

June 1988

# DRUG INTERDICTION

## Operation Autumn Harvest: A National Guard-Customs Anti-Smuggling Effort



042314





United States  
General Accounting Office  
Washington, D.C. 20548

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**General Government Division**

B-230748

June 2, 1988

**Congressional Requesters:**

The National Defense Authorization Act for Fiscal Years 1988 and 1989 requires us to review the capabilities of the federal government to control drug smuggling into the United States.

This is one of three reports in response to that requirement. This report discusses Operation Autumn Harvest, a cooperative drug interdiction effort along the Arizona-Mexico border conducted by National Guard units from Arizona, Missouri, Utah, and Wisconsin and the U.S. Customs Service.

We are sending copies of this report to the Director, Office of Management and Budget; Chairman, National Drug Policy Board; Director, National Narcotics Border Interdiction System, Office of the Vice President; the Attorney General; the Secretaries of Defense and the Treasury; and other federal agencies involved in drug enforcement programs. We will make copies available to others upon request.

A handwritten signature in cursive script, reading 'Richard L. Fogel'.

Richard L. Fogel  
Assistant Comptroller General

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B-230748

List of Requesters

The Honorable John C. Stennis  
Chairman, Committee on Appropriations  
United States Senate

The Honorable Sam Nunn  
Chairman, Committee on Armed Services  
United States Senate

The Honorable Joseph R. Biden, Jr.  
Chairman, Committee on the Judiciary  
United States Senate

The Honorable Claiborne Pell  
Chairman, Committee on Foreign Relations  
United States Senate

The Honorable Joseph R. Biden, Jr., **Chairman**  
The Honorable Alfonse M. D'Amato, **Co-chairman**  
The Honorable Dennis DeConcini  
The Honorable Alan J. Dixon  
The Honorable Bob Graham  
The Honorable Frank H. Murkowski  
The Honorable Pete Wilson  
Caucus on International Narcotics Control  
United States Senate

The Honorable Jamie L. Whitten  
Chairman, Committee on Appropriations  
House of Representatives

The Honorable Les Aspin  
Chairman, Committee on Armed Services  
House of Representatives

The Honorable Dante B. Fascell  
Chairman, Committee on Foreign Affairs  
House of Representatives

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The Honorable Peter W. Rodino, Jr.  
Chairman, Committee on the Judiciary  
House of Representatives

The Honorable Charles B. Rangel  
Chairman, Select Committee on  
Narcotics Abuse and Control  
House of Representatives

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# Executive Summary

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## Purpose

During the month of September 1987, National Guard units from Arizona, Missouri, Utah, and Wisconsin, along with the U.S. Customs Service, conducted a cooperative drug interdiction operation along the Arizona-Mexico border. According to National Guard officials, this operation, conducted as a National Guard training exercise, was the largest of its kind involving the Guard to take place in the continental United States. The primary objective of the operation, called Operation Autumn Harvest, was to detect and apprehend smugglers bringing drugs across the Arizona-Mexico border in aircraft.

Increasing the role of the military, including the National Guard, in the war on drugs is an issue currently being debated by Congress. This report discusses our assessment of Operation Autumn Harvest, as required by section 1241 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (P.L. 100-180).

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## Background

During the 1980s, there have been increased calls for the military, including the National Guard, to provide greater assistance to federal drug interdiction efforts. In 1987, the National Guard Bureau issued a plan for increasing the level of Guard support to interdiction operations. Subsequently, the National Guard Adjutant General of Arizona initiated Operation Autumn Harvest.

In the operation, the Guard deployed four ground-based radar systems and personnel at four locations, providing a radar network that covered about 84 percent of the length of the Arizona-Mexico border. The radars operated nearly around-the-clock for 30 days to detect and identify suspect targets. Customs aircraft based in Phoenix and Tucson, Arizona, were used to intercept, track, and apprehend suspected smugglers.

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## Results in Brief

Operation Autumn Harvest did not meet its primary objective of interdicting drug smugglers, but it did provide valuable wartime readiness training, according to the National Guard. There were no drug interdictions as a result of the operation, but National Guard and Customs officials said the operation may have helped deter drug smuggling across the Arizona-Mexico border for a short period of time. Customs officials said that it may have indirectly led to some drug interdictions elsewhere.

The National Guard reported that the radar units identified 93 suspect targets meeting Customs' drug smuggling profile. Customs and/or Guard

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aircraft attempted to visually identify and intercept 33 of the 93 targets. Six targets were actually intercepted, and none were carrying drugs.

GAO's review showed that Operation Autumn Harvest was not adequately coordinated and that Customs was not sufficiently involved in the planning.

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## GAO's Analysis

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### Factors Affecting Results

Various factors—premature newspaper publicity, limited coordination, inadequate radar capability—and the absence of full-time Customs interceptor aircraft in close proximity to the radar sites limited the operation's potential for interdicting drug smugglers.

The National Guard Bureau Public Affairs Office, in response to newspaper inquiries, disclosed information about Operation Autumn Harvest during the first week of the operation. Two Arizona newspapers then reported details of the operation, and the element of surprise was virtually eliminated. Customs concluded that "publicity probably defeated the purpose of this operation within the first week."

Although the Arizona National Guard and Customs discussed plans for the operation 2 months before it was implemented, the extent of the coordination that took place was limited. According to Customs officials, they were not sufficiently involved in the planning of Operation Autumn Harvest. Customs and Arizona Guard officials agreed that Guard personnel did not have sufficient knowledge of how Customs operates and what types of targets Customs was interested in. In addition, the National Narcotics Border Interdiction System, which is charged with coordinating multi-agency interdiction efforts, was never involved in Autumn Harvest.

Both National Guard and Customs officials agree that the use of ground-based radar proved to be inadequate for this operation. They reported that radar coverage at low elevations was limited by the mountainous terrain and as a result, the radar was ineffective at the low altitudes typically used by airborne drug smugglers. They also reported that radar units were often unable to hold a target long enough for Customs' interceptor aircraft to respond.

Customs did not assign interceptor aircraft full-time to the operation and deploy them close to the radar sites which limited their ability to respond quickly when the guard identified suspected air smugglers. Because of limited personnel, Customs kept its interceptor aircraft based in Phoenix and Tucson, Arizona, to respond to other suspect targets identified by Customs' own radar facilities. Customs officials said devoting aircraft to the operation full-time for 30 days would have left large areas of the U.S.-Mexico border open to drug smugglers.

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### Agency Assessments of the Operation

Customs officials said it was obvious throughout the operation that the outcome would be less than a total success, citing the above factors. However, they told GAO that the operation was a good learning experience for conducting such large-scale cooperative operations, and they commended the National Guard for a high degree of enthusiasm and motivation.

Guard officials, while recognizing that they did not meet their primary objective of interdicting drug smugglers, viewed the operation as a valuable training exercise. They said that the operation provided Guard personnel with supplemental training in addition to that required to maintain combat readiness. The Guard said that the operation provided interest and a sense of purpose to Guard personnel, and morale was high.

### Recommendations

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GAO is making no specific recommendations in this report. However, the experience of Autumn Harvest provides a valuable lesson for future joint civilian-military drug interdiction operations. That lesson is the importance of coordination and planning from the beginning among all appropriate agencies.

Within this context, if additional operations like Autumn Harvest are undertaken,

- the National Narcotics Border Interdiction System should be included in the planning;
- personnel and equipment needs should be carefully determined in advance, and if equipment or personnel are inadequate, consideration should be given to not conducting the operation; and
- the planning should sufficiently address all operational matters so that personnel involved have a clear understanding of who is in charge and what criteria and procedures are to be used during the operation.



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In summary, joint civilian-military efforts to interdict drug smugglers may be beneficial, but careful planning and cooperation is needed to avoid wasting resources.

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## Agency Comments

GAO did not obtain official agency comments. GAO discussed the facts contained in the report with National Guard and Customs officials involved in Operation Autumn Harvest and with National Guard Bureau and Customs headquarters officials, who generally agreed with the facts presented.

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## Abbreviations

GAO	U.S. General Accounting Office
NNBIS	National Narcotics Border Interdiction System

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# Introduction

During the 1980s, the National Guard's involvement in our Nation's anti-drug efforts has increased. One such effort conducted in September 1987 was Operation Autumn Harvest, a cooperative operation between the U.S. Customs Service and National Guard units from Arizona, Missouri, Utah, and Wisconsin. This was the largest operation of its kind involving the Guard to take place in the continental United States. This operation was a National Guard training exercise designed to interdict<sup>1</sup> and apprehend smugglers flying drugs into the United States across the Arizona-Mexico border.

This report discusses our assessment of Operation Autumn Harvest, as required by the National Defense Authorization Act for Fiscal Years 1988 and 1989 (P.L. 100-180). It is one of three reports in response to section 1241 of the act requiring us to review the capabilities of the federal government to control drug smuggling into the United States.

## Evolving Role of the National Guard in Assisting Civilian Drug Enforcement

The National Guard is different from other military service components because it has both a federal and state mission. The federal mission is to augment the active forces of the United States in time of war or national emergency. The state mission is to provide protection of life, property, preservation of peace, and public safety. In recent years the National Guard has played an increasing role in providing personnel and equipment to assist civilian law enforcement agencies in drug abuse control. This increase was facilitated by Congress' desire for greater military involvement to help stem the flow of drugs into the United States.

In November 1982, the National Governors' Association, in cooperation with the federal government, formed the "Governors' Project" to increase intergovernmental cooperation in the Nation's efforts to control illegal drugs. The Governors' Project recommended increased use of military assets, specifically those of the National Guard, for drug control. In November 1983, the National Governors' Association co-sponsored "A Roundtable Discussion on the Use of the Military in the Control of Illegal Drugs," with about 200 federal, state, and local officials participating.<sup>2</sup> A particular focus of the roundtable was the role of the National Guard

<sup>1</sup>Drug interdiction consists of the detection and interception of illegal drug shipments coming to the United States via land, sea, or air. The U.S. Customs Service has primary responsibility for all aspects of air interdiction along the southwest land border.

<sup>2</sup>A Roundtable Discussion on the Use of the Military in the Control of Illegal Drugs: A Report of the Proceedings, January 1984, co-sponsored by the National Governors' Association, Department of Justice, National Criminal Justice Association, National Guard Association of the United States, and State Drug Enforcement Alliance.

and how its equipment and personnel could be used in providing greater assistance to civilian drug law enforcement efforts.

Consistent with the call for increased anti-drug involvement, the National Guard Bureau<sup>3</sup> expressed a commitment for the National Guard to support federal, state, and local drug law enforcement efforts. The Bureau has encouraged drug law enforcement assistance as long as it does not detract from training for the Guard's wartime mission. Past assistance has included the observation and reporting of suspected marijuana fields; transporting law enforcement personnel and confiscated drugs; using Guard personnel and equipment on surveillance operations to detect drug smugglers; and loaning specialized equipment (e.g., night vision goggles, fuel trucks).

In May 1987, the National Guard Bureau issued a plan at the request of the House Armed Services Committee for increasing the level of Guard support to drug interdiction operations. The plan identifies available equipment, personnel, and the types of activities that can be undertaken incidental to training without additional funding. It also identifies support that could be provided with increased funding.

The Department of Defense Appropriations Act for fiscal year 1987 (P.L. 99-591) included funds in the Army and Air National Guard operation and maintenance accounts that the House and Senate conferees intended for use in support of civilian drug interdiction efforts.

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## Objectives, Scope, and Methodology

During September 1987, National Guard units from Arizona, Missouri, Utah, and Wisconsin, in cooperation with the U.S. Customs Service, conducted a joint drug interdiction operation (Operation Autumn Harvest) along the Arizona-Mexico border. Section 1241(a)(4) of the National Defense Authorization Act for Fiscal Years 1988 and 1989 requires that we assess the results of Operation Autumn Harvest and include in our assessment information relating to the cost of the operation, the personnel and equipment used, the command and control relationships, and any legal issues involved.

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<sup>3</sup>The National Guard Bureau within the Department of Defense administers and coordinates the federal mission in both the Army National Guard and the Air National Guard. The bureau is the operating agency that provides the interface between the states and the Departments of the Army and the Air Force. The Navy and Marine Corps have no units in the National Guard.

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We were unable to observe the operation or develop data collection procedures while it was underway because the requirement for our assessment came after the operation was completed. The operation was conducted in September 1987, and the act requiring our assessment was passed on December 4, 1987.

To assess the results of Operation Autumn Harvest, we relied primarily on three reports<sup>4</sup> from the involved agencies that evaluated the results of Operation Autumn Harvest and on interviews with knowledgeable officials to confirm, clarify, and elaborate on the reported information.

To assess the cost of the operation, we asked the National Guard and Customs to provide cost information. We did not independently verify this information because supporting data were not readily available.

To assess the personnel and equipment used and the command and control relationships, we examined National Guard and Customs records and reports related to the operation and interviewed officials with knowledge of the operation.

To assess any legal issues involved, we reviewed the application of the Posse Comitatus Act (18 U.S.C. 1385), which restricts military involvement in civilian law enforcement activities, to the Guard's proposed involvement in the operation.

Records were reviewed and interviews were conducted with knowledgeable officials at Headquarters, Army and Air National Guard of Arizona, in Phoenix, Arizona; the U.S. Customs Service office in Phoenix and Tucson, Arizona; Customs Aviation Operations (West), at March Air Force Base, Riverside, California; and the National Guard Bureau in Washington, D.C. We also contacted regional and headquarters officials of the National Narcotics Border Interdiction System (NNBIS) in Houston, Texas, and Washington, D.C., respectively. We did not contact National Guard officials from Missouri, Utah, and Wisconsin.

We did not obtain official agency comments because of time constraints, but we did discuss the facts contained in the report with National Guard and Customs officials involved in Operation Autumn Harvest and with

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<sup>4</sup>Arizona National Guard After Action Report, November 20, 1987; United States Customs Service Effectiveness Report, October 16, 1987; and United States Customs Service Trip Report, October 8, 1987.

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National Guard Bureau and Customs headquarters officials. They generally agreed with our presentation of the facts, and we included their comments and clarifications where appropriate.

We did our audit work in January and February 1988 and in accordance with generally accepted government auditing standards.

# Operation Autumn Harvest

On September 1, 1987, National Guard units from Arizona, Missouri, Utah, and Wisconsin, in cooperation with the U.S. Customs Service, initiated a 30-day drug interdiction effort named Operation Autumn Harvest along the Arizona-Mexico border. The operation was conceived of and planned by the Arizona National Guard as a training exercise to implement the National Guard Bureau's May 1987 plan for an increased level of Guard support to civilian law enforcement agencies in drug interdiction efforts. Typically, such drug interdiction operations are initiated and planned by civilian law enforcement agencies that have the necessary drug law enforcement expertise essential to plan and lead them.

The objective of Operation Autumn Harvest was to detect and apprehend smugglers bringing drugs across the Arizona-Mexico border in aircraft. To accomplish this objective, the Guard deployed four ground-based radars to detect suspected airborne drug smugglers. Information on aircraft detections was relayed to Customs for interception and apprehension of suspected smugglers. One of the radar sites functioned as the operation's command and control center where the decision was made whether to launch Customs' pursuit aircraft.

The operation cost approximately \$960,000, consisting of \$881,535 estimated by the Guard and \$75,000 to \$85,000 estimated by Customs for their respective participation. The cost of the operation was 100 percent federally funded. According to the Arizona Guard, the operational plan was reviewed by the Arizona Judge Advocate General's Office for specific legal impediments, and none were found.

## Plan Developed by Arizona National Guard

Operation Autumn Harvest was planned by the Arizona National Guard with limited involvement by Customs. According to Customs officials, Customs was not involved in the initial concept planning and only became involved to a limited degree when operational details were being considered.

In February 1987, a National Guard Bureau ad hoc drug interdiction working group developed options for conducting drug interdiction operations involving National Guard assistance to civilian law enforcement agencies. The Arizona Adjutant General, Commander of both Air and Army National Guard units in the State of Arizona, was a member of the working group. On the basis of the concepts developed by the working group, the Adjutant General directed the Arizona Guard to plan and carry out a large-scale, joint drug interdiction operation with civilian law enforcement agencies.



In March 1987, the 107th Tactical Control Squadron of the Arizona Air National Guard developed the original concept plan for Operation Autumn Harvest. The plan called for deployment of between two and five Air National Guard ground-based radar units near the Arizona-Mexico border to detect and track for interception aircraft smuggling illegal drugs from Mexico. Two months later, following Guard headquarters review and discussion of the plan, it was revised by the 107th to integrate the use of the Air and Army National Guard personnel and equipment in a combined effort with Customs.

The 107th subsequently prepared an operational plan in July 1987 establishing objectives, responsibilities, timing, schedules, logistical support, and operational data for the exercise. The primary mission of the operation, as cited in the operational plan,<sup>1</sup> was "to counter low flying drug traffic penetrating the Mexico/US border using ANG (Air National Guard) radars, U.S. Customs aircraft, and other forces as necessary." The plan was approved by Arizona National Guard headquarters and by the National Guard Bureau in Washington, D.C.

Operation Autumn Harvest was designed to use Air Guard personnel in federally funded training status to operate four TPS-43E ground-based radars to detect and identify suspected airborne drug smugglers and to relay this information to Customs, which would launch aircraft to track, intercept, and apprehend drug smugglers. The radars were located at four Arizona sites close to the Arizona-Mexico border (near the towns of Ajo, Douglas, Sells, and Yuma) covering certain locations, several of which Customs had identified to the Guard as favorite pathways of airborne drug smugglers into the United States. The radars provided a radar network covering approximately 84 percent of the length of the Arizona-Mexico border to varying elevations and ranges depending on the topography of the border area. The radars operated nearly 24 hours a day for 30 days. Air Guard radar unit personnel from Arizona, Missouri, Utah, and Wisconsin participated in the operation.

Senior Arizona Guard officials told us Operation Autumn Harvest was the largest Guard deployment of tactical radar systems in the continental United States as part of military training in support of drug interdiction. They also said it was the first time that both Arizona Air and Army Guard units had worked with Customs in a cooperative drug interdiction operation, and it represented the largest interdiction operation involving

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<sup>1</sup>The Arizona Air National Guard 107th Tactical Control Squadron Operations Plan 5-87.

the Guard ever undertaken in the state of Arizona in terms of the number of personnel involved and the duration.

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## National Guard's Role

Air National Guard units from Arizona, Missouri, Utah, and Wisconsin provided and manned the four ground-based radar sites, microwave communication links<sup>2</sup> between radar sites, and radio facilities to communicate with Arizona Army Guard helicopters and Customs aircraft. The Arizona Army Guard provided helicopters to aid in visually identifying suspect aircraft and also provided logistical services and support equipment.

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## Personnel and Equipment

Personnel and equipment for the three radars provided by Air Guard units from Missouri, Utah, and Wisconsin were airlifted into Arizona on a C-5A and two C-141 aircraft belonging to the U.S. Air Force. The Arizona Air Guard provided the fourth radar and the communications network. Personnel totaling 84 Air National Guard (80 enlisted and 4 officers) from the four states were involved in Operation Autumn Harvest, according to an Arizona Air Guard after-action report.

The Arizona Army Guard provided UH-1H helicopters to assist Customs in visually identifying suspect aircraft picked up on radar. The operational plan called for one helicopter at each of the four radar sites. The plan was followed for the first 5 days; however, for the remaining 25 days only two helicopters were available due to a shortage of available flying hours. One was assigned to the Douglas site, the area of greatest suspect aircraft activity, while the other was rotated among the three other radar sites.

Additionally, the Arizona Army Guard provided a variety of logistical support equipment, including such items as 2-1/2 ton trucks, 400 gallon potable water trailers, and aircraft fuel tankers. The Army Guard also set up cargo storage sites supporting the areas of operation. The number of Arizona Army Guard personnel involved in the operation at any given time ranged from a high of 51 to a low of 15, according to an Arizona Army Guard official.

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<sup>2</sup>Microwave communication—a secure communications system—was used between three of the radar sites. Because of the distance and cost, commercial telephone lines were used to communicate with the fourth radar site near Douglas. High-frequency radios provided backup communications.

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## Customs' Role

Customs' participation in Operation Autumn Harvest was conducted essentially as part of its normal schedule. Customs' planned role in the operation was to help identify potential targets and then to track, intercept, and apprehend the suspects. Customs assigned personnel to the command post near Ajo to identify suspect radar targets and notify Customs air units in Tucson and Phoenix to launch aircraft. Customs' plan called for its aircraft support to be as close to normal daily operations as possible. Standby aircraft and crews, with the capability to launch in 8 minutes, were available to the operation 16 hours a day (4:00 p.m. to 8:00 a.m.). Between 8:00 a.m. and 4:00 p.m. (a period that Customs officials said has less smuggling activity), aircraft and crews were on call and capable of launching in 30 minutes, according to a Customs Air official.

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## Personnel and Equipment

Few additional personnel were provided. Five Customs personnel (three detection system specialists and two supervisory agents) were assigned to the command post near Ajo, and several additional personnel were assigned to the Tucson and Phoenix air units, according to Customs air officials.

Customs used a variety of fixed-wing aircraft and helicopters in the operation. P-3 and E-2C detection aircraft tracked suspect aircraft using radar until intercept aircraft could be guided to the target. Cessna Citation (Jet) and Cheyenne Piper (Turbo Prop) interceptor aircraft took over for the slower detection aircraft to identify and, as necessary, continue to track the targets on radar or infrared sensors (used at night) to their final destination. Other aircraft were available to carry Customs law enforcement personnel, referred to as the "bust group," to the final destination to search, seize, and apprehend. The planes available for this task were the B200 (C-12) Army Beechcraft Turbo Prop, King Air E90 Turbo Prop, Cessna 404 conventional twin-engine, Cessna 210 single-engine, and two Blackhawk helicopters.

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## Command and Control Relationships

The Ajo, Arizona, radar site was designated as the command post for the operation. The function of this site was to coordinate the operation of the ground radar units and to decide whether Customs pursuit aircraft should be launched. The other three radar sites reported potential targets to the command post.

Customs representatives at the command post evaluated each target to determine if it fit the criteria Customs had developed to identify a drug

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smuggler aircraft (i.e., altitude, speed, heading, point of initial detection). If so, they notified either the Tucson or Phoenix Customs' air unit locations to launch pursuit aircraft to intercept the suspect radar target. The Ajo Command Post and Customs air units also coordinated with Customs' Regional Operations Control Center located at March Air Force Base in Riverside, California, to obtain data on suspect aircraft, such as registration and flight plan information.

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## NNBIS Not Involved in Planning and Coordination

Neither the National Guard nor Customs involved the National Narcotics Border Interdiction System (NNBIS) in the planning of Operation Autumn Harvest. NNBIS is a coordinating body located within the office of the Vice President that facilitates multi-agency drug interdiction operations. NNBIS' primary objectives include coordinating cooperative interdiction efforts involving federal, state, and local agencies and facilitating the contributions of military and National Guard resources in anti-drug efforts.

NNBIS headquarters officials said that NNBIS should have been advised of and involved in the development of Operation Autumn Harvest. They stated that involving NNBIS would have brought additional drug law enforcement expertise to the operation and provided more comprehensive coordination and planning. They further said that the National Guard should be encouraged to use NNBIS not only to facilitate greater coordination for a specific operation, but also to ensure that planned operations are not in conflict with or counterproductive to other drug law enforcement operations.

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## Cost of Operation

Estimated costs for Operation Autumn Harvest, which was 100 percent federally funded, amounted to approximately \$960,000. National Guard summary documents on the cost of the operation showed total National Guard estimated costs were \$881,535. This figure included costs for the Arizona, Missouri, Utah, and Wisconsin Air Guard units as well as for the Arizona Army Guard. Customs did not keep separate cost records for the operation, but it estimated final costs at between \$75,000 and \$85,000.

All National Guard personnel expenses were paid for out of federal training funds, according to Arizona Guard officials. Guard summary records for each Guard unit's estimated costs are shown in table 2.1.

**Table 2.1: National Guard's Estimated Costs for Operation Autumn Harvest**

<b>Guard unit</b>	<b>Cost</b>
Arizona Air Guard	\$251,090
Arizona Army Guard	137,445
Utah Air Guard	162,100
Missouri Air Guard	147,100
Wisconsin Air Guard	183,800
<b>Total</b>	<b>\$881,535</b>

Source: National Guard

The National Guard said that they encountered initial funding difficulties in implementing Operation Autumn Harvest. According to Guard officials, the Guard requires funds for its drug interdiction support efforts from two separate appropriation accounts: operation and maintenance; and personnel, pay, and allowances. Although funds from the operation and maintenance account were available for the equipment costs, personnel training funds were not available until the cancellation of a regularly scheduled overseas training exercise.

Customs did not keep separate cost data for Operation Autumn Harvest. A Customs National Finance Center official told us that the cost code used by Customs personnel involved in the operation is a general code that merges many different unrelated costs. A Customs Aviation Operations official estimated that the total cost of Customs' personnel and equipment used was between \$75,000 and \$85,000.

## Legal Issues

Two legal issues were considered by the Arizona National Guard in conjunction with Operation Autumn Harvest. The first concerned the possible application of the Posse Comitatus Act (as discussed below) to the Guard's activities in the operation. The second involved the Guard's negotiation of land use agreements for the placement of some of the radar sites. The Arizona National Guard Judge Advocate General's Office reviewed the operational plan and concluded that the Guard was not subject to Posse Comitatus restrictions during the operation and that the land use agreements were legally proper. We agree with the Guard's position regarding Posse Comitatus. We did not review the legality of the land use agreements.

The scope of federal military involvement in civilian law enforcement activities is limited by the Posse Comitatus Act (18 U.S.C. 1385) and legislation enacted in 1981, known as the Posse Comitatus Amendments

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(10 U.S.C. 371 to 378). Department of Defense regulations interpret the act as precluding the military services from (1) interdicting a vehicle, vessel, or aircraft; (2) search and seizure; (3) arresting, stopping and frisking, or other similar activity; and (4) providing personnel for surveillance or pursuit of individuals, or as informants, undercover agents, investigators, or interrogators.

The National Guard as state instrumentalities are not subject to Posse Comitatus restrictions except when called into active federal service. When in active federal service the National Guard is subject to the laws and regulations applicable to the Armed Services. However, even though the federal government provides funds and supplies to the National Guard for training, the Guard is regarded as part of the state militia rather than in the federal service when in training status. According to National Guard Bureau officials, although the Guard is not bound by Posse Comitatus unless in active federal service, Guard personnel, when assisting civilian law enforcement agencies, are prohibited from direct enforcement activities, such as arrest, search, and seizure.

# Results of Operation Autumn Harvest

Suspect targets were identified, but no drug smugglers were apprehended or drugs seized in Operation Autumn Harvest. Various factors limited the operation's potential for interdicting drug smugglers, including premature newspaper publicity, limited coordination between the Guard and Customs, inadequate radar capabilities, and the absence of full-time Customs interceptor aircraft in close proximity to the radar sites. While there were no drug interdictions, National Guard and Customs officials said the operation may have helped deter drug smuggling across the Arizona-Mexico border for a period of time. National Guard officials also stated that Guard personnel received valuable training that supplemented their required combat readiness training.

## Suspect Targets Identified but No Smugglers Apprehended or Drugs Seized

The National Guard reported that the ground-based radars identified 93 suspect targets meeting Customs' drug smuggling profile (i.e., heading, speed, altitude, and point of initial detection) during the 30-day operation. According to an Air Guard after-action report, Customs and/or National Guard aircraft attempted to visually identify and potentially intercept 33 of the 93 targets. Six of the 33 suspect aircraft targets were actually intercepted by Customs, but none of them were found to be smuggling drugs.

Customs officials said they could not confirm that 93 suspect aircraft targets met the drug smuggling profile. They agreed, however, that six interceptions had occurred with no drug interdictions taking place.

Guard and Customs officials also agreed there were few interceptions because many potential targets faded from the radar screen. In some instances, interceptions were not attempted due to "fast fades." At other times, Customs' interceptors did not arrive or locate the target before the radar lost contact with the suspect aircraft.

Although no drug interdictions were made, both Customs and National Guard officials believe newspaper publicity about Operation Autumn Harvest, while it may have hindered drug interdictions, probably served as a deterrent to air smuggling across the Arizona-Mexico border. Customs officials told us that there were two apprehensions by Customs air units in New Mexico that they speculated may have occurred because the smugglers were flying around the operation's radar net along the Arizona border.

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## Factors Affecting Interdiction Results

The National Guard and Customs assessed the results of Operation Autumn Harvest and identified a variety of factors that limited the operation's potential for interdicting drug smugglers.

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## Premature Newspaper Publicity

A Customs' effectiveness report stated: "Publicity probably defeated the purpose of this operation within the first week. Front page newspaper articles most likely deterred any smuggler that could read from operating during the deployment."

The Guard's operational plan for Autumn Harvest called for "the secure planning and conduct of operations." Nevertheless, the National Guard Bureau Public Affairs Office, in response to an Arizona newspaper reporter's request, disclosed details of the operation shortly after it began, including the fact that radar systems were being used to intercept aerial smugglers along the Arizona-Mexico border. The information was published in Arizona's two largest newspapers, with the first article appearing on September 5, 1987. The news articles also discussed the fact that the operation was supposed to be carried out in secrecy.

National Guard and Customs officials agree that newspaper disclosure was premature. In an after-action report following the operation, the Guard reported that the disclosure foiled the initial objective of apprehension, which depends on the element of surprise, and forced the operation to pursue a secondary goal of deterrence. A Guard official told us that many people in the National Guard had knowledge of the operation, and this made it difficult to keep the operation a secret. The Customs effectiveness report stated that "ineffectiveness of the operation was probably due to the premature local and national news releases." In addition, Guard and Customs officials agreed that obtaining land use agreements for the radars, making lodging and transportation arrangements, and sending a large influx of Guard personnel into small towns also drew public attention to the operation.

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## Limited Coordination Between Participants

Although the Arizona National Guard and Customs discussed plans for the operation 2 months before it was implemented, the extent of the coordination that took place was limited. According to Customs officials they were not sufficiently involved in the planning of Operation Autumn Harvest. Customs and Arizona Guard officials agreed that Guard personnel did not have sufficient knowledge of how Customs operates and what types of targets Customs was interested in.



A Customs after-action report stated that Customs detection systems specialists assigned to the operational command center near Ajo, Arizona, found that the criteria and methods being used by Guard personnel to select targets picked up on the radar were not consistent with Customs' criteria and methods. The report stated that the Customs specialists initially encountered resistance to their guidance when they told Guard personnel how the radar operation should be run. The report also said "the authority on site to decide how the operation was to be run was unclear."

In the Customs report, the specialists recommended that in any future operations at least one Customs specialist should be at each radar site to facilitate the sorting of targets and to provide target information to Customs aircraft. They also recommended that a Customs representative explain precisely what types of targets Customs is interested in to personnel from other agencies involved in any future interdiction operations. Arizona Guard officials agreed that there were certain aspects of Customs' procedures for the selection of targets that they did not understand before the operation.

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### Inadequate Radar Capability

Both National Guard and Customs officials agree that the use of ground-based radar proved to be inadequate for this operation. They reported that the ground-based radar coverage was limited by the mountainous terrain of the area, and as a result, the radar was ineffective at the low altitudes typically used by airborne drug smugglers. They also reported that the terrain caused clutter on the radar screen making it difficult for the radar operators to identify low-flying targets.

Moving the radar units periodically might have increased the chances of apprehending drug smugglers. According to Customs officials, deploying ground-based radars in one location for 30 days was not an effective use of the radar. Both Guard and Customs reports indicate that moving the units would have provided greater geographic coverage (especially considering the mountainous terrain) and would have maintained more of an element of surprise. In discussing lessons learned, a Guard report suggested relocation every 5 to 7 days to establish a roving radar net.

Customs and Guard reports stated that the radar units were often unable to hold a target long enough for Customs interceptors to respond from their home bases in Tucson and Phoenix. The Arizona Air Guard reported in its after-action report that with drug smugglers flying low and slow, their radar echoes appeared momentarily (2 to 5 minutes)

while the suspect aircraft climbed over mountains, and then disappeared as the aircraft descended into valleys. According to the Guard report, Customs aircraft would need to respond more quickly to make an interception and should have avionics equipment on board to help acquire and track the target.

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### Customs Interceptor Aircraft Not Assigned Full-Time to Operation Autumn Harvest

Customs did not assign interceptor aircraft full-time to the operation and deploy them close to the radar sites. This limited their ability to respond more quickly when the Guard identified suspected air smugglers.

The Guard after-action report concluded that deploying ground-based radars for apprehending drug smugglers without fast-reacting initial interceptor support available will probably result in many detected but unidentified targets, as was the case in Operation Autumn Harvest. Customs detection system specialists recommended in their report that interceptors be deployed for a shorter response time in any future operations.

Customs air officials said they did not have enough personnel to devote aircraft full-time to Operation Autumn Harvest for a 30-day period. Customs decided to keep aircraft based at the Tucson and Phoenix air units so they would be in a better position to respond to all of Customs' responsibilities, rather than moving the planes closer to the Guard's radar sites. The aircraft available to support the operation were responsible for responding to targets picked up by Customs' own radar facilities at March Air Force Base in Riverside, California, and in Albuquerque, New Mexico. The Customs officials said devoting aircraft full-time to Operation Autumn Harvest would have left large areas of the U.S.-Mexico border open to drug smugglers for a long period of time.

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### Guard's Assessment of the Operation

Arizona National Guard officials believe the training received during Operation Autumn Harvest was valuable. Arizona Guard officials told us the training is relevant to the Guard's wartime mission, and that it was over and above the training required and received for maintaining combat readiness. The Guard said that morale during the operation was high, with the nature of the operation providing interest and sense of purpose to involved personnel.

Guard officials said that in many respects the training was considered to be a realistic simulation of a wartime mission, and that some personnel

received training that is seldom available. For example, the Guard reported that planners were afforded the opportunity to develop an operation plan and execute it; the airlift of personnel and equipment provided realistic training that is difficult to obtain; radar surveillance operators received exceptional training in a live-flying aircraft environment; helicopter pilots and ground control radar personnel had an opportunity to work together; and site supervisors were exposed to real-life operational problems.

However, Arizona Air Guard officials told us that personnel did not receive training in all of the functions of the TPS-43E radar unit and that the training that was received was less than what is optimum for the Guard's wartime mission. The readiness of the radar unit requires practicing each of four basic functions: air surveillance, track identification, aircraft control, and battle management. In Operation Autumn Harvest, the aircraft control and battle management functions, as well as most aspects of the air surveillance function, were not exercised. Guard officials said that the type of radar training received during the operation "can supplement, but cannot supplant," the normal training necessary for combat readiness.

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## Customs' Assessment of the Operation

Customs, in reports assessing Operation Autumn Harvest, stated that better radar coverage, more extensive coordination with the Guard, and less publicity would have contributed to the increased possibility of apprehending and arresting drug smugglers. One report stated that throughout the operation it was obvious that the outcome would be less than a total success. Specifically cited were the inadequacy of the Guard's radar in the mountainous environment and the difficulty of keeping the operation quiet with premature local and national news releases.

Customs also reported that more extensive coordination with the National Guard could have prevented several problems encountered during the operation relating to radar target selection criteria and operational procedures. However, Customs commended Guard personnel for their enthusiasm and motivation throughout the operation. Customs recommended for any future cooperative interdiction operations with other agencies that a Customs representative "educate" the agencies on Customs' target selection criteria and operational procedures.

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## Conclusions

Operation Autumn Harvest did not meet its primary objective of interdicting drug smugglers. A variety of factors limited the chances for achieving that objective, including premature newspaper disclosure during the first week of the operation; limited coordination between the Guard and Customs concerning target criteria and methods of operation; the inadequate capabilities of the ground-based radar for detecting low flying smuggler aircraft in a mountainous environment; and the absence of full-time Customs interceptor aircraft in close proximity to the radar sites.

Operation Autumn Harvest was essentially a state initiated, National Guard military training operation with a drug interdiction mission. Therefore, there was a need for the complete involvement of Customs in the planning and execution of the operation. Our review showed that Operation Autumn Harvest was not adequately coordinated and Customs was not sufficiently involved in the planning. The operation appears to have been somewhat valuable as a military training exercise, but not as a drug interdiction operation.

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## Observations

We are making no specific recommendations in this report. However, we believe that the experience of Autumn Harvest provides a valuable lesson for future joint civilian-military drug interdiction operations. It is important that good coordination and planning be carried out from the beginning among all appropriate agencies. This was not the case with Autumn Harvest. We believe the following observations concerning several aspects of planning and coordination should be considered if additional operations like Autumn Harvest are undertaken.

First, NNBIS should be advised and included in the planning of any large-scale drug interdiction operation. NNBIS' primary objectives include coordinating cooperative interdiction efforts involving federal, state, and local agencies; and facilitating the contributions of military and National Guard resources in anti-drug efforts. NNBIS was not involved in Operation Autumn Harvest. Involving NNBIS could have contributed to Operation Autumn Harvest by providing more comprehensive coordination and planning. NNBIS headquarters officials concurred that NNBIS should have been advised of and involved in the development of the operation.

Second, personnel and equipment needs for operations such as Autumn Harvest should be carefully determined in advance, and if equipment or personnel are inadequate or unavailable, consideration should be given to not conducting the operation. In Autumn Harvest, the ground-based

radar was inadequate to detect low flying suspect aircraft in mountainous terrain. In addition, Customs' interceptor aircraft were based too far away to respond rapidly to intercept suspect smuggler aircraft. Because of limited personnel resources, conducting the operation for 30 days precluded Customs from providing full-time interceptor aircraft support close to the areas covered by the radar.

Third, the planning for large-scale operations such as Autumn Harvest should sufficiently address all operational matters so that personnel involved have a clear understanding of who is in charge and what criteria and procedures are to be used during the operation. Because of a lack of coordination in Operation Autumn Harvest, there was initial confusion at the operational command center as to who was in charge—Customs or Guard personnel. Throughout the operation the Guard lacked an understanding of Customs' criteria and methods of operation for identifying and selecting suspect smuggler aircraft.

In summary, joint civilian-military efforts to interdict drug smugglers may be beneficial, but careful planning and coordination is needed to avoid wasting resources. In Autumn Harvest, this might have resulted in decisions to (1) periodically move ground-based radars to minimize restrictions imposed by the mountainous terrain; (2) station Customs specialists with all radar units; and/or (3) shorten the duration of the operation so that Customs could assign interceptor aircraft full-time to the operation and deploy them closer to the radar sites enabling them to respond more quickly when the Guard identified suspected air smugglers.

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