

# Exhibit 1

MEMORANDUM

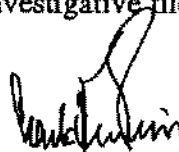
May 16, 2003

To: Deputy Inspector General Richard L. Skinner  
General Counsel to the Inspector General Richard N. Reback  
Assistant Inspector General for Investigations Elizabeth Redman

Re: Recusal from investigation

On May 15, 2003, at about 10:15 p.m., I received a telephone call from Mark Wallace, Special Counsel to Assistant Secretary for Immigration and Customs Enforcement (ICE) Michael Garcia, referring to me for OIG investigation a matter concerning alleged DHS involvement in a federal effort to find missing Texas lawmakers. I participated in a follow-up telephone call from Mr. Wallace, with all of you, this morning. Additionally, I have received a letter signed by several members of Congress requesting that the OIG conduct an investigation into this matter.

Under present circumstances, including my prior employment by the State of Texas and the possibility that I may know one or more of the Texas state employees involved in this matter, I believe it best that I recuse myself from any involvement in the OIG inquiry. Accordingly, I will respond to the Congressional letter by stating that the OIG will investigate the matter and then will have no further involvement in any aspect of this matter. I am delegating all of my authority with respect to this matter to Deputy Inspector General Skinner. I am to receive no papers or briefings regarding this matter and ask that a notation to that effect be placed in the investigative file.



---

Clark Kent Ervin  
Acting Inspector General

# Exhibit 2

JAMES SENSENBRENNER, JR., Wisconsin  
CHAIRMAN

HENRY J. HYDE, Illinois  
DWARD COBLE, North Carolina  
MAR S. SMITH, Texas  
TON GALLEGLY, California  
B GOODLATTE, Virginia  
EVE CHABOT, Ohio  
LIAM L. JENKINS, Tennessee  
RIS CANNON, Utah  
ENCEP BACHUS, Alabama  
HN N. HOSTETTLER, Indiana  
RK GREEN, Wisconsin  
KELLER, Florida  
LISSA A. HART, Pennsylvania  
FLAKE, Arizona  
E PENCE, Indiana  
ANDY FORBES, Virginia  
EVE KING, Iowa  
N R. CARTER, Texas  
FEENEY, Florida  
ASHA BLACKBURN, Tennessee

JOHN CONYERS, JR., Michigan  
RANKING MINORITY MEMBER

HOWARD L. BERMAN, California  
RICK BOUCHER, Virginia  
JERROLD NADLER, New York  
ROBERT C. "BOBBY" SCOTT, Virginia  
MELVIN L. WATT, North Carolina  
ZOE LOFGREN, California  
SHEILA JACKSON LEE, Texas  
MAXINE WATERS, California  
MARTIN T. MEEHAN, Massachusetts  
WILLIAM D. DELAHUNT, Massachusetts  
ROBERT WEXLER, Florida  
TAMMY BALDWIN, Wisconsin  
ANTHONY D. WEINER, New York  
ADAM B. SCHIFF, California  
LINDA T. SANCHEZ, California

ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

May 15, 2003

Mr. Clark Kent Ervin  
Acting Inspector General  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Mr. Ervin:

I write to express my alarm at reports that valuable Department of Homeland Security resources, which exist to protect the American people from terrorism, were diverted for partisan political purposes. Specifically, I am concerned about the following report in the Fort Worth Star Telegram that describes the Department's surveillance powers being used to track down Democratic lawmakers:

"One federal agency that became involved early on was the Air and Marine Interdiction and Coordination Center, based in Riverside, Calif. -- which now falls under the auspices of the Homeland Security Department.

The agency received a call to locate a specific Piper turboprop aircraft. It was determined that the plane belonged to former House Speaker Pete Laney, D-Hale Center.

The location of Laney's plane proved to be a key piece of information because, (Republican House Speaker Tom) Craddick said, it's how he determined that the Democrats were in Ardmore." *Jay Root, "Eyes of Texas, U.S. on truant legislators," May 14, 2003.*

If true, this report represents a shameful diversion of taxpayer resources for partisan purposes. I would urge you to immediately investigate this matter and provide a full accounting of the following:

MAY 22 2003  
RW

May 15, 2003

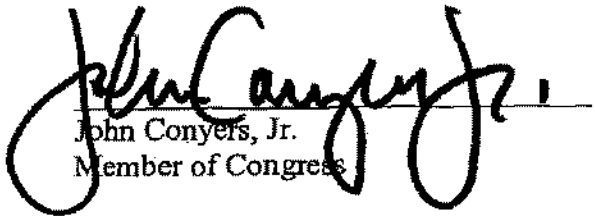
- (1) Who requested that the Center locate Mr. Laney's plane?
- (2) Who, at the Center or elsewhere in the Department of Homeland Security, or in the Administration, authorized the Center to undertake this surveillance?
- (3) Were there any other contacts between Congressional or Administration officials with the Department concerning this matter?
- (4) What was the rationale for utilizing federal resources for this undertaking?
- (5) What was the cost of this surveillance?
- (6) Were employees or resources of the Department diverted from homeland security tasks to conduct this surveillance?
- (7) Were legal requirements and internal guidelines for conducting surveillance complied with?

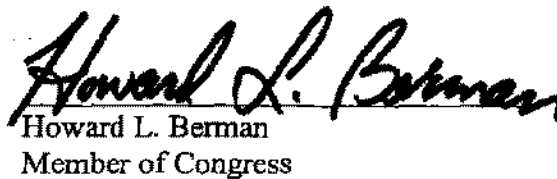
This appears to be just one of many reports of misusing federal resources to investigate Texas Democrats:

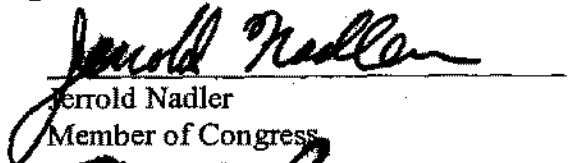
- House Majority Whip Tom DeLay told reporters that "bringing in either U.S. Marshals or FBI agents is justified because redistricting is a federal issue, involving congressional seats." *Houston Chronicle*, May 13, 2003
- DeLay said he consulted an attorney in his office who formerly worked with the Justice Department to determine for Texas House Speaker Craddick whether FBI agents and U.S. marshals could be used to arrest the Democrats out of state.  
AP, Suzanne Gamboa, May 13, 2003
- DeLay reportedly already has a United States Attorney in Texas researching how he can employ federal resources. Hugh Aynesworth, *Washington Times*, May 14, 2003
- "A spokeswoman for the U.S. Attorney's office in San Antonio had no official comment, but a source confirmed that an unidentified person had called to inquire about federalizing the arrest warrant." Fort Worth Star-Telegram, May 14, 2003

Thank you for your prompt attention to this matter.

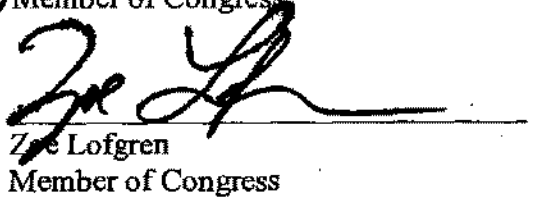
Sincerely,

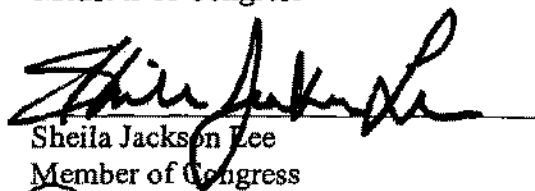
  
John Conyers, Jr.  
Member of Congress

  
Howard L. Berman  
Member of Congress

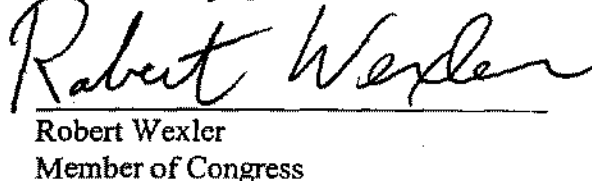
  
Ferrol Nadler  
Member of Congress

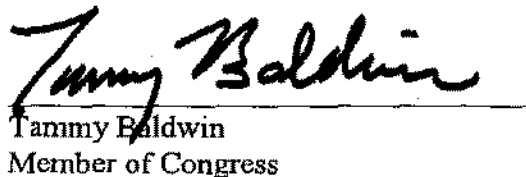
  
Robert C. Scott  
Member of Congress

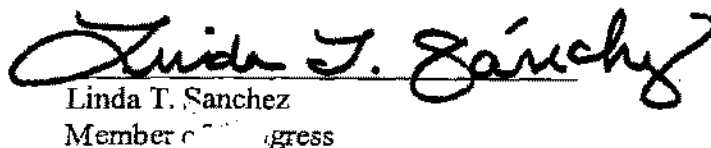
  
Zoe Lofgren  
Member of Congress

  
Sheila Jackson Lee  
Member of Congress

  
Maxine Waters  
Member of Congress

  
Robert Wexler  
Member of Congress

  
Tammy Baldwin  
Member of Congress

  
Linda T. Sanchez  
Member of Congress

cc: F. James Sensenbrenner, Jr.  
Chairman, Committee on the Judiciary

# Congress of the United States

Washington, DC 20515

May 21, 2003

Lisa Redman  
Assistant Inspector General for Investigations  
Department of Homeland Security  
Washington, DC 20528  
Attn: Office of Inspector General

## Re: Diverting Federal Resources Against Political Targets

One week ago we requested answers from the Department of Homeland Security (DHS) Secretary Ridge concerning reported diversions of federal resources against Texas State Legislators. (Exhibit 1). DHS has refused to respond.

On May 19, we made a second request to Secretary Ridge for "the audiotapes and transcripts of all conversations or transmissions pertaining to any aspect of the alleged attempts to use any federal resources of any type with regard to any member of the Texas Legislature." (Exhibit 2) DHS has not responded.

We are also concerned by two reports today: (1) in the Fort Worth Star-Telegram that the Texas Department of Public Safety has ordered the destruction of documents and photos concerning the pursuit of Texas state representatives, and (2) in the Houston Chronicle that you "had no idea how long the investigation would take, or when the tapes might be released."

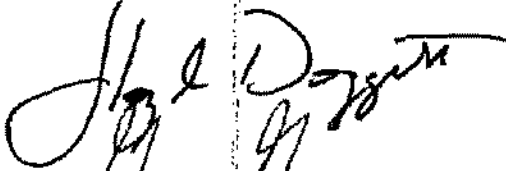
Given previous obstruction of our efforts and these reports of state destruction, we write to you with the following requests:


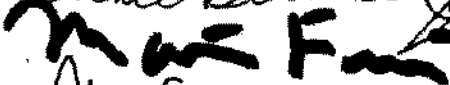






- (1) Does any federal statute deny you the discretion to release immediately the documents we have requested?
- (2) If you refuse to release immediately all documents, please explain why.
- (3) If you refuse to release immediately all documents, when will you release them?
- (4) What is the scope of your investigation and what do you consider your specific mandate to be?
- (5) What steps have you taken to ensure no further destruction of documents?
- (6) Will you attempt to determine if any Members or any person acting in any way on their behalf or at their request contacted any Homeland Security entity or other federal entity (including those under contract) directly or indirectly?
- (7) When will your review be complete? In one week? One month? One year?
- (8) What steps have you taken to ensure Acting Inspector General Clark Kent Ervin will have no role in this investigation?
- (9) Who on your staff will assist you in this investigation?

Confident that you share our view that the Inspector General's office was created to keep Congress fully and currently informed, we trust you will work with dispatch to find the truth, not bury it.

The banner on the DHS Inspector General website reads: "Ensuring Integrity and Efficiency." All we ask is merely what the banner proclaims, prompt answers that allay the concerns raised in several published reports.

Sincerely,

  
 J. L. Doggett  
 The Hon.  
 Mr. [unclear]  
 [unclear]  
 [unclear]  
 [unclear]  
 [unclear]  
 [unclear]  
 [unclear]

  
 Eddie Bernice Johnson  
  
 Max F. [unclear]  
  
 Cliff Edwards  
  
 Charles A. Joyner  
  
 [unclear]  
  
 Reuben Fajana  
  
 Cirus Bell  
  
 Steve Jackson

ALASKA  
VOINOVICH, OHIO  
LEMAN, MINNESOTA  
EGTER, PENNSYLVANIA  
BENNETT, UTAH  
FITZGERALD, ILLINOIS  
JUNJUNU, NEW HAMPSHIRE  
SHELBY, ALABAMA

JOSEPH I. LIEBERMAN, CONNECTICUT  
CARL LEVIN, MICHIGAN  
DANIEL K. AKAKA, HAWAII  
RICHARD J. DURBIN, ILLINOIS  
THOMAS R. CARPER, DELAWARE  
MARK DAYTON, MINNESOTA  
FRANK LAUTENBERG, NEW JERSEY  
MARK PRYOR, ARKANSAS

MICHAEL D. BOFF, STAFF DIRECTOR AND CHIEF COUNSEL  
A. RECHTSCHAFFEN, MINORITY STAFF DIRECTOR AND COUNSEL

# United States Senate

COMMITTEE ON  
GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

May 22, 2003

Lisa Redman  
Acting Assistant Inspector General for Investigations  
Department of Homeland Security  
1120 Vermont Avenue, N.W.  
Washington, D.C. 20005

Dear Ms. Redman:

I am appalled by recent news reports that the Texas Department of Public Safety (DPS) ordered the destruction of all records related to its search for Texas state legislators. I am writing to ask that you investigate DPS's document destruction as part of your ongoing examination of the use of Department of Homeland Security resources in the search for Texas lawmakers and that you take steps to ensure that additional, federal documents that may be relevant to your investigation are not destroyed.

As you know, last Monday, May 12, 2003, legislative leaders in Texas directed the DPS to round up missing Democratic legislators, and DPS enlisted the assistance of the Air and Marine Interdiction Coordination Center (AMICC), an office within the Department of Homeland Security, in this search. It has since been reported that on Wednesday, May 14, 2003, a DPS commander, in an e-mail message, ordered the destruction of all documents and other materials related to the search; this e-mail was reportedly forwarded to the lieutenant who has been identified as the individual who contacted AMICC. According to news accounts, the documents were destroyed shortly after the first news stories revealed that DPS had contacted the Department of Homeland Security seeking help in finding the lawmakers.

Last week, I wrote to Secretary Ridge urging him to conduct a full investigation into the apparent misuse of scarce Department of Homeland Security resources in the search for Texas state legislators. I understand that you are heading up the Department's investigation into this matter, and I am very concerned that DPS's document destruction may hamper your investigation. The evidence contained in the DPS records may well be critical to answering a key question in your investigation: whether the use of federal resources was obtained through misleading or fraudulent means. And the destruction of such records raises troubling questions about whether those ordering the destruction in fact did so with the specific intent to impede inquiries such as yours.

Lisa Redman  
May 22, 2003  
Page 2

I therefore request that you expand your investigation to encompass this outrageous document destruction and immediately act to secure all federal documents (including e-mails and any audiotapes of conversations between DPS and AMICC), as well as any other materials, that may be relevant to your investigation. I also ask that you examine whether DPS's instructions to destroy documents potentially relevant to a federal investigation may have constituted obstruction of justice or otherwise violated any federal law. If for some reason you conclude that the destruction of documents related to DPS's search for the state legislators is beyond the reach of your office, please advise me of this fact as soon as possible, as well as of the agency to which you intend to refer this matter.

If you have any questions concerning this letter, please contact [REDACTED] of my staff at [REDACTED]

Sincerely,



Joseph I. Lieberman  
Ranking Member

**Exhibit 3**



Subject: Other (Describe): Evidence Retrieval

Case Number: CO-03-OIGHQ-029003S

Case Title: AMICC

On May 20, 2003, at 4:20 p.m., [redacted] Office of the Principal Legal Advisor, Bureau of Immigration and Customs Enforcement, 425 I St., SW, Room 6109, Washington, DC 20536 [redacted] turned over the following items relative to Department of Homeland Security (DHS) Office of Inspector General (OIG) Case Number CO03-OIGHQ-029003S, to Supervisory Special Agent (SSA) [redacted] DHS OIG:

1. One (1) Audiotape (marked GMW, 5/20/03, 4:20pm, #1).
2. One (1) Videotape (marked GMW, 5/20/03, 4:20pm, #1A).
3. One (1) Audiotape (marked GMW, 5/20/03, 4:20pm, #2).

The transfer was witnessed by Sarah M. Kendall, Chief of National Security Law Division, Office of the Principal Legal Advisor, Bureau of Immigration and Customs Enforcement, 425 I St., SW, Room 6109, Washington, DC 20536 (Ph: [redacted]). The transfer was logged onto a "Receipt of Property," dated May 20, 2003, which was generated by Kendal and signed by [redacted] and [redacted] Attachment #1.

In this writing, the above items (#1-3) remain in the custody of [redacted] DHS OIG HQ.

Attachments

1. "Receipt of Property," dated May 20, 2003, signed by [redacted] and [redacted]

Agent Name, [redacted] Supervisory Special Agent Date: June 4, 2003 [redacted] 6/4/03	Reviewing Officer Name, Gerald Coffman Title, Signature, and Date Acting SAC, June 3, 2003 [Signature] 6/4/03	Item #: 1
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# Receipt of Property

May 20, 2003

On May 20, 2003 [REDACTED] delivered to SSA [REDACTED]  
DHS/IG the following items

1. Audiotape: (Marked GMW 52003 4:20 p.m. #1)
2. Videotape: ((Marked GMW 52003 4:20 p.m. #1A)
3. Audiotape: (Marked GMW 52003 4:20 p.m. #2)

All items were transferred from [REDACTED] to [REDACTED]

[REDACTED] <sup>5/20/03</sup>  
④ 4:20 PM  
Associate General Counsel  
NSLD OLA BICE

[REDACTED]  
SSA [REDACTED]  
Supervisory Special Agent  
OIG DHS

Witnessed by Sarah M. Kendall  
SMK Kendall 5/20/03

# Exhibit 4



Subject of Activity: Personal Interview

File Number: CO-03-OIGHQ-029003S	Case Title: AMICC
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On May 21, 2003, at 1:00 p.m., Charles E. Stallworth, Director, Office of Air Marine Interdiction, Immigration and Customs Enforcement, Washington, DC (Ph: [REDACTED]) was interviewed at his office, Room [REDACTED], [REDACTED] Washington, DC 20029, by Supervisory Special Agent (SSA) [REDACTED], Department of Homeland Security (DHS) Office of Inspector General (OIG). The purpose of the interview was to determine the appropriateness of actions taken by the Office of Air Marine Interdiction Command Center (AMICC), Riverside, CA, following a call for assistance at 3:20 p.m. on May 12, 2003.

The complaint originated on May 15, 2003, when DHS OIG received a letter from Congressman John Conyers, et al, alleging a "waste of DHS resources for partisan purposes", by AMICC on May 12, 2003. Attachment #1.

On May 21, 2003, Charles Stallworth was asked to respond to the following questions that were contained in the aforementioned Congressional memorandum.

1. Who requested the Center to locate Mr. Laney's plane?

CS: DPS (Texas Dept. of Public Safety) [REDACTED] Austin, TX, requested assistance in locating the plane.

2. Who, at the Center or elsewhere in the Department of Homeland Security, or in the Administration, authorized the Center to undertake this surveillance?

CS: [REDACTED] Detection Systems Specialist (DSS), Riverside, CA, (Ph: [REDACTED]) took the call from DPS [REDACTED] and responded to the request for assistance. [REDACTED] DSS, was the supervisor who was aware of the situation.

3. Were there any other contacts between Congressional or Administration officials with the Department concerning this matter?

CS: None to my knowledge.

4. What was the rationale for utilizing the federal resources for this undertaking?

CS: We responded to a request for assistance from a law enforcement entity.

5. What was the cost of this surveillance?

CS: DSS [REDACTED] and Sr. DDS [REDACTED] hours.

Author Name, [REDACTED] Supervisory Special Agent Date: June 3, 2003	6/14/03	Reviewing Officer Name, Gerald Coffman Title, Signatory, and Date, Acting SAC, June 3, 2003 [Signature] 6/4/03	Item #: 2
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6. Were employees or resources of the Department diverted from homeland security tasks to complete this surveillance?

CS: Nothing other than [redacted] and [redacted] time. There was no reduction in efficiency or service as there were other DSS personnel on duty.

7. Were legal requirements and internal guidelines for conducting surveillance complied with?

CS: Yes

On the same date, Director Stallworth provided the following points of contact for AMICC, Riverside CA:

[redacted] Surveillance Operations (Ph: [redacted]).

[redacted] AMICC, Riverside, CA (Ph: [redacted]).

During the May 21, 2003 interview, Director Stallworth maintained that AMICC acted appropriately and in accordance with agency guidelines in responding to a legitimate "law enforcement request for assistance." In Stallworth's opinion, DDS [redacted] believed that there was a lost aircraft and emergency assistance was needed. Stallworth cited the Watch Log from AMICC, Riverside, CA, that detailed [redacted] interaction with DPS on 05/12/03. A review of the Watch Log reveals language consistent with Stallworth's assertion that the aircraft was deemed missing. Specific examples of language (suggesting exigency) includes:

Sentence 1 - "trying to find an aircraft."

Sentence 5 - "they searched the airport with no luck finding the A/C."

Sentence 10 - "to see if they (FAA) could conduct a lost aircraft procedure."

Attachment #2 (Note: the date and time displayed on the Attachment #2 is May 13, 2003, 0240 hours (GMT). In terms of Pacific Standard time, the call from DPS to AMICC actually occurred seven hours earlier, on May 12, 2003 at 1940 hours, or 7:40 p.m.).

Director Stallworth further supported his position by citing statements made by DPS on May 12, 2003, where [redacted] told [redacted] that [redacted] has "got a problem," and that, "It had state representatives in it and we cannot find this plane". A review of the transcript of the (recorded) conversation between [redacted] and [redacted] reflects the exact language quoted above.

The interview with Charles Stallworth was concluded at 2:10 p.m. on May 21, 2003.

Attachments:

1. Memorandum from Congressman John Conyers, dated May 15, 2003.
2. Watch Log from DSS [redacted] AMICC, dated 05/13/03.

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(WED) 16:00

TEL: [REDACTED]

P. 002

003 13:23 FAX [REDACTED]

U S CUSTOMS - AMICC

002

UNCLASSIFIED

13-May-03 1622

Page: 1

[REDACTED]  
WATCH LOG QUERY

DATE/TIME

USER

ENTRY

---

13-May-03 0240 [REDACTED]

RECEIVED A PHONE CALL FROM A [REDACTED] OUT OF ARDMORE OK TRYING TO FIND AN AIRCRAFT N711RD SAID THE A/C WAS CARRING GOVT PEOPLE FROM ARDMORE OK TO PLAINVEIOW TX NO NAMES GIVEN. AMICC CONTACTED FAA A/M AT FT WORTH CENTER. THEY HAD CONTACT WITH THE A/C AT 2348Z 40 MILES WEST OF KFTW NEAR MINERAL WELLS TX. AMICC CONTACTED MINERALS WELLS AIRPORT AUTH, AND THEY SEARCHED THE AIRPORT WITH NO LUCK FINDING THE A/C. AMICC CONTACTED THE FBO AT PLAINVEIOW TX MILLER FLYING SERVICE. THEY HAD NOT SEEN THE A/C BUT THEY GAVE AMICC THE PHONE NUMBER FOR [REDACTED]. [REDACTED] WERE THE A/C IS HANDLED ACROSS THE FIELD AMICC HAD NO LUCK CONTACTING ANYONE AT THAT NUMBER. [REDACTED] WAS INFORMED ABOUT ALL INFORMATION AND WAS GIVEN THE FAA A/M NUMBER TO CONTACT TO SEE IF THEY COULD CONDUCT A LOST A/C PROCEDURES. [REDACTED] AND [REDACTED] WAS BRIEFED ON ALL.

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**Exhibit 5**



Type of Activity: Personal Interview

Case Number: IN03-OIG-LA-0662	Case Title: Air and Marine Interdiction Center
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[redacted] Senior Detection Systems Specialist (SDSS), GS-13, Air and Marine Interdiction Coordination Center (AMICC), Bureau of Immigration and Customs Enforcement, telephone number [redacted] was interviewed on May 22, 2003, from 10:10 AM to 11:05 AM, at March Air Force Base, Riverside, California. In addition to the reporting agent, [redacted] Special Agent, Office of Inspector General, Department of Homeland Security (DHS), was present during the interview. [redacted] stated substantially as follows.

[redacted] was the SDSS on duty on May 12, 2003, when a call was received from [redacted] Texas Department of Public Safety (DPS). [redacted] answered the call and [redacted] asked for assistance with locating an aircraft. [redacted] transferred the call to [redacted] Detection System Specialist, GS-11, who was controlling the Texas desk. [redacted] took the call, and then explained to [redacted] that a particular aircraft was overdue and DPS wanted assistance to locate the aircraft. [redacted] authorized [redacted] to proceed and try to find the plane. This was standard procedure when a request for assistance is received. According to [redacted] AMICC receives 30 to 40 calls per day requesting such assistance. [redacted] was in the operations center and present when [redacted] authorized [redacted] to assist. [redacted] nodded head in concurrence with the authorization.

There were no other contacts between Congressional and/or Administration officials and AMICC. Subsequent to this call, they were instructed to refer any inquiries to the public affairs office or to Charles Stallworth, Director, AMICC, Washington, D.C. On May 16, 2003, [redacted] received a call from [redacted] believed to be from DHS at [redacted] requesting information about the incident for a briefing to be given to Secretary Ridge, DHS. The request was provided to Stallworth for his return call to [redacted] [redacted] made an entry in the watch log for this date (attached).

AMICC assists as a matter of public safety in the location of general aviation aircraft for individuals, localities, states, etc.

[redacted] has no idea of the specific cost of providing the service to locate the aircraft in question. The cost could include a couple of telephone calls and less than 1/2 hour of a GS-11 employee's time who was working on other duties at the same time.

No employees or other DHS resources were diverted from homeland security tasks to assist with the request to locate the aircraft. They were doing their customary duties. One of these duties is providing assistance to locate general aviation aircraft.

Legal requirements and internal guidelines were followed for providing this assistance.

Author, Title, Signature, and Date: [redacted] 5/28/03	Reviewing Official Name, Title, Signature, and Date: Joe Artes, Special Agent in Charge [Signature] SAC, 6/3/03	Item #:
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# MEMORANDUM OF ACTIVITY

[REDACTED] provided a copy of the computer screen showing there were 9 flight plan entries for the aircraft for May 12, 2003. There was a proposed flight plan from Ardmore, Oklahoma, to Plainview, Texas. [REDACTED] explained that it is not possible to determine if the flight actually occurred, because of the area. Not all of the entries are accurately recorded. Additionally, there can possibly be multiple entries or corrections for the same flight. [REDACTED] may have retained a detailed copy of the flight plan after [REDACTED] completed assisting [REDACTED].

A follow-up call was made to [REDACTED] on this date at 1:45 PM to request additional information. [REDACTED] explained that all calls in and out of the operations center are recorded. This is standard operating procedure. Calls made to private offices and on the secure telephone line within AMICC are not recorded.

## Attachments:

- 1 - Memorandum Prepared by [REDACTED] Documenting the Events of 5/12/03;
- 2 - Watch Log Entry of Call from [REDACTED]; and,
- 3 - Computer Printout of Flight Plan Summary for Aircraft ID N711RD.

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May 19, 2003

On Monday May 12, 2003 at approximately 1800 local I received a phone call from a Texas DPS Officer requesting assistance in locating an aircraft. I transferred the call to DSS [REDACTED] (working the Texas position) and instructed [REDACTED] to clarify the request and provide assistance if possible.

After talking to [REDACTED] DSS [REDACTED] informed me the DPS had requested help in locating a general aviation aircraft (N711RD) with some state government officials on board. The DPS Officer believed the aircraft had departed Ardmore, OK en route to Plainveiw, TX. The DPS Officer had indicated concern over their inability to find the aircraft. I instructed DSS [REDACTED] to take the appropriate steps to locate the aircraft (contact the FAA Center and FSS, check flight plans, etc).

Several minutes later DSS [REDACTED] approached me indicating [REDACTED] was unable to confirm the current location of the aircraft. [REDACTED] had been able to determine the FAA had talked to the aircraft about an hour before but the remainder of [REDACTED] efforts (including contacting the FBO and local authorities) had been negative. I instructed DSS [REDACTED] to contact Officer [REDACTED] inform [REDACTED] of our inability to confirm the safe arrival and/or location of the aircraft and to provide [REDACTED] with the FAA number for filing a lost/overdue aircraft report so a search and rescue (SAR) effort could be mounted. DSS [REDACTED] complied.

A few minutes later DSS [REDACTED] informed me the DPS Officer had declined the number stating [REDACTED] did not wish to go that far as of yet. Approximately ten minutes after the preceding call DSS [REDACTED] informed me Officer [REDACTED] had called back requesting the FAA SAR number.

[REDACTED]

Senior Detection Systems Specialist, AMICC

[REDACTED]

5-22-03

ATCH LOG QUERY

DATE/TIME

USER

ENTRY

22-May-03 0231

[REDACTED] DHS CALLED REQUESTING INFORMATION ON MONDAYS  
INCIDENT CONCERNING THE TEXAS DPS FOR A BRIEFING TO BE GIVEN TO DIRECTOR RIDGE.  
AFTER CONFIRMING [REDACTED] ID INFORMED [REDACTED]  
[REDACTED] (ATTEMPTED CALL TO ACTING DIRECTOR, LEFT MESSAGE) AND DIRECTOR  
STALLWORTH. DIRECTOR STALLWORTH WILL CONTACT [REDACTED] IMMEDIATELY.

---

[REDACTED]  
5-22-03

Deep Archive Flt Plans

Action Edit Block Field Record Query

Help

## Deep Archive Flight Plans Summary

AC ID	Date Received	Aircraft Type	Dep Apt	Dom Y/N	Dep Time	Dest Apt	Dom Y/N	Dest Time	Rules	Suspect?
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
N711RD	12-MAY-03 2336	PAY2	1F0	Y	P122345	PVW	Y	130045	IFR	N
N711RD	12-MAY-03 1931	PAY2	GTU	N	E121931	1F0	Y	122042	IFR	N
N711RD	12-MAY-03 1921	PAY2	GTU	N	D121922	1F0	Y	122042	IFR	N
N711RD	12-MAY-03 1822	PAY2	1F0	Y	E121823	GTU	N	121902	IFR	N
N711RD	12-MAY-03 1752	PAY2	1F0	Y	E121835	GTU	N	121902	IFR	N
N711RD	12-MAY-03 1738	PAY2	GTU	N	P121930	1F0	Y	122050	IFR	N
N711RD	12-MAY-03 1735	PAY2	GTU	N	P121930	1F0	Y	122050	IFR	N
N711RD	12-MAY-03 1725	PAY2	1F0	Y	P121800	GTU	N	121910	IFR	N
N711RD	12-MAY-03 1354	PAY2	PVW	Y	P121415	1F0	Y	121515	IFR	N
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Exit

Enter Query

Cancel Query

Print

Airport Lookup

AC Reg Lookup

Page: 1 of: 58

Departure Airport (Example KDFW), (MIA = KMIA)

Count: 18

&lt;Insert&gt;

**Exhibit 6**



type of Activity: Other (Describe): Receipt of Fax from AMICC

Case Number: IN03-OIG-LA-0662	Case Title: Air and Marine Interdiction Center
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On May 23, 2003, [REDACTED], Senior Detection Systems Specialist, GS-13, Air and Marine Interdiction Coordination Center (AMICC), Bureau of Immigration and Customs Enforcement, Riverside, California, was requested to provide a copy of any policy or regulation that would govern AMICC policy in providing assistance to local law enforcement or other types of assistance related to aircraft.

[REDACTED] faxed the attached pages from the AMICC Training and Operations Manual, chapter 2-page 2, and chapter 22-page 2.

2. Title, Signature, and Date:	[REDACTED]	5/28/03	Reviewing Official Name, Title, Signature, and Date:	Joe Artes, Special Agent in Charge	Item #:
				[Signature]	

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**DEPARTMENT  
OF  
HOMELAND SECURITY**

**Bureau of Immigration and Customs Enforcement  
FACSIMILE TRANSMITTAL**

Date: 5-23-03

To: [Redacted]

Org: IG

Fax number: [Redacted]

Sender: [Redacted]

Air and Marine Interdiction  
Coordination Center  
PO Box 6363  
March ARB, CA 92518-6363

Originating location: AMICC

Subject: N711RD

Return fax number: [Redacted] Secure Fax: [Redacted]

Voice Number: 24 Hour Numbers for Comm: [Redacted] or [Redacted]  
24 Hour Number for Operations: [Redacted]

Voice number:

Number of pages including this cover: 3

Remarks:

[Large empty rectangular box for remarks]

★ TRADITION

★ SERVICE

★ HONOR

229661

Control Number: \_\_\_\_\_

**Air Marine Interdiction Coordination Center**

**INTRODUCTION**

Skylane is a careful, systematic delineation of aircraft, pilot, and flight information leading to the discovery of aircraft suspected of transshipping contraband. Our continuing success in surveillance and interdiction has led to a significant drop in aircraft border penetrations. The majority of the narcotics and contraband transported by aircraft lands in Mexico, Haiti, and the Leeward Islands, or is airdropped to vessels in Puerto Rico and the Bahamas.

Currently the vast majority of the primary points for initial narcotics deliveries are short of our border. Various non-aviation related conveyances are used to bring the contraband into the U.S. Once inside, aircraft are once again the most efficient and expeditious method of moving the contraband to market. Smugglers constantly change and adapt their tactics and methods to achieve a higher success rate. To counter them we must do the same.

**MANDATE**

As contained in the "Aviation Program Five Year Strategy 1999-2004." The aviation program employs a three-pronged approach. In supporting the enforcement and administration of Customs Laws & Regulations:

1. Maintain border security against the airmuggling threat;
2. Support the anti-smuggling investigative and enforcement activities of Customs and other federal, state, and local law enforcement agencies that support the Customs mission;
3. Support the President's International Drug Control Strategy;
4. At the discretion of the Commissioner, and when resources allow, Customs aircraft can be used to support federal, state, and local law enforcement and humanitarian efforts.

It is under paragraph number two (2) and four (4) as spelled out above that Operation Skylane is conducted.

Excerpt from DSS position description:

*Performs queries, interprets and analyzes data acquired from numerous law enforcement and FAA database systems. ...to determine if law enforcement action should be recommended against a suspect person, aircraft, or vessel.*

**A. OBJECTIVES & MISSION**

The Customs Aviation Program is an integral part of the enforcement effort. The objectives and mission of the Aviation Program are defined within the scope of the mission and are divided into two functional areas.

**Interdiction**

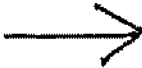
**Objective:** To significantly inhibit the smuggling of contraband by aircraft.

**Mission:** To detect, identify, intercept, track and apprehend aircraft engaged in the smuggling of contraband.

**Support**

**Objective:** To provide flexible and rapid aviation response at selected locations along the borders of the United States.

**Mission:** To provide assistance to all other elements of Customs requiring aviation support. Air Support also will be provided to assist other federal, state and local agencies as assets permit.



**B. ORGANIZATIONAL STRUCTURE**

The functions of the various offices involved in the management of the Aviation and Marine Program are discussed below.

Commissioner, U.S. Customs Service - the responsibility and authority for the Aviation Program is vested in the Commissioner.

Deputy Commissioner - has line authority over the Aviation Program and is directly responsible to the Commissioner for the effective conduct of the Aviation Program.

Assistant Commissioner, Office of Investigations (ACI) - has functional responsibility to the Commissioner and Deputy Commissioner of the Aviation Program.

Executive Director, Air Marine Interdiction Division (AMID) - responsible for organizing, directing, and controlling the administration and operation of the programs under his/her tactical interdiction mission. The director is responsible for providing clearly defined national program objectives, strategies for future program development, and operational requirements for program wide implementation. The director participates in coordinated efforts to identify and interdict the attempted smuggling of contraband by private aircraft. He/she is responsible for coordinating with management within Customs, with other agencies, and with Congress to ensure that program objectives are understood, approved, and supported.