

STATEMENT  
OF  
REAR ADMIRAL NORMAN C. VENZKE  
CHIEF, OFFICE OF OPERATIONS,  
U. S. COAST GUARD  
BEFORE THE  
HOUSE JUDICIARY COMMITTEE  
SUBCOMMITTEE ON CRIME

JULY 28, 1983

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, IT IS A PLEASURE TO APPEAR BEFORE YOU TODAY AND TO REPORT ON THE STATUS OF IMPLEMENTATION OF SECTION 905 OF PUBLIC LAW 97-86 RELATING TO MILITARY COOPERATION WITH CIVILIAN LAW ENFORCEMENT AGENCIES, FROM A COAST GUARD PERSPECTIVE.

THE ADDITION OF SECTION 905 TO THE DEPARTMENT OF DEFENSE AUTHORIZATION ACT OF 1982 ESTABLISHED A NEW CHAPTER 18 OF TITLE 10, UNITED STATES CODE, WHICH CLARIFIES AND AUTHORIZES MILITARY COOPERATION WITH CIVILIAN LAW ENFORCEMENT OFFICIALS. MORE SPECIFICALLY, THIS SECTION:

- AUTHORIZES THE SECRETARY OF DEFENSE TO PROVIDE ANY INFORMATION COLLECTED DURING THE NORMAL COURSE OF MILITARY OPERATIONS WHICH MAY BE RELEVANT TO A FEDERAL OR STATE LAW VIOLATION TO FEDERAL, STATE OR LOCAL LAW ENFORCEMENT OFFICIALS WITHIN THEIR JURISDICTION. (10 USC 371)
- AUTHORIZES THE SECRETARY OF DEFENSE TO MAKE ARMY, NAVY, AIR FORCE, AND MARINE CORPS EQUIPMENT, BASES AND RESEARCH FACILITIES AVAILABLE TO CIVILIAN ENFORCEMENT OFFICIALS FOR LAW ENFORCEMENT PURPOSES. (10 USC 372)
- AUTHORIZES THE TRAINING BY MEMBERS OF THE ARMY, NAVY, AIR FORCE OR MARINE CORPS OF CIVILIAN LAW ENFORCEMENT OFFICIALS IN THE OPERATION AND MAINTENANCE OF MILITARY EQUIPMENT PROVIDED FOR USE IN LAW ENFORCEMENT OPERATIONS, AND TO PROVIDE EXPERT ADVICE. (10 USC 373)
- AUTHORIZES THE SECRETARY OF DEFENSE, UPON REQUEST, TO ASSIGN DOD PERSONNEL TO OPERATE AND MAINTAIN, OR ASSIST IN THE OPERATION AND MAINTENANCE OF EQUIPMENT PROVIDED FOR LAW ENFORCEMENT PURPOSES. (10 USC 374)

CHAPTER 18 ALSO SPECIFICALLY:

- PROHIBITS THE DIRECT PARTICIPATION BY A MEMBER OF THE ARMY, NAVY, AIR FORCE, OR MARINE CORPS IN VESSEL INTERDICTION, SEARCH AND SEIZURE, ARREST OR SIMILAR ACTIVITY UNLESS IT IS OTHERWISE AUTHORIZED BY LAW. HOWEVER, THIS PROVISION DOES NOT PROHIBIT NAVY SHIPS FROM CARRYING COAST GUARD LAW ENFORCEMENT PERSONNEL, WHO CAN LAWFULLY INTERDICT SUSPECTED DRUG SMUGGLERS ON THE HIGH SEAS. (10 USC 375)

- PROHIBITS USE OF EQUIPMENT OR PERSONNEL IF IT WILL ADVERSELY AFFECT MILITARY PREPAREDNESS. (10 USC 376)
- PROVIDES FOR REIMBURSEMENT FROM CIVILIAN LAW ENFORCEMENT AGENCIES. (10 USC 377)
- PROVIDES THAT THIS LAW DOES NOT LIMIT OR EXPAND THE USE OF MILITARY PERSONNEL OR EQUIPMENT PROVIDED BY LAW PREVIOUSLY ENACTED. (10 USC 378)

THE DEPARTMENT OF DEFENSE HAS GREATLY EXPANDED ASSISTANCE TO US.

I WOULD LIKE TO ADDRESS THE SPECIFIC CONTRIBUTIONS OF EACH DOD SERVICE.

IN MARCH OF 1982 THE COAST GUARD AND THE NAVY COOPERATED IN THE DRAFTING OF A COMMANDER IN CHIEF, ATLANTIC FLEET, OPERATIONS ORDER WHICH CLEARLY DETAILS THE SCOPE AND EXTENT OF COOPERATIVE LAW ENFORCEMENT ACTIVITIES WITH UNITS UNDER HIS COMMAND. I AM PLEASED TO REPORT THAT THIS ORORDER WORKS WELL. FOR EXAMPLE:

ON NOVEMBER 20, 1982, A COAST GUARD TACTICAL LAW ENFORCEMENT TEAM (TACLET), ABOARD THE NUCLEAR-POWERED GUIDED MISSILE CRUISER USS MISSISSIPPI INTERCEPTED THE M/V RECIFE, A 108-FOOT TUG LOCATED 300 MILES SOUTH OF HAITI, AFTER THE VESSEL HAD BEEN DETECTED BY A NAVY AIRCRAFT. AFTER THE GOVERNMENT OF HONDURAS REFUTED THE VESSEL'S CLAIM OF REGISTRY, THE VESSEL WAS DECLARED STATELESS AND WAS BOARDED, SEARCHED AND SEIZED BY THE COAST GUARD TEAM. THIS SEIZURE RESULTED IN THE INTERDICTION OF 30 TONS OF MARIJUANA AND THE ARREST OF 11 SMUGGLERS, AND MARKED THE NAVY'S FIRST DIRECT INVOLVEMENT IN A SEIZURE.

ON JULY 16, 1983, THE GUIDED MISSILE DESTROYER USS KIDD, WITH A COAST GUARD LAW ENFORCEMENT TEAM ON BOARD, INTERCEPTED THE M/V RANGER, A 70 FOOT STEEL-HULLED CARGO CARRIER 330 MILES NORTH OF PUERTO RICO. THIS CONVERTED FISHING VESSEL WAS RIDING LOW IN THE WATER, YET THE MASTER CLAIMED THERE WAS NO CARGO ON BOARD AND THEY WERE DELIVERING THE BOAT FROM ANTIGUA TO THE BAHAMAS. THE MASTER CLAIMED HONDURAN REGISTRY, WHICH WAS SUBSEQUENTLY REFUTED BY THE GOVERNMENT OF HONDURAS. AFTER SEVERAL REQUESTS TO STOP WERE IGNORED, USS KIDD, ACTING UNDER THE PROVISIONS OF CINCLANTFLT OORDER 2120, AND WITH THE APPROVAL OF THE SEVENTH COAST GUARD DISTRICT COMMANDER, FIRED WARNING SHOTS FROM THE DESTROYER'S FIVE-INCH MOUNT AND 50 CALIBER MACHINE GUNS IN AN ATTEMPT TO STOP THE RANGER FOR BOARDING. THE VESSEL AGAIN REFUSED TO STOP. WHEN ALL OTHER MEANS FAILED, USS KIDD, ACTING WITH A STATEMENT OF NO OBJECTION FROM THE COMMANDANT OF THE COAST GUARD, FIRED EIGHTEEN ROUNDS OF FIFTY CALIBER MACHINE GUN FIRE INTO THE VESSEL, BRINGING IT TO A HALT. THERE WERE NO PERSONAL INJURIES. UPON BOARDING THE RANGER, THE COAST GUARD TEAM DISCOVERED APPROXIMATELY THIRTY-FIVE TONS OF MARIJUANA. THE NINE CREWMEMBERS WERE ARRESTED, AND USS KIDD ESCORTED THE VESSEL TOWARD PUERTO RICO WHERE THEY RENDEZVOUSED WITH THE COAST GUARD CUTTER SAGEBRUSH, WHICH ASSUMED CUSTODY OF THE VESSEL AND PRISONERS AND DELIVERED THEM TO SAN JUAN FOR DISPOSITION.

THIS IS THE FIRST CASE WHERE A U.S. NAVY VESSEL, WORKING UNDER THE TACTICAL CONTROL OF THE COAST GUARD, HAS USED DISABLING FIRE ON A VESSEL INVOLVED IN DRUG TRAFFICKING.

IN ADDITION TO THESE TWO INSTANCES THE NAVY HAS ASSISTED IN THE SEIZURE OF 9 OTHER SMUGGLING VESSELS. BRIEFLY SUMMARIZED, THESE CASES ARE AS FOLLOWS:

- ON MAY 28, 1982, A NAVY P-3 HELPED LOCATE THE M/V MISS CECILE, WHICH WAS SUBSEQUENTLY SEIZED BY A COAST GUARD CUTTER. A NAVY VESSEL THEN TOWED THE SEIZED VESSEL TO PORT, ALLOWING THE CUTTER TO CONTINUE HER PATROL.
- ALSO ON MAY 28, 1982, A NAVY VESSEL REPORTED SIGHTING THE M/V RIO PANUCO, WHICH WAS SUBSEQUENTLY SEIZED BY A CUTTER. A NAVY VESSEL THEN ESCORTED THE RIO PANUCO TO PORT, ALLOWING THE CUTTER TO CONTINUE HER PATROL.
- ON JUNE 4, 1982, A NAVY VESSEL PROVIDED FUEL TO THE M/V BENNY - A SEIZED VESSEL IN COAST GUARD CUSTODY. THIS PERMITTED THE COAST GUARD CUSTODY CREW TO SAIL THE VESSEL INTO PORT, RATHER THAN USING THE MUCH SLOWER METHOD OF TOWING IT IN.
- ON JUNE 6, 1982, A NAVY VESSEL ESCORTED THE SEIZED M/V YVETTE INTO PORT, ALLOWING THE SEIZING CUTTER TO CONTINUE HER PATROL.
- ON SEPTEMBER 10, 1982, THE PRESENCE OF A NAVY DESTROYER, AND A FLY-OVER BY A FLIGHT OF FOUR F-4 PHANTOMS HELPED TO CONVINCE A POTENTIALLY HOSTILE SMUGGLER TO STOP HIS VESSEL AND SURRENDER TO A SMALL COAST GUARD PATROL BOAT WITHOUT A FIGHT.
- ON MARCH 16, 1983, A NAVY P-3 LOCATED AND REPORTED THE PRESENCE OF THE M/V CIVONNEY, WHICH WAS LATER INTERCEPTED BY A CUTTER. THE CREW OF CIVONNEY SCUTTLED THE SHIP PRIOR TO SEIZURE, BUT WE UNDERSTAND THERE WERE IN EXCESS OF 20 TONS OF MARIJUANA, ABOUT 50 POUNDS OF COCAINE, AND UPWARDS OF ONE MILLION DOSES OF OTHER DANGEROUS DRUGS ABOARD WHEN THE SHIP SANK. SOME DRAMATIC PICTURES OF THIS CASE, AND THE SINKING VESSEL SUBSEQUENTLY APPEARED IN THE NEW YORK TIMES AND MANY OTHER NEWSPAPERS.

- ON APRIL 9, 1983 A NAVY PATROL HYDROFOIL MISSILE GUNBOAT, HOMEPORTED IN KEY WEST AND CARRYING A COAST GUARD BOARDING TEAM, COOPERATED WITH A CUTTER IN SEIZING THE M/V GATOR. THE PHMs HAVE HELPED US ON MANY OCCASIONS, AND ARE IDEAL FOR MANY OF OUR NEEDS. THEY ARE SMALL, VERY FAST, AND CAN RESPOND ON VERY SHORT NOTICE.
- ON APRIL 21, 1983, A KEY WEST BASED PHM WITH AN EMBARKED COAST GUARD TEAM SEIZED THE M/V XIPHIAS.
- ON JUNE 28, 1983, A NAVY P-3 SPOTTED THE M/V ALEX IN THE PROCESS OF OFFLOADING MARIJUANA TO THE M/V DAN'S PLAN. BOTH VESSELS WERE EVENTUALLY SEIZED BY COAST GUARD CUTTERS, AND OVER 60 TONS OF MARIJUANA WERE CONFISCATED. AFTER SEIZURE OF THE ALEX, A NAVY DESTROYER ESCORTED THE VESSEL TO KEY WEST, ALLOWING THE SEIZING CUTTER TO REMAIN ON PATROL.

NAVY INVOLVEMENT IN THE CASES WHICH I HAVE JUST DETAILED HAS CONTRIBUTED TO THE SEIZURE OF 11 VESSELS, THE ARREST OF 115 PERSONS, AND THE INTERDICTION OF OVER 412,222 POUNDS OF MARIJUANA, PLUS OTHER DANGEROUS DRUGS SINCE MAY OF LAST YEAR. THIS IS AN IMPRESSIVE RECORD WHICH WE HOPE WILL GET EVEN BETTER IN THE FUTURE.

NAVY INVOLVEMENT IN SEIZURES IS NOT THEIR ONLY CONTRIBUTION TO THE WAR ON DRUGS. OTHER AREAS OF ASSISTANCE HAVE ALSO BEEN NOTEWORTHY, SUCH AS PARTICIPATION IN OUR HIGH INTEREST SIGHTING PROGRAM, WHICH HELPS US KEEP TRACK OF POTENTIAL SMUGGLERS IN BOTH THE ATLANTIC AND THE PACIFIC. MOST CINCLANT AND CINCPAC SHIPS AND AIRCRAFT SQUADRONS HAVE RECEIVED SPECIALIZED TRAINING PROVIDED BY THE COAST GUARD ON HOW TO SPOT DRUG PROFILE VESSELS. IN ADDITION, NAVAL PERSONNEL SERVE IN NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM OPERATIONS INFORMATION CENTERS AS INTELLIGENCE ANALYSTS AND ADVISORS. I'LL ADDRESS THIS TOPIC IN GREATER DETAIL LATER.

FROM THE EARLY DAYS OF THE VICE PRESIDENT'S TASK FORCE ON SOUTH FLORIDA CRIME, AIR FORCE HELP HAS BEEN SOUGHT, AND PROVIDED. THE 53RD WEATHER RECON SQUADRON, BASED AT KEESLER AFB IN BILOXI, MS, HAS PROVIDED VALUABLE LOW-LEVEL C-130 SURVEILLANCE COVERAGE OF THE GULF OF MEXICO AND YUCATAN CHANNEL. BUSY OBSERVER FLIGHTS HAVE ALSO SENT THEIR SIGHTING REPORTS TO THE TASK FORCE FOR ANALYSIS. FOR THOSE OF YOU NOT FAMILIAR WITH BUSY OBSERVER PROGRAM, A WORD OF EXPLANATION. THIS PROGRAM STARTED NEARLY 10 YEARS AGO AS A JOINT AIR FORCE/NAVY OPERATION. A BUSY OBSERVER MISSION CONSISTS OF A FLIGHT OF TWO B-52'S, WHICH SEARCH A LARGE BLOCK OF OCEAN. THEIR MISSION IS TO LOCATE AND IDENTIFY ALL SURFACE TRAFFIC WITHIN THEIR ASSIGNED OPERATING AREA. TO ACCOMPLISH THIS, ONE AIRCRAFT STAYS AT HIGH ALTITUDE AND SWEEPS THE SURFACE WITH ITS SENSORS. THE SECOND AIRCRAFT DESCENDS TO ABOUT 2,000 FEET, AND VISUALLY IDENTIFIES THE SURFACE CONTACTS DETECTED BY THE AIRCRAFT AT ALTITUDE.

AT PRESENT, THE 53RD WEATHER RECON SQUADRON IS PROVIDING US WITH INFORMATION GATHERED FROM SEVERAL FLIGHTS PER WEEK, AND WE ARE RECEIVING SIGHTING REPORTS FROM AN AVERAGE OF SEVEN BUSY OBSERVER MISSIONS PER MONTH. ASSISTANCE OF THIS TYPE IS A GREAT HELP IN MARITIME SURVEILLANCE.

ON JULY 1, 1983, THE COAST GUARD AND THE AIR FORCE SIGNED A MEMOANDUM OF AGREEMENT, WHICH FORMALLY ESTABLISHES PROCEDURES FOR SUBMITTING AND PROCESSING REQUESTS FOR INFORMATION-GATHERING ASSISTANCE WHICH IS INCIDENTAL TO AIR FORCE OPERATIONAL MISSIONS. NEARLY 100 SENIOR AIR FORCE AND COAST GUARD OFFICERS WILL MEET HERE IN WASHINGTON TOMORROW TO DISCUSS THE IMPLEMENTATION OF THIS AGREEMENT AND TO ESTABLISH

OPERATIONAL PROCEDURES. I FEEL THAT THIS AGREEMENT IS A VERY POSITIVE STEP WHICH CLEARS THE WAY FOR EVEN CLOSER AIR FORCE/COAST GUARD COOPERATION IN THE FUTURE.

THE AIR FORCE IS ALSO PROVIDING ADVISORS TO THE SIX REGIONAL NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM REGIONAL CENTERS.

OUR DISTRICT COMMANDERS HAVE BEEN MAKING CONTACT WITH ARMY COMMANDS WITHIN THEIR AREAS OF RESPONSIBILITY TO SEE IF THEY HAVE ANY CAPABILITIES THAT CAN BE USEFUL FOR MARITIME DRUG INTERDICTION. GENERALLY, THE ANSWER HAS BEEN "NO" - NOT FROM A LACK OF INTEREST OR SPIRIT OF COOPERATION, BUT FROM THE FACT THAT OUR MISSIONS ARE FUNDAMENTALLY DIFFERENT. HOWEVER, AN EXAMPLE OF THE ARMY'S INVOLVEMENT SHOULD BE BROUGHT TO YOUR ATTENTION.

THE GEORGIA ARMY NATIONAL GUARD AIR WING, BASED IN ATLANTA, HAS BEEN MOST RECEPTIVE TO OUR REQUEST FOR HELP. THIS UNIT FLIES OV-1 MOHAWK SURVEILLANCE AIRCRAFT, WHICH ARE TWIN TURBOPROP MEDIUM ENDURANCE PLANES THAT ARE FULLY CAPABLE OF CONDUCTING OVER-WATER SURVEILLANCE FLIGHTS. THESE AIRCRAFT, SO FAR, HAVE FLOWN FOR US THREE TIMES, DEDICATING OVER 100 HOURS OF AIRCRAFT TIME TO OUR SURVEILLANCE NEEDS. THEY HAVE REPORTED HUNDREDS OF SIGHTINGS, INVESTIGATED SUSPICIOUS CONTACTS, AND DISRUPTED A CONFIRMED AIR-DROP OF MARIJUANA BALES FROM A SMUGGLER AIRCRAFT TO A WAITING CONTACT BOAT. OUR FIELD PERSONNEL REPORT THAT THESE ARMY RESERVE

AIRCREWS ARE HIGHLY PROFESSIONAL, WELL MOTIVATED, AND EXTREMELY ENTHUSIASTIC ABOUT ASSISTING IN DRUG INTERDICTION OPERATIONS. THE COAST GUARD IS VERY PLEASED WITH THIS DEVELOPING RELATIONSHIP WITH THE ARMY, AND HOPE THAT IT WILL CARRY FORWARD TO OTHER SUITABLE ARMY AND ARMY RESERVE UNITS AS THEY ARE IDENTIFIED.

THE ESTABLISHMENT OF THE NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS) AND THE COMMENCEMENT OF OPERATIONS UNDER ITS UMBRELLA ON JUNE 17, 1983, HAS CREATED AN EXPANDED USE OF DOD ASSISTANCE IN THE AREA OF DRUG INTERDICTION. SPEAKING FOR THE THREE OUT OF SIX REGIONAL COORDINATORS WHO ARE COAST GUARD OFFICERS, I CAN REPORT TO YOU THAT ASSISTANCE FROM ALL THE ARMED FORCES IS INCREASING AS A RESULT OF THE COORDINATING EFFORTS OF THE NNBIS COORDINATOR AND HIS STAFF.

IN ADDITION TO INCREASING OPERATIONS, DOD HAS PROVIDED A TOTAL OF TEN AIR FORCE, SEVEN NAVY, THREE MARINE CORPS, AND FIVE ARMY PERSONNEL TO AUGMENT THE CONTINGENT OF COAST GUARD, DEA, AND CUSTOMS INTELLIGENCE ANALYSTS AND ADVISORS IN THE OPERATIONS INFORMATION CENTERS AT THE SIX NNBIS REGIONAL CENTERS.

IN CONCLUSION, MR. CHAIRMAN, THE DEPARTMENT OF DEFENSE HAS RESPONDED IN A VERY POSITIVE MANNER TO CONGRESS' MANDATE IN SECTION 905 OF PUBLIC LAW 97-86. THEIR COLLECTIVE RESOLVE TO RESPOND TO THE PRESIDENT'S CHALLENGE HAS BEEN EFFECTIVELY DEMONSTRATED, AND THEIR CONCRETE ACCOMPLISHMENTS ARE CONTINUING TO GROW ON A DAILY BASIS. WE ARE CONTINUING OUR DIALOGUE WITH DOD TO EXPAND THIS PROGRAM.

THIS CONCLUDES MY PREPARED TESTIMONY, MR. CHAIRMAN. I'LL BE HAPPY TO ANSWER ANY QUESTIONS WHICH YOU OR THE MEMBERS OF THE SUBCOMMITTEE MAY HAVE.