

Testimony for Scott Burns
Deputy Director for State, Local, and Tribal Affairs
Office of National Drug Control Policy
Before the Senate Indian Affairs Committee
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Introduction

Chairman Dorgan, Vice-Chairman Thomas, and Members of the Committee: Thank you for the opportunity to testify today on law enforcement in Indian Country. I am Scott Burns the Deputy Director for State, Local, and Tribal Affairs for the Office of National Drug Control Policy (ONDCP); in addition, I serve as the chair of the Law Enforcement Task Force (LETF) for the Administration's Indian Affairs Executive Working Group (IAEWG). I will speak specifically about the unique challenges regarding drug abuse and drug trafficking in Indian Country and what the federal government is doing in conjunction with tribal governments to combat these problems.

The Office of National Drug Control Policy Reauthorization Act of 2006 directs ONDCP to include Tribal Affairs in both the title and mission of ONDCP's Office for State and Local Affairs—now State, Local and Tribal Affairs. As a result, ONDCP has redoubled its already strong commitment to reducing drug abuse in Indian Country.

ONDCP believes that a three pronged strategy of: 1) Stopping Drug Use Before it Starts; 2) Intervening and Healing Drug Users; and 3) Disrupting the Market, is critical to combat drug abuse. ONDCP is engaged with Native American populations in initiatives that focus on all of these areas. Although my testimony will focus on enforcement, or Disrupting the Market, I would like to briefly highlight ONDCP's prevention and treatment efforts as part of our comprehensive strategy.

Stopping Drug Use Before it Starts

National Youth Anti-Drug Media Campaign

The ONDCP's National Youth Anti-Drug Media Campaign (Media Campaign) is partnering with the U.S. Department of Interior, U.S. Department of Health and Human Services, the Partnership for a Drug-Free America, and the National Congress of American Indians to develop a new public awareness campaign aimed at targeting methamphetamine use among Native Americans. Combined, the partners have contributed \$300,000 in support of this groundbreaking effort for Indian Country. ONDCP is providing half of the funding with a commitment of \$150,000.

Before this partnership, there was no national anti-meth media campaign tailored to Indian Country. The initial phase of the campaign will include an Indian Country specific radio and print ad campaign. This meth initiative will build on the innovative work that the Media Campaign has spearheaded in the past.

Prior to Congressional funding cuts in the Media Campaign's budget, the Media Campaign was able to devote more resources to reach Native Americans. The parent-targeted advertising component of the Media Campaign, which includes multicultural parent advertising, was suspended at the beginning of mid-May 2006. For FY08, the President's increased budget request for the campaign would enable the Media Campaign to reinstate multicultural parent efforts.

- Since the Campaign's inception, over \$7 million has been invested in reaching American Indian and Alaska Native audiences through research and the development and placement of print and broadcast advertising. The advertising reflected a commitment to reaching

American Indian and Native Alaskan parents, elders and youth with drug prevention messages that are culturally relevant and appropriate.

- Prior to the Media Campaign, there was very little research on American Indian audience attitudes that could be used to create culturally-relevant drug prevention messages. For over two years, the Campaign conducted research to identify the attitudes and beliefs that Native American teens, parents and influential adults have toward drug use in their community.
- Over 400 teens, parents and elders from more than 32 tribes participated in the discussions. The research provided vital insights for the Campaign. The findings provide input on ad development that focus on the positive influence of elders in youth's lives, the important role parents can play in drug prevention, and the importance of Indian pride in keeping kids drug-free.

Drug Free Communities Support Program

ONDCP's Drug Free Communities Support Program (DFC) was originally funded by Congress in 1997 with the understanding that local problems need local solutions. The DFC program now supports over 700 drug-free community coalitions across the United States. As a cornerstone of ONDCP's National Drug Control Strategy, DFC provides the funding necessary for communities to identify and respond to local substance use problems. There are currently 18 grantees serving Native American populations across the country.

ONDCP is working to increase the number of grantees that serve this population. ONDCP recently developed and implemented a Native American application workshop for DFC that was held in Las Vegas, Nevada, on February 27 and 28, 2007. More than 90 individuals representing Native American communities attended this conference. We also held a DFC information session and coalition workshop in Phoenix, Arizona, on May 2, 2007 that was

attended by nearly 50 individuals, many representing Native American groups. We will also be holding a Native American coalition-building and DFC overview workshop in Tucson, Arizona, during the last week in July.

Intervening and Healing Drug Users

Access to Recovery and Screening, Brief Intervention, Referral and Treatment both include initiatives with a focus on Native Americans. These programs are key components of the National Drug Control Strategy and ONDCP priorities.

Screening, Brief Intervention, Referral and Treatment

A key component of expanding the Nation's treatment capacity lies in early detection and engaging health professionals in the identification, counseling, referral, and ongoing medical management of persons with substance use disorders. The Department of Health and Human Services offers grants through the Screening, Brief Intervention, Referral and Treatment (SBIRT) program to States, territories, and tribal organizations to provide effective early identification and intervention in general medical settings. Currently, the Cook Inlet Tribal Council is participating. This program is based on research showing that by simply asking questions regarding unhealthy behaviors and conducting brief interventions, patients are more likely to avoid the behavior in the future and seek help if they believe they have problem. The programs are based in clinical settings, a location that has a high propensity to attract higher-risk populations, who through violence, accidents or health-related problems, are seen by medical professionals.

To date, Federally-funded SBIRT programs have been established in 17 states and one tribal organization. In addition to the 10 state grants awarded in 2003 and 2006, 12 universities

and colleges have received funding to develop a screening and intervention model to be used on campuses. The Office of National Drug Control Policy works closely with the Substance Abuse and Mental Health Administration to monitor the success of these programs and to highlight the benefits of early screening and intervention. As part of the FY08 budget, \$41.2 million is requested for this important initiative.

Access to Recovery

For those referred to treatment because they have become addicted, the Administration is working to expand options for treatment. The Access to Recovery Program (ATR) program at HHS is a key source of innovation in the field of addiction recovery. The program provides clients with a voucher for treatment as well as recovery support services. The program expands treatment options to include faith and community-based providers so that clients can choose their own path to recovery. This is especially useful in the Native American community and is being used by the California Rural Indian Health Board.

Many people who experience addiction face barriers to treatment, from finding child care while they are in a recovery program to accessing transportation services to take part in job training. ATR provides recovery support services such as child care, transportation vouchers, and mentoring services.

The program is now in 14 States and one tribal organization and, as of December 2006, has served over 137,500 individuals who sought treatment and recovery support services in the grantee States. This number far exceeds the programs target of 125,000 clients expected to be served over 3 years. The program requires that States provide outcome data so patient progress

can be measured and best practices learned for future generations. The President's FY08 request for ATR is \$98 million.

Disrupting the Market

Regarding the focus of this hearing, I am pleased to share the extensive law enforcement efforts that ONDCP and the Administration are undertaking in Indian Country. The common theme of all these law enforcement initiatives is collaboration among tribal, state, local, and Federal partners crucial to bridging historical, cultural, and jurisdictional barriers.

HIDTA

The Office of National Drug Control Policy Reauthorization Act of 2006, Public Law No: 109-469 requires ONDCP to prepare a report for Congress on the representation of tribal governments in the High Intensity Drug Trafficking Areas Program (HIDTA). While ONDCP is still in the process of compiling information and drafting this report, I can offer a brief overview of tribal involvement in HIDTA. Several HIDTAs such as the Oregon HIDTA, Northwest HIDTA, Nevada HIDTA, New Mexico Region of the Southwest Border HIDTA, Arizona Region of the Southwest Border HIDTA, and Rocky Mountain HIDTA have some level of participation from tribal law enforcement, ranging from task force membership to occasional collaboration. HIDTA is trying to increase tribal participation; however, the obstacles from the perspective of the tribal entities include lack of manpower, insufficient funding, and sovereignty issues.

Indian Affairs Executive Working Group/HIDTA

Prior to our reauthorization ONDCP had already begun to foster cooperative law enforcement initiatives in Indian Country. With the creation of the Indian Affairs Executive

Working Group (IAEWG) in 2005, the Administration has brought together all federal agencies that fund programs and initiatives involving Native Americans. This creates a mechanism for the Federal Government to work together on these complex issues, creating consistency and building trust with tribal entities. IAEWG is comprised of five issue-specific task forces. I chair the Law Enforcement Task Force which includes members from the Department of Justice, Bureau of Indian Affairs, Drug Enforcement Administration, Indian Health Services, Department of Homeland Security, Environmental Protection Agency, Federal Bureau of Investigation, and Substance Abuse and Mental Health Services Administration. On Friday, May 18, 2007, members of the Law Enforcement Task Force will be meeting with the National Drug Intelligence Center to begin writing a new drug threat assessment for Indian Country.

One of the Law Enforcement Task Force's main accomplishments is their collaboration and facilitation in the use of \$500,000 of HIDTA discretionary funds for initiatives in Indian Country. The purpose of the Native American Project is to use intelligence-driven operations to detect, deter, interdict, disrupt and/or dismantle organizations involved in drug trafficking, in general, or methamphetamine trafficking, specifically, on tribal lands. Four HIDTAs were chosen to receive FY2006 funds. The Rocky Mountain HIDTA, the Northwest HIDTA, the Arizona Region of the Southwest Border HIDTA, and the New Mexico Region of the Southwest Border HIDTA. Because of their ongoing nature, we are unable to specify the exact locations of these efforts; doing so could jeopardize the success of the current investigations.

This spring I met with all the participating tribal governments to explain the program, listen to their concerns, and ask for their cooperation. They are all willing and eager to work with us and I look forward to continued collaboration. Through these meetings I observed extreme disparities between the sophistication of the law enforcement agencies and financial security of

the different tribal entities. These differences illustrate the importance of flexible programs that can be tailored to the needs of the individual tribes.

ONDCP is working with the Law Enforcement Task Force to increase coordination and build on the pilot program. Although we are only in the initial phases of the program, there have already been some successes. For example, utilizing funding from the Arizona HIDTA Region: Native American Project – FY 2006 Supplemental Funding, wire taps (Title III's) are being used to support the effort to address meth on the reservation. Agents from the DEA Mobile Enforcement Team (MET), working in conjunction with tribal PD, ATF, FBI, ICE, BIA, and the Arizona Department of Public Safety have identified numerous separate organizations which are distributing and selling on the Indian Community associated with the most recent meth operations. This operation is ongoing therefore the name of the Indian Community and specifics to the case can not be included.

In just one of the four HIDTAs, nine separate drug trafficking organizations have been identified, and officers have made 21 controlled multi-ounce methamphetamine purchases. 4.32 kilograms of methamphetamine, 2 kilograms of cocaine, three guns, and \$64,546 have been seized.

Upcoming Events

On Sunday June 10, 2007 ONDCP will attend the Meth Task Force Meeting at the National Congress of American Indians (NCAI) Mid-year Conference. We will give a brief overview of ONDCP's efforts, but more importantly have the opportunity to hear from tribal leaders about the effect that methamphetamine is having in their community. Then, on Monday June 11, 2007, I will address Plenary Tribal Session regarding what ONDCP is doing to address methamphetamine and other drugs in Indian Country.

I will speak at the first annual Hopi Youth Conference which will take place on June 20, 2007, in the Village of Hotevilla, AZ, on the Hopi Indian Reservation. This youth conference is expected to be attended by over 200 students from ages 12-25 reservation wide and include nearby Navajo communities. Subjects presented will include substance abuse (including methamphetamine), and other health issues concerning our youth.

During this trip, we will have the opportunity to meet with the Navajo Nation Drug Enforcement Units and surrounding tribal police agencies participating in a tribal law enforcement empowerment pilot project. These participating tribal agencies include, the Hopi Tribe, White Mountain Apache Tribe, San Carlos, Apache Tribe and the Tohono O odham Tribe. These agencies are in the planning stages of establishing an all Indian country drug task called the "Lucky Seven Task Force." This meeting will take place on either June 19, or June 21, 2007, at the Navajo Law Enforcement Training Center in Toyey, AZ.

Finally, in partnership with the National Alliance for Model State Drug Laws (NAMSDL), Office of Justice Programs/Bureau of Justice Assistance (OJP/BJA), and the Substance Abuse and Mental Health Services Administration (SAMHSA), ONDCP is in the process of conducting four regional planning events to assist states, counties, local governments, and tribal entities with their legislative and policy efforts to address methamphetamine and its related issues. In addition a fifth summit will take place in Phoenix, AZ on August 1, 2007, with a focus on methamphetamine in Indian Country.

Conclusion

Although there are considerable obstacles to overcome, the problems of drug abuse and drug trafficking in Indian Country can be reduced. In collaboration with tribal governments,

ONDCP and the Administration are committed to continuing prevention, treatment, and law enforcement initiatives in Indian Country. I appreciate the opportunity to testify today, I would be happy to answer questions from Members of the Committee. Thank you.