

If not, I would like for witnesses to be sworn. But because we have two undercover agents here who we do not want on television we will ask you to be seated, which is unusual. We would like for all of you to raise your right hand.

[Witnesses sworn.]

Mr. Burton. Do any of you have opening statements you would like to make? If not, then we will start with our first 30 minute segments, and I will yield to Mr. Shays.

Mr. Shays. Thank you.

Before my 30 minutes begins, I would like to offer Mr. Waxman the opening 30 minutes, and I would be happy to follow. I know he voiced a concern about the opportunity to speak.

Mr. Waxman. I thank you very much. But this is a hearing called by the majority, so the majority ought to go first.

Mr. Shays. I am happy to do that. I just wanted to make sure that was acceptable.

I would like to state for the record that--before my 30 minutes--that two of our four witnesses are African Americans. They happen to be behind the shield doing covert work, but I would like the record to note that.

Mr. Waxman. I hope that in no way jeopardizes their security to have identified them in any way. But thank you for your generous offer.

Please let the majority proceed on their 30 minutes. Then we'll take ours.

Mr. Shays. Thank you.

Mr. Schumacher, how long have you been a law enforcement officer?

Mr. Schumacher. Approximately 27 years.

Mr. Burton. Mr. Schumacher, would you pull the mic closer to you? Not real close. Just put it in the direction so we can pick up everything you say. Thank you, sir.

Mr. Shays. During those 27 years, approximately how many arrests have you made? More than you can count?

Mr. Schumacher. Somewhere over 1,000.

Mr. Shays. How much experience do you have with narcotics investigations?

Mr. Schumacher. About 20 years.

Mr. Shays. How many times have you testified in court?

Mr. Schumacher. Several hundred.

Mr. Shays. Have you received any awards or commendations?

Mr. Schumacher. Yes, sir.

Mr. Shays. A number of them or just a handful?

Mr. Schumacher. Five or six.

Mr. Shays. What was your most recent award, recognition?

Mr. Schumacher. Performance award from the DEA.

Mr. Shays. Have you been involved in any disciplinary action?

Mr. Schumacher. Yes, sir.

Mr. Shays. What have been the outcomes of those?

Mr. Schumacher. Unfounded.

Mr. Shays. Are you a rogue DEA agent, as one or two people have accused you of? In other words, operating outside the rules and regulations?

Mr. Schumacher. Absolutely not.

Mr. Shays. When you started work on the investigation that I am going to refer to as Rap-A-Lot, when did you start?

Mr. Schumacher. August 1998.

Mr. Shays. When were you assigned to the joint DEA/Houston Police Department Task Force?

Mr. Schumacher. Well, actually, shortly after I was assigned the case I began to recruit HPD officers to participate in the investigation.

Mr. Shays. I want you to bring the mic closer to you, if you could. You have a rather mellow voice.

What results had you obtained up until September 1999, what results in this investigation?

Mr. Schumacher. The investigation resulted in numerous arrests, grand jury indictments, seizures of crack and powder cocaine.

Mr. Shays. Do you remember how many arrests, how many indictments, how many convictions?

Mr. Schumacher. At least 20.

Mr. Shays. Twenty arrests or 20 indictments or 20 convictions?

Mr. Schumacher. Well, some arrests generated more than one indictment. But if I reflect on it everyone we arrested has been convicted.

Mr. Shays. Was information developed on illegal activity that in your opinion warranted further investigative work when