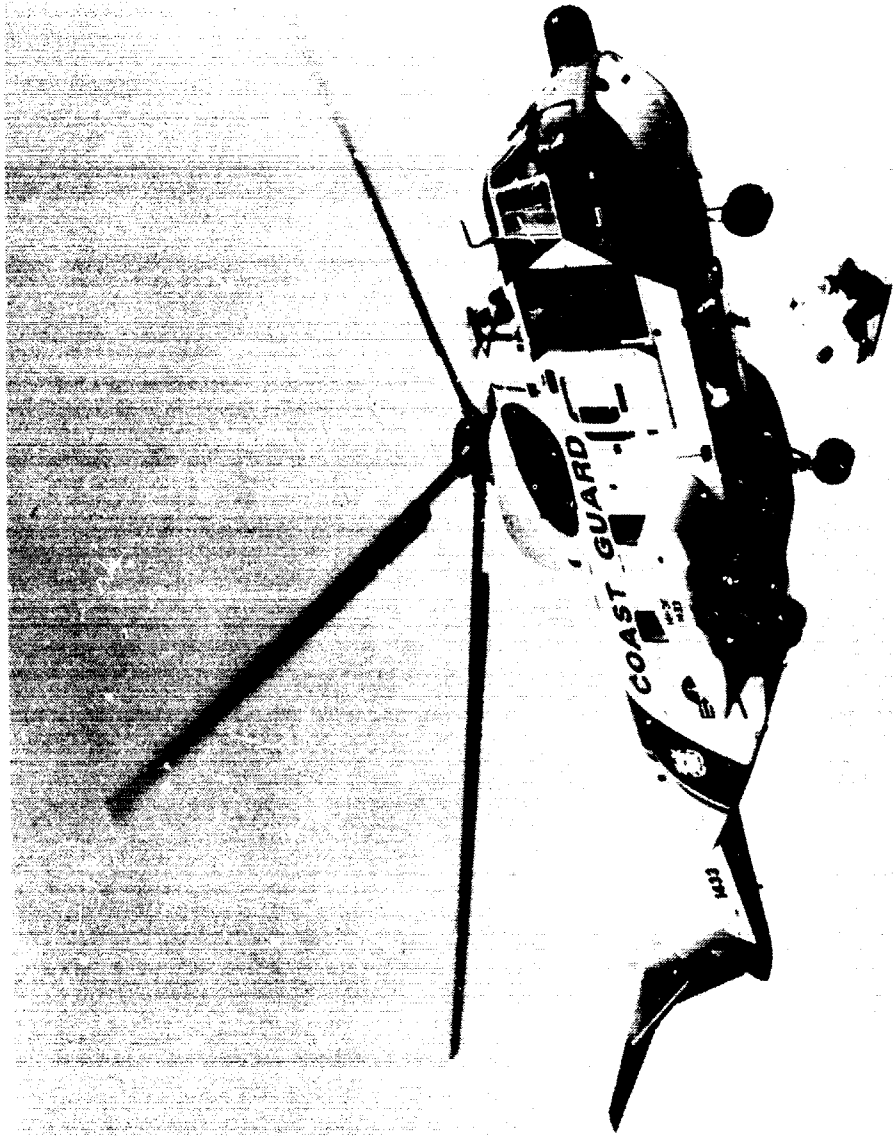
ARRS has 108 SAR aircraft, both helicopters and long-range C-130s, at 18 locations throughout CONUS, including 4

^{1/}See app. V for a breakdown of Coast Guard aircraft by type and cost.



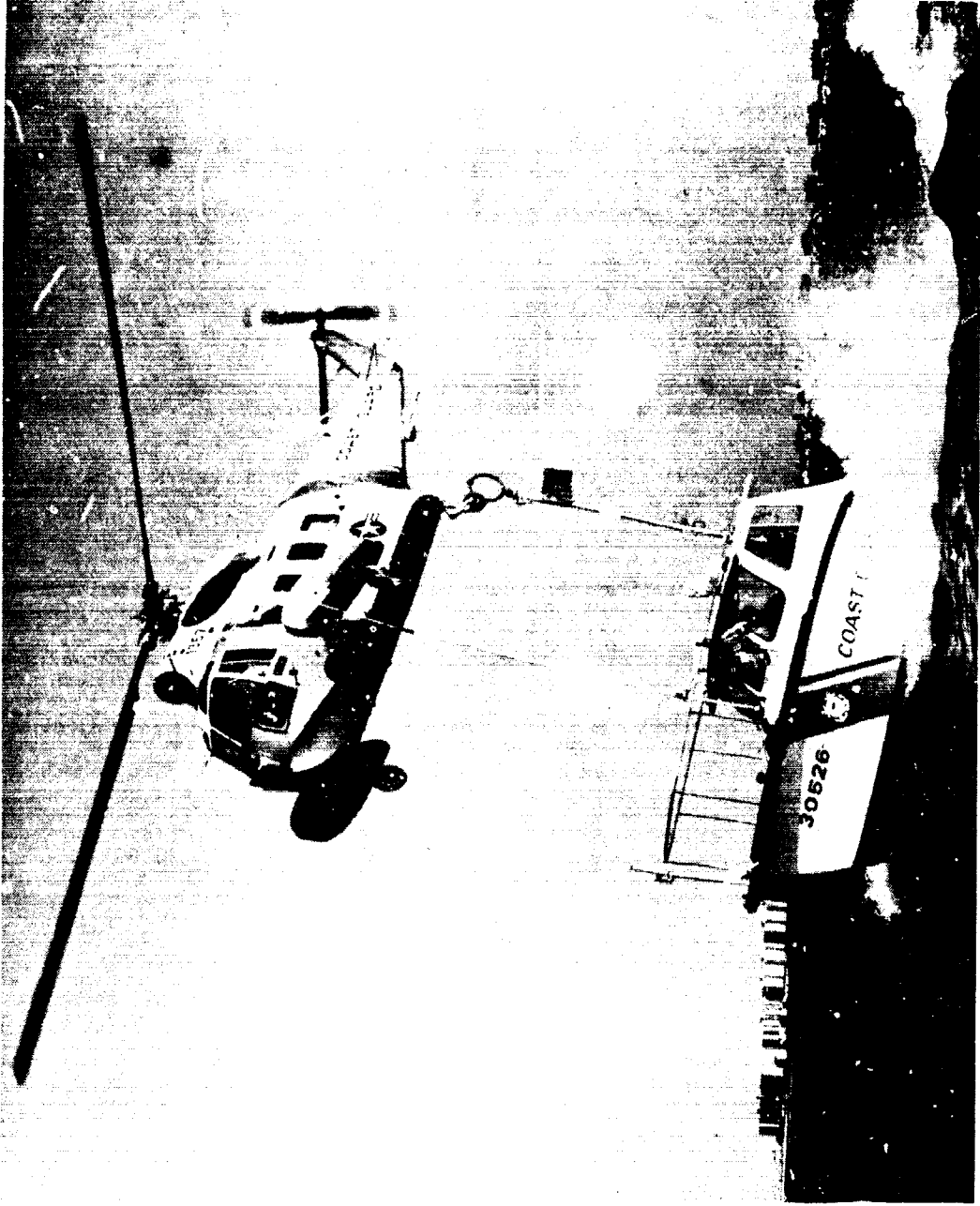
A COAST GUARD HC-130B AIRCRAFT USED FOR LONG-RANGE SURVEILLANCE AND SEARCH AND RESCUE MISSIONS.

SOURCE: U.S. COAST GUARD PHOTO



THE U.S. COAST GUARD TWIN TURBINE HH-3F AMPHIBIOUS HELICOPTER DEMONSTRATING
A BASKET RESCUE FROM THE AIR.

SOURCE: U.S. COAST GUARD PHOTO



A GAS TURBINE-POWERED HH-52A AMPHIBIOUS RESCUE HELICOPTER.

SOURCE: U.S. COAST GUARD PHOTO

Air Force Reserve and 2 Air National Guard units. ARRS can also refuel some of its SAR helicopters from C-130s giving the helicopters greater operational flexibility.

Air Force SAR aircraft requirements are based on combat rescue requirements. Civil SAR missions are not considered in the computation of SAR flight-hours.

Most flying hours for inland SAR missions coordinated by the Scott Air Force Base RCC in fiscal year 1975 were flown by the Civil Air Patrol (CAP), an official auxiliary of the U.S. Air Force. ARRS and Air Force Reserve units also were used for inland SAR missions.

NAVY SAR ASSETS

The Navy's SAR helicopters support naval fleets, training operations, and local base operations; but if requested can respond to other SAR incidents. As of June 30, 1975, the Navy had 66 shore-based SAR helicopters at 17 bases within CONUS.

Navy shore-based SAR assets requirements within the United States are based on need, as determined by the local commander, with approval from higher command levels. SAR assets are allocated in response to these requests.

COORDINATING THE USE OF AIRCRAFT

Procedures for coordinating the use of aircraft to respond to SAR incidents vary depending on the owning service. Regardless of ownership, the responsible SAR mission coordinator has operational control over aircraft in a SAR mission.

For Coast Guard aircraft, except the C-130, each district commander or his representative in the Atlantic and Pacific areas may authorize the use of Coast Guard aircraft for SAR. The use of C-130 aircraft, however, must be authorized by the respective area commander.

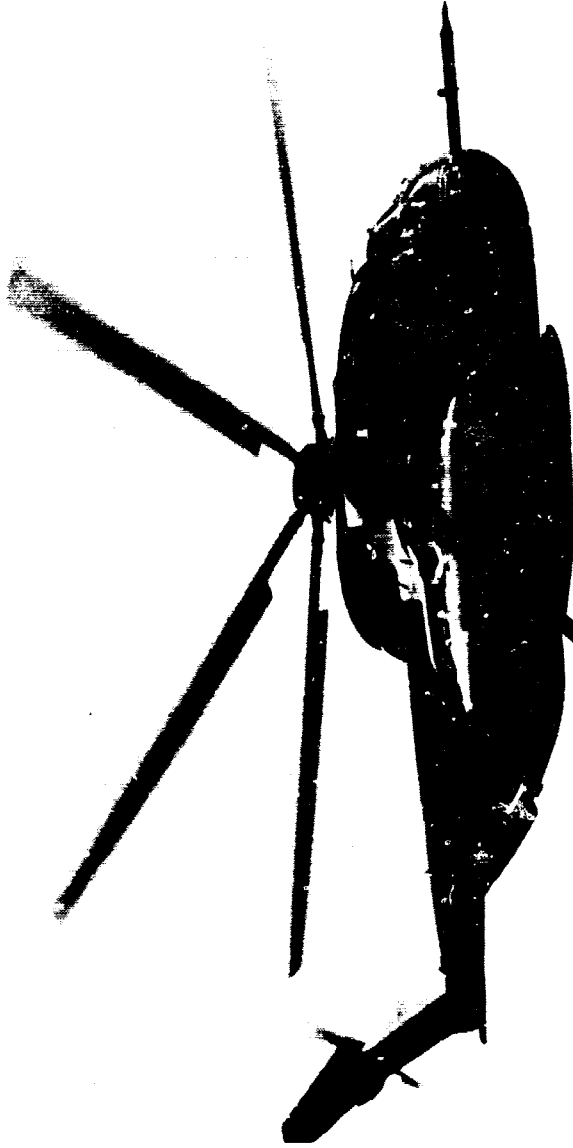
ARRS commander authorizes the use of its aircraft for both inland and maritime SAR. However, to obtain Air Force aircraft for maritime SAR, the Coast Guard subregion SAR coordinator must contact the Coast Guard area command, which requests aircraft from the owning Air Force command. In an extreme emergency, the SAR coordinator may bypass this system and contact the Air Force unit directly.

CAP participation in inland SAR missions is obtained at RCC at Scott Air Force Base. For SAR assistance, RCC contacts



A U.S. AIR FORCE HC-130 HERCULES AIRCRAFT AIRBORNE OVER SOUTHEAST ASIA. THIS FLYING COMMAND POST WAS USED BY THE AIR FORCE TO DIRECT SEARCH AND RESCUE MISSIONS FOR DOWNED U.S. FLYING PERSONNEL.

SOURCE: AIR FORCE PHOTO



AN H-53 HELICOPTER, USED BY THE U.S. AIR FORCE FOR LONG-RANGE RESCUE MISSIONS. SOME H-53'S CAN BE REFUELED IN FLIGHT FROM HC-130 TANKER AIRPLANES. AUXILIARY FUEL TANKS, RESCUE HOIST AND ALL-WEATHER AVIONICS ARE STANDARD EQUIPMENT.

SOURCE: AIR FORCE PHOTO



A U.S. AIR FORCE H-3 HELICOPTER, SOME VERSIONS OF WHICH ARE BEING USED FOR RESCUE OPERATIONS.

SOURCE: AIR FORCE PHOTO



A U.S. AIR FORCE HH-53 HELICOPTER APPROACHES A USAF HC-130 P FOR REFUELING.

SOURCE: AIR FORCE PHOTO

the Wing in the State in which the need exists and requests CAP aircraft. For maritime SAR, the coordinator may request CAP assistance through Scott Air Force Base or a State CAP directly.

Requests for Navy and Marine Corps aircraft for SAR may be made by the SAR coordinator directly to the owning command. In at least one maritime SAR subregion, however, local Navy and Marine Corps air units agree to provide aircraft for SAR when needed and the military units also maintain aircraft on standby.

Authorization to use Army aircraft in SAR must be obtained from Headquarters, U.S. Army Forces Command, Fort McPherson, Georgia. In an extreme emergency, a request may be made directly to the local Army unit.

CHAPTER 3

THE NATIONAL INTEGRATED NETWORK FOR SEARCH AND RESCUE IS NOT FUNCTIONING PROPERLY

Despite National SAR Plan guidelines, the Air Force, Navy, and Coast Guard are essentially computing their own SAR requirements independently to satisfy their individual program needs, without adequately considering other available assets. Also, they were stationing aircraft in some of the same areas without adequately coordinating their use, resulting in an overabundance of SAR assets.

The objective of the National SAR Plan is to integrate all SAR facilities into a cooperative network to help distressed civilian and military persons and property, to coordinate the use of facilities, and to promote efficiencies and economies. The National SAR Plan recognizes that Department of Defense components have requirements for SAR to support military operations. In filling such requirements, however, each component should give maximum consideration to (1) SAR capabilities within its own forces, (2) special forces with a primary SAR mission, (3) availability of SAR facilities in other DOD components, and (4) the Coast Guard.

The National SAR Plan distinguishes between military and civil SAR requirements when it states that all DOD SAR facilities are available for civil SAR needs when such use will not interfere with primary military missions. We believe that a fully integrated network of all SAR facilities cannot be achieved without the joint determination of all SAR requirements, both peacetime and wartime, and the common use of assets by DOD components and the Coast Guard. Further, since the U.S. Coast Guard is a uniformed armed force, ready to operate as a service of the Navy upon declaration of war, or when the President otherwise directs, it is logical to include the Coast Guard in an integrated network capable of responding to peacetime or wartime SAR requirements. We believe such a network could satisfy total SAR needs with fewer total assets than are needed under present SAR requirements computation methods.

COMPUTING REQUIREMENTS TO SUPPORT INDIVIDUAL SERVICES' NEEDS

We found that DOD branches and the Coast Guard computed SAR requirements on the basis of their individual program needs.

The objective of the Coast Guard SAR program is to help distressed persons and property in U.S. maritime regions. The program is geared to civil SAR needs, although it does not exclude military incidents. Coast Guard officials told us they call upon DOD SAR assets for civil SAR missions. The Coast Guard's SAR aircraft requirements, however, are based on Coast Guard historical flight data, and the computations do not consider DOD assets.

Commenting on our draft report the Coast Guard said their SAR flight-hour requirements inherently include DOD contributions. This statement is true to the extent that SAR hours flown by DOD are not flown by the Coast Guard. The Coast Guard's SAR flight-hour requirements, however, were based on the number of Coast Guard SAR hours flown in previous years. And, DOD SAR capability over and above that actually used for SAR missions has not been applied by the Coast Guard to reduce its SAR requirements figure.

The Coast Guard keeps aircraft on alert 24 hours a day to respond to SAR requests. Coast Guard officials believe it is their statutory responsibility and duty to respond to civil SAR incidents, and believe they can perform this duty more efficiently than others. Coast Guard officials informed us that even if DOD aircraft were used for a civil SAR mission they would feel obligated to send aircraft to the scene.

Air Force officials said that their SAR assets requirements are based on combat mission needs, and do not consider civil SAR incidents or other SAR capabilities in their computations.

Navy shore-based SAR assets are computed on the basis of local area needs, as determined by local commanders. Navy officials said other SAR assets are taken into consideration in computing requirements for the area. However, they also told us that SAR capability is needed for the Navy bases and the immediate surrounding areas, and that naval aviators like to know that a SAR capability is on the base. We found instances of the Navy's placing local base SAR assets on stations where similar assets were stationed or located nearby. We believe such placement results from the Navy's not adequately considering nearby SAR assets.

CONCENTRATIONS OF SAR AIRCRAFT

In stationing its aircraft for civil SAR missions, the Coast Guard does not usually station less than three aircraft

of a particular type at any one location. The Air Force stations its aircraft in support of military operations but authorizes their use for civil SAR. Navy SAR aircraft are positioned for local base SAR or in support of the naval fleets, either from port or aboard aircraft carriers.

The map on page 18 shows the locations of DOD and Coast Guard SAR aircraft in the continental United States. The map shows that the aircraft are stationed very near each other in some areas, making their spans of operation essentially the same.

ARE THE NATION'S SAR ASSETS
BEING EFFECTIVELY USED?

During fiscal year 1975, the Coast Guard coordinated 8,734 maritime SAR missions involving 21,655 flying hours. Although the national SAR policy stresses coordinating all available SAR facilities to insure effective use of assets and efficient execution of SAR missions, the following table shows that in fiscal year 1975 the Coast Guard flew 8,501 of the 8,734 missions in the areas where it had SAR coordinator responsibility. These figures indicate a lack of coordination and inefficient use of assets among the organizations responsible for SAR.

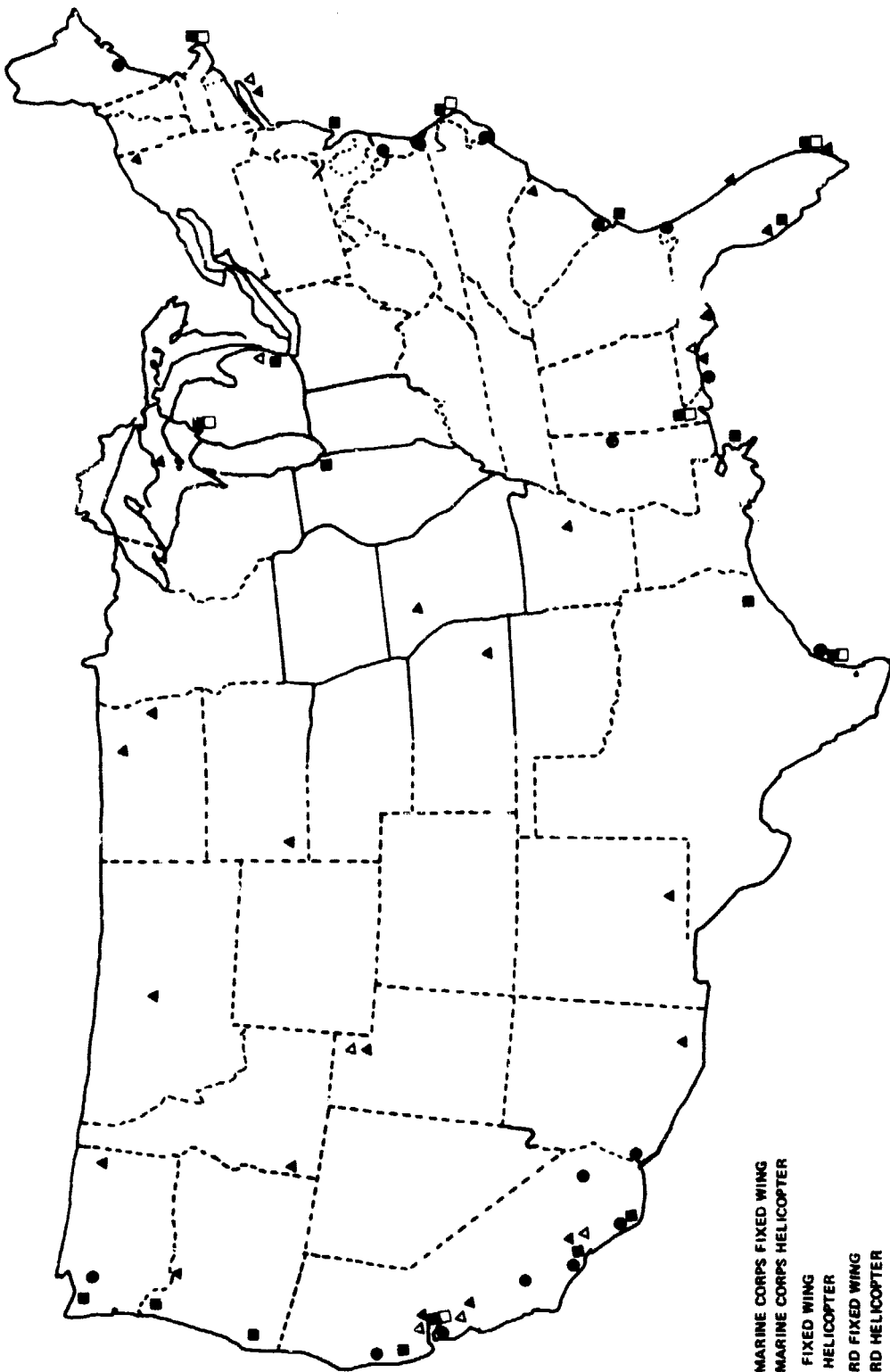
<u>Activity</u>	<u>Maritime SAR</u>	
	<u>Number of missions</u>	<u>Flying hours</u>
Coast Guard	8,501	18,040
Air Force (note a):		
Air Rescue Service	35	325
Reserves	9	67
Civil Air Patrol (note b)	26	2,708
Other	-	-
Navy (note a)	c/163	c/515
Army	-	-
Total	<u>8,734</u>	<u>21,655</u>

a/Includes medical evacuation missions and flying hours.

b/The Civil Air Patrol is an official auxiliary of the U.S. Air Force.

c/Our estimate based on the relation of total Navy SAR aircraft flying hours to the number of missions and flying hours for SAR aircraft located at Key West, Jacksonville, and Pensacola Naval Air Stations in Florida, and the Corpus Christi Naval Air Station in Texas.

DISTRIBUTION OF COAST GUARD, AIR FORCE (INCLUDING RESERVES),
NAVY AND MARINE CORPS SAR AIRCRAFT WITHIN CONUS.



- NAVY AND MARINE CORPS FIXED WING
- NAVY AND MARINE CORPS HELICOPTER
- △ AIR FORCE FIXED WING
- ▲ AIR FORCE HELICOPTER
- COAST GUARD FIXED WING
- COAST GUARD HELICOPTER

EXAMPLES OF REDUNDANT SAR CAPABILITIES

During this survey we examined SAR assets available in several areas of the United States. The following analysis shows the redundancies in SAR capabilities in these areas.

Naval Air Station (NAS) Jacksonville, Florida

During 1975 H-3 helicopters replaced H-1 helicopters as NAS Jacksonville local base SAR support aircraft. At the end of 1975 there were three H-3s assigned at NAS Jacksonville. These aircraft, as well as those they replaced, were used mainly for training and administrative flying. Of the 1,100 hours flown, only 85 hours were for actual SAR missions. We estimated the cost of flying local SAR support aircraft at Jacksonville during 1975, exclusive of personnel costs, at over \$490,000. Also, approximately 30 personnel were required to fly and maintain the aircraft. The Navy planned to replace the H-3s with three H-46 helicopters during 1976.

A helicopter utility/support squadron, with 13 H-3 helicopters, is a tenant at NAS Jacksonville. Its primary mission is SAR support for aircraft carriers in the Atlantic Fleet which do not have antisubmarine helicopters aboard. The squadron has a secondary mission of fleet logistical support. During an 18-month period ended December 1975, the tenant's H-3 helicopters were flown 877 hours, of which only 132 were for SAR. Normally, the squadron has helicopters at Jacksonville which, we believe, could be made available to assist Jacksonville in its SAR requirements.

A helicopter training squadron with 15 H-3 helicopters is also a tenant at NAS Jacksonville. Its primary mission is to provide antisubmarine warfare training to the Atlantic Fleet replacement pilots. This unit does not have a deployable mission; therefore, its helicopters also could support NAS Jacksonville SAR efforts.

In addition to the above aircraft, 48 H-3 antisubmarine helicopters (6 squadrons of 8 aircraft each) are based at NAS Jacksonville and have SAR support as their secondary missions when deployed aboard aircraft carriers. Normally, not all these helicopters deploy at the same time.

SAR aircraft in and around Pensacola, Florida

The Navy has a squadron of 14 H-46 helicopters located at Pensacola, with a primary mission of SAR to support the (1) needs of shore facilities in the area, (2) U.S.S. Lexington's training operations, and (3) maritime SAR needs under the National SAR Plan.

During 1975 Navy SAR helicopters were primarily used for squadron training and Navy pilot and aircrew transition training for H-46 SAR helicopters. Out of 4,484 hours flown, 291 hours were for SAR and medical evacuation purposes, 878 were in support of the U.S.S. Lexington, 1,630 were for squadron training, 779 were for transition to H-46 SAR helicopters, and 906 were for miscellaneous purposes.

About 50 miles east of NAS Pensacola, the Air Force has five C-130 cargo/tanker fixed-wing aircraft and five H-53 air refuelable helicopters assigned as combat SAR aircraft. Most of the 3,971 hours these aircraft flew during fiscal year 1975 were for training and administrative missions, only 310 hours were for SAR missions.

Approximately 60 miles west of Pensacola, at Mobile, Alabama, the Coast Guard had, as of October 1975, 2 H-3 and 14 H-52 helicopters, and 3 HU-16 fixed-wing aircraft which had SAR capability and could have been used to support NAS Pensacola SAR. The aircraft at Mobile are mainly used for training. Mobile is the Coast Guard aviation training facility.

San Francisco, California

In San Francisco, the Coast Guard, Air Force, and Navy have or will have 10 SAR helicopters and 10 SAR fixed-wing aircraft, as follows:

<u>Owning service</u>	<u>Location</u>	<u>Helicopters</u>		<u>Fixed-wing aircraft</u>	
		<u>Number</u>	<u>Type</u>	<u>Number</u>	<u>Type</u>
Coast Guard	International Airport	4	H-52	3	C-130
				3	HU-16
Air National Guard (note a)	Hayward Municipal Airport	4	H-3	4	C-130
Navy	NAS Alameda	<u>2</u>	H-46	-	-
Total		<u>10</u>		<u>10</u>	

a/This unit was to become operational for SAR in 1976.

In addition to the SAR aircraft in the immediate San Francisco area, the Air Force has an Aerospace Rescue and Recovery Service unit with four C-130 aircraft and two H-3 helicopters located about 90 miles east in the Sacramento area. The H-3s are being replaced by six H-53 helicopters, which will have an added capability for night rescue. Also, the Air Force helicopters are refuelable in flight using the C-130s as tankers.

The Air Force and Navy SAR aircraft are flown mostly for training and support purposes. Out of 3,080 hours flown by both active units during fiscal year 1975, only 683 hours were flown for SAR. During the same period, the Coast Guard unit flew 2,336 hours for SAR out of a total 5,987.

In addition to SAR aircraft that the Coast Guard, Air Force, and Navy have in the area, the Army has both active and reserve aviation units about 30 miles north of San Francisco. Although neither unit has a SAR mission, both have done SAR work. As of the end of fiscal year 1975, the 2 units together had 15 aircraft, both helicopters and fixed-wing.

We did not evaluate the need for SAR aircraft for other than SAR missions. However, the SAR hours flown in fiscal year 1975 were only a small part of the total capability of these aircraft, although SAR was their primary mission. This demonstrates the potential for reductions in SAR aircraft through coordinated SAR requirements planning.

WARTIME AVAILABILITY OF SAR ASSETS IN THE UNITED STATES

This report demonstrates the peacetime availability of DOD SAR assets for civil SAR missions. But, would the assets be available in wartime? Several members of DOD components expressed concern that DOD's SAR assets would not be available for civil SAR in wartime. The Coast Guard in responding to our draft report stated "* * * DOD resources are predicated on combat SAR postures only, and their availability can not be assured."

We believe that although the military services' participation in SAR would change upon mobilization, many of the military SAR assets would remain available. Undoubtedly a wartime SAR mission to support military operations along U.S. coasts and in its coastal waters would remain.

Air Force SAR assets are responsible for SAR support of Air Force combat missions, and therefore, could be called upon to deploy to support the missions. The possibility of deployment of military SAR aircraft might not be a serious obstacle, however. The services plan to use their CONUS SAR units as rotation bases for their overseas units, and this will provide continuity for local CONUS SAR operations. For example, even though SAR units in Vietnam were reinforced during the conflict to provide SAR coverage, only one CONUS-based Air Force SAR unit was deployed there. And, massive amounts of air power were committed to the long, arduous conflict.

Navy SAR assets are shore-based SAR helicopters stationed to support the Navy's inland aviation and port operations; fleet SAR operations and the associated assets were not included. A Navy official said that there would be a continued requirement for these shore-based SAR assets in wartime, and the Navy has no plans to relocate them in the event of mobilization.

Our discussions of SAR capability center on organizations and assets having SAR as their primary responsibility. There is a large additional SAR capability represented by the numerous aircraft that have SAR as a secondary or backup mission. Within the Air Force Reserve and Air National Guard, units have SAR mission assignments and can be expected to provide a surge capability upon mobilization. Many DOD administrative and support aircraft can be used for SAR. (See pp. 31 and 32.) Also, many aircraft, now in storage, can be activated in the event of mobilization.

Although this report discusses the peacetime SAR missions of the Coast Guard, it has additional potential SAR capability, represented by the lower priority flying missions that would be discontinued or curtailed during wartime. Functions such as pollution control and enforcement of fishing and customs laws could be supplanted by SAR-type missions. As an example of magnitude, the Coast Guard's projected total composite aviation requirements for fiscal year 1979 are over 89,000 flying hours. Over 39,000 hours of this total are for enforcement of laws and treaties and marine environmental protection flights, with a projected requirement of 32,600 hours for SAR. Additionally, the Coast Guard would be able to increase its total flying program and thereby provide additional flying for SAR.

We believe joint planning and determination of requirements could provide improved peacetime SAR capability while

also enhancing wartime SAR capability. Such procedures would improve utilization of all Federal SAR assets.

By increasing military services' participation in actual SAR operations during peacetime, the services would receive valuable training, and their proficiency for SAR operations during wartime would benefit. And, more integrated use of Coast Guard SAR assets with DOD in peacetime would assure greater effectiveness in wartime.

CONCLUSIONS

The Coast Guard and DOD components are computing requirements and stationing SAR aircraft to provide for their peak needs without considering adequately assistance available from SAR assets of the other services. This practice has resulted in more SAR aircraft, crews, and supporting services than are needed to provide adequate coverage to both the military and civilian sectors. It also fails to recognize the potential for effective use of these assets along the coasts and in coastal waters during wartime.

DOD and the Coast Guard are not adequately considering other SAR capabilities in the vicinity before placing SAR assets there. The number of DOD and Coast Guard SAR assets stationed in the Jacksonville, Florida, and San Francisco, California, areas illustrate, we believe, a duplication of SAR capabilities.

This redundancy points up the need for DOD components and the Coast Guard to jointly determine SAR requirements and to station SAR assets accordingly. We believe such joint determination of SAR aircraft needs and more cooperation in using the assets would reduce the total number of needed SAR aircraft and crews without reducing the quality of coverage.

We also believe the rethinking of the use of SAR assets among the DOD components and the Coast Guard would enhance the wartime use of these assets. Better preparation of pilots for wartime roles and reliance on the Coast Guard for wartime missions along U.S. coasts are examples.

RECOMMENDATION

We recommend that the Secretaries of Defense and Transportation direct DOD branches and the Coast Guard to jointly determine total SAR aircraft requirements during both peacetime and wartime.

AGENCY COMMENTS AND OUR EVALUATION

The Departments of Defense and Transportation agreed that there are opportunities for increased cooperation among the various Federal agencies conducting SAR operations. (See app. I and II.)

However, DOD and the Coast Guard disagreed with our recommendation that they jointly determine SAR aircraft requirements and aircraft and crew stationing, utilization, and potential deployment plans.

DOD stated that joint determination of Federal SAR asset requirements is not needed because humanitarian and military SAR are mutually exclusive. They also indicated that the establishment of combat SAR requirements are the responsibility of the Secretary of Defense.

The Coast Guard disagreed on the basis that they have statutory responsibility for civil maritime SAR. Also, DOD resources are predicated on combat SAR postures only, and because they experience emergency deployment and base closures, their continuing availability cannot be assured. The Coast Guard also said their wartime taskings are already satisfactorily defined.

DOD and Coast Guard comments indicate, in our opinion, attitudes of acquiring and maintaining resources to perform their own missions, without regard for efficiencies and economies that could accrue from joint requirements and utilization determinations in both peace and wartime.

The Secretary of Defense in his annual report for fiscal year 1975 stated that:

"The notion that each of the services should be independent of the others so that it doesn't have to rely, as it were, on external sources for support is outdated. We can no longer afford it. We have to now think in terms of Total Force structure as opposed to separate interests."

Also, in his fiscal year 1976 report, the Secretary pointed out that applying the principle of mutual support and force interdependence is completely feasible and indeed desirable. Though, in making the point the Secretary was addressing air defense forces, the principle of interdependence is applicable to many requirements and capabilities.

DOD Directive 4000.19, entitled "Basic Policies and Principles for Interservice, Interdepartmental and Interagency Support" provides guidance for the services to achieve effectiveness and economies through interservice and interagency support arrangements.

We believe DOD's comments on this report are inconsistent with the policies of the Secretary of Defense on interagency coordination, as shown above.

We believe humanitarian and military SAR requirements are not mutually exclusive. Military SAR assets are also Federal assets and, as such, their application should be dependent on whether they are capable of responding--not whether the mission is civil or military.

No doubt, applying DOD SAR assets would differ in wartime and peacetime. But, we believe this should not negate attempts to improve utilization of these assets in both peacetime and wartime. Also, the types of fluctuations in combat resources the Coast Guard refers to in its comments are unusual during peacetime.

We recognize the Coast Guard's statutory responsibility for civil maritime SAR. Nevertheless, this statutory responsibility can be carried out by the Coast Guard with other than Coast Guard resources. As discussed earlier the Coast Guard, as SAR coordinator within maritime regions, has responsibility for insuring that an operation can be promptly initiated and thoroughly prosecuted with maximum efficient use of all available SAR resources.

We agree that the responsibility for establishing national defense requirements rests with the Secretary of Defense. However, recognizing that the U.S. Coast Guard is a uniformed Armed Force operating as a service in the Navy in wartime or when otherwise directed by the President, it seems logical and prudent to include the Coast Guard in wartime SAR requirement determinations.

CHAPTER 4

OPPORTUNITIES FOR BETTER USE

OF SEARCH AND RESCUE ASSETS

The National SAR Plan makes it clear that the various SAR coordinators, the Air Force, the Coast Guard, and overseas commanders, should make maximum use of all available SAR assets to provide effective and economical SAR coverage.

However, despite the potential help available from approximately 175 Department of Defense SAR helicopters and fixed-wing aircraft, more than 2,000 support aircraft suitable for SAR work, and a large number of Army helicopters, the Coast Guard flew almost all maritime SAR missions in fiscal year 1975. The Coast Guard, by not using DOD assets to a greater extent, failed to use fully all available SAR assets.

EXECUTING MARITIME SAR MISSIONS

Consistent with the National SAR Plan the Coast Guard has a responsibility to conduct maritime SAR missions, but also has management responsibility for maritime SAR. Under National SAR policy and the national plan any suitable Federal assets can be called upon to perform SAR missions. But, despite the availability of DOD assets the Coast Guard flew 97 percent of more than 8,700 maritime SAR missions made in fiscal year 1975.

The Coast Guard disagreed that any suitable Federal asset could be employed for maritime SAR on the basis that legal suits involving SAR activities might increase. They stated that the proportion of maritime SAR missions they perform may well increase, to insure a proper and effective response.

We believe that responding to SAR incidents with the closest asset capable of performing the mission insures proper and effective response. Despite the Coast Guard's position, DOD assets capable of performing civil maritime SAR missions are available for use. Improved management would not only increase the utilization of these assets, but would also increase the efficiency and economy of SAR operations.

The Coast Guard apparently believes they should respond to all SAR incidents, to avoid legal suits as well as to insure proper and effective response. We believe that considering all available SAR assets may enable the Coast

Guard to provide more effective response to SAR incidents. Further, legal suits are filed against the Federal Government, not individual agencies, and each case is decided on its circumstances, regardless of whether the SAR operation was made by the Coast Guard or other agencies.

THE COAST GUARD FLEW MANY MARITIME MISSIONS NEAR DOD ACTIVITIES HAVING SAR FACILITIES

We analyzed about 80 percent of the Coast Guard's maritime SAR missions flown in nine selected geographic areas during fiscal year 1975. We found that the Coast Guard flew almost 700 SAR missions in the immediate vicinity of DOD activities which had SAR capabilities. In some cases both the Coast Guard and DOD units were located in the same general vicinity, but in many cases the DOD activity was considerably closer.

The following chart shows the number of SAR missions the Coast Guard flew in the vicinity of DOD activities in fiscal year 1975, and the distance of the nearest Coast Guard station to the vicinity of the incidents. The chart also illustrates the opportunities for more coordination between the Coast Guard and DOD.

Number of Coast Guard missions by type of aircraft used			Nearest Coast Guard Air Station to vicinity of the incidents	Miles from the nearest Coast Guard Air Station to vicinity of the incidents	DOD activities in the vicinity of the incidents
Fixed-wing	Helicopter	Total			
56	71	127	Miami, Fla.	127	NAS Key West, Fla.
2	41	43	St. Petersburg, Fla.	105	NAS Jacksonville, Fla.
10	8	18	Mobile, Ala.	95	Eglin AFB, Fla.
0	67	67	Brooklyn, N.Y.	65	Suffolk County AFB, N.Y.
8	8	16	Mobile, Ala.	50	NAS Pensacola, Fla.
4	72	76	Elizabeth City, N.C.	37	NAS Patuxent River Md., and Oceana, Va.
13	17	30	Miami, Fla.	14	Homestead AFB, Fla.
13	259	272	San Francisco, Calif.	4	NAS Alameda, Calif.
0	44	44	Port Angeles, Wa.	0	NAS Whidbey Island, Wa.
Total	106	587	693		

Note: This information was developed by examining SAR incidents within geographical quadrants near or around DOD activities. Distances to the vicinity of the incidents are the distances from the nearest Coast Guard Air Stations to the closest boundaries of the quadrants.

The following examples illustrate the potential for greater coordination.

--In the Chesapeake Bay area near Norfolk the Coast Guard flew 72 missions using helicopters. The nearest Coast Guard Air Station is located at Elizabeth City, about 37 miles from the south end of the bay. The Naval Air Station, Patuxent River, near the northern end of the bay, had two H-46 helicopters designated for SAR duty. At the southern end of the bay, Oceana Naval Air Station also had two H-46 SAR helicopters. We believe these Navy helicopters could have been used to perform many of the 72 Coast Guard missions.

--In the Miami area both the Coast Guard and the Air Force have SAR aircraft. The Coast Guard aircraft are located in Miami; the Air Force aircraft about 15 miles south, at Homestead Air Force Base. The Coast Guard flew helicopters on 17 SAR missions in the vicinity of Homestead, the location of 7 active Air Force SAR helicopters and an Air Force reserve unit with 11 SAR helicopters. Potentially, these Air Force assets could have been used to perform the Coast Guard SAR missions.

AVAILABILITY OF DOD ASSETS FOR SAR

The actual SAR hours flown by the Coast Guard and the military services in fiscal year 1975 are shown below. These are representative of actual SAR needs in that fiscal year, since neither the Coast Guard nor DOD services could provide a measure of unfilled need. The difference between actual SAR hours and total hours flown indicates the availability of SAR aircraft flying time for actual SAR missions. Available flight-hours for SAR missions, however, are limited only by aircraft maintenance requirements, fuel, and aircrew endurance, and therefore could be more.

Owner	Helicopters				Fixed-wing aircraft				
	Number assigned	Total hours flown by SAR aircraft (note a)	Total SAR hours needed	Non-SAR flying hours	Number assigned	Total hours flown by SAR aircraft (note a)	Total SAR hours needed	Non-SAR flying hours	Total non-SAR flying hours
Coast Guard (note b)	101	12,147	12,147	(c)	40	6,137	6,137	(c)	(c)
Air Force and its reserves	79	6,928	1,221	5,707	29	2,062	756	1,306	7,013
Navy/Marine Corps	66	7,615	1,022	6,593	-	-	-	-	6,593
Total	<u>246</u>	<u>26,690</u>	<u>14,390</u>	<u>12,300</u>	<u>69</u>	<u>8,199</u>	<u>6,893</u>	<u>1,306</u>	<u>13,606</u>

a/Excludes SAR training.

b/These figures do not include aircraft located outside the continental United States and aircraft in contingency reserve status.

c/Coast Guard aircraft are considered multimission aircraft and fly other than SAR missions routinely. Therefore, non-SAR flying hours were not shown.

Although the Air Force and Navy SAR aircraft flew a total of 16,605 flight-hours, excluding SAR training flights, during fiscal year 1975, only 2,999 hours were for actual SAR missions. The remaining 13,606 hours, used mostly for administrative and support flights, represent an indication of the magnitude of hours that could be made available to assist the Coast Guard in SAR missions.

In addition to the capability mentioned above, we believe a considerable number of the required SAR training flight-hours in the Air Force, Navy, and Coast Guard could be obtained while performing actual SAR missions. Many of these SAR training flights are made so that qualified crews can maintain their proficiency.

During fiscal year 1975, Air Force, Navy, and Coast Guard SAR units flew training hours at an estimated cost of over \$12.4 million, as shown below:

<u>Service</u>	<u>Training hours</u>	<u>Estimated cost</u>
Air Force	10,508	\$ 4,768,000
Navy	9,546	2,117,000
Coast Guard (note a)	<u>7,810</u>	<u>5,574,000</u>
Total	<u>27,864</u>	<u>\$12,459,000</u>

a/Our estimate based on total Coast Guard training flights.

An example of the hours flown by a typical Air Force SAR unit are those flown by the squadron located at Eglin Air Force Base. During 1975 this unit flew 310 hours for actual

SAR missions, 2,214 hours for training, 84 hours for operational missions, 815 hours for command support, and 548 hours for administrative activities.

We could not quantify the number of SAR training flight-hours that could be made available for actual SAR missions. However, we believe, and Air Force and Navy officials agree, that a considerable amount of SAR training could be obtained in typical SAR missions.

Each training hour flown strictly for training purposes that could be changed to an actual SAR mission is an unnecessary duplication. Such duplication is costly, not only in terms of strict flight-hour costs, but also in terms of attendant costs, such as the consumption of fuel and ground support.

OTHER AVAILABLE ASSETS

Aside from aircraft assigned principally to SAR, there are over 2,000 administrative and support aircraft and several hundred helicopters in DOD which could fly SAR missions. Many of these aircraft, although equipped differently, are the same basic type as those used for SAR work and could be called upon to augment Coast Guard air SAR capability.

DOD administrative and support aircraft include a variety of single-, twin-, and four-engine fixed-wing aircraft. Helicopters include both single- and twin-engine types. The following table lists some of these aircraft and their uses.

Types of DOD Aircraft Not Assigned to SAR Units
That Could be Called Upon For SAR Missions (note a)

<u>Aircraft</u>	<u>Owning service</u>	<u>Use</u>
Helicopters:		
H-1	Air Force, Army	SAR, personnel evacuation, support
H-3	Air Force, Navy	SAR, antisubmarine warfare, logistical support, personnel evacuation
H-46	Navy	SAR, transportation of cargo and troops
H-53	Air Force, Navy	SAR, transportation of cargo and troops
Fixed-Wing:		
C-130	Air Force, Navy	Long-range search, transport of troops and materiel, heli- copter in-flight refueling
P-3	Navy	SAR, antisubmarine warfare
T-39	Air Force	Operational support of Air Force and other Government agencies, executive transport
U-8F	Army	Transport of priority personnel and light cargo
T-42A	Army	Instrument flight trainer, in- stallation support

a/Many of these aircraft are stationed near U.S. coastal waters. (See p. 32.)

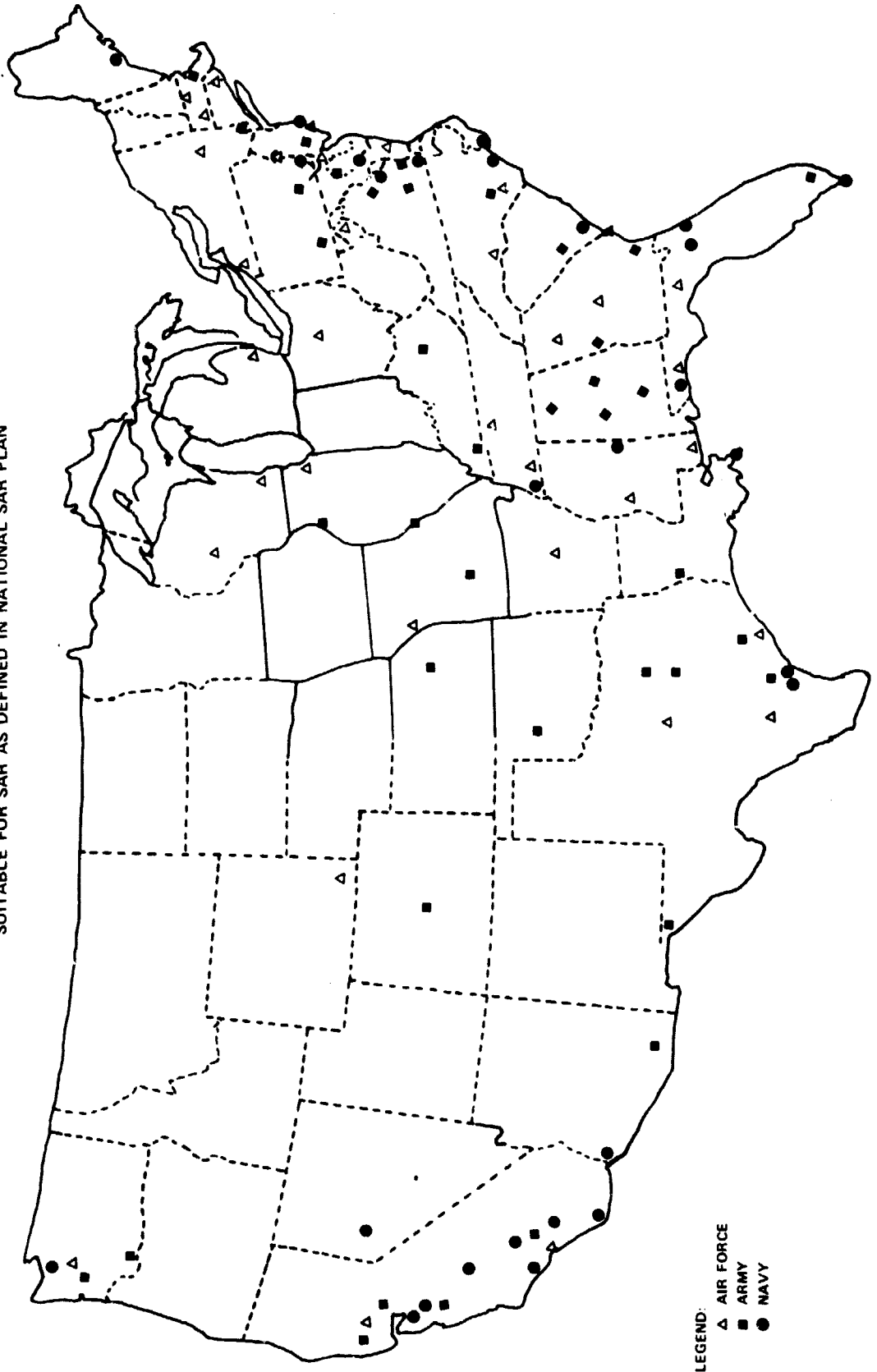
The chart on the following page shows the stationing of these aircraft within CONUS.

THE COAST GUARD COULD MAKE
GREATER USE OF DOD SAR ASSETS

Coast Guard officials said that DOD aircraft are not used more for SAR missions because Coast Guard aircrews are better trained and equipped for maritime SAR and can respond to SAR incidents more quickly than can DOD. Another Coast Guard objection is that it cannot rely on using DOD aircraft for SAR because these units have military mission and mobility requirements.

In reviewing DOD SAR units' training, equipment, and response times we found little difference between Coast Guard, Air Force, and Navy SAR training requirements and equipment, but we noted differences in response times. Longer DOD

CONUS DISTRIBUTION OF DOD FIXED WING SUPPORT AIRCRAFT
SUITABLE FOR SAR AS DEFINED IN NATIONAL SAR PLAN



LEGEND:
Δ AIR FORCE
■ ARMY
● NAVY

response times are the only significant obstacle to increased use of DOD assets by the Coast Guard. Several ways exist to alleviate this obstacle.

DOD SAR aircrew capability

DOD SAR aircrews receive training similar to that of the Coast Guard except for night helicopter operations over water. The Coast Guard and Navy units receive such training; the Air Force units do not.

Officials of Air Force and Navy units said they could do more SAR work. Air Force officials also said that participation in actual SAR work provided good training for military requirements. An Air Force officer with a previous SAR combat tour in Vietnam said he would have been much better qualified for combat SAR duties had he participated in Coast Guard SAR assignments before his combat tour. Another Air Force official said that SAR missions flown by the Coast Guard lend themselves to fulfilling Air Force SAR training requirements and participation in such missions adds realism to the training.

DOD and Coast Guard SAR aircraft have similar equipment

We found no major differences between SAR equipment aboard Coast Guard, Air Force, and Navy aircraft which would prevent their use in civil SAR. Also, the Navy plans to eliminate most of the differences that exist in its aircraft.

The principal differences in equipment were (1) lack of radio equipment in Air Force and Navy aircraft to communicate with surface vessels, (2) lack of rescue baskets in Navy helicopters, and (3) lack of automatic hover devices on Air Force and Navy helicopters. Navy officials told us they expect to install rescue baskets aboard H-46 helicopters as soon as booms can be installed and automatic hover devices. They have no plans to install radio equipment to communicate with surface vessels, although they recognize the need for such equipment.

Response time objectives

The Coast Guard's response time objective to SAR calls is to send aircraft within 30 minutes after receiving a mission request. To accomplish this, it keeps aircrews and aircraft on SAR alert status 24 hours a day. During normal working hours, the Air Force and Navy SAR units response time objectives are essentially the same as the Coast Guard's.

The most important differences between Coast Guard and DOD response time objectives are for hours outside normal duty hours.

The objectives for DOD SAR units are established locally and are categorized by the normal workday and other periods. At DOD units visited, personnel were kept on SAR standby at all times. Response time objectives ranged from 10 to 30 minutes for requests received during normal working hours or periods of high Navy flight activity, and 50 minutes to an hour for other periods. Active Air Force units had response time objectives during the normal workday ranging from 30 minutes to 1-1/2 hours. During other periods the response objectives ranged from 45 minutes to 3 hours. Officials of an Air Force reserve unit felt they could respond to a SAR mission request within about 1 hour during its workweek and within about 2 hours in other periods, provided their aircraft were fueled and ready.

CONCLUSIONS

The objectives of the National SAR Plan were not being met in the maritime regions. The Coast Guard did not adequately utilize other resources available to it, choosing instead to fly all but 3 percent of the maritime SAR missions conducted in fiscal year 1975. DOD units could have performed many of these missions.

We could not determine the precise amount of SAR assistance DOD units could annually provide the Coast Guard; however, we believe the amount is substantial. For example, DOD SAR aircraft flew 16,605 hours during fiscal year 1975, only 2,999 of which were for actual SAR missions. Many of the remaining 13,606 hours, which were flown for administrative and support purposes, could have been used for SAR.

The Air Force, Navy, and Coast Guard flew over 27,800 hours on SAR training flights in fiscal year 1975, at an estimated cost of over \$12.4 million. Many of these hours could have been used for SAR missions. Had this been done, two purposes (SAR and training) would have been met and many flight-hours could have been eliminated.

Several benefits would result from increased use of DOD assets by the Coast Guard.

--Less total assets would be required for SAR missions, without impairing SAR coverage.

--Savings, in terms of numbers of aircraft required for SAR and the attendant costs associated with their operation, such as fuel, maintenance, and ground support personnel, would result.

--Valuable experience could be gained by DOD aircrews which would increase their overall proficiency.

RECOMMENDATIONS

We recommend that the Secretaries of Defense and Transportation direct DOD branches and the Coast Guard, respectively, to begin joint effective use of SAR aircraft, including stationing, personnel staffing, training, and future deployments.

We also recommend that the Secretary of Defense direct DOD units to make aircraft not actually performing SAR missions or military exercises available to perform or assist in civil SAR missions.

AGENCY COMMENTS AND OUR EVALUATION

In comments relating to the above recommendations the Coast Guard, the Navy, and the Air Force stated that DOD facilities are available to meet civil SAR needs on a basis of noninterference with DOD components' military missions. Their comments point out that this language is consistent with the language of the National SAR Plan. DOD and the Coast Guard commented that DOD SAR assets have responded to civil SAR incidents when called upon and when assets were available.

The stated purpose of the National SAR Policy, which is implemented by the National SAR Plan, is to provide for the effective use of all available facilities in all types of SAR missions. (See p. 2.) While we agree that the National SAR Plan states DOD facilities be used to meet civil needs on a basis of noninterference with military missions, we do not believe the intent of National SAR Policy or Plan was to place higher priorities on military SAR or other missions than on civil SAR missions. On the contrary, we believe the intent is to make all assets, military or civil, not actually involved in a military SAR mission or other necessary activity available for SAR missions, be they military or civil.

We realize that there may be instances when DOD cannot release specific SAR assets for civil SAR missions. Although such instances need to be allowed for, they are not day-to-day operations and should not normally interfere with the

performance of civil SAR missions. Examples of such exceptional instances might include providing SAR coverage for large-scale military exercises or coverage for transportation of sensitive cargo.

Regarding use of Air Force, Navy, and Coast Guard SAR training flights for actual SAR missions, the Coast Guard said the use of actual SAR cases to conduct training is probably not the best policy for the public or the Coast Guard. Our review, however, showed that the flyers in operational units have already graduated from service flight schools, and much of their training time is to maintain proficiency. We therefore believe the use of these crews for actual SAR missions would be one way of increasing the utilization of existing assets, and if properly administered would not expose SAR incident victims to unqualified and/or inexperienced crews, as the Coast Guard comments imply.

We recognize that DOD components have contributed to civil SAR efforts. This report demonstrates, however, that more SAR capability exists in DOD than is being effectively used, and that greater participation in civil SAR by DOD components would contribute to greater efficiency and economy within the Federal Government.

In its comments on our draft report, DOD acknowledged the availability of assets in peacetime to assist in civil SAR activities, but indicated a lack of enthusiasm for pursuing measures to more effectively utilize these assets. Their position is one of maintaining the status quo. We disagree with this philosophy and believe aggressive and positive management approaches for employing these assets will prove efficient and cost effective. We believe our recommendations reflect sound management principles and are consistent with the intent of the National SAR Policy and the implementing plan.

CHAPTER 5

USE OF AVAILABLE ASSETS COULD

REDUCE COAST GUARD AIRCRAFT PURCHASES

By considering all services' search and rescue aircraft requirements and the number of aircraft available to perform SAR missions, a considerable number of flight-hours could be made available to the Coast Guard. Use of this flight time would reduce Coast Guard aviation requirements and thus the number of aircraft needed. Consequently, we believe the opportunity exists to reduce the number of aircraft the Coast Guard intends to purchase.

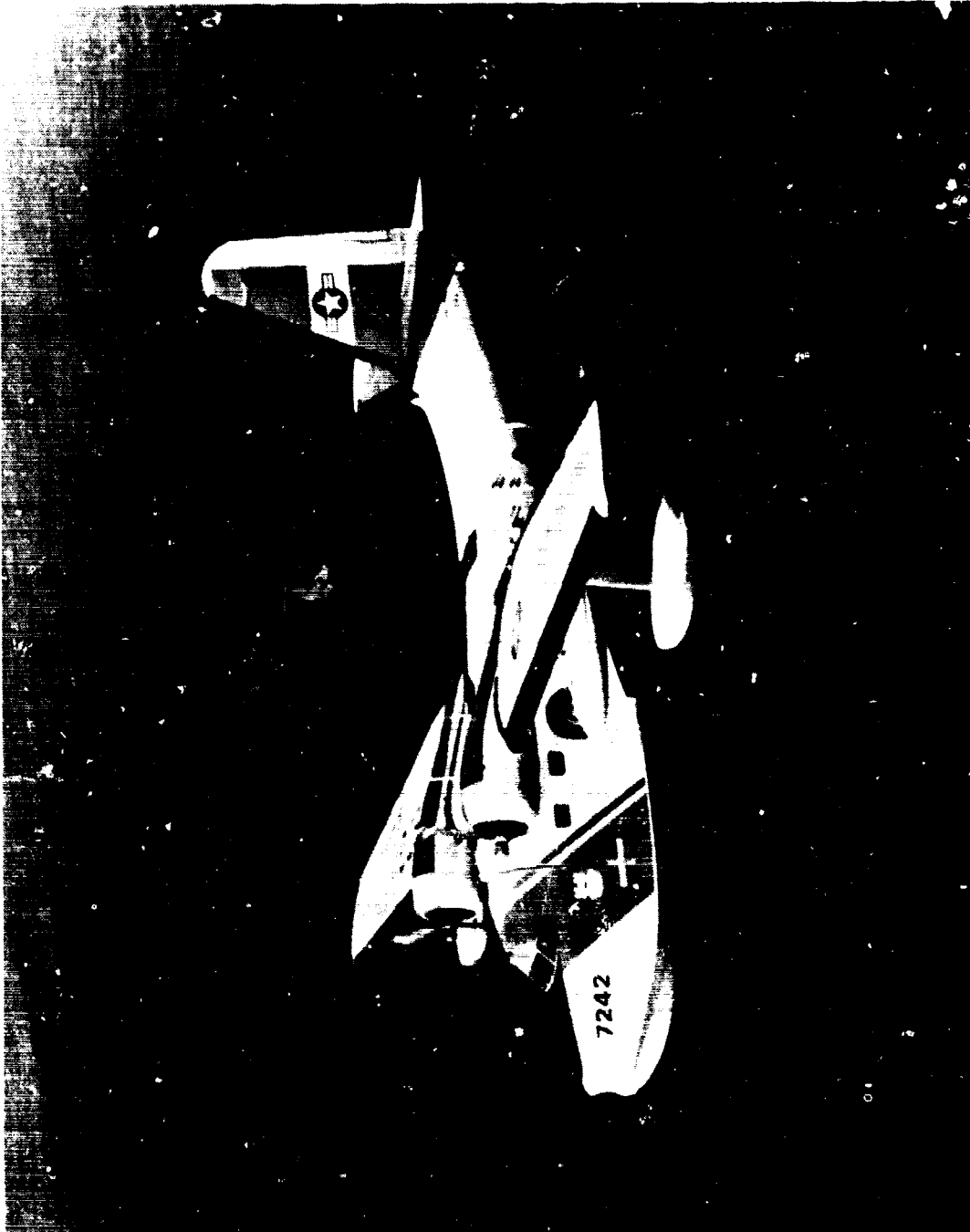
COAST GUARD PURCHASE OF AIRCRAFT

The Coast Guard awarded a contract for 41 medium-range search fixed-wing twin-engine jet aircraft in January 1977. The new aircraft are intended to replace the Coast Guard's present MRS aircraft, the HU-16E, which was first acquired in 1951. The estimated cost for the 41 aircraft was about \$205 million, or about \$5 million per aircraft; deliveries are to begin in 1978 and continue into the 1980s.

The Coast Guard intends to use 34 of the 41 aircraft for active operational purposes, including SAR, marine environmental protection, enforcement of laws and treaties, marine science activities, and several other missions requiring fewer flying hours. Of the remaining seven aircraft, four are intended for maintenance support purposes (to replace aircraft that are out of operation for extended maintenance or overhaul). The remaining three aircraft are to be purchased for contingency fleet support purposes to

- replace crashed aircraft while the aircraft are being rebuilt,
- replace aircraft that crash and are eliminated from the inventory,
- provide for longer than anticipated overhaul periods, or
- be used as prototype aircraft for development of modifications and new systems for MRS aircraft.

The Coast Guard has projected annual SAR flying requirements for MRS aircraft at 14,000 hours by 1986. Since each



THE HU-16E "ALBATROSS" AIRCRAFT, FIRST ACQUIRED BY THE COAST GUARD IN 1951. THE COAST GUARD INTENDS TO PURCHASE A NEW TWIN ENGINE JET MRS AIRCRAFT TO REPLACE THE HU-16E.

SOURCE: U.S. COAST GUARD PHOTO

aircraft is expected to fly about 1,000 operational hours annually, an equivalent of 14 MRS aircraft will be required to perform SAR missions.

To patrol the expanded area resulting from the extension of the U.S. economic boundary to 200 miles offshore, the Coast Guard also expects to purchase five short-range reconnaissance helicopters at a projected cost of \$8.5 million, four additional MRS aircraft at a projected cost of \$22 million, and six additional C-130 aircraft at a cost of \$51.6 million.

POTENTIAL REDUCTIONS IN COAST GUARD AIRCRAFT PURCHASES

The Coast Guard uses its helicopters, MRS aircraft, and C-130 aircraft for SAR missions. Additionally, all Coast Guard aircraft are capable of performing other missions, including enforcement of laws and treaties.

We believe sufficient unused capability exists in the other military services, as shown by the number of Air Force and Navy SAR and other aircraft flight-hours potentially available, to reduce Coast Guard SAR aircraft requirements. We could not quantify the number of flight-hours the Department of Defense could provide for SAR and the resulting reduction in Coast Guard SAR requirements. Since all Coast Guard aircraft have a multimission capability, reduction in SAR aircraft requirements would have an impact on aircraft availability for other purposes.

CONCLUSIONS

We believe the Coast Guard, the Navy, and the Air Force should improve their coordination of operations and joint planning to clarify total requirements for aircraft. Such planning would result in more efficient and effective operations and could reduce the total quantity of aircraft needed. The Coast Guard is planning to purchase 56 aircraft at a cost of \$287 million. In making its requirements computations, the Coast Guard did not consider the aircraft available from the Air Force and Navy. Through better coordination and joint planning, DOD aircraft could satisfy, in part, the Coast Guard's requirements for new aircraft.

RECOMMENDATION

Due to the considerable flying capability available from the Navy and Air Force, and in connection with our earlier

recommendation that the Coast Guard, Air Force, and Navy jointly determine total aircraft requirements to support their peacetime and wartime missions, we recommend that the Secretary of Transportation require the Coast Guard to re-evaluate the number of aircraft it plans to purchase.

AGENCY COMMENTS AND OUR EVALUATION

In commenting on our recommendation the Coast Guard remarked that a reevaluation of aircraft requirements based on our audit is not warranted. The Coast Guard stated that we assume Air Force and Navy aircraft are available for Coast Guard missions on a continuing basis, and because such is not the case sufficient resources must be procured to "satisfactorily meet statutory responsibilities."

We do not recognize the accomplishment of civil SAR missions as the exclusive domain of the Coast Guard. Nor do we subscribe to the Coast Guard's logic that because Air Force and Navy aircraft are not available for civil SAR missions on a continuing basis the Coast Guard must procure sufficient resources to satisfy all civil maritime SAR requirements.

Rather, the Coast Guard has been assigned the responsibility for insuring that maritime SAR missions can be accomplished with the maximum efficient use of all available resources. And, we believe, DOD assets are available or could be made available for SAR on a much more continuing basis than the Coast Guard represents.

As the Navy indicates in its comments, DOD SAR assets devote only a small percentage of actual flight time to rescue missions. At most other times DOD assets should be available for and should undertake SAR missions if it is physically feasible. SAR missions, both civil and military, should take priority over non-SAR missions, in our opinion. (See p. 35.)

We also believe that sufficient dispersion of DOD aircraft exists that if one aircraft is on a SAR mission, either a backup aircraft from that location or an aircraft from another location could respond to a SAR mission request. We would consider it unlikely, for example, if the military could not make any military SAR aircraft available at a given time in the San Francisco area.

Finally, the Coast Guard contends that because DOD SAR aircraft experience emergency deployments and base closures occur, such facilities cannot be relied upon for continuous assistance in any one given area. These statements are misleading since emergency deployments are extremely infrequent

and base closures, in addition to occurring rather infrequently, are known with sufficient leadtime to provide ample opportunity to plan for replacement of assets affected by the closure.

We believe there are sufficient DOD SAR assets available on a continuous basis to affect the Coast Guard's asset requirements determination. The amount of assistance the Coast Guard receives from DOD is, we believe, largely dependent on the degree of coordination between the agencies.

With DOD assets available, we do not believe it is necessary for the Coast Guard to procure assets to totally satisfy civil SAR needs.

The Department of Justice said that they find the report incongruent in that it recommends increased support of law enforcement by the Coast Guard on the one hand, while recommending that the Coast Guard reconsider its request for additional aircraft in favor of more coordinated use of military aircraft, on the other.

These recommendations are not inconsistent in our opinion. We believe that each Federal agency should purchase only enough assets, after considering other available assistance, to perform its duties. This belief is based on the concept that agency assets, such as SAR aircraft, are Federal assets which should be used as efficiently and effectively as possible.

CHAPTER 6

ALTERNATIVES FOR IMPROVED SEARCH

AND RESCUE OPERATIONS

Every effort must be made to insure that the tremendous amounts of assets owned by the Federal Government are used efficiently and economically. No assets procured by individual Federal agencies are theirs exclusively. If agencies can satisfy the valid requirements of other agencies without materially reducing their capabilities, they should do so.

The preceding data indicates that many aircraft are available among Department of Defense branches and the Coast Guard that could be more effectively used for SAR. Substantial savings, as well as increased efficiencies, are possible if these organizations fully coordinate their procurement, stationing, and use of these assets.

ALTERNATIVES FOR MORE EFFICIENT USE OF AVAILABLE ASSETS FOR SAR

There are several ways in which Coast Guard and DOD officials can achieve more efficient and economical SAR coverage.

The Coast Guard as single manager for SAR worldwide

The Coast Guard computes SAR requirements on the basis of civil SAR missions during peacetime, but has aircraft and qualified SAR crews which, given appropriate training, are capable of performing any type of SAR mission including wartime missions. In addition, the Coast Guard is a uniformed armed force ready to operate as a service of the Navy upon declaration of war, or when the President otherwise directs.

Also, DOD branches' SAR asset levels are primarily based on wartime needs, but are suitable for some civil maritime SAR during peacetime.

The National SAR Plan divides SAR coordinator responsibilities among the Air Force, inland; the Coast Guard, maritime regions; and the overseas commanders, overseas. If appointed the single manager for all SAR in both peacetime and wartime, the Coast Guard could determine asset needs worldwide and effectively coordinate their use. The result would be less duplication of SAR assets, elimination of interservice

SAR coordination problems, better aircraft stationing patterns, and more efficient and economical response to SAR incidents.

DOD SAR units could perform SAR missions in designated sectors

The Air Force and Navy have SAR aircraft and trained personnel available to perform civil SAR missions. Since these asset levels are based primarily on combat requirements, more assets are available during peacetime than there are SAR mission requirements.

At the same time, Coast Guard officials informed us that they perform SAR missions at the expense of other missions because they do not have enough aircraft to satisfy all their mission requirements. Despite their lack of aircraft, the Coast Guard flew several hundred SAR missions from Coast Guard Air Stations to the immediate vicinity of military installations which had SAR capabilities.

We believe military SAR units could assume the responsibility for civil as well as military SAR missions in designated sectors, with the Coast Guard maintaining SAR coordinator responsibility. Such arrangements would increase use of available DOD assets, reduce demands for Coast Guard assets, and provide more economical SAR coverage.

DOD SAR units and the Coast Guard could alternate SAR alert periods

Many military SAR units and Coast Guard Air Stations are located in the same geographic areas. For example, the Air Force SAR units at Homestead Air Force Base are located about 17 miles from the Coast Guard Air Station in Miami. Both are capable of performing civil and military SAR missions. Coast Guard units stand 24-hour alerts to respond to SAR incidents and military units have similar response capabilities during duty hours.

We believe DOD and Coast Guard SAR units could alternate SAR alert watches periodically, either on a duty hour--nonduty hour, 24 hour, or other such basis. Such a system would result in greater use of DOD SAR assets, elimination of duplicate SAR alert watches by DOD and Coast Guard units, and more economical operation of both DOD and Coast Guard units. Also, we believe such a system would require fewer total aircraft than are presently used since fewer alert and backup aircraft would be required.

DOD SAR units could provide long-range SAR capability for the Coast Guard

To perform SAR missions in the maritime areas the Coast Guard has short-range helicopters, medium-range twin-engine fixed-wing aircraft, and long-range C-130 aircraft. The DOD SAR units have similar helicopters available for short-range missions, air refuelable helicopters for medium ranges, and C-130 aircraft for long ranges. In addition, DOD has hundreds of other aircraft which, although not designated as SAR aircraft, are suitable for all ranges of SAR work.

The Coast Guard mostly needs aircraft in the medium- and long-range categories. At the time of our review the Coast Guard was in the process of purchasing 41 medium-range search aircraft, at a projected cost of over \$200 million. Also, the Coast Guard plans to purchase six C-130 aircraft at a projected cost of \$51.6 million.

The Coast Guard could use DOD assets to a greater extent for medium- and long-range SAR missions, and by so doing reduce requirements for these types of aircraft.

CONCLUSION

Substantial economies of operation would accumulate from joint determination of SAR requirements and increased use of SAR assets by DOD branches and the Coast Guard.

RECOMMENDATION

We recommend that the Secretaries of Defense and Transportation direct that the DOD components and the Coast Guard consider the alternatives discussed in this report, and other ways to improve overall use of aircraft in both civil and military SAR missions.

AGENCY COMMENTS AND OUR EVALUATION

In general comments on the statements made in this chapter, the Air Force stated that Coast Guard aircraft are not configured to accomplish Air Force combat rescue missions, and the Coast Guard remarked that we erroneously assumed that Coast Guard and DOD forces could be used interchangeably for civil and military, peacetime and wartime, SAR. The Coast Guard also stated that its helicopter pilots who served during the Vietnam conflict with the Air Force received 8 weeks of combat SAR training and approximately 3 weeks of survival school training before being sent overseas.

In comparing the two services' aircraft, their configurations, and the training schedules of their pilots, we found no major differences that would preclude the aircraft and crews of one service from assuming the missions of the other. (See p. 33.)

Regarding SAR crew training, Air Force, Navy, and Coast Guard SAR crews are already trained for at least some SAR, and because they could be called upon at any time to perform SAR work other than that to which they are accustomed, it seems prudent and advisable that the SAR crews of all three organizations be trained to undertake a variety of SAR missions.

We agree with the Coast Guard that its pilots might need special training to assume wartime SAR missions, but we don't regard this as a prohibiting factor. On the contrary, since in time of war the Coast Guard would revert to Navy control, peacetime training of Coast Guard personnel for their possible wartime roles would seem to enhance their value to the Nation.

The above Coast Guard and Air Force comments are apparently meant as explanations of why there is not better coordination and use of SAR assets. We don't regard these as compelling arguments. In our opinion, excellent opportunities exist for improved SAR operations despite these obstacles, which can be overcome.

CHAPTER 7

OTHER OPPORTUNITIES FOR ACHIEVING GREATER EFFICIENCY AND ECONOMIES THROUGH INCREASED COORDINATION

The Department of Defense has numerous aircraft and ships crossing U.S. coastal waters, the Coast Guard has aircraft and ships operating routinely in these waters, and several other Federal agencies conduct operations in these areas. If civil agencies could better coordinate their operations with each other, and if DOD could provide greater assistance to civil agencies, especially in the areas of law enforcement and environmental protection, more efficient operations and use of assets would result.

CONTROL OF ILLEGAL ENTRY OF PERSONS AND GOODS

The Immigration and Naturalization Service, the Drug Enforcement Administration, and the U.S. Customs Service have law enforcement responsibilities involving detection and prevention of illegal entry of goods and persons into the United States. INS is responsible for the entry of persons; DEA is responsible for narcotics and drugs; the Customs Service is responsible for interdicting contraband coming into the United States, including narcotics and drugs.

To some degree these agencies coordinate their efforts and receive support from the Coast Guard and State and local agencies. The Coast Guard, for example, has provided personnel and equipment for several special law enforcement operations conducted by the Customs Service in the Florida area. Customs and the Coast Guard have several other agreements, both formal and informal, which include the stationing of Customs' personnel aboard Coast Guard ships for patrol missions and berthing of Customs' boats at Coast Guard facilities.

We believe that more of this type of interagency coordination could increase the agencies' effectiveness and at the same time require less resources. More routine stationing of INS and Customs' officers aboard Coast Guard patrol vessels might increase the agencies' operational capabilities without the need for more patrol vessels.

MILITARY ASSISTANCE TO CIVIL
LAW ENFORCEMENT AGENCIES

The Posse Comitatus Act is represented to be a limiting factor in the use of military personnel and equipment by Federal law enforcement agencies. Considerable uncertainty exists concerning the amount of assistance the military can provide civil law enforcement agencies without violating the act.

The Posse Comitatus Act, 18 United States Code 1385, states:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years, or both."

The act has been interpreted as precluding the military services from actively enforcing civil laws. 1/ Investigation, pursuit, search, and arrest by military forces are examples of active, or direct, enforcement of civil laws.

A 1976 opinion from the Department of Justice stated that recent court cases, when read together, made clear that the Posse Comitatus Act is only violated if military personnel take a direct active role in executing the law through such activities as investigation, search, arrest, or pursuit. The test is whether military personnel subject citizens to the exercise of military power, which is regulatory, proscriptive, or compulsory in nature. The

1/ Although not expressly applicable to the Navy and Marine Corps, the Posse Comitatus Act is regarded as a statement of Federal policy which is closely followed by the Navy.

Members of the naval services shall not, in their official capacity, enforce or execute local, State, or Federal civil laws except when expressly authorized by the Constitution or Act of Congress, or when specific approval of the Secretary of the Navy is granted.

opinion further stated that indirect roles by military personnel, such as the loan and maintenance of equipment, aerial photographic flights, training, and other expert advice are too passive to be viewed as violations of the act and are therefore lawful and proper. 1/

Since there is not a consistent line of court cases in opposition, the opinion of the Justice Department is considered persuasive commentary. The Department has the responsibility to advise the Executive Branch on legal matters.

From the above statements, it is clear that direct enforcement of civil laws by the military would violate the act. It is also clear that indirect assistance to civil authorities is allowed. The specific form of authorized indirect assistance is uncertain. For example, it has not been established under what circumstances military personnel can operate loaned military equipment for civilian law enforcement authorities. For instance, it is not clear whether an Air Force pilot transporting a Customs' agent in an Air Force plane on a contraband patrol or interdiction mission would be in violation of the act.

MARINE ENVIRONMENTAL PROTECTION SURVEILLANCE

It is against U.S. law to discharge oil and other pollutants into the inland waterways within 50 miles of U.S. coasts.

The Federal Water Pollution Control Act as amended by the Water Quality Improvement Act of 1970 (33 U.S.C. 1151 et seq. (1970)) gave the Coast Guard responsibility and enforcement authority for protecting the marine environment from discharges of oil and other hazardous substances. Recognizing this responsibility, the Coast Guard's Marine Environmental Protection Program was established in 1971.

The objectives of the program are to (1) minimize damage to the marine environment and its living resources caused by intentional or unintentional acts of man, (2) increase man's awareness of the environmental impact of his actions, and (3) improve the quality of the marine environment.

1/The Justice Department's position regarding the propriety of indirect assistance to civil law enforcement authorities by military personnel is supported by the opinion of Judge Andrew Bogue in United States V. Red Feather, 392F. Supp. 916 (D.S.D., 1975).

The four main elements of the program are (1) surveying to detect oil spills and other pollutants, (2) containing and cleaning up the pollutant, (3) gathering evidence for enforcement of laws concerning the discharge of oil and other harmful pollutants into inland and coastal waterways, and (4) deterring potential violators of pollution laws.

The Coast Guard uses both aircraft and ships in the Marine Environmental Protection Program. Aircraft are used primarily for aerial pollution surveillance patrols; they are also used for aerial transport of personnel and major items of equipment needed to respond to oil spill incidents. Ships are used for containing spills and gathering samples for evidence.

The Coast Guard recorded over 11,400 oil slick sightings in 1974. Because of shortages of ships and crews, or diversions of ships from oil spill missions to search and rescue missions, they only responded to about 7,000 spills.

In fiscal year 1975 the Coast Guard projected a total of 16,651 flight-hours for the Marine Environmental Protection Program. Only 6,966 hours were flown. Reasons for the shortfall were

--shortages of equipment,

--reduction of flights because of fuel consumption cut-backs, and

--diversion of environmental protection flights to SAR flights.

The Coast Guard has projected fiscal year 1977 environmental protection flight-hour requirements at 18,500 hours.

The oil spills, shortfall of hours flown in fiscal year 1975, and increased flight-hour projections for fiscal year 1977 indicate the Coast Guard's need for any assistance it can obtain from other Federal agencies in fulfilling program requirements.

Numerous Federal agencies, in addition to the military services, routinely operate craft on and over inland and coastal waterways and could perform a pollution surveillance function. The National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce is one such organization. NOAA's basic mission is to organize a unified approach to the problems of the ocean and atmosphere and to create a focal point within the civilian sector of the

Federal Government for this purpose. NOAA administers over 40 programs, including coastal mapping services, marine mining research, the National Environmental Satellite Service, and the State/Federal fisheries management.

In the past the military services have reported oil slicks sighted during their operations. However, Coast Guard officials informed us that these reports have often been transmitted late and have therefore been of little value.

CONCLUSIONS

We believe opportunities for increased cooperation among various civil agencies of the Federal Government exists. Also, the military services have assets that we believe could be made available to civil agencies on a loan basis. Such cooperation and loan of assets could increase the effectiveness of the law enforcement activities of these agencies without increasing the amount of resources the agencies require to accomplish their missions.

We believe surveillance and prompt reporting of visible pollutant spills by the military services and Federal and State agencies would provide more effective pollution surveillance. Such expanded coverage and reporting might also reduce the number of surveillance patrols the Coast Guard requires.

RECOMMENDATIONS

We recommend that the Commandant of the Coast Guard place greater emphasis on sharing assets with Federal law enforcement agencies to reduce duplication or overlap of patrols and assets and allow more efficient performance of law enforcement operations.

We also recommend that the Coast Guard sponsor an Executive order requiring DOD branches and other Federal and State agencies to promptly report sightings of pollutants.

AGENCY COMMENTS AND OUR EVALUATION

In addition to comments by the Secretaries of Defense and Transportation, the Secretary of the Treasury and the Attorney General commented on this chapter. (See apps. III and IV.)

All the agencies pointed out examples of interagency cooperation and sharing of assets that facilitate more efficient operations. DOD and the Coast Guard stated that they recognize the opportunities for increased interagency cooperation and will continue efforts in this area.

Regarding military assistance to civil law enforcement agencies, we believe there is potential for increasing the amount of assistance the military can provide Federal civil law enforcement agencies. This potential, if realized, can increase the agencies' capabilities without proportionate increases in equipment purchases. Much of the uncertainty surrounding increased use of military resources for civil law enforcement rests with interpretation of levels of assistance authorized under the Posse Comitatus Act. (See p. 47.)

We therefore proposed that DOD sponsor legislation to the Congress defining the level of assistance DOD could provide Federal civil law enforcement agencies without violating the act.

The Departments of Justice and the Treasury fully concurred in and supported our proposal. The Coast Guard was more cautious, stating that because of the unequivocal language of the statute and the lack of unanimity by the judiciary on our distinction between DOD's active and passive participation in civil law enforcement, it would act with caution in this area.

DOD declined to propose clarifying legislation. We suggested legislation authorizing DOD to loan personnel and equipment to civil law enforcement agencies for the purpose of transporting them on law enforcement missions. DOD believes their current relationship with civilian law enforcement agencies, which includes determining support for assistance requests on a case-by-case basis, is realistic.

Notwithstanding DOD's comments we believe clarifying legislation is needed. In our opinion, DOD's present relationship with civil agencies in this area is cumbersome and unclear.

We recommend that the Congress enact legislation clarifying what assistance DOD can provide Federal civil law enforcement agencies without violating the Posse Comitatus Act. Such legislation should, in our opinion, expressly authorize DOD to loan personnel and equipment to Federal civil law enforcement agencies for the purpose of transporting them on law enforcement missions. This recommendation is intended to clarify but not to change the basic policy of the Posse Comitatus Act.

In our draft report, we proposed that the Coast Guard initiate action to develop formal agreements, or propose legislation to the Congress, requiring DOD components and Federal and State agencies to promptly report sightings of pollutants. In response to this proposal, the Coast Guard suggested that an Executive order might be a more appropriate mechanism for achieving the desired results. We agree with the Coast Guard's suggestion and have changed our recommendation accordingly. The Departments of Justice, the Treasury, and Defense generally concurred with this recommendation.

RECOMMENDATION TO THE CONGRESS

We recommend that the Congress enact legislation expressly authorizing the Secretary of Defense to loan available personnel and equipment to Federal civil law enforcement agencies for the purpose of transporting them on law enforcement missions.

CHAPTER 8

SCOPE

This review was primarily concerned with the extent the Coast Guard and the Department of Defense coordinated requirements for and the use of aircraft to perform search and rescue missions. We also assessed the potential for the Coast Guard and other civil agencies to coordinate with each other, and DOD to use aircraft and other resources to detect and control the illegal entry of goods and people into the United States and some of the constraints delaying such coordination.

Our work was conducted principally at Headquarters, U.S. Coast Guard, Air Force, Navy, and Army and at selected field activities of the services in California, Florida, Illinois, Virginia, and North Carolina. We also contacted or did limited work at the Headquarters, U.S. Customs Service, Immigration and Naturalization Service, National Oceanic and Atmospheric Administration, Environmental Protection Agency, and selected field offices in California.

We interviewed officials at these organizations regarding the extent to which coordination of aircraft requirements and use is now taking place and reviewed applicable legislation, policies, procedures, reports, agreements, correspondence, and records. Also, we analyzed the fiscal year 1975 aircraft SAR statistics of the various services and compared the services' aircraft and aircrew capabilities.

Primary Field Activities Visited

Coast Guard

Fifth Coast Guard District--Portsmouth, Virginia
Seventh Coast Guard District--Miami, Florida
Twelfth Coast Guard District--San Francisco, California

Air Force

Air National Guard--Hayward, California
McClellan Air Force Base--California
Eglin Air Force Base--Florida
Homestead Air Force Base--Florida
Scott Air Force Base--Illinois

Navy

Commander In Chief, Atlantic Fleet, Norfolk, Virginia
Naval Air Station, Lemoore, California
Naval Air Station, Alameda, California
Naval Air Station, Jacksonville, Florida
Naval Air Station, Pensacola, Florida
Marine Corps Air Station, Cherry Point, North Carolina
Naval Air Station, Norfolk, Virginia
Naval Air Station, Oceana, Virginia

Army

Hamilton Air Force Base, California



ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

COMPTROLLER

14 DEC 1976

Mr. Fred J. Shafer
Director, Logistics and Communications Division
United States General Accounting Office
Washington, D. C. 20548

Dear Mr. Shafer:

This is in reply to your letter of October 1, 1976 to Secretary Rumsfeld regarding comments on your draft report entitled "Opportunity for Increased Coordination between DoD and Civil Agencies in Coastal Surveillance and Security" (GAO Code 94718). We have reviewed the report and our detailed comments, which are summarized below, are attached.

The DoD supports any viable opportunity to cooperate with other agencies to increase operational efficiency while not significantly degrading the DoD capability to carry out its assigned military missions. In the search and rescue area, the DoD recognizes that there are opportunities for cooperation and will continue to work with the Coast Guard to exploit these opportunities where they exist. We will work with the Coast Guard to improve the present system of coordination within the guidelines of the National Search and Rescue Plan.

The DoD search and rescue assets, however, are maintained and justified to support our national military forces. Although there may appear to be a lack of actual SAR activities for military aircraft during peacetime, these assets would be fully utilized to support our combat forces during periods of national crisis during which the Coast Guard would be required to support humanitarian search and rescue activities. To prepare the military personnel to meet their wartime responsibilities, peacetime training must be provided. Obviously, our military units would prefer to receive training performing actual search and rescue missions; but in most instances this is not possible, since to effectively utilize available military assets, training must be conducted on a scheduled basis. In addition search and rescue support must be provided to our combat forces during peacetime. Thus, while we will continue to cooperate with the Coast Guard, we do not expect any reduction in total federal search and rescue asset requirement or federal expenditures for SAR activities. Also, because the requirements for humanitarian and military SAR are mutually exclusive, we do not believe that joint determination of the federal SAR requirement is needed; but we would be available to consult with the Coast Guard in determining their SAR aircraft requirement.

In regard to your recommendation that the DoD consider proposing legislation to Congress authorizing DoD to cooperate with civil law enforcement agencies, I believe the current relationship with the civilian law enforcement agencies -- considering the Posse Comitatus Act and training requirement for law enforcement -- is realistic. We will continue to support requests from the civilian law agencies on a case-by-case basis.

We accept your recommendation that Federal and State agencies promptly report sighting of pollutants to the Coast Guard. I believe agreements between the Coast Guard and DoD rather than Congressional legislation would be adequate to implement this concept.

I appreciate your giving us the opportunity to comment on the draft report. We are available to discuss these comments if required.

A handwritten signature in black ink, reading "Fred P. Wacker". The signature is written in a cursive, flowing style with a prominent initial "F".



OFFICE OF THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

ASSISTANT SECRETARY
FOR ADMINISTRATION

December 22, 1976

Mr. Henry Eschwege
Director
Community and Economic Development Division
U. S. General Accounting Office
Washington, D. C. 20548

Dear Mr. Eschwege:

This is in response to your letter of October 1, 1976, requesting comments from the Department of Transportation on the General Accounting Office draft report entitled, "Opportunities for Increased Coordination Between DOD and Civil Agencies in Coastal Surveillance and Security." We have reviewed the report in detail and prepared a Department of Transportation reply.

Two copies of the reply are enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "William S. Heffelfinger".

William S. Heffelfinger

DEPARTMENT OF TRANSPORTATION REPLYtoGAO DRAFT REPORT OF 1 OCTOBER 1976 (CODE 947184)onOPPORTUNITIES FOR INCREASED COORDINATION BETWEEN DOD ANDCIVIL AGENCIES IN COASTAL SURVEILLANCE AND SECURITYSUMMARY OF GAO FINDINGS AND RECOMMENDATIONS

In reviewing FY 1975 data and the National Search and Rescue Plan, GAO has formulated the following findings/conclusions and recommendations.

Findings

1. Excellent opportunities exist for joint determination of aircraft and personnel requirements and sharing of resources among agencies which, if realized, would result in less total resource requirements and more efficient use of Federal aircraft, ships and personnel.

Recommendations

1. DOD and Coast Guard officials jointly determine total peacetime and wartime search and rescue aircraft requirements and revise aircraft stationing patterns accordingly.
2. In conjunction with the above, the Coast Guard reevaluate the number of aircraft it plans to procure.
3. The Coast Guard place greater emphasis on sharing assets on a routine basis with civil law enforcement agencies to more effectively perform their missions and reduce duplication.
4. The Coast Guard initiate action to develop formal agreements, or propose legislation to the Congress requiring the military services and Federal and State agencies to promptly report sightings of pollutants.

DEPARTMENT OF TRANSPORTATION POSITION

1. The Coast Guard concurs that there are opportunities for increased cooperation among the various agencies of the Federal Government with respect to search and rescue (SAR), civil law enforcement, and marine environmental protection surveillance, and that more efficient use of Federal aircraft, ships and personnel can be achieved. The more efficient use of assets will result in better service to the public, but will not necessarily reduce resource requirements.

2. The Coast Guard does not concur that DOD and Coast Guard officials jointly determine peacetime and wartime SAR aircraft requirements and revise aircraft stationing patterns accordingly. The Coast Guard, which has statutory responsibility for civil maritime SAR, recognizes the fact that DOD facilities are available to meet civil needs on a basis of non-interference with military missions. Categorically, DOD resources are predicated on combat SAR postures only, and their availability can not be assured. Because DOD forces do experience emergency deployment and because base closures do occur, the Coast Guard cannot rely on DOD forces for continuous assistance in any one given area. The Coast Guard believes that wartime tasking for Coast Guard units is satisfactorily delineated in various publications.

3. This audit assumes that Air Force and Navy aircraft are available for Coast Guard missions on a continuing basis. Because this is not the case, the Coast Guard must primarily rely on and plan for procurement of sufficient resources to satisfactorily meet statutory responsibilities. A reevaluation of aircraft procurement plans based on this audit is not warranted.

4. The Coast Guard will continue to effect greater cooperation with civil law enforcement agencies enabling them to more effectively perform their missions and reduce duplication. The policy has been and will continue to be to cooperate fully with other federal, state, and local agencies in providing personnel and facilities, including aircraft and vessels, necessary for effective at-sea surveillance and enforcement. Memoranda of understanding are being executed with DEA and Customs to formalize this policy, which has been practiced for sometime. Coast Guard assets, however, have been and will continue to be multimission resources, i. e. capable and equipped to perform many and varied missions. Priority usage of these assets is (1) satisfy Coast Guard statutory responsibilities, (2) assist other agencies in Coast Guard related mission areas, and (3) assist other agencies when possible.

5. While it is possible that more aggressive pollution reporting by the DOD and other Federal/State facilities might result in an increased number of violations detected and reported, to which the Coast Guard must respond and investigate, it is important to recognize that the

Coast Guard's pollution surveillance requirements cannot be satisfied by simply reporting violations. The essence of the program is to prevent pollution. Coast Guard surveillance requirements include Coast Guard presence to deter potential violators, as well as the detection of violations. Reports of violations submitted by another agency's facilities do not satisfy the requirement for a credible deterrence of potential violations which the Coast Guard's pollution surveillance patrols provide. Therefore, while the Coast Guard does not believe that the number of Coast Guard surveillance patrols required can be reduced by this means, we do agree that any additional efforts to detect violations would be beneficial to the environmental protection effort. The Coast Guard does not concur that formal agreements or Congressional legislation that require military services and Federal and State agencies to promptly report sightings of pollutants is necessary. (An Executive Order would be a more appropriate means of addressing a requirement that all Federal facilities report sightings of pollution incidents) The prospective administrative effort which would be required to develop formal agreements with each individual Federal and State agency and with the various military services is staggering. In addition, the concept of legislating a requirement that state agencies report sightings is of doubtful legality and would create yet another cumbersome enforcement problem. In light of the criminal penalties which may be imposed against polluters who fail to report known discharges and an environmentally aware public, it is felt that the recommendation to seek formal agreements or Congressional legislation regarding state agency reporting is unnecessary.

6. In summary, the GAO report appears to have drawn conclusions and made recommendation from a review that was not made in sufficient depth. Areas of responsibility, assigned missions and basic objectives of each organization have been crossed, mixed and juggled in complete disregard of the purpose for which each organization was established. A comprehensive study would be necessary prior to any assignment of responsibilities which cross the normal lines of organizational functions.

7. Specific comments and recommendations regarding the content of the report are listed in enclosure (1). Individual comments may apply in numerous areas, but are listed only once.



J. H. SCARBOROUGH
Rear Admiral, U. S. Coast Guard
Chief of Staff

COMMENTS AND RECOMMENDATIONS REGARDING
THE CONTENT OF THE REPORT

[See GAO notes 1 and 2, p. 66.]

Pg. 20

The Coast
Guard believes an integrated network does exist under the National Search and Rescue Manual for the operational control and coordination of SAR assets in prosecuting SAR missions. Operational control and coordination of all available SAR assets is the essence of the National SAR Plan.

Pg. 20 Para. 1 Line 3

With respect to the computation of SAR assets, Coast Guard SAR flight hour projections are based on an average historical data base. In the case of the Aviation Plan referenced by this audit, FYs 1967 through 1973 were utilized. If the Coast Guard planned to meet peak SAR needs, flight hour projections would be based on peak summertime workload. As an example, FY 1975 average quarterly SAR hours were 5438 hours, which, compared to 1st Quarter

hours of 6286, represents a 16% difference. Also, planning for peak needs would include those resources necessary to satisfy the DOD contribution to the maritime SAR effort. In the case of this report 233 missions and 3615 hours of maritime SAR were performed by DOD components in FY 1975.

Pg. 21, Para. 3, Lines 4 and 5

The Coast Guard believes that Coast Guard forces responding to DOD SAR incidents is an excellent example of an integrated SAR network. (DOD's contribution to maritime SAR mentioned in this report is also evidence of an integrated network.)

Pg. 21, Para. 3, Line 7

Coast Guard computations of SAR flight hours, previously described, inherently include DOD contributions.

Pg. 21, Para. 4, Line 2

Delete "Coast Guard officials believe it is their" and substitute "It is the Coast Guard's." Title 14 USC 2 and 88 are fairly explicit with respect to the Coast Guard statutory responsibilities in the search and rescue area.

Pg. 21, Para 4, Line 4

Because the Coast Guard has statutory responsibility to respond to civil SAR, and the personnel and resources, trained and equipped for these SAR missions, the Coast Guard believes it is logical that they would or should perform this duty more efficiently.

Pg. 21, Para 4, Lines 5 and 6

The fact that Coast Guard resources sometimes respond to civil SAR even though DOD aircraft are already involved reflects the Coast Guards deep humanitarian concerns. After the fact analysis of these instances rarely reveals the uncertainty that existed when the SAR mission was in progress. When a life is at stake the Coast Guard believes it is better to have an overabundance of resources responding rather than providing an inadequate response.

Pg. 26, Para. 1

The Coast Guard believes the GAO has improperly interpreted the National SAR Plan and formulated conclusions based on questionable assumptions after reviewing one year's worth of data. As previously indicated, the Coast Guard does have statutory responsibility for maritime SAR, and DOD facilities are used to meet civil SAR needs on a basis of noninterference with military missions. The National SAR Plan clearly states: "No provisions of this plan or any supporting plan are to be construed in such a way as to contravene the responsibilities of authorities of any participating agency as defined by statutes, executive orders or international agreements." In this context it is difficult to visualize how DOD forces could have as their primary mission, civil SAR. Many questions are raised. How would this effect our defense posture? What SAR assets would be available when DOD forces deploy in times of emergency or war? Further, what SAR assets would be available when DOD closes a base and completely eliminates or transfers personnel and equipment?

Pg. 33, Para 3, Lines
1-3

The Coast Guard has "statutory" responsibility in addition to "management." The Coast Guard believes that GAO's interpretation of "suitable Federal asset" is different than the legal interpretation. The number of suits involving SAR activity has grown from twelve in 1970 to twenty in 1976 with eleven additional cases currently in the claims stage. The 1976 cases involve \$36.4 millions dollars. A count of our currently pending cases shows eight involve allegations of negligent activity with aircraft. This increase can be expected to continue. In summary, to ensure a proper and effective response, Coast Guard percentages of maritime SAR involvement may well increase.

Pg. 33, Para 3, Line 7
and 8 and Pg. 34

The sentence and conclusions drawn are misleading. Unknowns not addressed are availability of DOD resources, rapidity of reaching SAR incident in minimum time, properly trained personnel, and adequately equipped aircraft.

Pgs. 37 and 38

The Coast Guard does not send out crews under training to perform actual SAR missions. Fully qualified crews are required considering the operational environment, i. e., adverse weather conditions and periods of darkness. The increase in claims against the Coast Guard in the SAR area must also be considered. In some recent decisions, courts have expressed concern over qualifications and training levels. The use of actual SAR cases as a means of conducting training is probably not the best policy for the public or the Coast Guard. The potential for adverse judgments against the United States as a result of the implementation of the GAO proposals is a factor which weighs heavily against their adoption. The problem may well be illustrated in one case about to go to trial, where an Army helicopter, participating with a Coast Guard helicopter in a rescue effort, dropped an individual while attempting to lift him from the sea, resulting in his eventual death.

Pg. 44, Para. 6

"Amount of SAR assistance available from DOD is substantial." The Coast Guard believes there are opportunities for increased cooperation within the existing framework of the National SAR Plan and Manual but, for various reasons already given, does not believe "substantial DOD assistance is available."

[See GAO note 1, p. 66.]

Pg. 46, Para. 1, Lines
3-4

That a "significant number of flight hours can be made available to the Coast Guard, as previously discussed, is a questionable assumption. The Coast Guard believes the

question of continuous availability of DOD assets should be addressed in its planning process. DOD resources have a primary mission that does not pertain to civil maritime SAR, enforcement of laws and treaties and protection of the marine environment. Additionally, DOD resources deploy during periods of emergency or war. And finally, DOD bases occasionally close and/or relocate with associated resources being removed from the area. Unless other agencies' operating assets can be dedicated to Coast Guard programs, and placed under Coast Guard command and control, the Coast Guard believes it would be a mistake to rely on them for anything other than incidental assistance. Because of these factors, the Coast Guard believes its procurement plans are not in excess.

Pg. 51 Para. 4 Line 3

Assumption that Coast Guard crews trained for civil maritime SAR are capable of performing any type of SAR mission including wartime missions is erroneous. Coast Guard helicopter pilots who served during the Vietnam conflict with the Air Force received eight (8) weeks of combat SAR training and approximately three (3) weeks of survival school training before being sent overseas. Familiarization and area check out flights were also required after arriving at the overseas station.

[See GAO note 1, p. 66.]

Pg. 52 and 53

Based on erroneous assumptions GAO has determined that Coast Guard and DOD forces can be used interchangeably for civil and military SAR.

[See GAO note 1, p. 66.]

If this is not the case, the Coast Guard must add aircraft just to respond to the reports of violations spotted by aircraft which are not competent to take law enforcement action.

Pg 56 and 57

Interpretation of Posse Comitatus statute is legally insufficient. The statute is worded in absolute terms and the GAO distinction between "active" and "passive" participation in executing the laws has not been unanimously accepted by the judiciary.

[See GAO note below.]

It is by no means clear that "indirect" assistance to civil authorities is allowed. Because of the unequivocal language of the statute the Coast Guard must act with caution in this regard.

[See GAO note below.]

GAO note 1: Deleted material relates to data in our draft report which has been considered and/or revised in this final report to reflect the agency's comments.

GAO note 2: The page references in our draft report may not correspond to those in this final report.



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

DEPUTY ASSISTANT SECRETARY

Nov. 11, 1976

Dear Mr. Lowe:

We appreciate the opportunity to comment on the GAO draft report "Opportunities for Increased Coordination between DOD and Civil Agencies in Coastal Surveillance and Security." (GAO Code 947184)

We have no comments on the first six chapters of the report which deal with Search and Rescue, since the Treasury Department is not involved in such missions. Our comments are directed specifically to Chapter 7, on other opportunities for increased coordination among DOD, Coast Guard and Civil Agencies.

We fully support your conclusion that further opportunities exist for increased cooperation between Treasury's Customs Service and both the Coast Guard and the Defense Department, and that the military services possess much equipment and knowledge that could be used in the Customs Service law enforcement efforts.

Treasury has always had an excellent relationship with the Coast Guard. This rapport started when the Coast Guard and Customs were sister agencies in the Treasury Department, and has continued since the Coast Guard's transfer to the Department of Transportation in 1967. Customs Patrol officers are routinely stationed aboard Coast Guard vessels for patrol missions as you correctly point out, and the Coast Guard has supported many special drug enforcement operations that Customs has directed over the past years. In addition, there have been numerous instances where the Coast Guard has provided Customs vessels maintenance assistance at cost. We anticipate a continued good relationship in the years to come.

In 1971, the Secretary of Treasury and the Secretary of Defense entered into an agreement, "Project Grass Catcher," whereby DOD would provide technical assistance and equipment to Customs in the anti-narcotic smuggling effort. That project was renamed and remains "Project Linebacker," and we continue to receive excellent technical and logistical support from DOD. The Customs Air Support Branch presently has fourteen interagency support agreements with facilities throughout the United States. These agreements, plus civil procurements, provide adequate logistic support to the Air Interdiction program.

In the area of training, DOD also provides pilot training on a cost reimbursable basis for both fixed and rotor wing Customs pilots.

At the inception of Project Linebacker, DOD loaned Customs four OV-10C Mohawks and four S-2D's. Both aircraft are now obsolete and we have been unable to acquire any additional modern aircraft from DOD.

A very important support to the Customs effort is supplied by the Air Force Air Defense Command (NORAD). Support agreements with the 20th and 26th Divisions allow Customs to utilize their border surveillance radar capability. Radar coverage, as supplied by those two Divisions, extends from Washington, D. C., around the southern perimeter of the United States to San Diego, California.

Looking to the future, efforts are now underway and formal liaison has been established which will permit Customs to participate fully, within the limitations of the Posse Comitatus Act, 18 USC 1385, in the modern Air Force AWACS program.

In short, our relationship with DOD on technical assistance and ongoing DOD program participation has been very good, but we foresee a problem if more cooperation is not obtained in the near future.

The Customs Service recognizes the primary mission of the Department of Defense, however, and does not wish to take advantage of the military. As in the past, we wish, whenever possible, to reimburse the military services for the assistance they provide, or to purchase the equipment that we require rather than deplete limited military inventories. But the fact of the matter is that the Customs Service must operate within tight budgetary constraints, and it simply cannot afford to purchase needed equipment that either has an extremely high unit cost, such as an interdiction aircraft, or that is very expensive in the quantities required, such as ground sensors. In addition, we cannot afford the delay that would be encountered in having new items produced rather than using existing items. To adequately perform its enforcement mission, Customs must obtain equipment support in the form of loans and provision of excess property, and through access to the more economical large-quantity procurements available to the military. Logistics support and other services from military activities and installations also are essential.

Much of the equipment provided to Customs by the military has been offered on a loan basis. Often the period of the loan is for only one year, and equipment must be restored to its original condition before being returned. It would be extremely desirable to Customs if equipment could be provided for a loan period of more than one year, and without the obligation to restore the equipment to its original condition. Such terms often make the arrangement so expensive that Customs still cannot take advantage of the loan opportunity.

Examples of equipment needed by Customs to conduct their mission of drug interdiction are high performance interdiction aircraft, long range reconnaissance aircraft, forward looking infrared systems, avionics equipment, airborne and mobile ground-based radar, ground sensor systems and night vision equipment. The military has developed and possesses all of these items. These few examples are indicative of the wide range of needs in which DOD could support Customs.

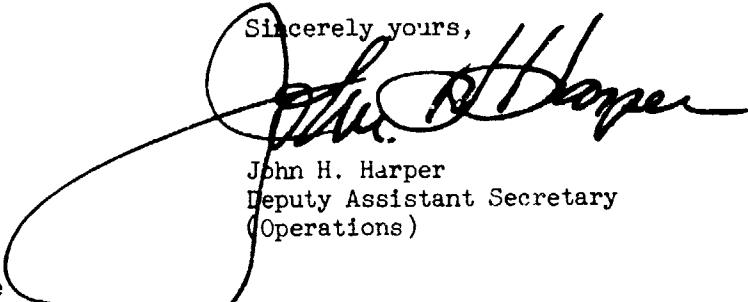
The recent opinion from the Justice Department on the Posse Comitatus Act should do much to clear up the ambiguity that has surrounded this statute for a century. We would recommend a step further, that the Justice Department give an opinion on what indirect military assistance is allowed under the Act. This is necessary for Customs since the questions of direct military enforcement of Customs laws is rarely in question.

Treasury fully supports your recommendation that DOD consider proposing legislation to the Congress for authorization to loan personnel and equipment to Civil agencies for transporting them on law enforcement missions.

An additional sharing of Federal resources is reflected in a Customs/FAA interagency support agreement. This agreement allows Customs, on a cost reimbursable basis, to utilize various FAA radar capabilities throughout the United States as the need arises.

In conclusion, Treasury also agrees with your recommendation that military services and Federal and State agencies report sightings of pollutants to the Coast Guard. Customs has already issued instructions to this effect.

Sincerely yours,



John H. Harper
Deputy Assistant Secretary
(Operations)

Mr. Victor L. Lowe
Director, General Government Division
U. S. General Accounting Office
Washington, D. C. 20548



Address Reply to the
Division Indicated
and Refer to Initials and Number

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

JAN 5 1977

Mr. Victor L. Lowe
Director
General Government Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Lowe:

This is in response to your request for comments on the draft report titled "Opportunities for Increased Coordination Between DOD and Civil Agencies in Coastal Surveillance and Security."

We are generally in accord with the recommendations of the report that increased coordination and assistance to civil law enforcement agencies by the Coast Guard and the Department of Defense would do much to assist the Government in executing its overall enforcement mission. Actually, the Drug Enforcement Administration (DEA) has experienced considerable assistance and cooperation from the Coast Guard in law enforcement matters, primarily the providing of surveillance by Coast Guard vessels and aircraft of suspect vessels and aircraft, interdiction of suspect vessels by Coast Guard vessels, and at times, the transportation by aircraft or vessel of DEA personnel on enforcement missions.

In those instances where the Coast Guard has been unable to comply with a request for assistance, the cause has ordinarily been (1) a priority mission which the Coast Guard considered to have greater urgency, such as a search and rescue mission; or (2) unavailability of resources.

A recent major step in increasing law enforcement coordination between the Department of Justice and the Coast Guard has been undertaken in El Paso, Texas. At the Department's initiation, the El Paso Intelligence Center (EPIC) was established to focus on the production

of operational and tactical intelligence on suspected drug, alien, and contraband smugglers. The Coast Guard has become a vital participant in EPIC and an important factor in EPIC's daily maritime intelligence and operational intercept mission. Each day, EPIC's Watch Center tracks vessels suspected of smuggling activities. The Coast Guard representative directly participates in these watch activities and coordinates the interception of violators entering United States territorial waters.

Our experience with military assistance is extremely limited due to the restrictions of the Posse Comitatus Act, although there have been pressing situations where the military has provided aircraft transportation for DEA personnel and DEA fugitives. Not germane to this report, but worthy of note, is the fact that the Air Force has provided many aircraft on long-term loan for use by the DEA Air Wing.

GAO note: Deleted material relates to data in our draft report which has been considered and/or revised in this final report to reflect the agency's comments.

In relation to the matter of resource management, we find the report incongruent in that it is recommending increased support of law enforcement by the Coast Guard,

a civil law enforcement agency, at the same time that it is recommending the Coast Guard reconsider its request for additional aircraft in favor of more coordinated use of military aircraft, which aircraft cannot be used for law enforcement interdiction and whose use in law enforcement surveillance appears to be prohibited.

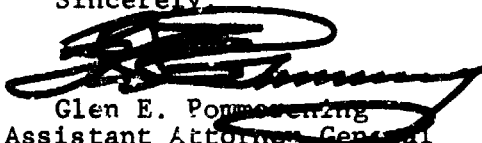
A suggested procedure to correct the discrepancy between the draft report's recommendations and its intent would be the assignment of a number of Coast Guard pilots in each search and rescue area--flying either Coast Guard or military planes, as appropriate--to law enforcement missions, with military pilots flying search and rescue missions to the degree necessary to fill the gap thus created. We believe this suggestion is responsive to GAO's observation on page 54 that there may be other alternatives than those mentioned in the report for improving overall utilization of resources.

We fully concur with the report recommendation that DOD propose legislation to the Congress expressly authorizing DOD to loan personnel and equipment to civil law enforcement agencies to transport personnel of those agencies on law enforcement missions. Such legislation would thereby assure availability of that valuable service, the propriety of which the Posse Comitatus Act now makes doubtful. We also suggest the legislation provide for similar loans to the Coast Guard, also a civil law enforcement agency, for its law enforcement use and for its acts of assistance to other civil law enforcement agencies.

We further believe that the legislation should include the authority to transport people and property in support of enforcement missions. It should, for example, specify fugitives, prisoners, and sensitive witnesses--whose expeditious movement by noncommercial aircraft is sometimes highly desirable--and items of equipment which must be moved, and oftentimes quickly, to or from locations where commercial service is unavailable or inadequate. Also, to adequately meet DEA's requirements, which are international in scope, the legislation should provide for international movements, such as those associated with our program in support of the Mexican Government's crop eradication program.

We appreciate the opportunity given us to comment on the draft report. Should you have any further questions, please feel free to contact us.

Sincerely,



Glen E. Pommerening
Assistant Attorney General
for Administration

NUMBER OF SEARCH AND RESCUE AIRCRAFT IN THE CONTINENTAL UNITED STATES
AS OF JUNE 30, 1975, BY TYPE AND OWNING SERVICE, AND THEIR RELATED
CAPITAL COST AND ESTIMATED ANNUAL OPERATING COSTS

Type aircraft	Coast Guard		Air Force		Navy		Total	
	Number on hand (note 2)	Estimated annual operating cost (note b) (millions)	Number on hand	Capital cost (note c) (millions)	Number on hand	Capital cost (millions)	Number on hand	Capital cost (millions)
Helicopters:								
UH-37/SH-3	29	\$12.9	24	\$ 19.0	6	\$ 9.2	59	\$22.0
HH-52	72	20.2	-	-	-	-	72	20.2
HH-53	-	-	6	13.4	-	-	6	13.4
HH-1	-	-	49	26.2	9/31	16.6	80	42.8
HH-46	-	-	-	-	29	41.0	29	41.0
	<u>101</u>	<u>\$40.1</u>	<u>79</u>	<u>\$ 58.6</u>	<u>66</u>	<u>\$66.8</u>	<u>246</u>	<u>\$187.0</u>
Fixed-wing:								
HC-130	14	\$12.9	29	\$ 79.6	-	-	43	\$114.4
HU-1F	26	9.4	-	-	-	-	26	13.0
	<u>40</u>	<u>\$22.3</u>	<u>29</u>	<u>\$ 78.6</u>	<u>-</u>	<u>-</u>	<u>69</u>	<u>\$127.4</u>
Total	<u>141</u>	<u>\$62.4</u>	<u>108</u>	<u>\$137.2</u>	<u>66</u>	<u>\$66.8</u>	<u>315</u>	<u>\$314.4</u>

a/Includes aircraft in overhaul, in contingency reserve, and used for support and training.

b/Includes cost of fuel, maintenance, and operating personnel.

c/Includes cost of fuel and maintenance but excludes operating personnel costs.

d/Includes cost of fuel and maintenance material but excludes both maintenance and operating personnel cost.

e/Includes four aircraft designated for replacement.

OTHER GAO REPORTS

RELATING TO MATTERS DISCUSSED

IN THIS REPORT

A Single Agency Needed to Manage Port-of-Entry Inspections--
Particularly at U.S. Ports (B-114898, May 30, 1973)

More Needs To Be Done to Reduce the Number and Adverse Impact
of Illegal Aliens In the United States (B-125051, July 31,
1973)

Federal Agencies Administering Programs Related to Marine
Science Activities and Oceanic Affairs (GGD-75-61, Feb. 25,
1975)

The Need for A National Ocean Program and Plan (GGD-75-97,
Oct. 10, 1975)

PRINCIPAL OFFICIAL RESPONSIBLE
FOR ADMINISTERING ACTIVITIES
DISCUSSED IN THIS REPORT

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

DEPARTMENT OF DEFENSE

SECRETARY OF DEFENSE:

Dr. Harold Brown	Jan. 1977	Present
Donald H. Rumsfeld	Nov. 1975	Jan. 1977
James R. Schlesinger	July 1973	Nov. 1975
William P. Clements, Jr. (acting)	Apr. 1973	July 1973

DEPUTY SECRETARY OF DEFENSE:

Charles W. Duncan, Jr.	Jan. 1977	Present
William P. Clements, Jr.	Jan. 1973	Jan. 1977

SECRETARY OF THE ARMY:

Clifford Alexander	Feb. 1977	Present
Martin R. Hoffman	Aug. 1975	Jan. 1977
Howard H. Callaway	July 1973	July 1975

UNDER SECRETARY OF THE ARMY:

Vacant	Jan. 1977	Present
Norman R. Augustine	May 1975	Jan. 1977
Vacant	Apr. 1975	May 1975
Herman R. Staudt	Oct. 1973	Apr. 1975

SECRETARY OF THE NAVY:

W. Graham Clayton, Jr.	Feb. 1977	Present
Gary D. Penisten (acting)	Feb. 1977	Feb. 1977
Joseph T. McCullum	Feb. 1977	Feb. 1977
David B. MacDonald	Jan. 1977	Feb. 1977
J. William Middendorf	June 1974	Jan. 1977
J. William Middendorf (acting)	Apr. 1974	June 1974
John W. Warner (acting)	May 1972	Apr. 1974

<u>Tenure of office</u>	
<u>From</u>	<u>To</u>

DEPARTMENT OF DEFENSE (continued)

UNDER SECRETARY OF THE NAVY:

R. James Woolsey	Mar. 1977	Present
David R. MacDonald	Sept. 1976	Feb. 1977
John Bowers (acting)	July 1976	Aug. 1976
Vacant	Mar. 1976	June 1976
David S. Potter	Aug. 1974	Mar. 1976
Vacant	June 1974	Aug. 1974
J. William Middendorf	June 1973	June 1974

SECRETARY OF THE AIR FORCE:

John C. Stetson	Apr. 1977	Present
John C. Stetson (acting)	Jan. 1977	Apr. 1977
Thomas C. Reed	Jan. 1976	Jan. 1977
James W. Plummer (acting)	Nov. 1975	Jan. 1976
John L. McLucas	July 1973	Nov. 1975
Vacant	June 1973	July 1973
Dr. Robert C. Seamans, Jr.	Feb. 1969	May 1973

UNDER SECRETARY OF THE AIR FORCE:

James W. Plummer	Dec. 1973	Present
Vacant	July 1973	Dec. 1973
John L. McLucas	Mar. 1969	July 1973

DEPARTMENT OF TRANSPORTATION

SECRETARY OF TRANSPORTATION:

Brock Adams	Jan. 1977	Present
William T. Coleman	Mar. 1975	Jan. 1977
John W. Barnum (acting)	Feb. 1975	Mar. 1975
Claude S. Brinegar	Feb. 1973	Feb. 1975
John A. Volpe	Jan. 1969	Feb. 1973

COMMANDANT OF THE COAST GUARD:

Admiral Owen W. Siler	May 1974	Present
Admiral Chester R. Bender	June 1970	May 1974

<u>Tenure of office</u>		
	<u>From</u>	<u>To</u>

DEPARTMENT OF JUSTICEATTORNEY GENERAL OF THE
UNITED STATES:

Griffin Bell	Jan. 1977	Present
Edward H. Levi	Feb. 1975	Jan. 1977
William B. Saxbe	Jan. 1974	Feb. 1975
Robert H. Bork, Jr. (acting)	Oct. 1973	Jan. 1974
Elliot L. Richardson	May 1973	Oct. 1973
Richard G. Kleindienst	June 1972	Apr. 1973

ADMINISTRATOR, DRUG ENFORCEMENT
ADMINISTRATION:

Peter B. Bensinger	Feb. 1976	Present
Peter B. Bensinger (acting)	Jan. 1976	Feb. 1976
Henry S. Dogin (acting)	May 1975	Jan. 1976
John R. Bartels, Jr.	Oct. 1973	May 1975
John R. Bartels, Jr. (acting)	July 1973	Oct. 1973

COMMISSIONER, IMMIGRATION AND
NATURALIZATION SERVICE:

Leonard F. Chapman, Jr.	Nov. 1973	Present
James F. Green (acting)	Apr. 1973	Nov. 1973
Raymond F. Farrell	Jan. 1962	Apr. 1973

DEPARTMENT OF THE TREASURY

SECRETARY OF THE TREASURY:

W. Michael Blumenthal	Jan. 1977	Present
William E. Simon	May 1974	Jan. 1977
George P. Shultz	June 1972	May 1974

COMMISSIONER, U.S. CUSTOMS
SERVICE:

Vernon D. Acree	May 1972	Present
-----------------	----------	---------