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U.S. CUSTOMS

BEATEN AT THE BORDER



Stories by **MIKE GALLAGHER**

Photographs by **RICHARD PIPES**

Of the Albuquerque Journal

AIR SMUGGLERS SLIP PAST U.S. RADAR

CRITICS: DRUG 'NET' HAS HOLES

By **MIKE GALLAGHER**
Of the Journal

Glen Zacher was known as a "barefoot" pilot who smuggled marijuana across the Southwest border, evading a multimillion-dollar net of military radar and Customs aircraft.

But the Drug Enforcement Administration and U.S. Customs had infiltrated Zacher's ragtag organization.

Federal undercover agents knew that at 10 a.m. Nov. 23, 1991, Zacher intended to land a single-engine Cessna 206 loaded with 750 pounds of marijuana on the Burton Flats Road northeast of Carlsbad.

Aerostat radar balloons operated by the Air Force were alerted. Customs Air Branch was notified and a Citation jet interceptor was in the air above the landing site.

Federal agents on the ground expected plenty of warning. Once out of range of the balloon radar, the Citation jet interceptor would track Zacher's plane onto the improvised landing strip.

The agents waited. No word from the balloon radar. No word from the Citation.

Suddenly, the Cessna was making an approach.

"There was no warning," said a Customs agent. "Until we could see the plane with our eyes, none of the radar systems had picked him up."

Zacher proved that the radar net could be beaten. He did it "barefoot" — feeling his way along holes in the radar net, using common radar detection equipment.

Once he landed, Zacher and his passenger, Craig Clymore, were arrested and bales of marijuana were seized. A year later, both were sentenced to 10 years in federal prison.

But the failure to detect Zacher's flight from Mexico to Carlsbad raised serious doubts about the effectiveness of the radar balloon system along the Southwest border.

Customs group supervisor Ward Olson, now retired and a bitter critic of the agency, interviewed Zacher after his arrest.

"Zacher said he flew his loads right over the radar balloon," Olson said. "I sent in a report, but no one was very interested."

Customs spokeswoman Judy Turner of Houston said, "That is simply his (Olson's) perception."

But Olson has a supporter in Jim Holden-Rhodes, a retired military intelligence officer and author of a book critical of law enforcement intelligence.

"When the National Guard set up ground control radars in southern New Mexico a few years ago, they reported aircraft crossing the border that didn't show up on the Customs-military radar net," Holden-Rhodes said.

"We ran into the same attitude," Holden-Rhodes said.

This wasn't the only time Olson said he couldn't get anybody interested in cases that indicated air smugglers



ON THE GROUND: The effectiveness of the aerostats, like this one grounded due to a thunderstorm outside Deming, has been challenged by Customs agents who say the radar balloons don't detect air smugglers.

were more active than Customs claimed officially.

Shortly before his retirement in 1993, Olson received a call from a member of the Permian Basin Narcotics Task Force. Police along the Texas-New Mexico state border had discovered a cache of 1,500 pounds of marijuana and jerry cans of aviation fuel near a dirt road that showed signs of being used as a landing strip.

"It was clearly an air-smuggling case that Customs should have handled," Olson said. "I couldn't get anyone interested in investigating it. It was like they didn't want to know about it."

Turner said, "We always have individuals who think there is more going on than there is. That is his opinion, but the facts are that air smuggling has decreased."

Questionable gains

A few months after Olson's report, Customs officials testified before a Senate subcommittee that they were winning the air war against smuggling.

All statistical indicators tracking air smuggling were down, officials testified. Customs told Congress that air smuggling had decreased by 75 percent since 1982.

But Holden-Rhodes said that, in recent weeks, Joint Task Force Six, a military group working along the border, confirmed that one of the oldest air-smuggling routes along the Southwest border is still being used.

"The light on the smelter tower in Animas down in New

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Air Smugglers Slip Through

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Mexico's boot heel is still used as a navigation marker for air smugglers," Holden-Rhodes said.

The former head of a Los Alamos National Laboratory team that tracked cocaine production and trafficking patterns said, "There appears to be a mid-level blockage in Customs of information that refuses to allow any information that air smuggling is going on along the border up to Washington."

But based on its own statistics, Customs decided in 1993 that it was winning the war against air smugglers in the Southwest.

It was a decision the Customs Service may come to regret. In 1994, the Clinton administration cut \$45 million from the agency's budget — mostly from air operations.

Last year, more than 90 positions in the Customs Air Branch were eliminated. Blackhawk helicopters were returned to the military and 20 planes were mothballed.

Flight hours were reduced for the Citation jets and P-3 radar aircraft.

Customs officials told a Senate subcommittee that the cuts would force them to reduce the number of sorties and flight hours along the Southwest border, but estimated there would be only a 1-percent to 2-percent increase in air smuggling along the Southwest border as a result of the cut.

This summer, congressional subcommittees moved to stall more budget cuts for Customs, adding positions along the Southwest border and ordering the service to stop returning aircraft to the military.

Shift in tactics

An internal Customs memo, written in late 1993, shows Customs was less optimistic about air smuggling in private than the agency was in its pitch to Congress.

While "known" air smuggling events had decreased in all regions except the eastern Caribbean, Customs ana-



RICHARD PIPES/JOURNAL

MANNING THE RADAR: Customs surveillance systems operator Ed Smith monitors the radar scope of a P-3 "Orion" AEW airplane. The planes are used to back up the aerostats when they can't fly.

lysts noted in the memo obtained by the Journal: "The decline of air smuggling events does not mean less smuggling but probably reflects a change in tactics."

The Customs air intelligence division found that:

- Traffickers are shipping more cocaine by commercial and non-commercial jet aircraft flying on legitimate flight plans.
- General aviation pilots are practicing secure communications and using more sophisticated communications equipment, which is harder to detect and monitor.
- General aviation smuggling aircraft are flying at lower altitudes, and using more sophisticated equipment such as global positioning systems and radar detection systems to avoid radar detection.
- Traffickers are aware of the location and know the ranges and capabilities of U.S. radar assets.

But Customs officials told congressional committees in 1993 that the aerostat radar balloon system was the best and most economical interdiction program available. Large parts of the system were not operating at the time.

Customs officials always admitted to Congress that the system wouldn't detect all air smuggling even when fully operational.

"We're sure there are lone individuals who are crossing the border," Customs spokesman Vincent Bond said in a telephone interview. "And I'm sure there are some that succeed."

Olson and Holden-Rhodes dispute Customs' conclusions, arguing that Customs routinely ignores solid information that the radar net along the Southwest border is full of

	Central/ South American	U.S. SW Border	Caribbean	Mexico
Sorties	30	16	10 -15	10
Flight Hours	225	96	87	100
Percent of Total	44%	19%	17%	20%

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Air Smugglers Slip Past U.S. Radar

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holes.

And the radar system is so visible that smuggling organizations have paid people to telephone them when a balloon goes up or down.

There are 35 aerostat and Federal Aviation Administration radars tied into a central command center in Riverside, Calif. The primary radar in New Mexico is the aerostat at Deming.

The aerostat radar system was designed to detect airplanes below 5,000 feet. FAA and military radar are expected to track planes above that altitude. Each radar balloon has a range of about 150 miles.

According to Customs reports, the border between Texas and Mexico had only one operational aerostat in 1993 and the lone \$18 million radar system at Marfa was available only 27 percent of the time because of mechanical failure.

During the same year, the aerostat in Deming was available less than 60 percent of the time because of weather and mechanical problems.

Customs tried to make up for the lack of radar coverage by using P-3 airplanes, but they flew an average of 97 hours radar interdiction along the border each month (about four days).

To fill the huge gap, Customs used Citation interceptor jets for radar coverage, a role for which they were not designed.

"We were just boring holes in the sky," one pilot said.

Aerostat shortcomings

Even when aerostat radars are available, Customs officials admit they have limitations.

In 1993, Harvey Pothier, director of the air and marine Interdiction Program, reported, "Aerostats, like most radar platforms, are subject to externally imposed limitations such as terrain masking. This has been a particular problem in the mountainous regions along the Southwest border."

Pothier told senators that Customs was using the P-3 AEWs and mobile military ground-based radar to back up the aerostats.

In 1991, the Customs Service turned the aerostats over to the Department of Defense. The Air Force oversees operation of the balloons, and didn't respond to Journal requests for information about effectiveness of the system.

At least three studies have been done on the aerostats, but have been classified by the Department of Defense.

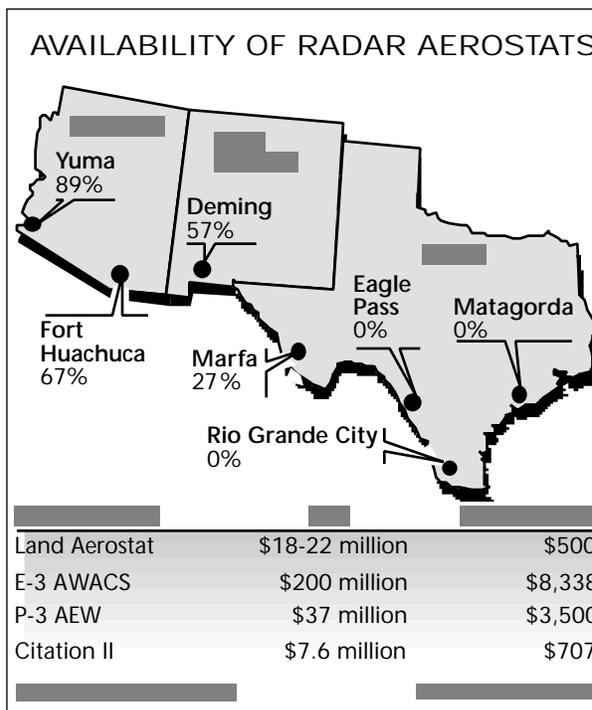
Customs didn't respond to Freedom of Information Act requests asking for information about effectiveness of the system. But last year, Customs officials admitted they were unhappy with the priority the Air Force had given the aerostat program.

"We do not believe that DOD has provided sufficient funding to the Air Force to allow for effective management," Customs officials told senators in a written statement.

"The aerostats are competing with a myriad of other programs for limited funding and the aerostats are losing."

According to the Customs Service, budget cuts have minimized spares procurement, delayed replacement of aerostat systems and jeopardized the operation of existing systems.

"At the present time (1994), if a Southwest border aerostat



system is lost, no replacement radar is available," the statement reported.

But that criticism gave way to this rosier picture when Customs reported to the Senate subcommittee on appropriations in 1994.

"We believe that DOD (Department of Defense) and the Air Force in particular is quickly gaining the experience and knowledge to effectively manage the complex aerostat program," Customs reported to the Senate subcommittee on appropriations.

Faulty smuggling index

In the early 1980s, Customs came up with a system to measure the air-smuggling problem.

It needed the so-called "air smuggling activity index" to give Congress, which was planning to spend hundreds of millions of dollars to stop air smuggling, some idea of how much was taking place.

The system hasn't changed much since its adoption in 1982.

Customs records all radar-detected border intrusions, aircraft seizures in drug cases, crashes of drug-laden planes, aircraft thefts and the number of aircraft put on its "look-out" list.

The numbers in these categories are given weighted values and Customs comes up with an air-smuggling activity index.

The numbers indicate air smuggling has declined by 75 percent since 1982.

But Customs insiders say there are problems with the system.

First, it was designed when marijuana was the primary drug smuggled across the Mexican border. Cocaine-smug-

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gling rings don't steal planes. They buy them. Cocaine is less bulky than marijuana and pilots are less likely to overload their airplanes, so there are fewer crashes.

Customs agents and pilots say there is also a problem in how Customs determines border air intrusions. It counts only those picked up on the problem-plagued Customs system. Confirmed sightings by other law enforcement don't count.

And the profile used to filter out suspected smugglers from legitimate aircraft hasn't been adapted to changes in the smuggling trade.

When marijuana was the mainstay of air smugglers in the 1970s and early 1980s, the smugglers were based in the United States. Their patterns formed the basis for the profile.

The pilots say planes tracked on radar as suspected smuggling planes are those using clandestine airstrips in Mexico and not filing flight plans.

According to Customs pilots and agents, some cocaine smuggling rings have so much money that they don't use clandestine airstrips.

They simply fly from general aviation airfields in Mexico, file flight plans into the United States just like legitimate businessmen and wealthy vacationers.



RICHARD PIPES/JOURNAL

COMPLICATED PICTURE: Deming aerostat radar operator Jack Adams tracks a plane picked up by the radar balloon. Customs admits the radar of the aerostats is masked by mountains and other terrain features.

Agents call it hiding in plain sight.

The more clandestine flights tend to be so-called "border hops." These short, low flights are intended to get cocaine past, not only Customs border inspection stations, but Border Patrol checkpoints along major highways.

These border hops are flown when radar balloons are not operating. Even if the aerostats are operating, the smuggling aircraft is headed back to Mexico before a Customs Citation jet can intercept.

The cocaine is dropped off for a ground crew during a touch-and-go landing or a "kick out" using a global

positioning system to coordinate the point of the drop and pickup crew.

The cocaine is transported from the drop zone by vehicle, or it can be cached and picked up later by another airplane. The second plane never leaves United States airspace and doesn't trigger alarms in the border radar net.

But officially, Customs maintains, there has been a dramatic reduction in air smuggling.

"We have made it riskier for large organizations," said Customs spokesman Vincent Bond. "They now land short of the border and cross by land. That is our mission.

"There is a large integrated federal and state effort to catch land-based smugglers and we have succeeded in forcing the smuggling organizations to run that gantlet," Bond said.

If that were true, there should have been a marked increase in the ground seizures of cocaine between 1989 when aerostats first came on line and 1992.

But the number of cocaine shipments seized by the U.S. Border Patrol was about the same both years.

In 1989, the Border Patrol made 663 seizures and in 1992 it made 685. The value of the cocaine was about the same — \$1.2 billion in 1992 and \$1.1 billion in 1989. ■

Mexican Corruption Bogs Down U.S. Efforts

By MIKE GALLAGHER
Journal Investigative Reporter

A Customs P-3 radar aircraft last summer tracked a French-made Caravelle passenger jet from San Andres Island off the coast of Colombia to the border of southern Mexico.

The P-3 pilot handed off the Caravelle to a Mexican government Citation jet when the suspected cocaine smugglers reached Mexican air space.

The Mexican Central Counter Narcotics Coordination Office in Mexico City was alerted and a call went out for Mexican Federal Judicial Police to head for isolated airstrips known to be used by smugglers in southern Mexico.

Federal police responded, but not in the way planned by U.S. Customs and Drug Enforcement Administration officials who designed the drug interdiction system and trained the Mexican police.

The Caravelle landed at an airstrip in the mining town of Sombrerete near the Sierra Madre in the Mexican state of Zacatecas about 1 a.m. on Aug. 4, 1994.

It was so overloaded, it blew out its tires.

The jet was met by three small trucks, and an estimated 8

to 10 tons of cocaine was unloaded. The three vehicles and cocaine were later seized by two officers from the Mexican Transportation and Highway Police.

According to DEA reports, Mexican and U.S. law enforcement believe the drivers of the three cocaine-carrying trucks were members of the Federal Judicial Police. They escaped.

By midmorning, the cocaine was on its way to the state capital, Zacatecas, when the convoy of 16 Transportation and Highway police were stopped by an estimated 60 Federal Judicial Police officers who hijacked three-fourths of the cocaine, according to DEA reports.

Later that day, Mexican federal officials announced the seizure of the remaining cocaine as another victory in their war on drugs.

Within weeks, according to DEA, some of the seven or eight tons of cocaine taken by the renegade judicial police had made its way into California and Texas.

For U.S. Customs officials, it was another frustrating setback in their war against the smugglers.

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Cooperation claims

Customs officials won't talk to the press about their operations in Mexico or other Central and South American countries. Video recordings made by Customs planes are considered classified information.

But Customs officials have assured Congress repeatedly that Mexico is cooperating fully in joint efforts to stop drug smuggling.

However, Customs and the DEA agents say there are documented cases of other incidents in which Mexican army units and police acted as ground crews for the smugglers.

In some cases, army and police units allowed police cooperating with U.S. Customs to seize a percentage of the cocaine load as a cost of doing business.

Customs pilots and DEA agents who were aware of the corruption were told not to complain based on the theory that at least some cocaine destined for the U.S. was being intercepted.

Mexican officials believe the Zacatecas hijacking was the work of Mexico's counter narcotics chief, then-Deputy Attorney General Mario Ruiz Massieu.

The Mexican government is attempting to extradite Ruiz Massieu from the United States on a variety of corruption charges.

Mexican President Ernesto Zedillo has called on Antonio Lozano, attorney general and opposition party member, to crack down on corruption.

The investigation ordered by Zedillo centers on the former president's older brother, Raul Salinas.

A U.S. State Department spokesman said interdiction efforts in Mexico and elsewhere are not classified, but not widely advertised, because host nations are sensitive about American law enforcement operating in their territory.

A review of congressional appropriations hearings on the Customs Service budget over the last several years shows that:

- Customs officials, despite knowledge of corruption, repeatedly told Congress that the Mexican Attorney General's Office was cooperating 100 percent in the effort to interdict cocaine flights into Mexico.

- Customs pilots on several occasions found Mexican army units unloading cocaine planes.



RICHARD PIPES/JOURNAL

FLYING EYES: P-3 "Orion" radar planes track air smugglers flying from Colombia to Mexico and fill holes in the radar net along the Southwest border when radar balloons aren't working.

- Not all of the cocaine seized by Mexico with the aid of U.S. Customs air is destroyed. Much of it finds its way into this country.

In addition, Customs officials privately admit they "are stretching the border a bit" by stationing aircraft in South and Central America.

Customs planes fly radar surveillance missions from bases in Panama, Ecuador, Honduras, Mexico and Peru.

Suspected cocaine-smuggling planes being tracked by U.S. Customs have been shot down by police and military planes in Peru and other Central and Latin American countries.

Downplaying problems

The concept of helping Mexican police seize Colombian cocaine dates back to the late 1980s and the formation of the Northern Border Response Force.

Colombian smugglers had stopped trying to fly into southern Florida and were landing in northern Mexico.

After Mexico agreed to allow Customs to station Citation jets there, cocaine seizures increased from 9,000 pounds in 1990 to 90,000 pounds in 1991.

By 1993, Customs was training Mexican pilots to fly the Citations and the

Mexican government was in the process of buying their own.

"I can tell you without hesitancy that today (February 1993) the Mexican government is cooperating with the United States more so than we have ever seen," then-Assistant Customs Commissioner for Enforcement John Hensley told a U.S. Senate subcommittee.

But as the Zacatecas hijacking illustrates, the program hasn't always gone according to plan.

In 1991, for example, seven Mexican police officers were killed when they attempted to seize a Colombian cocaine-smuggling plane that landed in Veracruz.

The plane was being unloaded by a local army unit, which ambushed the police officers. The entire ambush was recorded on infrared film by a Customs pilot who tracked the air smuggler.

While the Mexican Attorney General's Office prosecuted local army commanders, other high-ranking Mexican officials referred to the massacre as a "regrettable accident."

Customs officials praised the Mexican Attorney General's Office for the prosecution and otherwise played down the incident when testifying before congressional committees. ■