AUDIT OF THE DRUG ENFORCEMENT ADMINISTRATION'S AVIATION OPERATIONS

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EXECUTIVE SUMMARY

The Drug Enforcement Administration's (DEA) aviation program plays a crucial role in the DEA's efforts to prevent the illicit trafficking of drugs into and within the United States. According to the DEA, aviation support significantly benefits DEA investigative and intelligence efforts, and enhances the safety, anonymity, and effectiveness of DEA operations both domestically and internationally. DEA aviation resources are primarily used to support DEA enforcement and intelligence operations by providing aerial surveillance, assisting land and water interdiction efforts, and performing reconnaissance. DEA aviation resources are also used for administrative purposes, such as transporting evidence, equipment, and personnel when necessary. For fiscal year (FY) 2010 the DEA aviation program had an annual budget of $47.6 million.

The DEA's aviation operations are managed by its Aviation Division, which is headquartered at the Aviation Operations Center in Fort Worth, Texas. The Aviation Division centrally manages and oversees all DEA aviation assets, including Special Agent Pilots, aircraft, and equipment. The Aviation Division is led by a Special Agent in Charge, who reports directly to the DEA Chief of Operations.

As of May 2011 the DEA's aircraft fleet was comprised of 92 single and multi-engine propeller airplanes, multi-engine jet aircraft, and single and multi-engine helicopters. While the DEA's fleet is primarily located in the United States, some DEA aircraft used to support DEA international operations are located in Afghanistan, the Commonwealth of The Bahamas, Colombia, Mexico, and Peru.

As of June 2011 the DEA employed 108 Special Agent Pilots. In FYs 2009 and 2010, DEA data indicated that DEA Special Agent Pilots flew over 24,000 flights and logged 63,000 flight hours. Over 50,000 of these flight hours (approximately 80 percent) were in support of DEA operational activities.

OIG Audit Approach

The objective of this audit was to assess the DEA's management of its aviation operations. Specifically, we analyzed the usage, prioritization, and availability of DEA aviation assets, primarily focusing on its domestic-based aviation operations for FYs 2009 and 2010. To accomplish our objective we performed work at DEA headquarters in Arlington, Virginia, and at the DEA Aviation Operations Center in Fort Worth, Texas. We also performed fieldwork at five domestic locations, visiting DEA Aviation Resident Offices and DEA field offices. We conducted interviews with the DEA's Chief of Operations, Chief Financial Officer, Aviation Division Special Agent in Charge, and other headquarters-level officials and personnel. Additionally, at the field locations we visited, we interviewed DEA aviation personnel, such as Resident Agents in Charge and Special Agent Pilots, as well as enforcement personnel who benefit from DEA aviation support, including field office management and Special Agents.

In addition, we examined the DEA's procedures for requesting aviation support and flight activity data to determine how resources were used to support priority investigations. We also reviewed a 1995 OIG report on DEA's management of its aviation program.[1] Appendix I of this report contains a more detailed description of our audit objective, scope, and methodology.

Results in Brief

The DEA must strategically utilize its aviation resources to ensure its priority cases receive sufficient support. The DEA's overall data suggests that priority cases make up approximately 20 percent of the DEA's investigations, and these cases receive most of the aviation support. However, in contrast, in some of the DEA field office locations we visited we found that non-priority targets received most of the aviation support.

In addition, we found that initial requests for aviation support typically are made informally, over the phone or in person, and that DEA Special Agent Pilots may deny such requests without the involvement of DEA management. We could not confirm whether aviation support requests in the field offices we visited had been properly prioritized because there is no requirement to document the prioritization of competing requests at the field level. Accordingly, in this report we recommend that the DEA require that

[1] U.S. Department of Justice Office of the Inspector General (OIG), *Audit of the Drug Enforcement Administration Management of Aviation Operations*, Audit Report 95-29 (August 1995).

all aviation support requests are initiated by field office supervisors and that prioritization decisions between competing requests are documented.

Although DEA Special Agent Pilots consistently submitted to the Aviation Division mission report forms for operations they completed, we found numerous instances where incorrect or incomplete information was recorded on these mission report forms, such as incorrect case numbers. Aviation personnel also failed to consistently capture and report information related to unfulfilled requests for aviation support. According to DEA data, DEA field offices reported that 1,139 (78 percent) non-weather related, unfulfilled aviation support requests in FYs 2009 and 2010 were not fulfilled because of an unavailable aircraft (maintenance-related or otherwise), pilot, or observer. However, we found that this data was inconsistently reported and likely underreported. Accurate and complete information on fulfilled and unfulfilled requests for aviation support is important for the DEA to be able to assess the demands on its limited aviation resources, evaluate the aviation support provided, and project its future aviation resource needs. We make recommendations in this report that we believe will help the DEA improve how it captures and utilizes this information to more accurately project and manage aviation program needs.

We also found that maintenance was the most frequently reported reason for unfulfilled aviation support requests during FYs 2009 and 2010. In FY 2010, 58 of the 100 available DEA aircraft were operational more than 80 percent of the time while 42 aircraft were grounded due to maintenance issues more than 20 percent of the time, including 6 aircraft that were available less than 60 percent of the time. As of December 2010, the DEA's fleet ranged in age from 2 years to over 35 years old. Our review showed that substitute aircraft were generally made available during times of prolonged aircraft maintenance.

In addition, we found that certain DEA practices may jeopardize the safety of DEA aviation personnel and assets. DEA aircraft are maintained in 40 locations across the United States. In each of these locations the DEA's aviation program is a covert operation, with knowledge of aviation asset locations generally limited to DEA personnel. However, despite the covert nature of these operations, in 24 of these locations DEA aircraft are stored in hangar spaces shared with commercial organizations or private individuals. In one location we visited that is known for a high-level of drug trafficking activity, DEA personnel noted that those sharing its hangar space changed often and that the DEA did not control who had had access to the hangar. Therefore, there is a risk that DEA aircraft could be stored with aircraft owned by individuals or organizations involved in drug trafficking. In addition, after searching Federal Aviation Administration (FAA) aircraft

registration records we found, as of September 2011, 13 DEA domestic-based aircraft that should have been covertly registered to fictitious or cover organizations but were not. Although we recognize that it is impossible for the DEA to completely eliminate security threats to its aviation personnel and property, we make recommendations in this report that we believe will help the DEA minimize potential risks.

Also, DEA officials informed us that Special Agent Pilots were not required to prepare formal pre-flight risk assessments that consider factors such as weather conditions and pilot fatigue. However, at our audit close-out meeting, DEA officials stated that they planned to soon implement a formalized pre-flight risk assessment. We recommend that the DEA implement a mandatory, formal pre-flight risk assessment that adequately documents and objectively quantifies the Aircraft Commander's assessment of the level of risk associated with a flight. This requirement will help the DEA ensure that its pilots consistently consider all pre-flight risks.

In our report we make 11 recommendations to assist the DEA in the management of its aviation operations. Our full report contains detailed information on the results of our review. The remaining sections of this Executive Summary summarize our audit findings.

DEA Domestic Aircraft Usage and Agency Priorities

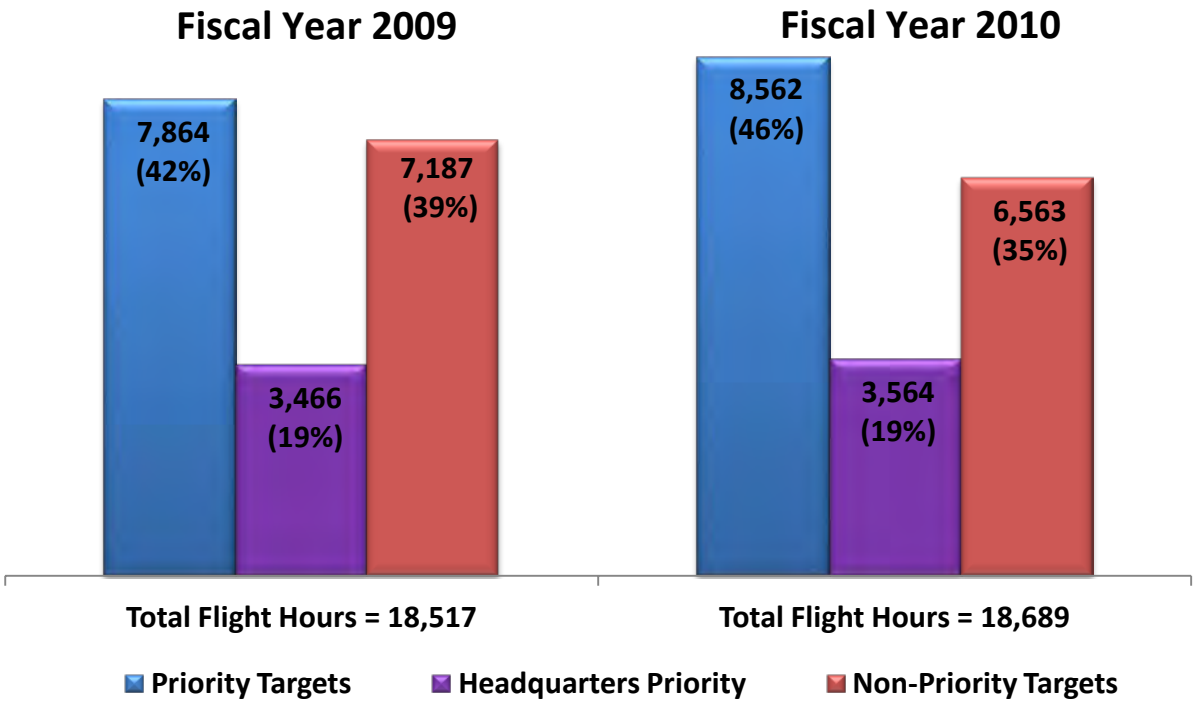
In both foreign and domestic operations, DEA Special Agent Pilots flew over 50,000 hours in support of DEA operations during FYs 2009 and 2010. Seventy-four (74) percent of these operational flight hours supported the DEA's 21 domestic field divisions and headquarters program operations. The remaining 26 percent supported DEA international operations.

The DEA's domestic enforcement strategy is to disrupt and dismantle the most significant drug, money laundering, and narco-terrorism related organizations. The DEA classifies its most significant investigations of drug traffickers as Priority Target Organizations (PTO). In FY 2010, only 20 percent of the DEA's over 32,000 investigations were designated as PTO cases.

The DEA must strategically utilize its resources, including its use of aviation resources, to ensure PTO cases receive priority attention. DEA aviation resources also are used for headquarters-derived priority operations, such as its Mobile Cannabis Eradication Response Team (Cannabis Eradication), which require specialized aviation support. In FY 2010 alone, DEA Special Agent Pilots flew 1,884 hours for Cannabis Eradication operations.

Our analysis of DEA aviation data for domestic operations in FYs 2009 and 2010 shows that the majority of aviation efforts were flown in support of DEA priority investigations and operations, as the following exhibit demonstrates.

DEA Aviation Mission Hours
In Support of Domestic Operations
Fiscal Years 2009 and 2010



Source: DEA Aviation Division

However, we found in two of the field offices we visited, priority target cases were receiving less support than non-priority target cases. As discussed in greater detail below, we could not confirm whether requests in these offices had been properly prioritized because DEA aviation personnel did not consistently report unfulfilled requests. Further, DEA does not have criteria for its personnel to use in deciding the prioritization of aviation support, and it does not require such decisions to be documented.

Aviation Support Requests and Prioritization

DEA policy does not require that requests for aviation support be submitted to a particular individual or office. DEA enforcement personnel typically submit requests for aviation support to Aviation Division personnel responsible for providing aviation support to the requesting field office, such as a Special Agent Pilot or a Resident Agent in Charge. In addition, DEA Aviation Division policy does not require written requests for aviation support. We found that initial requests for aviation support are often made informally, over the phone or in person. Further, we found that the Special Agent Pilot receiving a request may deny it verbally at the time it is received without consulting aviation management. When we discussed this issue with aviation management we were told that field office management is generally included during the formal planning stage for an operation and if aviation resources had been informally denied by a Special Agent Pilot they would likely be aware of it. However, DEA management can only prioritize the use of aviation resources when they have complete knowledge of all potential uses of aviation resources.

Aviation personnel frequently receive multiple requests for aviation support for the same time period. In FYs 2009 and 2010, DEA Special Agent Pilots reported 138 instances in which requests for aviation support were not fulfilled because aviation resources were being used to support higher priority missions. DEA field office personnel we interviewed said they did not recall any instances where a lower priority case received aviation support instead of a higher priority case.

However, we found that unfulfilled requests often are not reported to the DEA Aviation Division, as required by DEA policy. In addition, we could not confirm whether requests had been properly prioritized because there is no requirement for field offices to document the prioritization of competing requests. The DEA also does not advise aviation and field office enforcement personnel on factors to consider in instances where the prioritization of aviation support requests becomes necessary.

While allowing DEA enforcement personnel to contact anyone within the supporting Aviation Division office to request aviation support facilitates quick response, this practice gives great discretion to individual Special Agent Pilots in the request approval process. Further, as noted above, the DEA does not require enforcement management to be involved at the point of the initial aviation support request; instead, the DEA relies on the assumption that DEA enforcement management will be involved appropriately. These practices, the underreporting of unfulfilled requests for aviation support, and the lack of guidance for prioritizing aviation resources,

increases the risk of inconsistent application of limited resources by giving the Special Agent Pilot the opportunity to approve or deny requests without ensuring aviation and enforcement management concurrence. Senior DEA officials stated at the audit close-out meeting that standard DEA practice would assume that any relevant need for aviation support would be appropriately elevated through field office management. However, this relies on individual relationships between Special Agents and management as opposed to a procedural requirement for a standard level of assurance that aviation support is considered adequately. We therefore recommend that the DEA require that field office supervisors initiate all aviation support requests to help ensure that the approval and prioritization of DEA aviation support is consistent. Additionally, in instances when the prioritization of competing requests is necessary the DEA should require documentation of the reason for the decision.

Reporting Aviation Support

Special Agent Pilots are required to document each use or requested use of a DEA aircraft with a "DEA Aircraft Mission Report" (mission report). The mission report captures information regarding the aviation operation conducted, such as flight crew information, the type of operation, the case number and G-DEP code for the investigation supported, operation results (if applicable), and other general information such as the date, time, location, and length of mission.[2] The Aviation Division enters information from the mission report form into the Division's Alliance Aviation Management System (Aviation Management System).

During our field work, we found that Special Agent Pilots consistently completed mission reports for operations they supported. However, in our review of Aviation Management System data we found numerous instances in which the correct case file numbers or G-DEP codes were not recorded in mission reports. There were also instances in which no G-DEP code was provided on mission reports. Without the correct G-DEP code and case number, the Aviation Division cannot accurately evaluate how aviation resources were used to support DEA enforcement efforts.

It is important for the DEA to obtain accurate and complete information on fulfilled and unfulfilled requests in order to be able to assess the demands on its limited aviation resources, evaluate the aviation support provided, and project its future aviation resource needs. The Aviation

[2] The Geographical Drug Enforcement Program (G-DEP) code is a code the DEA assigns to all criminal investigations to classify the violator, the type and amount of drugs, and the suspected location of criminal activity.

Division currently relies on Special Agent Pilots to document correctly the support they provide and the requests they did not fulfill. Near the conclusion of our audit, DEA officials told us that they are working to automate the mission report form. These officials said they believe that the automation of the mission report form should reduce data entry errors. Although the DEA has apparently begun taking steps to cut down on aviation mission reporting errors, we recommend that the DEA ensure that the anticipated automated mission report form does not allow important information, such as case numbers and G-DEP codes, to be omitted.

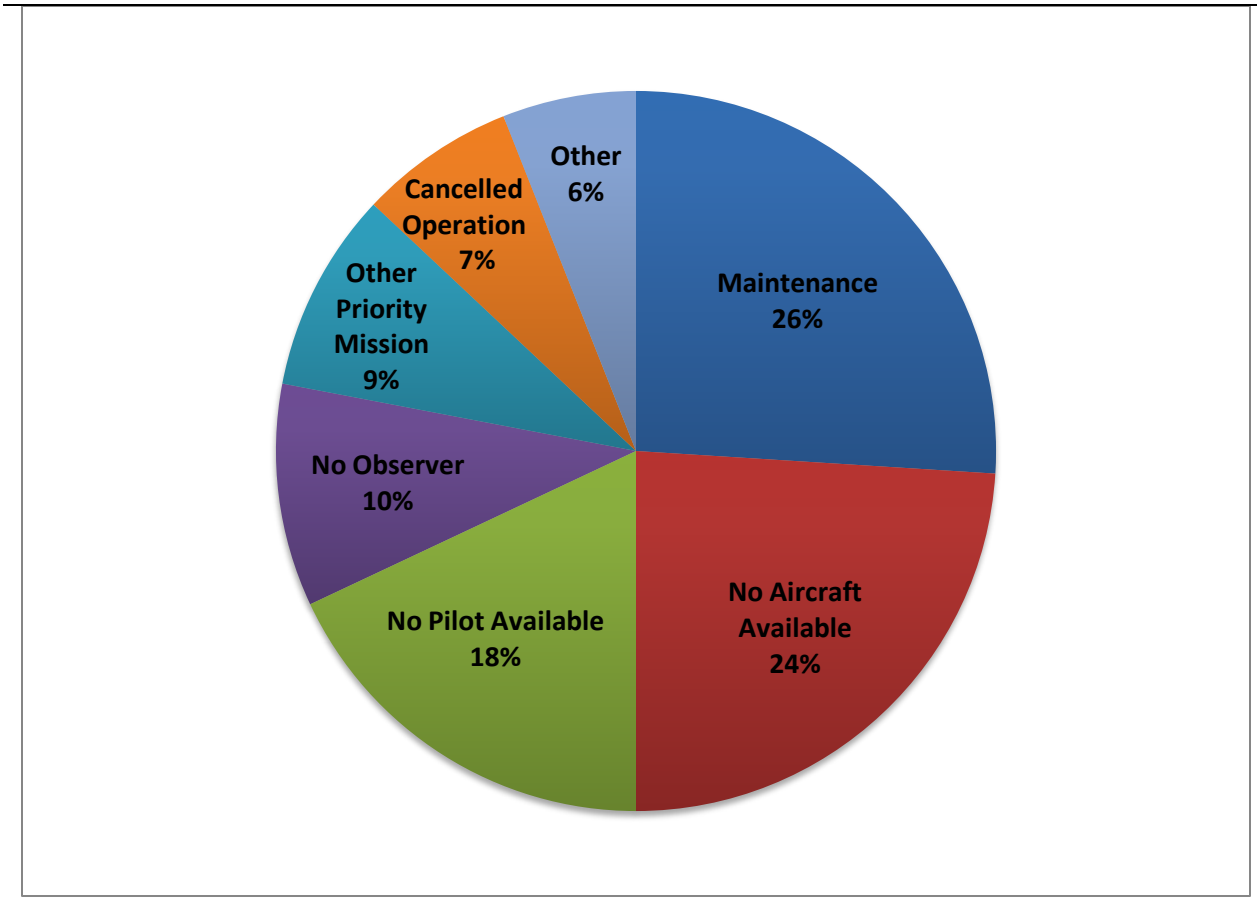
Unfulfilled Requests for Aviation Support

To provide aviation support to DEA operations, the Aviation Division must have aircraft, pilots, and on-board observers readily available. However, at times, uncontrollable circumstances, such as inclement weather, can prevent the use of aviation support by DEA ground personnel. In other cases aviation support may not be provided due to unavailable aviation resources, such as Special Agent Pilots, observers, or aircraft. In either circumstance, DEA ground teams may still be forced to execute an operation without the crucial benefits that aviation support can provide, such as enhanced agent safety and access to visual information and evidence that is otherwise inaccessible to DEA teams on the ground. Accordingly, the DEA should strive to maximize the availability of its aviation resources.

DEA regulations require that aviation personnel document unfulfilled requests for aviation support using the same mission report form used to report information on completed aviation missions. The DEA refers to these reports as "negative mission reports." Special Agent Pilots must document in a negative mission report the reason support was unavailable, such as weather, aircraft maintenance, or the unavailability of a pilot. The following exhibit shows the breakdown of the 1,464 non-weather related unfulfilled aviation requests reported by the DEA for FYs 2009 and 2010.[3]

[3] Because weather is an uncontrollable factor in DEA's aviation operation we eliminated from our analysis unfulfilled requests due to inclement weather.

Unfulfilled Requests for Aviation Support (excluding weather)
As Reported by DEA Field Offices
Fiscal Years 2009 and 2010



Source: DEA

As shown above, 78 percent of the unfulfilled aviation support requests were not fulfilled because of the unavailability of an aircraft (maintenance-related or otherwise), pilot, or observer.[4]

Field Office Reporting of Unfulfilled Aviation Requests

As noted above, Special Agent Pilots must identify on a mission report form the reason a request for aviation support was unfulfilled. However, we found that the mission report form does not define the unfulfilled request categories listed on the form and does not provide DEA personnel with any additional guidance to ensure the appropriate category is selected. We believe that the lack of definitions and guidance on the mission report form

[4] Observers are in-craft support personnel who provide real time visual surveillance communicated by radio to ground units, operate video camera systems to document ground operations, and take photographs for pre-mission planning.

has resulted in inconsistent use of the form by Aviation Division personnel. Out of 76 reports we reviewed from FYs 2009 and 2010, we found 12 instances when the "other" category was selected instead of a more specific choice on the mission report form, such as "no aircraft available." We also found instances where pilots selected "other" when the aircraft was unavailable due to maintenance, leading to likely underreporting in the "maintenance" category.[5]

In addition to inconsistent use of the DEA's mission report form, we also found that some DEA field offices are likely underreporting unfulfilled requests for aviation support. During our review we found that some field offices reported all unfulfilled requests while others only reported instances when a mission was scheduled and subsequently cancelled. Accurate and consistently reported information regarding unfulfilled requests will assist the Aviation Division in projecting aviation program needs and assessing the causes of aviation resource deficiencies.

During our audit Aviation Division management stated that the DEA does not formally analyze data from negative mission reports. The Special Agent in Charge of the DEA Aviation Division stated that there is a benefit to analyzing information contained in the negative mission reports. At the audit close-out meeting, DEA officials stated that the DEA did analyze this data on an informal, ongoing basis, using monthly reports that summarize data on DEA aviation operations. We found that these reports provide Aviation Division management with snapshots of aviation data for a single month, for each pilot and for each aircraft. However, we believe that these reports are limited in value, as they do not afford the DEA an understanding of any trends in unavailable resources or provide insight into the effects of unavailable aviation resources.

Near the conclusion of our audit, the DEA distributed a June 6, 2011, memorandum to all Aviation Division employees that emphasized the importance of providing complete and accurate information on the mission report form. The memorandum acknowledged that our audit revealed instances where data was either inaccurate or missing. The memorandum further stated, as noted earlier, that the DEA is in the process of automating the mission report form and that it anticipates the electronic format will simplify the process and help minimize the likelihood of data entry errors.

We appreciate the Aviation Division's effort to emphasize to DEA field offices the importance of consistent and accurate reporting. However, we do not believe that improving the data collection of unfulfilled request data alone is sufficient. We believe that the DEA must utilize this information to

[5] DEA officials told us that aircraft can be unavailable for non-maintenance reasons, including instances where a specific type of aircraft is requested but unavailable.

more accurately project aviation program needs and assess causes of any aviation resource deficiencies. We recommend that the DEA revise its mission report form to include definitions or guidance for personnel to refer to when identifying the reason for not fulfilling a request for aviation support. Additionally, we recommend that the DEA perform a formal periodic analysis of its unfulfilled aviation support request data to more accurately identify the causes of and any trends in aviation resource deficiencies and to assist in projecting aviation program needs.

Special Agent Pilots

As of June 2011 the DEA had 112 allocated positions for Special Agent Pilots, with only 4 of these positions vacant. Despite the low Special Agent Pilot vacancy rate, Special Agent Pilots reported 122 instances in FY 2009 and 146 instances in FY 2010 where aviation support requests were not fulfilled due to Special Agent Pilot unavailability. Special Agent Pilots and enforcement personnel at DEA field offices we visited reported to us that pilots were frequently unavailable to fly missions even though these offices had filled all of their allocated Special Agent Pilot positions.

The Aviation Division uses temporary duty (TDY) assignments to help meet the operational needs of its domestic and foreign offices. These assignments temporarily relocate Special Agent Pilots from their assigned domestic offices and, in some offices, contribute to unfulfilled aviation support requests. Although many of the TDY assignments are performed on an as-needed basis, the Aviation Division has certain recurring TDY assignments, including providing aviation support to the DEA's drug-related operations in Afghanistan, drug interdiction efforts in the Commonwealth of The Bahamas, and aviation operations in South America. Also, between June and October of each year the DEA details Special Agent Pilots throughout the United States to assist in the DEA's annual Cannabis Eradication operation.

During our audit we found instances where some Special Agent Pilots performed extensive TDY assignments which removed them for extended periods of time from their assigned domestic offices. According to Aviation Division officials, the DEA does not formally analyze the effect of TDY assignments on its domestic operations. Instead, at our close-out meeting, the DEA informed us that they informally review the potential effects on domestic operations before making TDY assignments. However, we believe that a regular formal review of unfulfilled aviation requests in conjunction with a review of TDY assignments can assist the Aviation Division in limiting the effect of pilot TDY assignments.

In addition, negative mission reports document only *when* a pilot's unavailability resulted in an unfulfilled aviation request, not *why* a pilot was

unavailable. As a result, unavailability due to TDY assignments is not captured. We believe more detailed information about why Special Agent Pilots are reported to be unavailable can assist the Aviation Division when allocating its resources. Therefore, in addition to reporting pilot unavailability, we recommend that the DEA require field offices to report the reason why the pilot is unavailable when reporting on unfulfilled aviation requests.

Aviation Observers

On-board observers are frequently required during DEA operational aviation missions and are used to communicate with ground teams during flight missions and to track targets. Observers also operate specialized photographic equipment that provides greater observational and recording capabilities. Such equipment requires special skills and training.

At times, DEA Special Agents and other DEA personnel act as aviation observers when needed. As of December 2010 the DEA had eight contract observers in seven DEA office locations. Our analysis showed that the locations using contract observers realized a decrease in instances where an unavailable observer resulted in the denial of aviation support. However, in June 2011, DEA officials informed us that the contract observer program would soon be eliminated due to budgetary constraints. The elimination of the contractor observer positions could increase the number of unfulfilled requests, particularly in the seven locations that had contract observers.

In FYs 2009 and 2010 there were 148 reported instances of unfulfilled aviation support requests due to unavailable observers. In addition, Aviation Division officials as well as many DEA Special Agents and Special Agent Pilots indicated that a lack of qualified observers affects the availability of aviation support. During our close-out meeting, DEA officials informed us that they have in the past and plan to continue to utilize agents on a volunteer basis to supply aviation observers for aviation operations. Given the necessity of observers during aviation missions, the elimination of the contract observer program, and the number of reported unfulfilled aviation requests due to observer unavailability, we recommend that the DEA identify and train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support requests due to observer unavailability. Furthermore, we believe the DEA should completely capture the instances when an unavailable observer prevents aviation support from being provided, which will assist the DEA in identifying the areas of most significant need.

Aircraft

We found that the most frequent reason cited for unfulfilled aviation support requests during FYs 2009 and 2010 was maintenance, which is listed as a separate category on the mission report form.[6] In FY 2010, we found that 42 aircraft were grounded for maintenance more than 20 percent of the time, including 6 aircraft that were available less than 60 percent of the time. In addition to maintenance, DEA pilots also reported unfulfilled request data in another category referred to as "unavailable aircraft." According to DEA officials and our review of the negative mission report data, DEA pilots used the unavailable aircraft category to capture unfulfilled missions due to maintenance as well as other circumstances, including instances where a specific type of aircraft, such as a helicopter, was requested but unavailable.

In its 2009 aircraft replacement plan, the Aviation Division described a methodology for replacing aging aircraft while standardizing the fleet over a period of 10 years. However, the DEA's replacement plan does not specifically describe how it would standardize its fleet through replacement. As of April 2011, the DEA's fleet consisted of 16 different types of aircraft, including 12 types of aircraft being operated in domestic field offices. As of December 2010, the DEA's fleet ranged from 2 years to over 35 years old. In addition, according to the DEA, implementing the plan would require $9 million in additional annual funding for each year of the 10-year replacement initiative.

We believe that the standardization of DEA aircraft has many benefits, including lower training costs and increased standardization of maintenance, which is likely to yield lower time and money costs. Standardizing the DEA's fleet would also allow the Aviation Division to operate and use its resources more efficiently and effectively. However, due to budget constraints and the fiscal climate, a replacement plan that relies on significant budget enhancements may be difficult, if not impossible, to realize. We therefore recommend that the Aviation Division revise its aircraft replacement plan in line with its current budget and the goal of standardizing its fleet.

[6] DEA aircraft is maintained in accordance with manufacturer recommendations, which typically require scheduled maintenance at regular intervals. In addition, maintenance is performed on DEA aircraft for specific performance problems.

Aviation Security and Safety

The DEA's Aviation Division maintains aircraft in 40 locations across the country. In each of these locations the DEA's aviation program is a covert operation with knowledge of aviation asset locations generally limited to DEA personnel. However, despite the covert nature of these operations, in 24 of these locations DEA aircraft are stored in hangar spaces shared with commercial organizations or private individuals. In one location we visited, which is known for a high-level of drug trafficking activity, DEA personnel noted that the individuals and organizations sharing commercial hangar space with the DEA changed often and that the DEA did not control who had access to the hangar. Therefore, there is a risk that DEA aircraft could be stored with aircraft owned by individuals or organizations involved in drug trafficking.

When we discussed shared hangar space with Aviation Division officials, they stated that maintaining DEA aircraft in private hangar space is not cost effective and is unnecessary. However, we believe that housing aircraft in shared hangar space places these high-dollar resources, as well as the Special Agent Pilots and crew who fly in them, in jeopardy. The potential for sabotage and the safety of the DEA's aviation assets must be considered along with any cost savings resulting from utilizing shared hangar space. Although it may not be practical for the Aviation Division to secure private hangar space in all situations, we recommend that the DEA examine the possibility of obtaining private hangar space or sharing hangar space with other law enforcement agencies to help defray the costs and improve aviation personnel and asset security.

Although DEA aviation operations are conducted covertly, in March 2011 we found in a search of FAA aircraft registration records that 25 DEA aircraft were not registered to fictitious or cover organizations. When we asked DEA officials about its procedures for registering aircraft, they stated that the policy had changed back and forth over the years, with some administrations requiring the use of covert registration and others not. These individuals informed us that the DEA currently wants most of its domestic-based aircraft to be registered covertly and is now in the process of doing so. However, as of September 7, 2011, 13 DEA aircraft that should be registered covertly still were not. The DEA stated that it was in the process of covertly registering all appropriate aircraft.

Also, DEA officials informed us that Special Agent Pilots were not required to prepare formal pre-flight risk assessments of factors such as weather conditions and pilot fatigue. When we asked Aviation Division officials why formal pre-flight risk assessments are not required, we were

told that all Special Agent Pilots should informally assess risks prior to each mission and should brief the crew on identified risks prior to takeoff. The DEA provided to us a flight risk checklist that covered several areas of risk affecting an aviation mission. However, the checklist does not include a means of objectively quantifying the overall level of risk, and, again, Special Agent Pilots are not required to document a formal risk assessment. At the audit close-out meeting the DEA stated that it planned to implement a formalized pre-flight risk assessment, which we believe will help the DEA ensure that its pilots consistently consider all pre-flight risks.

Conclusion and Recommendations

We found that overall, in FYs 2009 and 2010, DEA aviation assets used for domestic operations supported DEA priority cases the majority of the time. However, we found that lower priority cases received more aviation support than higher priority cases in some DEA domestic field offices.

We believe the discretion afforded to Special Agent Pilots, not requiring field office supervisor involvement in initial aviation request procedures, the lack of formal prioritization criteria, not requiring documented justification for supporting one request over another, and the inconsistent reporting of unfulfilled aviation support requests increases the risk that DEA aviation resources are not used to support the highest priority enforcement operations. Further, it is important for the DEA to have accurate and complete information regarding fulfilled and unfulfilled requests for aviation support to assess the demands on its limited aviation resources, evaluate the aviation support provided, project its future aviation resource needs, and inform its decisions regarding aviation resource location and usage. In addition, we believe the DEA can improve the safety and security of its aviation personnel and assets by evaluating the security of DEA assets stored in hangars shared with privately-owned aircraft, by covertly registering its aircraft, and through the institution of a mandatory, documented pre-flight risk assessment.

Our audit resulted in 11 recommendations to help the DEA enhance the management of its aviation operations. This report includes recommendations to improve the DEA's aviation request procedures, including our recommendation that the DEA require field office supervisors to initiate aviation support requests and that it document the decisions for prioritizing competing requests. In addition, we recommend that the DEA improve its aviation data collection efforts and perform periodic, trend-based analyses of its unfulfilled aviation support request data to more accurately identify the causes of aviation resource deficiencies and to assist in projecting aviation program needs. We also make recommendations related

to better securing DEA aviation assets and better ensuring the safety of its aviation personnel.

AUDIT OF THE DRUG ENFORCEMENT ADMINISTRATION'S AVIATION OPERATIONS

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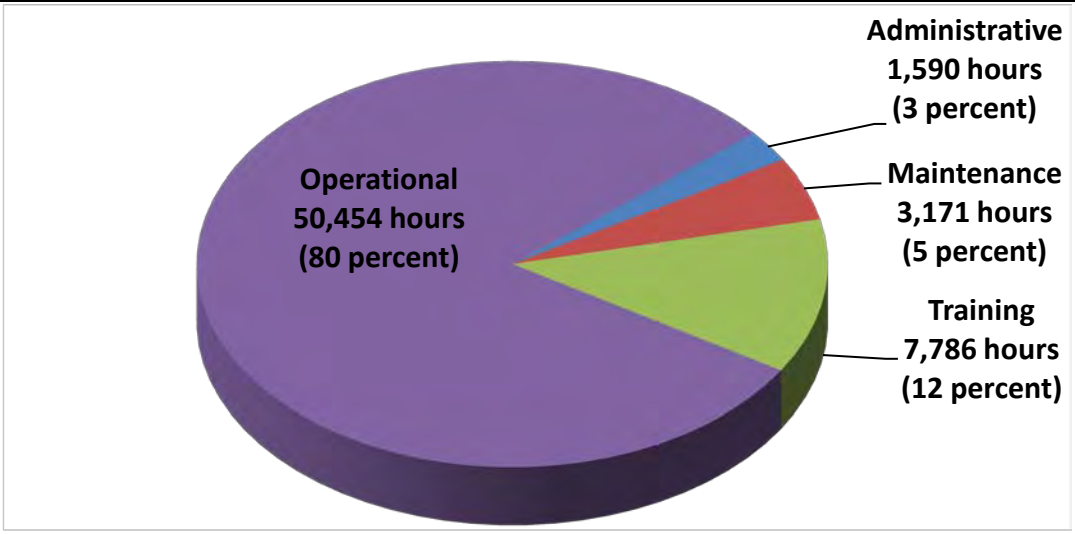
INTRODUCTION

The Drug Enforcement Administration (DEA) has 309 offices located both domestically and internationally. The DEA's Special Agents, Diversion Investigators, Intelligence Analysts, and other personnel in these offices and in DEA headquarters offices work to prevent the illicit trafficking of drugs to and within the United States. The DEA's aviation program provides valuable assistance to these efforts, helping to enhance the effectiveness, safety, and efficiency of DEA operations, domestically and internationally. For fiscal year (FY) 2010, the DEA aviation program had an annual budget of $47.6 million.

DEA aviation resources predominantly are used to support DEA enforcement and intelligence operations, such as providing aerial assistance to surveillance operations, supporting DEA enforcement operations, assisting land and water interdiction efforts, and performing reconnaissance. DEA aviation resources are also used for administrative purposes, such as transporting evidence, equipment, and personnel in a timely fashion.

In FYs 2009 and 2010, DEA data indicates that DEA pilots flew over 24,000 flights and logged 63,000 flight hours. As Exhibit I-1 shows, over 50,000 of these flight hours were in support of operational matters, of which 74 percent supported DEA domestic operations, while 26 percent supported international operations.

Exhibit I-1
DEA Aviation Flight Hours
Fiscal Years 2009 and 2010



Source: DEA Aviation Division data

DEA Aviation Resources

The Aviation Division maintains a fleet of aircraft and employs trained Special Agent Pilots and in-flight support personnel to advance the DEA's efforts to disrupt and dismantle drug trafficking enterprises. DEA aviation and enforcement personnel stated that DEA aviation resources provide critical support to operations, adding invaluable perspective during enforcement operations, assisting in evidence collection, and mitigating the risks to the safety of DEA personnel, confidential sources, and the public.

Aviation Fleet

As of May 2011 the DEA's aviation fleet was comprised of 92 aircraft in multiple aircraft categories, including single and multi-engine propeller airplanes, multi-engine jet aircraft, and single and multi-engine helicopters. As of December 2010, the DEA's fleet ranged from 2 years to over 35 years old. DEA Special Agent Pilots are required to complete specific training and maintain certification in each aircraft they fly for the DEA. Ten of the DEA's 92 aircraft are stationed in 5 foreign countries: Afghanistan, the Commonwealth of The Bahamas, Colombia, Mexico, and Peru. Domestically, aircraft are located in 40 locations throughout the United States. Exhibit I-2 shows the various types of DEA aircraft and their respective locations.

Exhibit I-2
DEA Aircraft
Type and Locations
as of May 2011

Type of Aircraft		Domestic Location	International Location
Fixed Wing	Single engine	49	0
	Multi-engine	7	8
	Multi-engine Jet	2	0
Helicopter	Single engine	19	0
	Multi-engine	5	2
	Total	**82**	**10**

Source: DEA Aviation Division

Special Agent Pilots and Observers

As of June 2011 the DEA employed 108 Special Agent Pilots. DEA policy requires that all Special Agent Pilots serve a minimum of 2 years as a

Special Agent before flying for the DEA. According to DEA officials, the investigative experience gained as a Special Agent is important in providing competent aviation support to enforcement operations. The DEA also supplements its Special Agent Pilot force through the use of contract pilots, who assist with training and perform certain foreign-based DEA aviation operations.[1]

Each DEA aviation mission must have a designated commander certified to fly the particular aircraft being used. A designated Aircraft Commander is responsible for the safe operation of the aircraft and is the final authority regarding any operation of the aircraft. To be designated as an Aircraft Commander for a particular aircraft, a Special Agent Pilot must successfully complete a DEA Standardization Flight Check in that type of aircraft and have the concurrence of their supervisor.[2] A DEA Special Agent Pilot can be certified to act as an Aircraft Commander in multiple aircraft categories; however, the Special Agent in Charge of the DEA Aviation Division must authorize a pilot to be an Aircraft Commander in more than two pressurized turbine-powered aircraft of different manufacture.[3]

DEA pilots who have not yet satisfied all of the requirements to be designated as an Aircraft Commander may command a DEA aircraft as a Pilot in Command (PIC). The PIC designation is a temporary designation that is limited to 90 days or 50 flight hours. Before earning the PIC designation a Special Agent Pilot also must complete a DEA Standardization Flight Check.

According to DEA policy, although all aircraft will be operated by a properly designated commander, the type of crew required will vary depending on the category of the aircraft and the type of mission. For example, DEA policy states that all surveillance operations will include a Special Agent Pilot responsible for the safe operation of the aircraft and an observer responsible for conducting the surveillance.

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[1] Contract pilots support DEA aviation operations in Afghanistan, the Commonwealth of The Bahamas, Colombia, Mexico, Peru, and Puerto Rico. As of December 2010, the DEA had 12 contract pilots active in these locations.

[2] Aircraft Commanders must also meet the following certification requirements: (1) a commercial pilot certificate; (2) an instrument rating; (3) airplane category rating; (4) appropriate class rating, and/or type rating; and (5) a current second class medical certificate. Aircraft Commanders must also possess sufficient flight hours for the specific type of aircraft for which they are being designated as an Aircraft Commander.

[3] The DEA fleet contains the following aircraft which are considered pressurized, turbine-powered aircraft: Citation, ATR-42, King Air 350, and a Lear Jet.

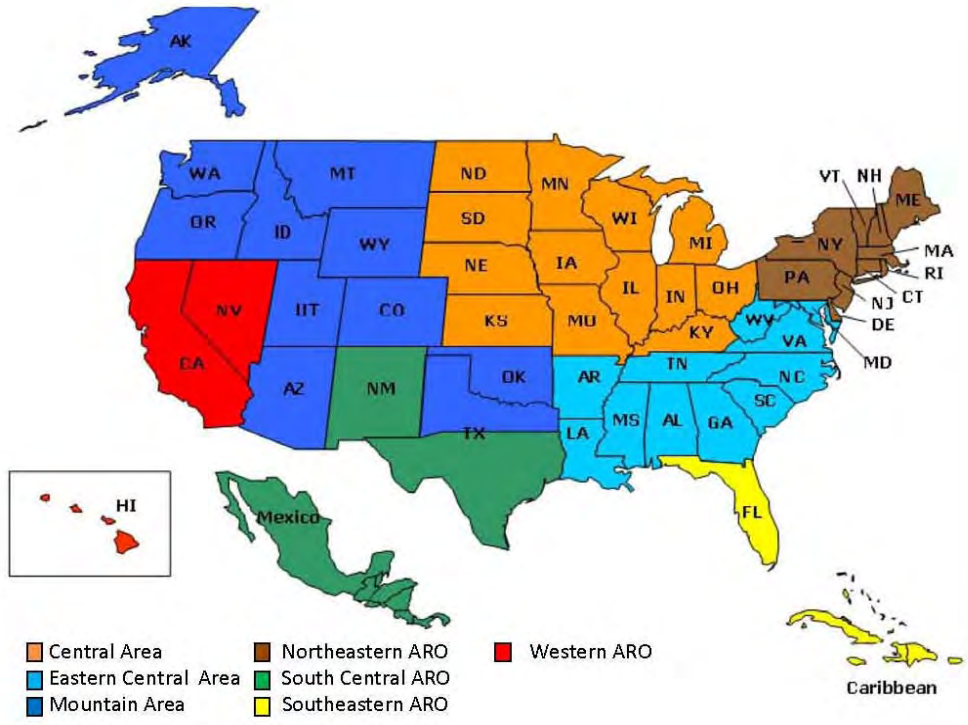
On-board observers assist pilots during missions by communicating with ground teams to help track the target or an operation. In addition, observers operate specialized photographic and recording equipment that provides greater observational capabilities. This equipment requires special skills and training.

DEA Aviation Division

DEA's aviation operations are managed by the Aviation Division, which is headquartered at the Aviation Operations Center in Fort Worth, Texas. The Aviation Division centrally manages and oversees all DEA aviation assets, including pilots, aircraft, and equipment. It is headed by a Special Agent in Charge, who reports directly to the DEA Chief of Operations. Three Assistant Special Agents in Charge (ASAC) manage the DEA's aviation programs: two ASACs for Aviation Operations who are responsible for the operational use of aviation assets, and one ASAC for Aviation Operational Support who primarily is responsible for aircraft maintenance, the Aviation Division's Communication Center, and the division's administrative needs.

The Aviation Division also has four Aviation Resident Offices (ARO) managed by Resident Agents in Charge (RAC). The RACs are responsible for managing the use and operation of aviation assets in these locations and at other surrounding offices with aviation assets. For instance, the Western Aviation Resident Office is responsible for aviation operations in California, Nevada, and Hawaii. The four Aviation Resident Offices include more pilots, larger fleets, and more specialized aircraft than other DEA field offices. The Aviation Division has three Area Supervisors located at its headquarters in Fort Worth, Texas, who also oversee DEA's domestic aviation operations and resources located in offices that are not included in the four RACs' areas of responsibility, including the Central, Eastern Central, and Mountain Areas. Exhibit I-3 illustrates the areas of responsibility for the four RACs and three Area Supervisors.

Exhibit I-3
DEA Domestic Aviation Operations
Areas of Responsibility



Source: DEA Aviation Division

In addition, the Aviation Division includes other units and personnel who manage aviation-based intelligence operations, operate some of the DEA's more unique aircraft, and oversee strictly foreign-based aviation operations. For example, the Southeastern Aviation Group provides aviation support for DEA operations in the Commonwealth of The Bahamas and the Caribbean. The Group Supervisor located at the Southeastern Aviation Resident Office supervises nine pilots stationed in the Commonwealth of The Bahamas and Puerto Rico.

The Aviation Division also runs its Aviation Communications Center (Comm Center) at the Aviation Operation Center in Fort Worth, Texas. The Comm Center serves as the focal point for tracking and monitoring all DEA aircraft conducting domestic and foreign missions. The DEA's aircraft are outfitted with transponders which allow the Comm Center to track and monitor the DEA's aircraft positions in real time. In addition, the DEA's Special Agent Pilots are required to report flight details, such as the names of personnel onboard the aircraft, the intended destination, and estimated arrival time, to the Comm Center prior to each planned flight activity and

after a mission is completed. This requirement and the aircraft transponders allow the DEA to not only monitor where aircraft are at all times, they also provide for greater safety and quicker location of DEA air assets, both aircraft and pilots, in case of an emergency.

OIG Audit Approach

The objective of this audit was to assess the DEA's management of its aviation operations. Specifically, we analyzed the usage, prioritization, and availability of DEA aviation assets, primarily focusing on its domestic based aviation operations for FYs 2009 and 2010. To accomplish our objective we performed work at DEA headquarters in Arlington, Virginia, and at the DEA Aviation Operations Center in Fort Worth, Texas. We also performed fieldwork at five domestic locations, visiting DEA Aviation Resident Offices and DEA field offices.[4] We conducted interviews with the DEA's Chief of Operations, Chief Financial Officer, Aviation Division Special Agent in Charge, and other headquarters-level officials and personnel. Additionally, at field locations, we interviewed DEA aviation personnel, such as Resident Agents in Charge and Special Agent Pilots, as well as enforcement personnel who benefit from DEA aviation support, including field office management and Special Agents.

In addition, we examined the DEA's procedures for requesting aviation support and flight activity data to determine how resources were used to support priority investigations. We also reviewed a 1995 OIG report on DEA's management of its aviation program.[5] Appendix I contains a detailed description of our audit objective, scope, and methodology.

[4] In our report, for matters involving the sensitivity of DEA operations we do not use the names and locations of the DEA aviation and district offices we visited in the field. For example, for one location we visited, we use Aviation Office A and Field Office A instead of the actual location and office names.

[5] U.S. Department of Justice Office of the Inspector General (OIG), *Audit of the Drug Enforcement Administration Management of Aviation Operations*, Audit Report 95-29 (August 1995).

FINDINGS AND RECOMMENDATIONS

I: USE OF DEA AVIATION ASSETS TO SUPPORT DEA OPERATIONS

DEA aviation assets generally were used to support priority investigations and operations. However, we found that for certain DEA field offices, aviation resources were used to support non-priority DEA matters most of the time. We also found that DEA Special Agent Pilots are given discretion to approve or deny aviation support requests. Further, the DEA does not require field office management's involvement in the initial aviation support request process nor does the DEA require documentation of prioritization decisions for competing aviation support requests. We believe these factors increase the risk that the use of DEA aviation assets may not be prioritized appropriately.

Use of DEA Aviation Assets

DEA headquarters and field office personnel told us that aviation support significantly benefited DEA investigative and intelligence efforts, enhancing the safety, anonymity, and effectiveness of DEA operations. In FYs 2009 and 2010, DEA Special Agent Pilots flew over 50,000 hours during approximately 18,000 flight missions in support of DEA operational efforts, in both foreign and domestic locations.

Domestic Aviation Operations

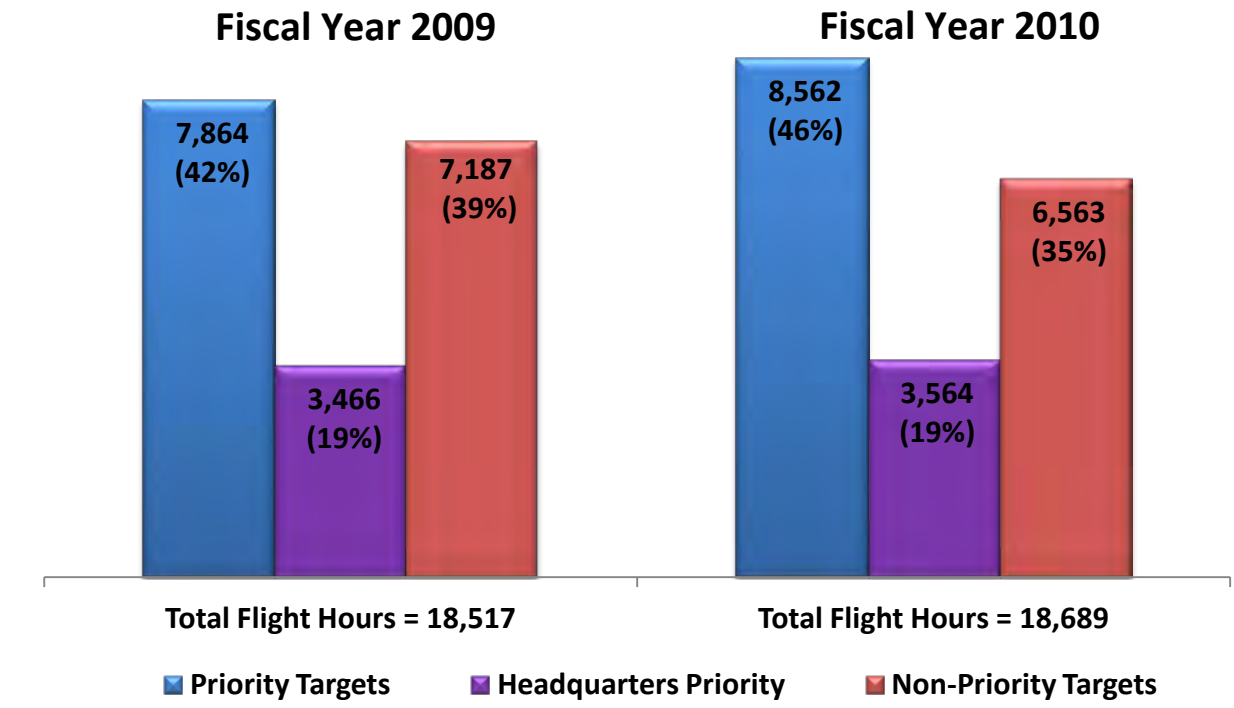
Domestically, in FYs 2009 and 2010, 74 percent of the DEA's operational flight hours supported the DEA's 21 field divisions and headquarters program operations. The goal of the DEA's domestic enforcement strategy is to disrupt and dismantle the most significant drug, money laundering, and narco-terrorism related organizations. The DEA developed its Priority Target Organization (PTO) program to classify its investigations that target the most significant drug traffickers.

The DEA must strategically utilize its resources, including its aviation resources to ensure that PTO cases receive priority attention. In addition to PTO cases, DEA aviation resources are used for headquarters-derived operations that require the specialized assistance that the Aviation Division

provides. For example, each year between June and October the DEA uses considerable aviation resources in its Cannabis Eradication operation. In FY 2010, DEA Special Agent Pilots flew 1,884 hours during 585 missions in support of this major eradication operation.

For FYs 2009 and 2010, DEA aviation data indicates that DEA's overall domestic aviation efforts supported DEA priority investigations and operations. As Exhibit 1-1 shows, 61 percent of aviation activity assisting domestic operational needs supported DEA PTO investigations and headquarters' priorities in FY 2009. In FY 2010, this proportion increased to 65 percent.

Exhibit 1-1[6]
DEA Aviation Mission Hours
In Support of Domestic Operations
Fiscal Years 2009 and 2010

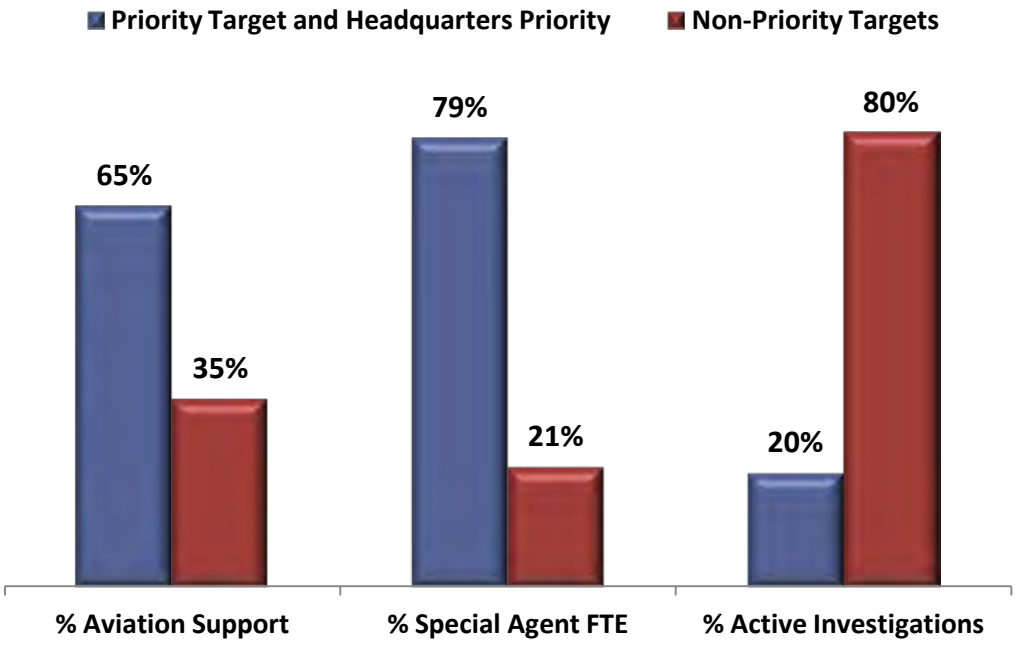


Source: DEA Aviation Division

In FY 2010, approximately 6,500 (20 percent) of the DEA's over 32,000 investigations were designated as PTO cases; therefore, the majority of DEA investigations are non-PTO cases. As shown in Exhibit 1-2, the DEA's primary use of aviation resources to support priority matters is commensurate with its utilization of Special Agents on priority cases.

[6] DEA cases not designated as a PTO or a headquarters priority operation are classified as non-priority target cases (non-PTO).

Exhibit 1-2
Proportion of Aviation Flight Hours, Special Agent Utilization, and Cases Worked on DEA Priority and Non-Priority Matters
Fiscal Year 2010

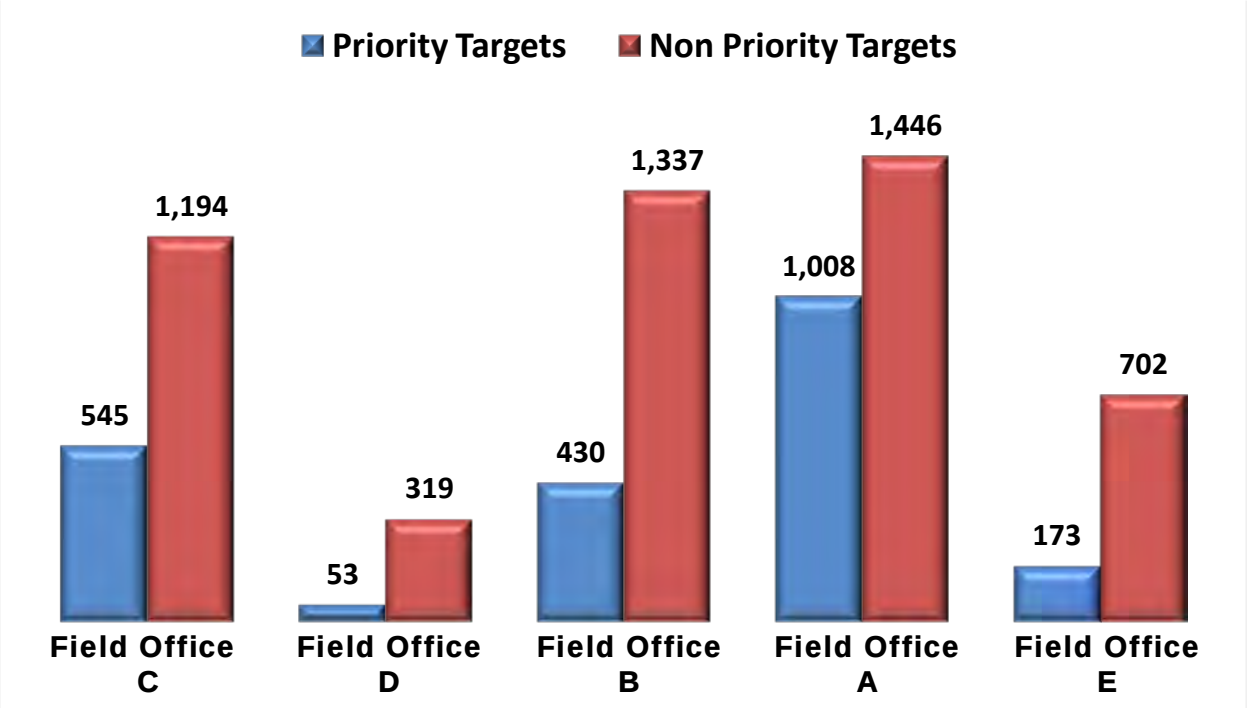


Source: DEA

Aviation Support at Field Offices

During our audit, we conducted field work at five DEA aviation locations, and at some of the associated Division Offices. As Exhibit 1-3 illustrates, each of these locations had substantially more non-priority target cases than priority cases.

Exhibit 1-3
DEA Cases Worked by Priority and Non-Priority Targets at OIG-visited Field Offices
Fiscal Years 2009 -2010



Source: DEA

We reviewed aviation activity data for each of the locations we visited to determine the level of aviation support the field offices received. As shown in Exhibit 1-4, at two of the five locations we visited (Field Offices A and C), over 50 percent of the aviation mission hours were flown in support of priority target operations. In two of the other locations (Field Offices D and E) headquarters programs received the most aviation support. In Field Office B, non-priority targets received the majority of the aviation support.

Exhibit 1-4
Aviation Support Received by DEA Division Offices
Fiscal Years 2009 - 2010

Field Division Office	Total Missions Hours	Priority Targets	Non-Priority Targets	HQ Programs
Field Office A	452	337	61	54
Field Office B	1,100	377	677	46
Field Office C	2,973	1,940	698	335
Field Office D	120	24	40	56
Field Office E	488	66	152	270
DEA Overall	**37,205**	**16,425**	**13,750**	**7,030**

Source: DEA

To gain a better understanding of the support provided by the Aviation Division, we reviewed data regarding the support provided by the aviation office from the beginning of FY 2009 through FY 2010. Because each of these office's aviation resources are used to provide support to multiple DEA offices, we reviewed data regarding the support that was provided by the aviation office regardless of the office supported. For example, aircraft in Aviation Office C may provide support to other DEA offices in addition to Field Office C. Furthermore, aviation resources located at Aviation Office C could potentially be used to support other operations outside of the Field Office C area but within the Aviation Resident Office territory.

Exhibit 1-5
Breakdown of Aviation Support
Provided to DEA Domestic Mission Areas
Fiscal Years 2009 – 2010

Aviation Office[7]	Total Mission Hours	Priority Targets	Non-Priority Targets	HQ Programs
Aviation Office A	840	562	165	113
Aviation Office B	1,574	624	895	55
Aviation Office C	4,014	2,543	1,081	390
Aviation Office D	212	87	69	56
Aviation Office E	528	81	177	270
DEA Overall	**37,205**	**16,425**	**13,750**	**7,030**

Source: DEA Aviation Division

As Exhibit 1-5 shows, Aviation Office B provided more aviation support to non-priority target cases than to priority target cases and headquarters programs combined. Aviation Office E provided more support to non-priority target cases than priority target cases, with most support from that office provided to headquarters programs.

We believe the level of aviation support given to non-priority target cases by Aviation Offices B and E may be problematic. Although these offices' field divisions do not have the same number of priority cases as some of the DEA's larger offices, efforts should be made to ensure that priority cases receive the majority of the aviation support. As we describe in greater detail below, we could not confirm whether requests had been properly prioritized in these offices because there is no requirement to document the prioritization of conflicting requests at the field office level. Moreover, the DEA does not have guidance that advises DEA personnel regarding the factors to consider in prioritizing aviation support.

Foreign-based Aviation Operations

In addition to its domestic aviation operations, the DEA considers its international aviation operations a significant priority in its efforts to combat the major drug trafficking enterprises at the sources of drug production and to prevent large shipments of drugs from entering the United States. The

[7] The Aviation Offices listed provided support to the DEA offices within their respective geographical areas of responsibility. For example, Aviation Office A provided aviation support to the DEA's Field Office A.

DEA's foreign-based aviation efforts typically involve the operational transport of personnel and equipment as well as drug trafficking interdiction operations. In FYs 2009 and 2010, the 4,134 foreign-based aviation missions accounted for 26 percent of the DEA's operational flight hours. Exhibit 1-6 shows investigative flight hours for the DEA's five foreign offices with aviation programs: Afghanistan, the Commonwealth of The Bahamas, Colombia, Mexico, and Peru.

Exhibit 1-6
Aviation Support Provided to
DEA Foreign Based Operations
Fiscal Years 2009 and 2010

	2009 Mission Hours	2010 Mission Hours
Afghanistan	1,034	787
Central/South America (Colombia, Mexico, and Peru)	2,878	2,790
Operation Bahamas, and Turks and Caicos Islands (OPBAT)	1,358	1,338
Other Foreign Operations	1,578	1,487
Total	**6,848**	**6,402**

Source: DEA Aviation Division

Aviation Support Requests and Prioritization

As part of our audit, we also examined DEA procedures for requesting and approving aviation support. DEA Aviation Division policy does not require formal, written requests for aviation support. We found that initial requests for aviation support are typically made informally over the phone or verbally in person, as enforcement personnel identify the need for aviation support. DEA executive management, Aviation Division leadership, Special Agent Pilots, and enforcement personnel told us that informal aviation request procedures allow the DEA to act quickly when unanticipated needs for aviation assistance materialize.

Requests for aviation support generally originate from DEA field office personnel responsible for DEA enforcement operations, typically Special Agents or their supervisors. A request is submitted, either in writing or verbally, to the Aviation Division personnel responsible for providing aviation support to the requesting field office, such as a Special Agent Pilot or Resident Agent in Charge. Aviation and field office enforcement personnel determine whether the request can be fulfilled by assessing the availability

of aviation resources, evaluating factors concerning the safety and value of the aviation operation, and determining whether there are competing requests for aviation support. Although DEA policy requires that all requests for aviation support involve the appropriate DEA Aviation Division Area Supervisor or Resident Agent in Charge (RAC), their specific approval is not required. If the request can be fulfilled, it is approved and the aviation resources are scheduled.

During our audit, we found that the Resident Agents in Charge had an active role in scheduling aviation missions. We were also told that field office management is generally included during the formal planning stage for an enforcement operation, which may involve aviation support. Additionally, RACs and Area Supervisors stated that they are in frequent contact with Special Agent Pilots at other duty stations and that Special Agent Pilots in stand-alone locations are required to provide daily briefings of planned activities to their immediate supervisor, whether a RAC or Area Supervisor. However, Special Agent Pilots, no matter the type of office, are given discretion to schedule aviation missions as initial requests are received and as they determine whether time and resources permit fulfilling a request.

We found that whether in an Aviation Resident Office or a stand-alone location, a Special Agent Pilot may deny a verbal request made in the same conversation without consulting aviation management. RACs, Area Supervisors, and DEA field office enforcement management can only prioritize aviation support for requests of which they have knowledge.

Aviation personnel frequently receive multiple requests for aviation support for the same time period. DEA personnel told us that conflicts often are alleviated by adjusting the timeframes of one operation, thereby allowing both operations to receive aviation support. This is usually handled by Special Agent Pilots in conjunction with the RAC or Area Supervisor that oversees the aviation resources in that geographical area of responsibility.

If adjustments or accommodations cannot be made, DEA policy indicates that field office management should decide how to prioritize competing requests from the same DEA field office. When competing requests originate from different field offices, field office management is expected to mutually resolve the conflict and determine the prioritization of the aviation support requests. When deciding between two or more requests, DEA officials told us that enforcement-based operations typically are supported before non-enforcement operations. For example, an undercover meeting with a drug trafficker would receive aviation support before an intelligence-based reconnaissance mission. Further, aviation staff stated that operations where safety is a significant factor are considered a

top priority, such as operations involving the arrests of subjects and operations that include undercover agents and confidential informants. DEA field office personnel we interviewed said they did not recall any instances where a lower priority case received aviation support instead of a higher priority case.

In FYs 2009 and 2010, DEA Special Agent Pilots reported 138 instances in which requests for aviation support were not fulfilled because aviation resources were being used to support higher priority missions.[8] However, as stated previously, Special Agent Pilots deny requests verbally and do not necessarily report all unfulfilled requests. In addition, we could not confirm whether requests had been properly prioritized because there is no requirement to document the prioritization of competing requests at the field office level. Furthermore, the DEA lacks guidance to assist aviation and enforcement personnel when the prioritization of aviation support becomes necessary. While allowing DEA enforcement personnel to contact anyone within the supporting aviation office to request aviation support facilitates a quick response, this practice gives great discretion to individual Special Agent Pilots. Further, the DEA policy does not require field office enforcement management to be involved at the point of an aviation support request. In addition, DEA enforcement personnel we interviewed stated that supervisor approval is not required prior to an aviation support request. These practices, along with the underreporting of unfulfilled requests for aviation support and the lack of guidance for prioritizing aviation resources, increases the risk that resources will be applied inconsistently and without ensuring aviation and enforcement management's concurrence of all aviation support requests.

Senior DEA officials at the audit close-out meeting stated that standard DEA practice would assume that any relevant need for aviation support would be appropriately elevated through field office management, and, if aviation support had been denied informally, field office management would likely be aware of the denial. However, this approach relies on individual relationships between Special Agents and management as opposed to a procedural requirement for a standard level of assurance that aviation support is considered adequately. We therefore recommend that the DEA require that field office supervisors initiate all aviation support requests to best help ensure that the approval and prioritization of DEA aviation support requests are consistent. Additionally, in instances where prioritization is necessary the DEA should require documentation of the reason for the decision.

[8] In Finding II of this report we discuss the DEA's reporting of unfulfilled aviation requests.

Reporting Aviation Support

Special Agent Pilots are required to document each use or requested use of a DEA aircraft with a "DEA Aircraft Mission Report" (mission report).[9] The mission report captures information regarding the aviation operation conducted, such as flight crew information, the type of operation, the case number and G-DEP code for the investigation supported, operation results (if applicable), and other general information such as date, time, location, and length of mission.[10] Special Agent Pilots submit completed mission reports to their supervisor, who then reviews, signs, and submits the completed form to the Aviation Division. The Aviation Division enters information from the form into the Division's Alliance Aviation Management System (Aviation Management System). As discussed in more detail in Finding II, the DEA also uses mission reports to capture data on unfulfilled requests for aviation support.

The Aviation Division's only means of documenting requests for aviation support is to rely on Special Agent Pilots to document correctly the support provided as well as to note the requests that could not be fulfilled. It is important for the DEA to obtain accurate and complete information on fulfilled and unfulfilled requests in order to be able to assess the demands on its limited aviation resources, evaluate the aviation support provided, and project its future aviation resource needs.

During our field work, we found that Special Agent Pilots consistently completed mission reports for operations they supported. Additionally, we found that DEA aviation supervisors reviewed these reports and forwarded the reports to the DEA Aviation Division. However, in our review of the Aviation Management System data we found numerous instances in which the Special Agent Pilots did not record the correct case file number or G-DEP codes on their mission reports. There were also instances in which no G-DEP code was provided.

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[9] DEA enforcement also discusses the potential use of aviation resources in the planning phase of a tactical operation. This is generally documented within the enforcement's operation plan, which is created for every tactical operation, if time allows. However, this documentation is for enforcement use only and may not be reviewed by or even provided to the Aviation Division.

[10] The Geographical Drug Enforcement Program (G-DEP) code is a five-character code the DEA assigns to all criminal investigations to classify the violator, the type and amount of drugs, and the suspected location of criminal activity.

Without correct case numbers or G-DEP codes, the Aviation Division cannot fully determine how aviation resources were used in the enforcement efforts it supports. At the time of our review, one individual was responsible for inputting all mission data into the Aviation Management System and there was no quality control process in place to ensure that mission data was accurately entered into the system. DEA officials told us that some inaccuracies might be related to data entry mistakes or to instances where Special Agent Pilots were provided with incorrect data from the case agents.

Near the conclusion of our audit DEA officials told us that they were working to automate the mission report form. These officials said they believed that the automation of the form should reduce such data entry errors. Although the DEA has apparently begun taking steps to cut down on aviation mission reporting errors, we recommend that the DEA ensure that the automated form, currently in development, does not allow important information, such as the case number and G-DEP code, to be omitted.

Conclusion

The DEA's informal aviation support request and approval process gives Special Agent Pilots the discretion to approve or deny initial aviation support requests. Likewise, the DEA does not have formal guidance that establishes criteria for prioritizing aviation requests, nor does the DEA require documentation as to how competing aviation support requests are prioritized. These factors increase the risk that DEA aviation resources will be applied inconsistently.

We found that DEA Special Agent Pilots consistently completed the required mission reports documenting fulfilled aviation support requests. However, we noted inconsistency in reporting unfulfilled aviation support requests. We also noted instances in which incorrect case file numbers were entered into the Aviation Management System mission reports, and instances in which no G-DEP code was provided, as required. Without correct case numbers or G-DEP code, the Aviation Division cannot fully determine how aviation resources were used in the investigative efforts it supports.

Recommendations

We recommend that the DEA:

1. Require that field office supervisors initiate all aviation support requests to help ensure that the approval and prioritization of DEA aviation support requests are consistent. Additionally, in instances where prioritization is necessary the DEA should require documentation of the decision.

2. Ensure that the automated mission report form (in development as of August 2011) does not allow important information, such as case numbers and G-DEP codes, to be omitted.

II: DEA AVIATION RESOURCES

To provide aviation support to DEA operations, the Aviation Division must have aircraft, pilots, and on-board observers readily available. Aviation Division data indicates that the unavailability of one of these aviation resources accounted for approximately 78 percent of the non-weather related unfulfilled missions in FYs 2009 and 2010. Overall, we determined that temporary duty assignments and maintenance issues were some of the reasons DEA aviation resources were unavailable.

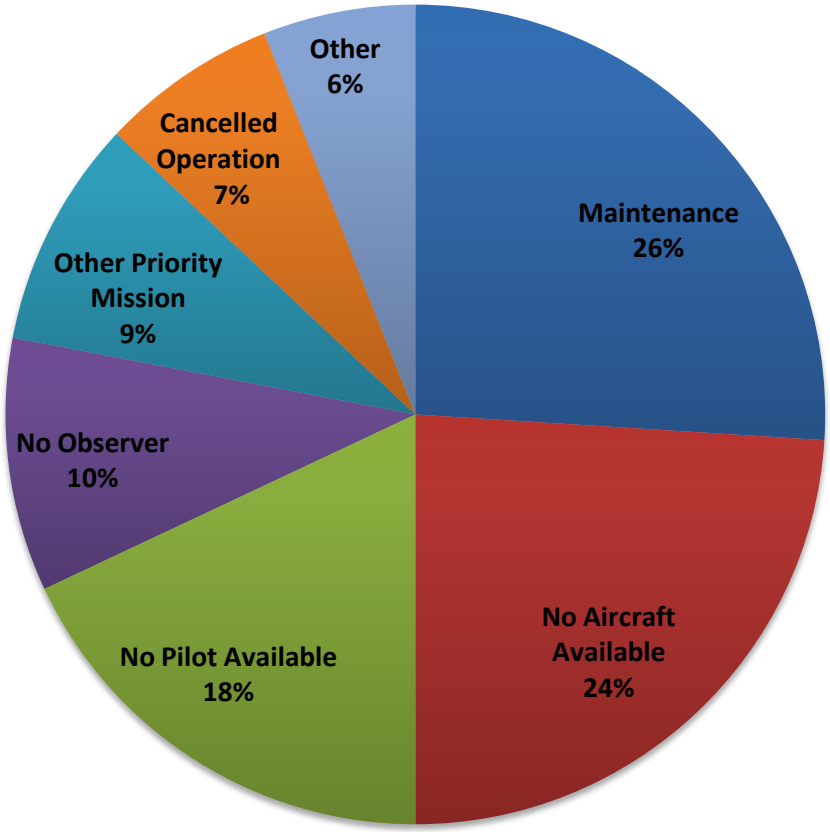
In addition, we found that the DEA's aviation assets are generally stored in shared hangar space, increasing the security risk to the DEA's covert aviation operations. We also found that several of the DEA's aircraft were not registered covertly to fictitious or cover organizations. Because aircraft registration information is readily available to the public on the Internet, the DEA must take steps to ensure its domestic-based aircraft registrations are (and remain) covert to ensure the safety of its aviation personnel. In addition, the DEA should revise its replacement initiative to align with current budget realities and its goal of standardizing its fleet.

Unfulfilled Requests for Aviation Support

DEA aviation personnel are required to document unfulfilled requests for aviation support using the same mission report form used to report information on completed aviation missions. The DEA refers to these reports as "negative mission reports." Special Agent Pilots must document in a negative mission report the reason support was unavailable, such as weather, aircraft maintenance, or the unavailability of a pilot.

According to DEA data, it conducted 13,928 domestic investigative flight missions in FYs 2009 and 2010. During the same period, DEA data showed a total of 2,309 unfulfilled requests for aviation support, of which 845 (37 percent) were attributed to inclement weather conditions. Because weather is an uncontrollable factor in the DEA's aviation operation, we eliminated unfulfilled requests due to inclement weather from our analysis. Exhibit 2-1 shows the breakdown of the remaining reported 1,464 non-weather related unfulfilled requests for FYs 2009 and 2010.

Exhibit 2-1
Unfulfilled Requests for Aviation Support (excluding weather)
As Reported by DEA Field Offices
Fiscal Years 2009 and 2010



Source: DEA

Aviation resources – aircraft, pilots, and observers – must be readily available to provide aviation support to DEA operations. As shown above, in FYs 2009 and 2010, 78 percent (or 1,139) of the non-weather-related unfulfilled aviation support requests were due to the unavailability of an aircraft (maintenance-related or otherwise), pilot, or observer.[11] According to DEA personnel, DEA ground teams may still execute an operation without aviation support, but they proceed without the benefits that aviation support can provide, particularly enhanced agent safety and access to visual information and evidence that is otherwise inaccessible to Special Agents on the ground. Accordingly, the DEA should strive to maximize the availability of its aviation resources.

[11] Observers are in-craft support personnel who provide real-time visual surveillance communicated by radio to ground units, operate video camera systems to document ground operations, and take photographs for pre-mission planning.

Field Office Reporting of Unfulfilled Aviation Requests

As noted above, Special Agent Pilots must identify on a mission report form the reason a request for aviation support was unfulfilled. The DEA's mission report form allows Special Agent Pilots to select from a standard list of reasons when preparing a negative mission report: (1) weather, (2) no pilot available, (3) no aircraft available, (4) maintenance, (5) other priority, (6) stand-by, and (7) "other."[12] However, we found that the mission report form does not define these categories and does not provide DEA personnel with any additional guidance to ensure the appropriate reason is selected when preparing a negative mission report.

We believe that the lack of definitions and guidance on the mission report form has resulted in inconsistent use of the form by aviation division personnel. For the 76 reports from FYs 2009 and 2010 where the "other" category was selected, we found 12 instances where a more specific choice on the mission report form was a better selection, such as "no aircraft available." For example, on one of the negative mission reports we reviewed where the category "other" was selected, the explanation in the comments field stated "no helicopter available." We also found instances where pilots selected "other" when the aircraft was unavailable due to maintenance, leading to likely underreporting in the "maintenance" category. Accurate data that identifies reasons for unfulfilled aviation requests can assist the DEA in understanding systemic resource limitations and better enable it to make more informed resource allocation decisions. Therefore, we recommend that the DEA revise its mission report form to include definitions or guidance for personnel to refer to when identifying the reason for not fulfilling a request for aviation support.

In addition to inconsistent use of the DEA's mission report form, we also found that some DEA field offices are likely underreporting unfulfilled requests for aviation support. During our review we found that some field offices reported all unfulfilled requests while others only reported instances when a mission was scheduled and subsequently cancelled. For example, some Special Agent Pilots told us that they did not submit negative mission reports when they denied a verbal request for aviation support. One Special Agent Pilot stated that he did not submit negative mission reports for unfulfilled requests because he did not believe these reports were analyzed

[12] DEA officials informed us that the "stand-by" option refers to occasions where Special Agent Pilots are committed to an operation with an undetermined start time, but receive requests for aviation support for smaller or lower priority operations while waiting for the operation to begin. In our analysis of the FYs 2009 and 2010 negative mission report data, there were no reported instances of "stand-by" as a reason for an unfulfilled request.

by aviation management. In contrast, the sole pilot assigned to support Field Office D stated that for any request – written or verbal – he recorded the request on a mission report form and reported negative missions to the Aviation Division.

Exhibit 2-2 shows the differences in the reporting of unfulfilled requests for aviation support in FY 2010 among the five aviation offices we visited during this audit. As shown below, Aviation Office D reported a total of 87 unfulfilled aviation requests in FY 2010, while much larger offices that flew many more missions reported far fewer unfulfilled requests. These offices included Special Agent Pilots and aviation program managers who stated that not all unfulfilled requests for aviation support were reported to the Aviation Division.

Exhibit 2-2
Negative Mission Report Data (excluding weather)
For the Five DEA Offices Visited by the OIG
Fiscal Year 2010

	Aviation Office A	Aviation Office B	Aviation Office C	Aviation Office D	Aviation Office E
Total Aircraft	2	4	7	1	1
Total Pilots	5	7	6	1	1
Total Missions	**127**	**228**	**611**	**23**	**62**
	Field Office A	**Field Office B**	**Field Office C**	**Field Office D**	**Field Office E**
Unavailable Aircraft	38	3	25	43	3
Unavailable Pilot	0	2	4	40	4
Unavailable Observer	0	2	24	0	3
Other	1	4	13	4	3
Total Unfulfilled Requests	**39**	**11**	**66**	**87**	**13**

Source: DEA

We also note that the reasons reported for unfulfilled requests varied greatly among the field offices we visited. For example, as shown in Exhibit 2-2 Aviation Office A reported no instances of unfulfilled aviation requests due to pilot unavailability in FY 2010, while approximately 97 percent of its unfulfilled requests resulted from unavailable aircraft during this time. In contrast, pilot unavailability was responsible for approximately 46 percent of the reported unfulfilled requests for Field Office D and almost 31 percent of the unfulfilled requests for Field Office E. The Resident Agent in Charge of the respective Aviation Resident Office stated that there is a shortage of pilots in the region, including Aviation Office A. According to this official, over the last 20 years the number of pilots has not kept pace with the growing number of DEA Special Agents. Therefore, it appears inconsistent to us that Aviation Office A reported no instances of unfulfilled aviation requests due to pilot unavailability in FY 2010 for Field Office A.

The differences in the number of reported unfulfilled requests and statements by DEA field personnel demonstrate that the DEA negative mission report data is incomplete and inconsistently reported by DEA pilots. Further, during our audit Aviation Division management stated that the DEA does not formally analyze negative mission reports. The Special Agent in Charge of the Aviation Division stated that there is a benefit to analyzing information contained in the negative mission reports, such as helping to assess aviation resource needs. At the audit close-out meeting, DEA officials stated that the DEA did analyze this data on an informal, ongoing basis, using monthly reports summarizing aviation operations. We reviewed these reports and found that they provide Aviation Division management with snapshots of aviation data for a single month, for each pilot and for each aircraft. However, we believe that these reports are limited in value, as they do not afford the DEA an understanding of any trends in unavailable resources or provide insight into the effects of unavailable aviation resources. For instance, further analysis of the monthly report data along with analyses of aviation operational data would provide the DEA insight into any effect unavailable resources had on the level of aviation support provided to particular DEA field offices.

Accurate and consistent information on unfulfilled requests could assist the Aviation Division to project aviation program needs and assess the causes of aviation resource deficiencies. Near the conclusion of our audit, the DEA provided us with a copy of a memorandum (dated June 6, 2011) distributed to all Aviation Division employees that emphasized the importance of providing complete and accurate information on the mission report form. The memorandum acknowledged that our audit revealed instances where data was either inaccurate or missing. The memorandum further stated that the DEA is in the process of automating the mission

report form and that it anticipates that the electronic format will simplify the process and help minimize the likelihood of data entry errors.

We recognize the Aviation Division's effort to emphasize to DEA field offices the importance of consistent and accurate reporting. However, we do not believe that improving the data collection of unfulfilled request data alone is sufficient. Therefore, we recommend that the DEA perform a periodic analysis of its unfulfilled aviation support request data to more accurately identify the causes of and any trends in aviation resource deficiencies and to assist in projecting aviation program needs.

Special Agent Pilot Availability

As of June 2011 the DEA had 112 allocated positions for Special Agent Pilots, with only 4 vacancies. Despite the low Special Agent Pilot vacancy rate, Special Agent Pilots reported 122 instances in FY 2009 and 146 instances in FY 2010 where aviation support requests were not fulfilled due to Special Agent Pilot unavailability. Special Agent Pilots and enforcement personnel at DEA field offices we visited reported to us that pilots were frequently unavailable to fly missions even though these offices had filled all of their allocated Special Agent Pilot positions.

Temporary Duty Assignments

The Aviation Division uses temporary duty (TDY) assignments to help meet the operational needs of its domestic and foreign offices. These assignments temporarily relocate Special Agent Pilots from their assigned domestic offices and, in some offices, contribute to unfulfilled aviation support requests. As shown in Exhibit 2-3, the Aviation Division uses recurring TDY assignments to provide aviation support to the DEA's drug-related operations in Afghanistan, drug interdiction efforts in the Commonwealth of The Bahamas, and aviation operations in South America. Also, between June and October of each year the DEA details Special Agent Pilots throughout the United States to assist in the DEA's annual Mobile Cannabis Eradication Response Team (Cannabis Eradication).

Exhibit 2-3
DEA Special Agent Pilot Utilization for
Recurring Special Operation TDY Assignments[13]

Operation	Permanent Pilot Allocation		Temporary Duty Special Agent Pilots	Total Pilots Utilized
	DEA Special Agent Pilots	Contract Pilots		
South America	7	3	4[14]	10
Afghanistan	0	3	2	5
Operation Bahamas, Andros, Turks and Caicos (OPBAT)	0	2	3	5
Cannabis Eradication[15]	0	0	6	6
TOTAL	**7**	**8**	**15**	**26**

Source: DEA

Three of the DEA's special missions (Cannabis Eradication, Afghanistan, and OPBAT) do not have permanently assigned, full-time Special Agent Pilots. Instead, the DEA fills these operational vacancies with Special Agent Pilots on a TDY basis and with contract pilots. The DEA may have up to 15 or more Special Agent Pilots temporarily assigned to special missions at various times of the year. We found that in most cases, Special Agent Pilots volunteer for TDY assignments; however, if there are not enough volunteers, Aviation Division officials will assign Special Agent Pilots.

Furthermore, the DEA's special operations may require specific aircraft, such as helicopters or larger fixed wing aircraft to transport personnel and equipment. Because not all DEA Special Agent Pilots can fly all types of DEA aircraft, the number of Special Agent Pilots that can fill certain types of TDY assignments is smaller than the total number of DEA Special Agent Pilots. In such cases, the pilot pool is limited to Special Agent Pilots with the necessary aviation skills to fly the specialized aircraft used for

[13] DEA aviation management does not maintain an ongoing schedule for domestic TDY assignments because these are conducted on an as needed basis; therefore, we did not include them in Exhibit 2-3.

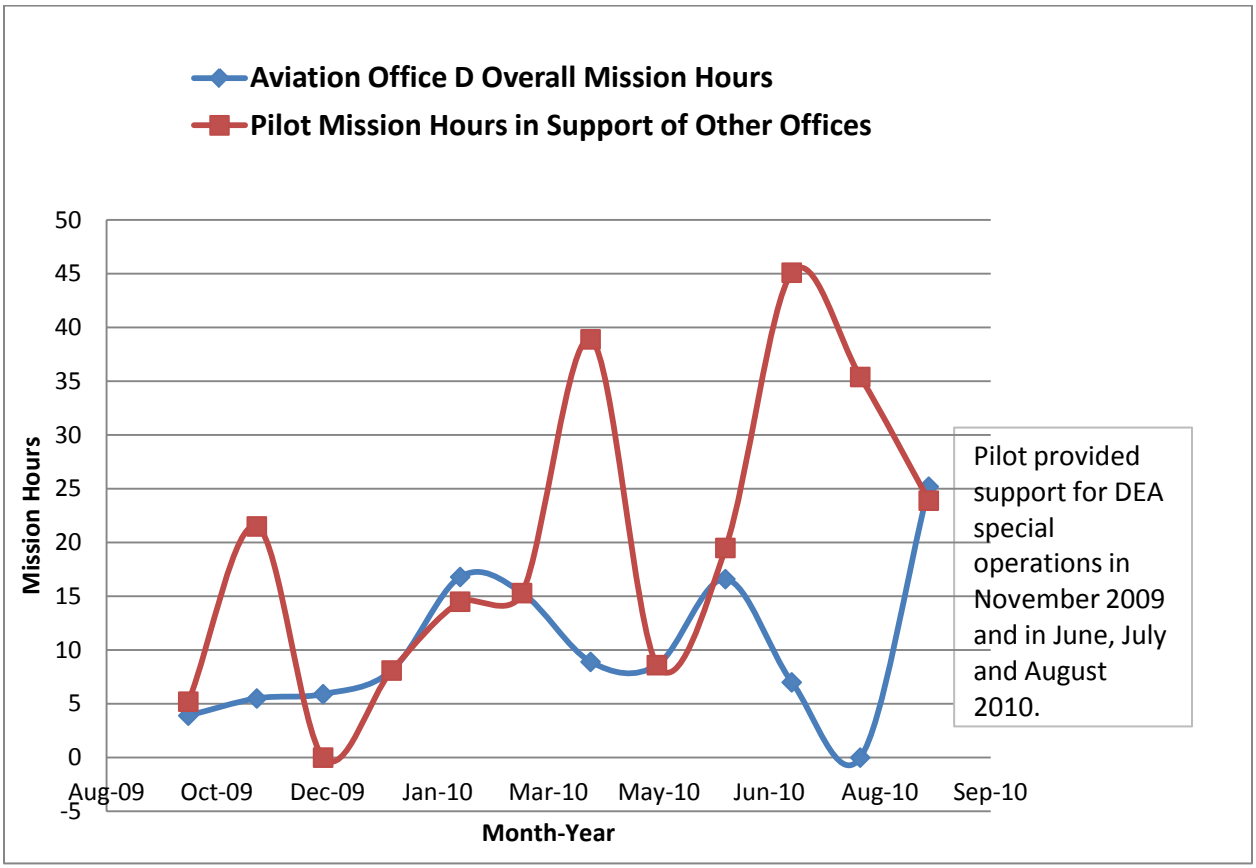
[14] Pilots on the South America TDY schedule travel only as necessary to fill in for permanently stationed Special Agent Pilots on leave or otherwise unavailable.

[15] A DEA Area Supervisor estimated that the FY 2010 operation required 1,756 flight hours, or 6 Special Agent Pilots per week for 40 hours a week for approximately 5 months. Our analysis found that in FY 2010, Special Agent Pilots actually flew 1,884 hours in support of the DEA's Cannabis Eradication operation.

these operations. For example, in FY 2010, 28 DEA pilots were certified to fly the 5 King Air fixed-wing aircraft used in the DEA's Afghanistan- and South America-based operations. The King Air is a multi-engine fixed wing aircraft that requires two pilots to operate.

In FY 2010, the DEA had one pilot assigned to Aviation Office D. However, we found that only 32 percent of this pilot's aviation mission hours supported Field Office D, while the remaining 68 percent of his mission hours supported other DEA offices and special operations. From the end of June through August 2010 the Aviation Office D pilot was temporarily assigned to the DEA's Cannabis Eradication initiative, and he also provided support to other DEA field offices, including 14 days in July and 10 days in August. As illustrated in Exhibit 2-4, this pilot's TDY assignments correlated with a significant decrease in the level of aviation support provided to the DEA Field Office D in July.

Exhibit 2-4[16]
Aviation Office D Total Mission Hours and Special Agent Pilot Mission Hours Flown in Support of Other Offices
FY 2010



* The Aviation Office D aircraft was down for maintenance for 15 days in November 2009, the entire months of June, July, and August in 2010, and 11 days in September 2010. However, substitute aircraft was utilized for some Field Office D operations during June, July, August, and September 2010 while the aircraft was down for maintenance.

Source: DEA

In addition, we found that in FY 2010, one Special Agent Pilot flew 69 percent of his hours in support of other offices and special operations while flying only 31 percent of his hours in support of his assigned office. Nearly half of these total mission hours in FY 2010 supported special operations, including OPBAT and Cannabis Eradication. We also found that an Aviation Office B-based Special Agent Pilot flew 55 percent of his total mission hours in support of OPBAT in FY 2010.

[16] Pilot mission hours in support of other offices includes all mission hours in support of other offices, including flight time spent on special operations such as OPBAT and for training assignments.

According to Aviation Division officials, the DEA does not formally analyze the effect of TDY assignments on its domestic operations. Instead, at our close-out meeting the DEA informed us that they informally review the potential effects on domestic operations before making TDY assignments. However, we believe that a regular review of unfulfilled aviation requests in conjunction with a review of TDY assignments can assist the Aviation Division in determining the actual effect these assignments have on the level of aviation support provided to domestic enforcement operations. This knowledge can assist the DEA in limiting the effect of pilot TDY assignments.

In addition, negative mission reports document only *when* a pilot's unavailability resulted in an unfulfilled aviation request, not *why* a pilot was unavailable. As a result, unavailability due to TDY assignments is not captured. We believe more detailed information about why Special Agent Pilots are reported to be unavailable can assist the Aviation Division when allocating its resources. Therefore, in addition to reporting pilot unavailability, we recommend that the DEA require field offices to report the reason why the pilot is unavailable when reporting on unfulfilled aviation requests.

As of December 2010, the DEA had 15 contract pilots, 12 of which perform operational duties in foreign locations.[17] These contract pilots decrease the number of Special Agent Pilots needed to support its foreign operations. Contract pilots do not have law enforcement authority and therefore cannot fully assume the role of a Special Agent Pilot. These pilots are also contractually limited in the number of hours they can work, while Special Agent Pilots are limited by DEA regulations in the hours they can fly.[18] While we do not believe that contract pilots should replace Special Agent Pilots on all recurring TDY assignments, the use of contract pilots on these missions can alleviate the denial of aviation support requests by decreasing the need for Special Agent Pilot TDY assignments away from their regularly assigned domestic offices.

[17] The remaining three contract pilots are located at the Aviation Operations Center in Fort Worth, Texas.

[18] DEA regulations require that a flight crew receive 10 hours of uninterrupted rest in a non-duty status when, during a 14 hour period of continuous official duty a 1-pilot flight crew reaches 8 hours, and when a 2-pilot crew reaches 10 hours of flight time. Finally, DEA Special Agent Pilots cannot fly more than 6 consecutive days without 24 hours of uninterrupted time off from flight duties.

Special Agent Pilot Training

Training requirements are another constraint on pilots being available for operational purposes. According to DEA data, DEA pilots expended 7,786 flight hours in FYs 2009 and 2010 fulfilling training obligations. DEA aviation personnel told us that in many cases pilots complete training requirements in conjunction with an operational mission, such as either before or after providing support to the scheduled operation. Combining training with operational-related activities helps alleviate the adverse effect that training requirements can have on a pilot's availability.

Special Agent Pilots must complete annual training and maintain currency requirements to ensure compliance with Federal Aviation Administration requirements. All Special Agent Pilots are required to receive an Aircraft Commander designation in each aircraft they are expected to operate. Training requirements vary from one aircraft to another, and if a Special Agent Pilot is an Aircraft Commander in more than one aircraft he or she must comply with training requirements for each type of aircraft separately.

On average, DEA Special Agent Pilots maintain Aircraft Commander status in three different aircraft. However, we found certain Special Agent Pilots maintain certifications in as many as eight different aircraft. When we asked DEA officials whether this situation was necessary or advisable they stated that while pilots may be noted as being certified in multiple aircraft, they may not necessarily be current or fly these aircraft on a regular basis.

As we discuss later in the report, as of May 2011 the DEA had 16 different types of aircraft in its fleet, including 12 different types of aircraft throughout its domestic field offices.[19] Maintaining pilot certification requires significant training time and monetary costs, which are compounded by numerous aircraft. Therefore, we recommend that the DEA perform a regular analysis of Special Agent Pilot certifications and determine the necessary number of certified pilots for each type of aircraft based on historical and projected aircraft usage. Limiting the number of aircraft certifications per pilot may free up additional operational flight time that might otherwise be spent on unnecessary training requirements.

[19] According to a DEA official, although there were 16 different aircraft in the DEA fleet, once a pilot is trained in the specifics of the Cessna 206, Cessna 206H and Cessna 210, these aircraft are treated as similar for certification purposes.

Checkrides

A Special Agent Pilot must satisfactorily complete an initial DEA standardization flight check, or "checkride," for each aircraft the pilot intends to operate as an Aircraft Commander.[20] Checkrides are also required for a pilot to maintain certification in the aircraft they command. As of June 2011, the DEA had 8 contract instructor pilots and 28 Special Agent Pilots who administered checkrides, which is a volunteer, collateral duty for DEA Special Agent Pilots.[21] The DEA does not allow Special Agent Pilots from the same office to give each other checkrides except in limited circumstances. Therefore, in most cases, TDY assignments for checkrides are necessary. Generally, these TDY assignments require about 3 days for the pilot to travel and complete the checkride requirements. We were told by DEA officials that on average, Special Agent Pilots conduct one to two checkrides per month.

According to DEA data, one Special Agent Pilot flew 40 percent of his mission hours in FY 2010 giving checkrides to fellow DEA Special Agent Pilots. An additional 8 percent of his mission hours were spent flying checkrides to maintain his currency. Therefore, although this pilot's location is only supported by two Special Agent Pilots, almost 50 percent of one pilot's mission hours were spent on training in FY 2010. The Special Agent Pilot assigned to the Field Office D flew 34 percent of his mission hours in FY 2010 on training, with 15 percent providing checkrides to other DEA pilots and 19 percent for checkrides to maintain his certifications. With only one pilot in Aviation Office D, when this Special Agent Pilot is on temporary assignment to conduct checkrides, Field Office D is without aviation support unless another pilot is brought into Aviation Office D on a TDY assignment.

According to the DEA, when it assigns a Special Agent Pilot to conduct a checkride, it takes into account several factors, including travel time and the impact on the local office. However, the DEA is unable to determine the full impact of training on aviation operations because, as noted earlier, field office aviation personnel are not required to report the reason why a pilot was not available when preparing negative mission reports.

[20] A checkride consists of a pilot being examined while flying the aircraft to demonstrate competency in the skills required for operation of the aircraft. To maintain currency, DEA Special Agent Pilots must complete instrument approaches, holding procedures, night and daytime takeoffs and landings, among a myriad of other training maneuvers.

[21] This collateral duty may be removed either by Special Agent Pilot request or by management directive.

Although training requirements are generally unavoidable, they can limit pilot availability. We believe the DEA should capture this data because more detailed information about why Special Agent Pilots are reported to be unavailable can assist the Aviation Division when allocating its limited resources and evaluating the overall operations of the aviation program.

Observer Availability

On-board observers are frequently required to fly in the aircraft during DEA operational aviation missions. Observers are used to communicate with ground teams during flight missions and to track targets. Observers also operate specialized photographic equipment that provides greater observational and recording capabilities. Such equipment requires special skills and training. At times, DEA Special Agents or other DEA personnel act as aviation observers as a collateral duty when needed.

Aviation Division officials told us they recognized that the lack of qualified observers is an obstacle to maximizing aviation support. Beginning in FY 2008, the Aviation Division began hiring contract observers to help alleviate this issue.[22] As of December 2010 the DEA had eight contract observers in seven DEA office locations. All of the contract observers we spoke with had law enforcement backgrounds.

Despite these efforts, many DEA Special Agents and Special Agent Pilots expressed concerns to us that the continued lack of qualified observers affects the availability of aviation support. As shown earlier in Exhibit 2-1, in FYs 2009 and 2010, there were 148 reported instances of unfulfilled aviation support requests because observers were unavailable. However, as with other data on unfulfilled requests for aviation support, we believe that this number is likely underreported. During our audit, DEA personnel told us that enforcement personnel frequently call Special Agent Pilots prior to a mission to informally explore the possibility of aviation support. However, even if a pilot is available, if an observer is required for the mission and no observer is available (including any ground personnel willing and able to act as the observer), then aviation support will not be provided. DEA personnel told us that such instances often do not result in an official request for aviation support, and therefore the reason for not providing support is not captured on a DEA mission report.

Aviation Offices D and E each have one assigned Special Agent Pilot and no permanent observers; therefore, the field division must provide an observer for aviation missions. Of these two offices, only Aviation Office E

[22] Three contract observers were added in FY 2008, two in FY 2009, and three in FY 2010.

reported instances where an unavailable observer caused requests for aviation support to be denied (three instances during FYs 2009 and 2010). The other three aviation office locations we visited have contract observers, a dedicated Special Agent acting as an observer, or both. However, Exhibit 2-5 shows that these offices still reported unfulfilled aviation support requests due to observer unavailability. Together, in FY 2009, these three locations accounted for 64 percent of the total number of reported instances where an observer was unavailable. In FY 2010, these three offices accounted for 37 percent of the total.

Exhibit 2-5
Unfulfilled Request for Aviation Support - Unavailable Observer
For Field Offices A, B, C
Fiscal Years 2009 and 2010

Office Supported	Dedicated Observers	FY 2009	FY 2010
Field Office A	2	6	0
Field Office B	1	4	2
Field Office C[23]	2	40	24

Source: DEA

While field offices with contract observers realized a decrease in instances where an unavailable observer caused the denial of aviation support, DEA officials stated that cost concerns and budgetary limitations hindered the DEA's ability to provide contract observers for all locations. Then, near the conclusion of our audit in June 2011, DEA officials informed us that the contract observer program would soon be eliminated due to budgetary constraints. The elimination of these observer positions could have a significant effect on aviation operations in the locations where observers are located. During our audit close-out meeting, DEA officials informed us that they have in the past and plan to continue to utilize agents on a volunteer basis to supply aviation observers for aviation operations.

Given the necessity of observers during aviation missions, the elimination of the contract observer program and the number of reported unfulfilled aviation requests due to observer unavailability, we recommend that the DEA identify and properly train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support requests due to observer unavailability. Furthermore, we believe the DEA should completely

[23] One observer was an Aviation Division-funded contract observer while the other was a Field Office C-based Special Agent detailed as an observer.

capture the instances when an unavailable observer prevents aviation support from being provided, which will assist the DEA in identifying the areas of most significant need.

Unavailable Aircraft and Maintenance

As previously illustrated in Exhibit 2-1, maintenance was the most frequent reason for unfulfilled aviation support requests during FYs 2009 and 2010. In addition to maintenance, DEA pilots also reported unfulfilled request data in a separate category referred to as "unavailable aircraft." According to DEA officials and our review of the negative mission report data, the unavailable aircraft category was used to capture unfulfilled missions due to maintenance as well as other circumstances, including instances where a specific type of aircraft, such as a helicopter, was requested but unavailable.

Maintenance

Appropriate maintenance is crucial to the safety of DEA aviation personnel and is a necessary and costly aspect of the DEA's aviation program. During this audit we reviewed maintenance schedules for DEA's fleet for FYs 2009 and 2010.

In FY 2009, 28 percent of the reported unfulfilled aviation requests (excluding weather-related matters) were due to aircraft maintenance.[24] In FY 2010, this figure decreased to 24 percent. The Aviation Division officials stated that the DEA maintains its aircraft in accordance with federal regulations as well as manufacturers' guidance and inspection programs. In addition, as needed the DEA performs maintenance on its aircraft for specific performance problems. The size and the complexity of the aircraft affects the amount of time required to ensure aircraft are maintained appropriately. The DEA divides its maintenance programs into phases performed at specific intervals according to the type of aircraft and the number of hours the aircraft is flown.

We analyzed the FY 2009 and 2010 maintenance schedules for DEA aircraft. As shown in Exhibit 2-6, we found that 70 of the 109 aircraft available in FY 2009 were operational more than 80 percent of the time. However, in FY 2010 this number dropped to 58 of the 100 available

[24] The unfulfilled mission request data does not document if maintenance was scheduled or unplanned.

aircraft.[25] In addition, we found that 42 aircraft were grounded due to maintenance more than 20 percent of the time in FY 2010, including 6 aircraft that were available less than 60 percent of the time.

Exhibit 2-6
DEA Operationally Ready Aircraft

Percentage of Time Available	FY 2009	FY 2010
100% to 80%	70	58
79% to 60%	33	36
59% or less	6	6
Total Aircraft	**109**	**100**

Source: DEA Fleet Replacement Initiative

We also reviewed the age and aircraft type of the five least available fixed wing aircraft and the five least available helicopters during FY 2010. The DEA Fleet Replacement Plan cites 25 years as the age an aircraft should be replaced, which is commensurate with Department of Justice guidance. As shown in Exhibit 2-7, one DEA fixed wing plane and three helicopters in the DEA's fleet are more than 25 years old. The remaining four fixed wing aircraft have an average age of 14 years, while the remaining two helicopters have an average age of only 10 years.

[25] The reduction in the number of aircraft available from FY 2009 to FY 2010 was primarily due to the disposal of some DEA-owned aircraft and the expiration of leases for other aircraft.

Exhibit 2-7
Five Least Available Fixed Wing Aircraft and Helicopters
Fiscal Year 2010

Type of Aircraft		Aircraft Location	Percentage of Days Available	Aircraft Age (years)
FIXED WING	Single engine	San Diego[26]	56%	11.7
	Single engine	Conroe	56%	34.9
	Multi-engine	Fort Worth	58%	14.0
	Multi-engine	San Diego	63%	11.1
	Multi-engine	Fort Lauderdale	63%	18.9
HELICOPTERS	Multi-engine	Fort Worth	36%	25.9
	Single engine	Conroe	59%	33.9
	Single engine	Long Beach	61%	34.9
	Single engine	Atlanta	64%	11.4
	Single engine	Fairfield	65%	9.1

Source: DEA

Overall, we found that the Aviation Office D-based aircraft was only available for 26 percent, or approximately 3 months, of FY 2009. Aviation Office D only has one assigned aircraft, which meant either that a substitute aircraft had to be supplied to the location, or that enforcement agents operated without aviation support for approximately 9 months in FY 2009 because of aircraft unavailability due to maintenance. This same aircraft was down for maintenance for 3 months in FY 2010.

During our field work, DEA Field Office D enforcement officials expressed frustration at the prolonged maintenance periods and a perception that this caused aviation support to be unavailable or difficult to obtain. We reviewed the Field Office D mission activity and aircraft availability for FYs 2009 and 2010 to determine if the extended periods of maintenance affected Field Office D operations. We found that in FYs 2009

[26] This aircraft was assigned to the San Diego Field Office until April 2010 when it was moved to the St. Louis Field Office.

and 2010 other DEA aircraft were flown in support of this office's enforcement efforts while its assigned aircraft was down for maintenance.

We also reviewed the availability of the two aircraft assigned to support the DEA's Field Office A and its task force enforcement operations. We found that these two aircraft were unavailable due to maintenance approximately 40 percent of FY 2010 and that other aircraft were utilized to support operations approximately 58 percent of the time. We identified 1 month, December 2009, in which 100 percent of the mission hours to support Field Office A and its task force were flown by other aircraft. During December 2009, one assigned aircraft was unavailable the entire month while the other was available for approximately only half of 1 day. There were only 2 months during FY 2010 in which the assigned two aircraft were responsible for more than 50 percent of the mission hours: July 2010 (57 percent) and August 2010 (63 percent).

The high number of unfulfilled requests due to unavailable aircraft in the Aviation Office D in FY 2010, and the amount of hours flown by other aircraft in support of Field Office A and its task force indicate that the Aviation Division's efforts to supply substitute aircraft may be more reactive than proactive. As its aircraft continue to age, it may be difficult for the DEA to secure parts or mechanics able to service the aircraft. Certain aircraft have a higher tendency toward mechanical failure as well. The Aviation Division should use its knowledge of the aircraft in its fleet and maintenance status information to strategically place its aircraft to ensure DEA field offices are not without aviation capability for extended periods of time.

Aviation Fleet

Single-engine fixed wing aircraft and single-engine helicopters serve as DEA's primary operational aircraft. Additionally, the DEA has larger, multi-engine airplanes and specialty planes and helicopters used for transport, interdiction, and other specific purposes. As of May 2011, the DEA had 16 different types of aircraft. Special Agent Pilots are required to obtain and maintain a unique certification for each aircraft they operate. Exhibit 2-8 provides details on the number of DEA aircraft commanders per DEA aircraft type.

Exhibit 2-8
DEA Aircraft Commanders per DEA Aircraft
Fiscal Years 2009 and 2010

Aircraft Type	Aircraft Commanders FY 2009	Aircraft Commanders FY 2010	Total Number of Aircraft in DEA Fleet December 2010
Cessna 206, Cessna 206H, and Cessna 210[27] Fixed Wing	71	86	43
Cessna 206 Soloy Fixed Wing	15	14	5
Cessna 208 Fixed Wing	4	3	1
King Air 350 Fixed Wing	31	28	13
ATR-42 Fixed Wing	3	6	2
Cessna Citation Fixed Wing	7	5	1
Learjet 60 Fixed Wing	4	3	1
Eurocopter AS-350 Helicopter	23	26	7
MBB 105 Helicopter	12	6	3
Bell 206LIII Helicopter	4	4	1
Bell 407 Helicopter	20	20	5
Bell 412 Helicopter	24	25	5
MD-500D/MD-500E Helicopter	27	38	6
MD-902 Helicopter	2	2	1

Source: DEA Aviation Division

Between FY 2005 and December 2010 the DEA's Aviation Division eliminated three types of aircraft and its acquisitions have generally added aircraft types already present in its fleet. The aircraft fleet transactions included the disposal of 29 aircraft, through sales and lease expirations, as well as the acquisition of 31 aircraft (21 fixed wing planes and 10

[27] Special Agent Pilots need to be initially certified to fly each of the following: Cessna 206, Cessna 206H, and the Cessna 210. However, after initial certification, a Special Agent Pilot need only maintain currency on one within the group as they are treated as similar aircraft.

helicopters) through purchases and leases.[28] The DEA also added some aircraft to its fleet by transferring seized aircraft into aviation operations. As of May 2011 the DEA's fleet contained 12 different aircraft throughout its domestic field offices, as well as 4 additional specialized aircraft located in Fort Worth, Texas.

We believe the multiple types of aircraft in the DEA's fleet contribute to aviation resource availability issues. Most Special Agent Pilots maintain certification in an average of three types of aircraft, each with varying training requirements. Despite the DEA's efforts to mitigate the effect of training on operational need, pilots must commit time to complete these requirements, which can affect their availability to support operations.

Replacement Plan

In its 2009 aircraft replacement plan, the Aviation Division described a methodology for replacing aging aircraft while standardizing the fleet over a period of 10 years. The first stage of the plan focuses on replacing all aircraft older than 25 years, consistent with a Department of Justice recommendation. The second stage covers the replacement of King Air 350s over the age of 25 years at the rate of one per year, and the final stage calls for ongoing fleet replacement and enhancement. However, the DEA's replacement plan does not state specifically how it would standardize its fleet through replacement. Exhibit 2-9 illustrates the aircraft age distribution of the DEA fleet as of December 2010.

Exhibit 2-9
DEA Aircraft by Age
As of December 2010

Aircraft Age	Fixed Wing	Helicopter
25 or more years old	19	6
20 to 24 years old	5	3
10 to 19 years old	21	4
Less than 10 years old	21	15
Total	**66**	**28**

Source: DEA Fleet Replacement Initiative

The DEA stated that implementing the plan would require $9 million in additional annual funding for each year of the 10-year replacement initiative.

[28] In addition to these 31 aircraft, as of February 2011, the DEA was in contract negotiations for 6 additional fixed wing aircraft.

We believe that the standardization of DEA aircraft has many benefits, including lower training costs and increased standardization of maintenance, which is likely to mean less maintenance time and to yield cost savings. Standardizing the DEA fleet would also allow the Aviation Division to operate and use its resources more efficiently and effectively. We recognize, however, that budget constraints and the fiscal climate may make a replacement plan that relies on significant budget enhancements difficult, if not impossible, to realize.

In the absence of being able to implement its replacement initiative, we recommend that the DEA revise its aircraft replacement plan in line with its current budget and the goal of standardizing its fleet. The DEA should continue to consider alternative, low cost strategies to minimize the effect of its multi-type, aging fleet on its day to day operations and maintenance needs. For example, one strategy that DEA officials used in the past was to sell aircraft, either intact or part by part, and use the proceeds to purchase one or more new aircraft.

Shared Hangar Space

The DEA's Aviation Division maintains aircraft in 40 locations across the country. In each of these locations the DEA's aviation program is a covert operation with knowledge of aviation asset locations generally limited to DEA personnel. However, despite the covert nature of these operations, DEA aircraft are generally stored in hangar spaces shared with commercial organizations or private individuals. Shared hangar space is commonly managed by fixed-base operators, which are companies that lease hangar space for profit and therefore lease space to as many aircraft as they can fit in a hangar. This arrangement requires frequent movement of aircraft by fixed-base operator staff to retrieve aircraft as requested by customers. This frequent movement of aircraft increases the risk of both intentional and unintentional damage to DEA aircraft.

We were told by DEA officials that 24 of the 40 locations with aviation resources share hangar space with commercial organizations or private individuals. Four of the five locations we visited utilized such shared hangar space.

We believe the practice of sharing hangar space with private enterprises compromises the security of DEA aviation personnel and assets. Although we observed security measures such as surveillance cameras and access-controlled office space and gates, we also noted that shared hangars were open and potentially accessible to unauthorized individuals. Even if aircraft are locked when not in use, if the hangar is open and unauthorized individuals have unescorted access, the opportunity to vandalize DEA aviation resources exists. DEA field office officials expressed general concerns over the use of shared hangars and reported a preference for a dedicated hangar for DEA aviation resources. However, most of these officials stated that dedicated hangars were too costly to be a viable option for aircraft storage.

During our field work, we asked DEA aviation staff if they were aware of any security incidents related to DEA aircraft. DEA officials at multiple field offices reported instances of aircraft dings and scratches due to fixed-base operator staff moving the aircraft in and out of hangars. These incidents were rarely reported by fixed-based operator staff at the time of the incident and were often discovered by DEA Special Agent Pilots in pre-flight checks or by mechanics. Unreported fixed-base operator damage to DEA aircraft could cause a potential safety risk to the integrity of DEA aircraft.

In one location we visited, which is known for a high-level of drug trafficking activity, DEA personnel noted that the individuals and organizations sharing commercial hangar space with the DEA changed often and that the DEA did not control who had access to the hangar. Therefore, there is a risk that DEA aircraft could be stored with aircraft owned by individuals or organizations involved in drug trafficking. The DEA's own aviation handbook points out the potential for sabotage and vandalism and states that aircraft "are often the target of interstate theft organizations…. Additionally, DEA [Special Agent Pilots] may be targeted by DEA defendants and drug trafficking organizations." DEA officials also informed us that DEA aircraft at this location were vandalized while stored in the shared hangar. Security cameras were subsequently installed at this location and no further vandalism was reported. Nevertheless, this shared hangar arrangement poses a significant security threat and highlights why we believe the DEA must consider alternative solutions to shared hangar space whenever possible.

DEA Aviation Division officials stated that maintaining DEA aircraft in private hangar space is not cost effective and is unnecessary. However, we believe that housing aircraft in shared hangar space places these multimillion dollar resources, as well as the Special Agent Pilots who fly them, in jeopardy. The potential for sabotage and the safety of the DEA's

aviation assets must be considered along with any cost savings resulting from utilizing shared hangar space.

Although it may not be practical for the Aviation Division to secure private hangar space in all situations, we recommend that the DEA actively examine the possibility of obtaining private hangar space or sharing hangar space with other law enforcement agencies to help defray the costs and improve aviation personnel and asset security.

Aircraft Registration

Aviation resources are frequently used during DEA undercover operations. In addition, with the increased use of aircraft by law enforcement in general, criminal subjects are becoming increasing aware of surveillance aircraft. If spotted and identified as a DEA aircraft through its registration or tail number, the safety of Special Agents or confidential informants might be compromised. Maintaining a covert identity is therefore critical to operational safety because aircraft registration information is readily available on the Internet.

To help protect the identity of aviation assets as DEA property, the DEA uses covert identities and fictitious names for the registration of domestic-based aircraft and the signage at Aviation Resident Offices. However, in March 2011 we found in a search of FAA aircraft registration records that 25 domestic-based DEA aircraft that should have been registered covertly to fictitious or cover organizations but that were not. When we asked DEA officials about its procedures for registering aircraft, they stated that the policy had changed back and forth over the years, with some administrations requiring the use of covert registration and others not. These individuals informed us that the DEA wanted most of its domestic-based aircraft to be registered covertly and was in the process of doing so. However, as of September 7, 2011, 13 DEA aircraft that should be registered covertly still were not. Therefore, we recommend that the DEA ensure that all appropriate DEA aircraft are registered covertly with the FAA.

Pre-Flight Risk Assessment

We identified an additional safety concern regarding the lack of a requirement that Special Agent Pilots complete a pre-flight risk assessment prior to take off. One Special Agent Pilot acknowledged that he formerly used a risk assessment worksheet that served as a tool to help assess prior to takeoff the multiple variables that could affect a flight. According to this pilot the form is not required and he has since committed it to memory so he no longer uses it. The DEA provided to us a flight risk checklist that covered

several areas of risk affecting an aviation mission. However, the checklist does not include a means of objectively quantifying the overall level of risk, and, as stated previously, Special Agent Pilots are not required to use it.

When we asked Aviation Division officials why a formal documented pre-flight risk assessment is not required of Special Agent Pilots, they told us that all Special Agent Pilots informally assess risks prior to each flight and should be briefing the crew on the risks prior to takeoff. These officials told us that the Aviation Division relies on the professionalism of its pilots and that responsible pilots do not need to formalize their assessment of the risks associated with each flight.

We believe the DEA should reconsider this approach, and at the audit close-out meeting the DEA stated that it planned to implement a formalized pre-flight risk assessment. Formal pre-flight risk assessments will compel pilots to consider before takeoff all risk factors affecting the safety of a mission, such as pilot fatigue and weather conditions. While we understand that many of DEA's Special Agent Pilots are highly experienced and do not necessarily need a checklist or a worksheet to understand pre-flight risks, we believe that applying an informal pre-flight risk assessment process could lead to key risk factors being inadvertently overlooked. In our opinion, the potential benefit of formalizing this pre-flight process greatly outweighs the inconvenience of making a minor change to the pre-flight routines of Special Agent Pilots. We recommend that the DEA complete its plan to require a formal pre-flight risk assessment procedure, which must adequately document and objectively quantify the Aircraft Commander's assessment of the level of risk associated with a DEA flight.

Conclusion

The unavailability of DEA pilots, observers, and aircraft accounted for the majority of non-weather related unfulfilled aviation support requests. Many different variables appear to have contributed to aviation resources being unavailable, including TDY assignments and maintenance. However, the DEA does not have a complete understanding of the effect of these unavailable resources because its field offices do not consistently report unfulfilled aviation requests. In addition, when such information is reported, the reason *why* the asset was unavailable is not captured. For example, when a field office reports that an aviation request was not fulfilled because of an unavailable pilot, the office does not report whether the pilot was unavailable due to a TDY assignment, scheduled or unscheduled leave, training, or some other reason. Therefore, we believe the DEA should include definitions or guidance for personnel to refer to when completing negative mission reports and it should require field offices to report the

reason why the resource was unavailable. Collecting and analyzing complete data on unfulfilled aviation requests should provide the DEA with a better understanding of the challenges they face and help to anticipate division offices' needs, allowing for more effective and efficient use of its aviation resources.

Furthermore, we believe the DEA's Aviation Division must continually try to find alternate ways to maximize its resources in the absence of an approved aircraft replacement and standardization plan. We recognize that meeting the aviation needs of thousands of Special Agents in 40 locations throughout the United States with only 92 aircraft is a difficult task. As many of the Special Agents we interviewed stated, the Aviation Division does its best to meet the DEA's aviation needs, but it cannot realistically fulfill every request. Therefore, we believe that the DEA should continue to consider alternative, low cost strategies to minimize the effect that its aging fleet has on day to day operations and maintenance needs. The DEA should also revise its aircraft replacement plan in line with its current budget and fleet standardization goals.

The DEA must also take additional steps to protect its pilots and aviation assets. The use of shared hangar space increases the risk of intentional and unintentional damage to DEA aircraft. Therefore, we believe that the DEA should seek to obtain secure, private hangar space whenever possible. In addition, the Aviation Division should actively examine the possibility of co-locating DEA aviation assets in hangar space with other law enforcement agency aviation assets to help defray costs and improve asset security. Lastly, because it is easy for the general public to find aircraft registration information through a simple Internet search, for all appropriate domestic-based aircraft the DEA should ensure that its aircraft are registered covertly.

Additionally, we recommend that the DEA implement a mandatory, formal risk assessment to be performed prior to each aviation mission. A formalized assessment will compel DEA pilots and crew to always consider all possible pre-flight risks in an objective manner.

Recommendations:

We recommend that the DEA:

3. Revise its mission report form to include definitions or guidance for personnel to refer to when completing negative mission reports.

4. Perform a periodic analysis of its unfulfilled aviation support request data to more accurately identify the causes of and trends in aviation resource deficiencies and to assist in projecting aviation program needs.

5. Require field offices to report the reason why the aviation asset is unavailable when reporting on unfulfilled aviation requests.

6. Perform a regular analysis of Special Agent Pilot certifications and determine the necessary number of certified pilots for each type of aircraft based on historical and projected aircraft usage.

7. Identify and properly train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support requests due to observer unavailability.

8. Revise its aircraft fleet replacement plan in line with its current budget and the goal of standardizing its fleet. Further, the DEA should continue to consider alternative, low cost strategies to minimize the effect that its aging fleet has on day to day operations and maintenance needs.

9. Actively examine the possibility of obtaining private hangar space or sharing hangar space with other law enforcement agencies to help defray costs and improve aviation personnel and asset security.

10. Ensure that all appropriate DEA aircraft are registered covertly with the Federal Aviation Administration.

11. Implement a mandatory, formal pre-flight risk assessment that adequately documents and objectively quantifies the Aircraft Commander's assessment of the level of risk associated with a flight before takeoff.

STATEMENT ON INTERNAL CONTROLS

As required by the *Government Auditing Standards* we tested as appropriate, internal controls significant within the context of our audit objective. A deficiency in an internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to timely prevent or detect: (1) impairments to the effectiveness and efficiency of operations, (2) misstatements in financial or performance information, or (3) violations of laws and regulations. Our evaluation of the DEA's internal controls was *not* made for the purpose of providing assurance on its internal control structure as a whole. DEA management is responsible for the establishment and maintenance of internal controls.

Through our audit testing, we did not identify any deficiencies in the DEA's internal controls that are significant within the context of the audit objective and based upon the audit work performed that we believe would affect the DEA's ability to effectively and efficiently operate, to correctly state financial and performance information, and to ensure compliance with laws, regulations, and other applicable requirements.

Because we are not expressing an opinion on the DEA's internal control structure as a whole, this statement is intended solely for the information and use of the auditee. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

STATEMENT ON COMPLIANCE WITH LAWS AND REGULATIONS

As required by the *Government Auditing Standards* we tested, as appropriate given our audit scope and objective, selected transactions, records, procedures, and practices, to obtain reasonable assurance that DEA's management complied with federal laws and regulations, for which noncompliance, in our judgment, could have a material effect on the results of our audit. DEA management is responsible for ensuring compliance with applicable federal laws and regulations. In planning our audit, we identified the following regulations that concerned DEA's aviation operations and that was significant within the context of the audit objective:

- 41 C.F.R. § 101-37 (2011)
- 41 C.F.R. § 102-33 (2011)

Our audit included examining, on a test basis, the DEA's compliance with the aforementioned regulations that could have a material effect on DEA's aviation operations, through interviewing personnel, analyzing data, assessing internal control procedures, and examining procedural practices. Nothing came to our attention that caused us to believe that the DEA was not in compliance with the aforementioned regulations.

APPENDIX I

OBJECTIVE, SCOPE, AND METHODOLOGY

Objective

The objective of this audit was to assess the DEA's management of its aviation operations. Specifically, we analyzed the usage, prioritization, and availability of DEA aviation assets, primarily focusing on its domestic-based aviation operations for FYs 2009 and 2010.

Scope and Methodology

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

To accomplish our objective we performed work at DEA headquarters in Arlington, Virginia, and at the DEA Aviation Operations Center in Fort Worth, Texas. We also performed fieldwork at five domestic locations, visiting DEA Aviation Resident Offices and DEA field offices.[29] We conducted interviews with the DEA's Chief of Operations, Chief Financial Officer, Aviation Division Special Agent in Charge, and other headquarters-level officials and personnel. Additionally, at field locations, we interviewed DEA aviation personnel, such as Resident Agents in Charge and Special Agent Pilots, as well as enforcement personnel who benefit from DEA aviation support, including field office management and Special Agents.

In addition, we examined the DEA's procedures for requesting aviation support and flight activity data to determine how resources were used to support priority investigations.

[29] In our report, for matters involving the sensitivity of DEA operations we do not use the names and locations of the DEA aviation and district offices we visited in the field. For example, for one location we visited, we use Aviation Office A and Field Office A instead of the actual location and office names.

Data Analysis

We also examined FY 2009 and 2010 DEA aviation data where appropriate within the scope of our audit. This data was maintained within the DEA Aviation Division's Alliance Aviation Management System (AAMS). We obtained from the DEA two database files, one each for FYs 2009 and 2010, that contained the data entered into AAMS for capturing DEA aviation activity data. As with most data, the reliability of this data is inherently determined by the integrity and care when initially recording the data and inputting the data into AAMS. Our report describes issues with the completeness and accuracy of the data entered into AAMS and makes recommendations to remedy these deficiencies. With the additional information in our report and within the context of our audit objective, we believe the data provided by the DEA can be used to support appropriately our audit findings, recommendations, and conclusions.

Our analysis included identifying the universes of missions flown and unfulfilled requests for aviation support, both of which are tracked in AAMS. For aviation missions flown, we organized the data by the type of operation: administrative, maintenance, training, and operational/investigative. The majority of our analysis included more detailed analysis of the operational/investigative data, the results of which are presented in our report.

In order to classify aviation operational-related aviation data, we used the DEA's case classification G-DEP code. All missions in support of operations with a G-DEP code beginning with "Y" were classified as "priority target" missions. All other G-DEP codes were classified as "non priority targets." Missions with a "9000" series case file number were classified as a headquarters program mission. If a G-DEP code was not provided, missions were appropriately categorized using the operation name or by case file numbers and through consultation with DEA personnel to help inform our methodology. Those without a G-DEP code and with a case file number series other than 9000 were classified as non-priority target missions.

Prior OIG Report

The OIG previously reviewed aviation operations of the DEA in 1995.[30] Similar to this audit, its objective was to assess the operations of the DEA aviation program and to determine areas where the DEA could improve the efficiency, effectiveness, and safety of its aviation operations. This 1995 audit was part of the President's Council on Integrity and Efficiency's review and assessment of civilian aircraft in the Executive Branch. No significant deficiencies were found in the executive and administrative use, safety, proper operation, continuing need, and disposal of DEA aircraft. However, the audit found that not all DEA aircraft sampled were maintained in accordance with Federal Aviation Regulations and DEA aviation cost reports submitted to the General Services Administration of FY 1993 understated actual operating costs by approximately $7.9 million.

[30] U.S. Department of Justice Office of the Inspector General (OIG), *Audit of the Drug Enforcement Administration Management of Aviation Operations*, Audit Report 95-29 (August 1995).

APPENDIX II

THE DEA'S RESPONSE TO THE DRAFT AUDIT REPORT

U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov Washington, D.C. 20537

SEP 3 0 2011

MEMORANDUM

TO: Raymond J. Beaudet
Assistant Inspector General for Audit
Office of the Inspector General

FROM: Kevin M. Foley
Deputy Chief Inspector
Office of Inspections

SUBJECT: DEA's Response to the OIG's Draft Report: *Audit of the Drug Enforcement Administration's Aviation Operations*

The Drug Enforcement Administration (DEA) has reviewed the Department of Justice (DOJ), Office of the Inspector General's (OIG) Draft Audit Report, entitled: *Audit of the Drug Enforcement Administration's Aviation Operations.* DEA acknowledges OIG's efforts in conducting a review to evaluate how the DEA manages its aviation resources to effectively support its mission. DEA is committed to being an international organization having a global presence with a single-mission dedicated to drug law enforcement. DEA focuses on the vision to disrupt and dismantle the major drug trafficking supply organizations and their networks, especially the poly-drug trafficking sources of supply who dominate global drug markets.

The Audit of DEA's Aviation Operations resulted in a 23-month review that contains 11 administrative recommendations that did not identify any fraud, waste, or abuse. OIG indicated in their Statement on Internal Controls that "we did not identify any deficiencies in the DEA's internal controls that are significant within the context of the audit objectives and based upon the audit work performed that we believe would affect the DEA's ability to effectively and efficiently operate…."

DEA considers the recommendations made by OIG as: being excessive considering budget constraints in the current environment of budgetary uncertainty; were already in the development process either prior to the audit initiation or during the audit review; and recommendations that already have a current operating procedure in place. In the pages that follow, DEA provides a response to each of the recommendations. However; prior to addressing the recommendations, DEA provides the following general comments about the report and the analysis made by OIG. Much of the information detailed in DEA's response was discussed with the OIG auditors during the exit conference.

The Aviation Division's (OA) mission is to provide tactical, technical, and administrative aviation support to enhance and enable DEA's worldwide mission. The support that OA provides is driven by the needs of Enforcement Operations. The OIG did not take into account that while OA does have the latitude to determine which missions it supports, the Enforcement Division is the driving force behind the actual requests for aviation support. Further, to analyze the missions supported and attempt to show a greater need to support Priority Target Organization (PTO) cases over non-PTO cases shows a lack of understanding of drug law enforcement operations and the benefit that aviation support provides. While OA does, in fact, support PTO investigations, the mere fact that a mission is connected to a PTO does not necessitate the need for aviation support. Rather than striving to ensure DEA aviation resources are used to support "*the highest priority enforcement operations*" as suggested by OIG, OA seeks to provide aviation support to the cases which have the "greatest need for aviation support" and would derive the most in terms of intelligence and evidence gathering as well as safety of ground personnel.

DEA provides the following in response to the recommendations.

Recommendation 1: **Require that field office supervisors initiate all aviation support requests to help ensure that the approval and prioritization of DEA aviation support requests are consistent. Additionally, in instances where prioritization is necessary the DEA should require documentation of the decision.**

DEA does not concur with this recommendation. While DEA recognizes that its philosophy of allowing personnel at the Special Agent and Special Agent/Pilot level to request and to make the determination on whether or not to perform a mission respectively or how to prioritize conflicting missions is unique, it allows for the appropriate level of flexibility needed in conducting drug law enforcement missions. Drug law enforcement operations are unique in that they frequently occur with very little prior notification and are fluid. The flexibility of the operations necessitates a sliding schedule as planned operations can change at a moment's notice. Implementing a rigid requirement for all aviation support requests to originate at the management level could hinder the ability to effectively use aviation assets to support the enforcement groups, which is OA's primary mission.

It is important to note that many of the Special Agent/Pilots are physically located in the area of operations which they support and, therefore, attuned to the needs of that division. It has been DEA's position to encourage communication and dialogue between Special Agent/Pilots, their counterparts in the field divisions and management in both the Aviation and field divisions. This communication facilitates discussion on mission prioritization including factors such as availability of aircraft, safety and mission/operational needs.

In regard to prioritizing mission requests, OA previously established guidelines for resolving conflicts with operational missions which are detailed in its Aviation Operations Handbook. The guidelines require documentation regarding the priority of the mission and provide the opportunity for a resolution to be made with the input of OA and field division management at two different levels. It appears that OIG's concerns regarding the need to ensure prioritization of missions may be overstated, as auditors noted in the Draft Audit Report

(page 16) that DEA field office personnel interviewed said, "they did not recall any instances where a lower priority case received aviation support instead of a high priority case."

***Recommendation 2*: Ensure that the automated mission report form (in development as of August 2011) does not allow important information, such as case numbers and G-DEP codes, to be omitted.**

DEA concurs with this recommendation. As discussed during the exit conference and in several meetings with OIG, DEA has been working to develop an automated mission report form. The process to develop this automated form began in 2008, a year prior to the initiation of this audit. As the development stage progressed, OA changed the system on which the form would be maintained. The current version of the automated form, which is still being refined, already requires a case number and GDEP code for all missions defined as Investigative. Once a case number is input, the updated mission report will allow the GDEP code to auto-populate.

***Recommendation 3*: Revise its mission report form to include definitions or guidance for personnel to refer to when completing negative mission report.**

DEA concurs with this recommendation. As indicated previously in Recommendation 2, DEA began the development of an automated mission report form in 2008. During the audit scope, fiscal years (FY) 2009-2010, DEA flew over 24,000 missions and had approximately 2,300 negative missions. Of the 26,300 potential missions, 76 missions (.29 percent) were categorized as negative for reasons which were not specified on the mission report and had the potential to be erroneously reported. While DEA does not believe that the less than one percent of instances where there were potential errors in completing a negative mission necessitates this audit recommendation, language to clearly define the guidelines for unavailability of aircraft has been developed to address this concern and will be added to the mission report form instructions.

***Recommendation 4*: Perform a periodic analysis of its unfulfilled aviation support request data to more accurately identify the causes of and trends in aviation resource deficiencies and to assist in projecting aviation program needs.**

DEA does not concur with this recommendation. DEA believes this recommendation has been addressed through methods utilized to resolve possible deficiencies in aviation resources and projections of the needs of the aviation program. OA management, from the Special Agent in Charge to Assistant Special Agents in Charge to the Resident Agents in Charge and Area Supervisors, maintain regular contact with both Headquarters and field division management to discuss issues in these areas. Additionally, all OA managers are tasked with reviewing monthly flight data (aircraft hours and pilot missions), which includes negative missions. While these reports may only address the number of negative missions for a specific aircraft or pilot, they give OA managers a vehicle to track trends or changes and to subsequently perform more in-depth evaluations as needed.

As discussed during the exit conference, DEA is working to ensure that its reporting system contains the most accurate information possible through the implementation of an automated

mission report. The automated mission report will allow for timely input of data and eliminate some of the margin for error in data input, thus providing reports that aid in more precisely identifying the causes in aviation resource deficiencies.

***Recommendation 5*: Require field offices to report the reason why the aviation asset is unavailable when reporting on unfulfilled aviation requests.**

DEA does not concur with this recommendation. DEA recognizes OIG's desire to document the reason for unfulfilled aviation support requests. However; DEA already has a method in place by which the unavailability of an aviation asset can be documented utilizing the field which specifies the reason the aviation asset is unavailable on the mission report form. As stated in the response to Recommendation 3, language to clearly define the guidelines for unavailability of aircraft has been developed to address this concern and will be added to the mission report form instructions. DEA believes that more clearly defining the availability options on the mission report form will suit the needs of the OA.

***Recommendation 6*: Perform a regular analysis of Special Agent Pilot certifications and determine the necessary number of certified pilots of each type of aircraft based on historical and projected aircraft usage.**

DEA does not concur with this recommendation. DEA believes this recommendation has already been accomplished as a specific process for performing analysis of pilot certifications is already in place. The OA's Training Officer, in conjunction with other OA managers, performs annual analyses of OA's larger aircraft and pilots to determine whether there is a need for pilots to maintain Aircraft Commander status in specific aircraft. As was discussed during the exit conference, one such evaluation had been performed just prior to the exit conference which resulted in the reduction of Aircraft Commanders to one particular type of aircraft in the fleet. Following the exit conference, an evaluation of the number of Aircraft Commanders in a second type of aircraft was conducted resulting in another reduction.

***Recommendation 7*: Identify and properly train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support request due to observer unavailability.**

DEA does not concur with this recommendation. Prior to the OIG audit, OA conducted observer training for interested and capable personnel utilizing its own Special Agent/Pilots, as well as Special Agents who have significant experience performing the role of observer. Task Force Officers were also utilized as an option for observers. OA further developed a Contractor Observer Program to conduct this duty as well; however, due to budgetary constraints, the Contractor Program was discontinued in the 3rd quarter FY 2011. OA managers encourage field division managers to select Special Agents from their divisions to serve as observers. However, the Enforcement Division's selection is limited by the number of Special Agents who volunteer for this collateral/hazardous duty. In this time of budgetary uncertainty and limited resources, OA will provide training to those Special Agents who volunteer for the observer duty, but unless more funding is received for additional DEA

personnel to be observers, OA has accomplished this recommendation as reasonably possible.

***Recommendation 8*: Revise its aircraft fleet replacement plan in line with its current budget and the goal of standardizing its fleet. Further, the DEA should continue to consider alternative, low cost strategies to minimize the effect that its aging fleet has on day to day operation and maintenance needs.**

DEA does not concur with this recommendation. DEA **does not** have a set budget for aircraft fleet replacement which makes it difficult to create a realistic fleet replacement plan. As previously discussed with the OIG auditors, the OA developed a replacement plan which was mindful of budget constraints. However, this replacement plan could not be implemented due to budgetary issues. Despite this, OIG continues to recommend creating a fleet replacement plan in line with DEA's current budget, disregarding the fact that there is not a specified budget for aircraft replacement.

DEA has actively worked to standardize its fleet to provide the best possible support to operations, while minimizing maintenance costs. In the past seven years, three different types of aircraft have been eliminated from the fleet and, when possible, replaced with aircraft of the same type already in the fleet. This effort is continuing and it is anticipated that at least one additional type of aircraft will be eliminated due to maintenance and cost issues. At the same time, seven new aircraft will be added to fleet in the near future. These aircraft are of the same type already common in the fleet. This was accomplished by using "old year" money and selling older aircraft in the fleet. Due to the complex nature of its mission, the OA must maintain several different types of aircraft which are appropriate to operational needs and the locations they are being flown.

***Recommendation 9*: Actively examine the possibility of obtaining private hangar space or sharing hangar space with other law enforcement agencies to help defray cost and improve aviation personnel and asset security.**

DEA does not concur with this recommendation. DEA believes this recommendation has been accomplished as there is a current process in place to examine possibilities to obtain private/shared hangar space to defray cost. This process has been in place within DEA prior to the OIG Audit. DEA takes the security of its aircraft very seriously and does attempt to obtain hangar space which provides the best level of security possible. DEA is required to utilize the General Services Administration (GSA) for long-term leases of hangar space. In order to remain within the parameters of the budget and to fully support the operational needs of the DEA, specific requirements are provided to the GSA and hangar space with those requirements is actively sought. It is not always economically feasible to obtain private hangar space or to share with other law enforcement entities in the locations where DEA operates especially in times of budgetary uncertainty.

DEA also seeks low cost hangar space on secure facilities when possible. In one state where hangar space can be difficult to find, DEA has entered into Memoranda of Understanding to utilize facilities on both a military and a National Guard site. In both of these instances, DEA pays specific fees relevant to services it uses and to the operation of its aircraft, but is

not charged a leasing fee.

Of the remaining 38 domestic locations, DEA has private hangar space in 13 locations, shared commercial space with another law enforcement entity in one location and shared commercial space in 24 locations. Therefore, approximately 40 percent of DEA's hangar space meets the parameters that OIG considers to be more secure. DEA believes this recommendation has been accomplished as reasonably possible given GSA requirements, restrictions, and budget constraints.

***Recommendation 10*: Ensure that all appropriate DEA aircraft are registered covertly with the Federal Aviation Administration.**

DEA concurs with this recommendation. In early 2011, DEA began the process of covertly registering all appropriate DEA aircraft. The OA understands the importance of covertly registering its aircraft to enhance pilot and aircraft safety and is attempting to do so in as many instances as possible. However, to covertly register the aircraft that operate in a foreign environment would cause the OA to lose some of the benefits associated with registration as a federal government agency, such as the ability to land at military bases, as well as waivers on fees, taxes, and international regulatory requirements. It is anticipated that the process to register all appropriate domestic aircraft will be completed by FY 2012.

***Recommendation 11*: Implement a mandatory, formal pre-flight risk assessment that adequately documents and objectively quantifies the Aircraft Commander's assessment of the level of risk associated with a flight before takeoff.**

DEA does not concur with this recommendation. As has been addressed during past meetings, DEA does have a pre-flight risk assessment procedure in place which is identified in the Aviation Operations Handbook. This procedure provides pilots with both a risk assessment matrix and a checklist to evaluate potential risks prior to flying a mission.

Additionally, all DEA Special Agent/Pilots hold Federal Aviation Administration (FAA) commercial and/or Airline Transport Pilot certificates. With the issuance of these certificates, all DEA Special Agent/Pilots are trained in FAA regulations, rules and procedures. This includes flight proficiency and aeronautical knowledge to include multiple checklists before, during, and after flight missions.

OIG assumes that the lack of a paper document to indicate the assessment was completed prior to a flight indicates that a risk assessment has not, in fact, been performed. This is inaccurate as DEA's pilots perform a thorough pre-flight procedure which incorporates risk assessment in addition to other processes such as weather evaluation and aircraft manufacturer's recommended procedures for a comprehensive pre-flight appraisal.

DEA remains committed to combating global drug traffickers, drug related terrorism, and other transnational crimes by disrupting and dismantling major drug trafficking supply organizations and will work to address process improvements. Documentation detailing DEA's efforts to implement concurred recommendations noted in this report will be provided to the OIG on a quarterly basis, until the corrective actions have been completed.

If you have any questions or concerns regarding DEA's response to the OIG Audit Report recommendations, please contact the Audit Liaison Team at (202) 307-8200.

OFFICE OF THE INSPECTOR GENERAL ANALYSIS AND SUMMARY OF ACTIONS NECESSARY TO CLOSE THE REPORT

The OIG provided a draft of this audit report to the DEA. The DEA's response is incorporated in Appendix II of this final report. The following provides the OIG analysis of the response and summary of actions necessary to resolve and close the report.

Analysis of the DEA's Response

In response to our audit report, the DEA stated that it did not concur with 8 of the 11 recommendations. In addition, the DEA provided comments that were not related directly to our recommendations, to which we first reply before discussing the DEA's specific responses to each of our recommendations. As we discuss in more detail below, we do not agree with specific statements in the DEA's response and with the DEA's categorization of our recommendations.

The DEA stated in its response that our audit report "contains 11 administrative recommendations that did not identify any fraud, waste, or abuse." We disagree with the DEA's characterization that our recommendations are administrative in nature. Our recommendations directly address operational improvements that can be made to the DEA's management, utilization, and security of its limited, costly, and operationally valuable aviation resources. These recommendations are consistent with our statutory mission to "recommend policies for activities designed to promote economy, efficiency, and effectiveness in the administration of… programs and operations."[1]

Also in its response, the DEA selectively quotes a portion of our report's Statement on Internal Controls, which states, in part, that "[the OIG] did not identify any deficiencies in the DEA's internal controls that are significant within the context of the audit objectives and based upon the audit work performed that we believe would affect the DEA's ability to effectively and efficiently operate…." The DEA's selective use of language from our report's Statement on Internal Controls is misleading. The

[1] 5 U.S.C. app.3 § 2 (2008).

Statement on Internal Controls is intended to identify, *within the context of our audit objective*, significant internal control deficiencies that would not allow management to timely prevent or detect impairments to the effectiveness and efficiency of operations. Although we did not identify such significant deficiencies, we believe that corrective actions to address our report's 11 recommendations will help improve the effectiveness of the DEA's management of its aviation operations and enable the DEA to make better-informed decisions on the use of its aviation resources.

In its response, the DEA grouped our recommendations into three categories and considers our recommendations as: (1) being excessive considering budget constraints in the current environment of budgetary uncertainty, (2) already in the development process either prior to the audit initiation or during the audit review, and (3) already having a current operating procedure in place. Again, we disagree with this categorization of our recommendations.

First, our report acknowledges the fiscal climate, and our recommendations stress the importance of enhancing the use of existing procedures, systems, and data to maximize the aviation program's ability to provide support to DEA operations now and in the future. During the current fiscal climate, we view it as more important than ever that DEA undertake the fiscally prudent approach contained in our recommendations. Second, when developing our findings and recommendations, we considered information provided by the DEA throughout our audit, including information the DEA provided for the first time at the exit conference. In each instance where the DEA stated that it developed some initiatives related to our recommendations, we recognized these efforts in our report and made recommendations to ensure these initiatives were fully implemented where necessary. Third, our report recognizes existing DEA procedures. We believe enhancing existing practices and procedures is a cost-effective, minimally disruptive means to improving the DEA's management of its aviation operations.

The DEA made additional comments in the opening narrative of its response with which we disagree. In its response, the DEA stated that "[t]he OIG did not take into account that while [the DEA Aviation Division] does have the latitude to determine which missions it supports, the Enforcement Division is the driving force behind the actual requests for aviation support." This statement ignores the plain language of our report. We did not limit our recommendations only to the DEA's Aviation Division. Rather, our recommendations are addressed to the DEA as a whole, including its enforcement and aviation operations. Throughout the report, we recognize that the Aviation Division operates as a support function for

DEA's enforcement operations. In fact, the very first paragraph of the report states:

> According to DEA, aviation support significantly benefits DEA investigative and intelligence efforts, and enhances the safety, anonymity, and effectiveness of DEA operations both domestically and internationally. *DEA aviation resources are primarily used to support DEA enforcement* and intelligence operations by providing aerial surveillance, assisting land and water interdiction efforts, and performing reconnaissance. (Emphasis added).

In addition, the DEA stated in its response that "to analyze the missions supported and attempt to show a greater need to support Priority Target Organization (PTO) cases over non-PTO cases shows a lack of understanding of drug law enforcement operations and the benefit aviation support provides." The DEA response also stated that "[w]hile [the Aviation Division] does, in fact, support PTO investigations; the mere fact that a mission is connected to a PTO does not necessitate the need for aviation support." These statements mischaracterize our analysis. Nowhere in our report do we state that simply because a particular case is a PTO case it should receive priority consideration for aviation support. Instead, the report points out (and DEA did not dispute) that overall, the majority of all DEA flight hours (over 65 percent in FY 2010) were in support of PTO cases, even though only 20 percent of all DEA cases were classified as PTOs in FY 2010. We then point out in the report that two of the five field offices we visited did not reflect this national trend. We stated that this *may* be problematic due to the lack of a documented prioritization process.

Summary of Actions Necessary to Resolve and Close the Report

1. **Unresolved.** The DEA does not concur with our recommendation that field office supervisors initiate all aviation support requests and that, in instances where prioritization is necessary, the DEA should require documentation of the prioritization decisions. As DEA officials stated at the audit close-out meeting, DEA supervisors have a breadth of knowledge and experience that makes them valuable to DEA operations. Further, these officials stated that these supervisors should be involved in the request process. This recommendation is made to formalize this assumed practice and to help ensure that the DEA field office supervisors' knowledge and experience are included when DEA enforcement personnel request aviation support.
   As the report notes, in FYs 2009 and 2010, Special Agent Pilots reported 138 instances where requests for aviation support were not fulfilled because aviation resources were being used to support higher

priority missions. In addition, the report notes that Special Agent Pilots do not necessarily report aviation support requests that are denied verbally. By not requiring formal supervisory involvement in the request and prioritization processes, the DEA is not drawing on the knowledge and experience of its supervisors to better ensure that missions are properly prioritized and that unfulfilled missions are appropriately documented.

The DEA stated in its response that permitting Special Agents and Special Agent Pilots to determine the performance and prioritization of aviation missions allows for the flexibility needed in conducting drug law enforcement missions. DEA believes that implementing such a "rigid" requirement at the management level could hinder the DEA's ability to effectively use its aviation assets to support its enforcement groups.

We disagree with the DEA that requiring formal supervisory involvement imposes a rigid requirement. Again, DEA officials stated that DEA Special Agents should be involving supervisors in requests for aviation support. Further, as stated in our report, we found that aviation support may be denied verbally during an informal request. The risk exists that such field office supervisors will not be informed of these occurrences. We do not believe that requiring supervisors to originate aviation support requests adds undue rigidity to the aviation request procedure. Our recommendation is made to enhance the DEA's existing procedures and formalize assumed practices.

As for the documentation of the prioritization of missions, the DEA states in its response that the DEA Aviation Operations Handbook has established guidelines for resolving and documenting operational mission conflicts. While the DEA handbook does require the documentation of unfulfilled requests that may be due to higher priority missions, it does not require that the justification of the decision be documented. Simply checking a box on a mission report form that a request for aviation support was unfulfilled because another priority mission was flown does not provide useful information for evaluating these important decisions. We believe it would be useful to the DEA's oversight of its aviation program to make a slight procedural improvement and require a brief description of the rationale for deciding between competing requests for aviation support.

This recommendation is unresolved. This recommendation can be resolved when the DEA either: (1) indicates that it plans to require formal supervisory involvement in initiating requests for aviation

support and when it requires the documentation of the prioritization decisions made between competing requests for aviation support; or (2) suggests an alternative means of ensuring its field office supervisors have knowledge of all initial requests for aviation support – particularly requests that are denied – and considers alternative means for evaluating whether the use of aviation resources are being properly prioritized.

2. **Resolved.** The DEA concurred with our recommendation that it ensure its automated mission report form does not allow important information, such as case numbers and G-DEP codes, to be omitted.

   This recommendation can be closed when the DEA provides us with sufficient documentation regarding the technical capabilities of the automated form that demonstrates that important information such as case numbers and G-DEP codes cannot be omitted. In addition, the DEA must provide evidence of the successful usage of the automated mission report form in the field.

3. **Resolved.** The DEA concurred with our recommendation that it revise its mission report form to include definitions or guidance for personnel to refer to when completing negative mission reports. Specifically, the DEA stated that guidance regarding the reporting of the unavailability of aircraft will be added to the mission report form instructions.

   This recommendation can be closed when the DEA provides us with sufficient documentation of its guidance to DEA personnel in completing negative mission reports and evidence that the use of the automated form has been implemented successfully.

4. **Unresolved.** The DEA does not concur with our recommendation that it perform a periodic analysis of its unfulfilled aviation support request data to more accurately identify the causes of and trends in aviation resource deficiencies and to assist in projecting aviation program needs. We believe analyzing the trends and effects of unavailable aviation resources affords the DEA useful data in understanding its aviation resource needs and making decisions on its aviation resource allocations.

   As stated in the report, during our audit the Special Agent in Charge of the Aviation Division told us that the DEA does not formally analyze unfulfilled mission data. However, at the audit close-out meeting, the Special Agent in Charge, along with other DEA officials, stated that the DEA does analyze such data on an informal basis using monthly

reports that summarize aviation operations. We made our recommendation to formalize the analysis of the monthly report data in order to identify causes and trends in unfulfilled requests for aviation resources.

In its response to the report, the DEA stated that it "believes this recommendation has been addressed through methods utilized to resolve possible deficiencies in aviation resources and projections of the needs of the aviation program." The methods cited in its response are communication between Aviation Division management and the use of monthly report data. We agree that these are appropriate methods. However, we believe the DEA can improve upon these methods in further analyzing data it already collects each month.

The DEA stated in its response that monthly flight data is "a vehicle to track trends or changes and to subsequently perform more in-depth evaluations as needed." We agree, and this view is the premise for our recommendation. However, the DEA did not state or ever demonstrate during the audit that it analyzed this data over periods of time to identify trends in or to determine the operational effects of unavailable aviation resources.

As we discuss in our report, the monthly reports provided by the Aviation Division only provide management with snapshots of aviation data for a single month, and only for each pilot and for each aircraft. We concluded in our report that "these reports are limited in value, as they do not afford the DEA an understanding of any trends in unavailable resources or provide insight into the effects of unavailable aviation resources." Our recommendation intends for the DEA to improve the use of data it already collects. As previously stated, we believe this will afford the DEA Aviation Division useful information to enhance its management of the aviation program.

In its response the DEA agrees that its monthly report data can be used to track trends in unfulfilled requests for aviation support. However, because it disagrees with instituting periodic analysis of this data this recommendation is unresolved. This recommendation can be resolved when the DEA either: (1) agrees to establish a reliable and useful method for periodically analyzing unfulfilled aviation support request data that allows the DEA to identify the causes of and trends in aviation resource deficiencies and to assist in projecting aviation program needs; or (2) suggests an alternative means for gaining a more in-depth understanding of the causes of and trends in unfulfilled requests for aviation support.

5. **Resolved.** The DEA stated that it does not concur with our recommendation that it require field offices to report the reason why the aviation asset is unavailable when reporting on unfulfilled aviation requests. However, while the DEA stated that it did not concur with this recommendation, it also stated that there was a method in place by which the unavailability of an aviation asset can be documented, referring to its mission report form that we discuss in our report. Additionally, the DEA described in response to recommendations 2 and 3 actions it is now taking to ensure more accurate data on unfulfilled aviation requests. We believe these actions will help ensure data on unfulfilled aviation requests is reported in a consistent manner.

   Our intent with this recommendation is for the DEA to require field offices to be more specific, where appropriate, when reporting the reason for unfulfilled aviation requests. We encourage the DEA to consider expanding certain categories on its mission report form for why a request for aviation support was not fulfilled. For instance, the DEA captures unfulfilled aviation requests because a pilot is not available. However, a pilot may not be available for several reasons, such as being temporally detailed or on approved leave. By capturing additional detail that better explains why aviation assets are unavailable, the DEA will capture additional data that can be analyzed and utilized for more precise planning and management of its aviation resources. These actions will ensure that the DEA Aviation Division has sufficient information to understand the factors affecting the availability of aviation resources.

   Given the DEA's stated intent to improve its mission report form, we consider this recommendation resolved despite the DEA stating that it did not concur with the recommendation. This recommendation can be closed when the DEA demonstrates that the updated mission report form will capture sufficiently the specific reasons why aviation assets are unavailable to support operations when requested.

6. **Unresolved.** The DEA does not concur with our recommendation that it perform a regular analysis of Special Agent Pilot certifications and determine the necessary number of certified pilots for each type of aircraft based on historical and projected aircraft usage. This type of analysis will assist the DEA in identifying the optimum number of pilots for each aircraft type, which will assist the DEA in ensuring it has a sufficient number of pilots and in controlling training costs.

While the DEA did not concur with our recommendation it appears that it finds value in this type of analysis. In its response to our report the DEA stated that for two different aircraft it recently conducted the analyses that we recommend. The DEA noted in its response that one analysis was performed just before the audit close-out meeting and a subsequent analysis was performed following the close-out meeting. The DEA did not indicate or provide any evidence that this type of analysis occurs on a regular basis, and it did not provide us with evidence of the two analyses it referred to in its response. Further, the DEA did not state whether it planned to perform such analyses for its other aircraft types.

Therefore, this recommendation is unresolved. This recommendation can be resolved when the DEA either: (1) provides evidence that it plans to perform regular analyses of Special Agent Pilot certifications and determine the necessary number of certified pilots for each type of aircraft in its fleet; or (2) suggests alternative means of determining and managing the number of certified pilots it needs for each type of its aircraft to help ensure a sufficient number of pilots and to assist in reducing costs (such as training costs) associated with an excessive number of pilots being certified for particular aircraft types.

7. **Resolved.** The DEA stated in its response that it did not concur with our recommendation that it identify and properly train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support requests due to observer unavailability. Our audit found that DEA data and DEA personnel indicated that unavailable observers affect the DEA Aviation Division's ability to fulfill requests for aviation support. Even if a pilot and aircraft are available, without a trained observer the Aviation Division cannot support DEA operations. As we state in our report, we made this recommendation "given the necessity of observers during aviation missions, the elimination of the contract observer program, and the number of reported unfulfilled aviation requests due to observer unavailability."

   In its response to our report the DEA stated that it is continuing to train Special Agents who volunteer for observer duty. We believe the DEA agrees that it must make an effort to minimize the number of unfulfilled missions due to unavailable observers, particularly when, as we noted in our report, it recently eliminated its Contractor Observer Program due to budgetary constraints.

   Despite not concurring with the recommendation, we believe the DEA's response to this recommendation and its intent to identify additional

observers adequately resolves this recommendation. We encourage the DEA to explore alternative means for recruiting volunteer observers internally.

This recommendation can be closed when the DEA provides evidence of its efforts to identify and properly train a sufficient cadre of observers to minimize the occurrence of unfulfilled aviation support requests due to observer unavailability.

8. **Unresolved.** The DEA does not concur with our recommendation that it revise its aircraft fleet replacement plan in accordance with its current budget and its goal of standardizing its fleet. In the present budget climate, we believe that the DEA would benefit from revising its current replacement plan, which is based on $9 million annual budget enhancements. Further, we believe it would be valuable for the DEA to have an aircraft replacement plan that documents the DEA's strategy for modernizing and standardizing its aviation fleet over time and within current budget realities.

   Although the DEA receives funding to utilize aviation support in its operations, we recognize that the DEA does not have a specified budget for aircraft replacement. Our report notes, and the DEA acknowledges, that its current aircraft replacement plan is not in line with current budget realities. In addition, the current replacement plan indicates a goal of standardizing the DEA's fleet, but does not state specifically how the DEA would standardize its fleet through replacement. For these reasons, we believe the DEA would benefit, now and in the future, from updating its aircraft replacement plan. Further, maintaining an up-to-date strategic document helps ensure continuity with the overall DEA enforcement strategy and helps to ensure that replacement goals and efforts are continued during turnover in executive management.

   Our recommendation also states that the DEA should continue to consider alternative, low cost strategies for replacing aircraft to minimize the effect that its aging fleet has on day-to-day operations and maintenance needs. While the DEA did not agree with this recommendation, the DEA stated in its response that it was eliminating one aircraft due to maintenance and cost issues and that it utilized "old year" money and sold older aircraft in order to add seven new aircraft to its fleet in the near future. The DEA stated that these new aircraft are of the same type as other aircraft in its current fleet. These efforts demonstrate the DEA's continued efforts to identify alternative means of replacing aircraft.

Because the DEA does not agree to update its aircraft replacement plan within current budget realities this recommendation is unresolved. This recommendation can be resolved when the DEA either: (1) indicates it is working on a revised aircraft replacement plan that is in line with its current budget and that adequately describes its strategy for a standardized DEA aviation fleet; or (2) suggests an alternative means for ensuring that its strategy and goals for replacing and standardizing aircraft within current budget realities is understood by decision makers – those in position now, and those in the future.

9. Resolved. The DEA stated in its response that it did not concur with our recommendation that it actively examine the possibility of obtaining private hangar space or sharing hangar space with other law enforcement agencies to help defray costs and improve aviation personnel and asset security. As we demonstrate in our report, sharing hangar space with commercial organizations or private individuals potentially risks the security of DEA aviation personnel and assets. We believe that, wherever possible, the DEA should use hangar spaced dedicated to DEA assets only, or share hangar space with other law enforcement if such a partnership can help defray costs. While we recognize that the DEA will not be able to immediately switch to private or law enforcement-shared hangar space in every instance, we do believe that the DEA should do whatever it can to minimize safety and security risks by exploring options for obtaining more secure hangar space wherever possible.

The DEA stated that it believes it has accomplished this recommendation as reasonably as possible given General Service Administration (GSA) requirements, restrictions, and budget constraints. However, the DEA also acknowledged in its response, and as we noted in our report, that only 40 percent of its hangar space meets the criteria expressed in our recommendation. Therefore, 60 percent of the DEA's hangar space places the security of its personnel and assets at a heightened risk.

We recognize that the DEA must consider costs along with security. However, the DEA also explained in its response that while the GSA administers the identification of available hangar space, the DEA provides the GSA with specific requirements for it to use in identifying hangar space in a particular location. Therefore, the DEA reasonably can control the security parameters when searching for long-term hangar space.

Moreover, the DEA described in its response a low cost, secure arrangement to utilize military sites for storing its aircraft. In addition, following our audit close-out meeting DEA personnel in one location with shared hangar space told us that the DEA was working with its lessor to move DEA aircraft and personnel from a shared hangar environment to a DEA-only hangar at the same airport in which the DEA currently is located. We encourage the DEA to consider such options for hangar space in its other locations where it shares hangar space with commercial organizations or private individuals.

Despite the DEA stating that it did not concur with our recommendation, we consider this recommendation resolved because the DEA's response exhibited the intent and demonstrated certain actions taken to reduce the number of shared hangar space locations. We will work with the DEA on actions necessary to close this recommendation, which involves demonstrating actions that examine possibilities of obtaining private or law enforcement-shared hangar space for all its aircraft.

10. **Resolved.** The DEA concurred with our recommendation that it ensure all appropriate DEA aircraft are registered covertly with the Federal Aviation Administration. The DEA stated in its response that it anticipated registering covertly all appropriate domestic aircraft by FY 2012.

    This recommendation can be closed when the DEA provides documentation demonstrating that all appropriate aircraft have been registered covertly.

11. **Unresolved.** The DEA does not concur with our recommendation to implement a mandatory, formal pre-flight risk assessment that adequately documents and objectively quantifies the Aircraft Commander's assessment of the level of risk associated with a flight before takeoff. A pre-flight risk assessment form that objectively quantifies the risk of a mission provides the DEA additional assurance that its pilots are making sound decisions prior to takeoff.

    As stated in our report, we reviewed the DEA's flight risk checklist that covers potential areas of risk affecting an aviation mission. We concluded that this checklist does not include a means of objectively quantifying the overall level of risk. Furthermore, DEA Aviation Division officials stated that this risk assessment is currently not mandatory.

The DEA stated in its response that "[the] OIG assumes that the lack of a paper document to indicate the assessment was completed prior to a flight indicates that a risk assessment has not, in fact, been performed." This characterization is woefully inaccurate. The purpose of this recommendation is for the DEA to ensure that adequate, pre-flight risk assessments are being performed. By not requiring documented pre-flight risk assessments, the DEA has no way to ensure such assessments are being conducted consistently and on a regular basis.

Overall, we found the DEA's response to this recommendation perplexing because at the audit close-out meeting the DEA Aviation Division's Special Agent in Charge stated that the Aviation Division was planning to implement a mandatory, formalized pre-flight risk assessment. The DEA gave no indication in its response why it now does not plan to implement this practice. Despite the DEA's change in its position on the matter, we continue to believe that the potential benefit of formalizing the pre-flight risk assessment procedure greatly outweighs any perceived inconvenience related to this minor change to the pre-flight routines of Special Agent Pilots.

Because the DEA disagrees with our recommendation to implement this risk assessment this recommendation is unresolved. This recommendation can be resolved when the DEA either: (1) provides evidence of a mandatory, formal pre-flight risk assessment that adequately documents and objectively quantifies the Aircraft Commander's assessment of the level of risk associated with a flight; or (2) suggests an alternative means of ensuring its pilots, before each flight, objectively assess the safety risks associated with the mission and are guided on what steps to take in order to mitigate the risk and on when to cancel a mission.