

Testimony of Arnold Moorin
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Office of National Drug Control Policy
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Oversight Hearing to Examine Drug Smuggling and Gang Activity in Indian Country
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Chairman Dorgan, Vice Chairman Barrasso, and Members of the Committee, thank you for the opportunity to testify today. My name is Arnold Moorin and I am the National Director of the High Intensity Drug Trafficking Area (HIDTA) Program with the Office of National Drug Control Policy (ONDCP).

As the Committee is aware, there are a host of challenges unique to Indian country. Many of these characteristics make Indian country and Native people susceptible to the impact of the drug threat. For example, many Indian tribes are at risk from illegal drug trafficking, production, and consumption because these tribes are located in geographically remote areas and suffer from lack of economic development. The high poverty and unemployment rates, combined with limited access to health care, educational opportunities, and social services make Native communities disproportionately vulnerable. In addition, some tribal lands share international borders with Mexico or Canada creating jurisdictional challenges for enforcing our nation's drug laws.

Illegal drug consumption and other substance abuse problems are especially severe among Native peoples. According to the 2008 National Survey on Drug Use and Health (NSDUH), American Indians and Alaska Natives have higher past-year prevalence rates of drug abuse than any other demographic group within the U.S. Native peoples not only suffer from the ravages of substance abuse, but because of it they have become a population that is disproportionately victimized.

Besides the problems of drug consumption, there are three dimensions specific to Indian country that make the drug threat there even more severe and urgent.

The first is drug smuggling across international borders. According to the National Drug Intelligence Center (NDIC), Mexican drug trafficking organizations routinely exploit the vast stretches of remote, sparsely populated desert of the Tohono O'odham Reservation in Arizona to smuggle metric-ton quantities of marijuana and lesser quantities of cocaine, heroin, and methamphetamine from Mexico to drug markets throughout the United States. On the northern border, various Canada-based drug trafficking organizations and Native American traffickers exploit the St. Regis Mohawk Reservation in New York to smuggle metric-ton quantities of high-potency marijuana and multithousand-tablet quantities of 3,4-Methylenedioxymethamphetamine (ecstasy) into the United States. The movement of illicit drugs across Indian Country puts Native peoples at increased risk due to the violence, corruption, and ruthlessness inherent in the illicit drug trade. Moreover, as we are increasingly recognizing,

drug smuggling operations also become conduits for the movement of weapons, illicit cash, and contraband.

The second dimension is the exploitation of Indian country for illegal drug production or cultivation. For instance, drug traffickers have invaded forested land on Indian Reservations to cultivate vast tracts of marijuana. These highly lucrative “grow operations” are often protected by dangerous armed groups. The environmental impact of such operations produces serious degradation of natural resources. Further, rural areas in some parts of Indian country are often used for methamphetamine production. Consumption and production of methamphetamine is destroying many Native lives and damaging tribal lands.

Third, Native communities are faced with an increase of youth gangs engaged in the drug trade. Not only are international and domestic urban street gangs distributing drugs on some reservations, but Native communities are increasingly at risk from their own neighborhood gangs.

Taken together, these factors make Indian country a threatened territory, highly susceptible to exploitation, and increasingly damaged from the drug-trafficking business.

ONDCP is responding to these unique threats, but more can and should be done. First, some good news. With the input from numerous tribal leaders in order to understand the needs of Native American communities, the ONDCP is developing a National Drug Control Strategy.

Using discretionary funds within the High Intensity Drug Trafficking Area (HIDTA) Program, ONDCP has awarded \$1.7 million, since FY 2006, for Native American Projects within HIDTA designated regions. These funds have been awarded in the States of Arizona, New Mexico, Oregon, Texas, Oklahoma, and Washington. In all cases the HIDTA Task Force Model of multi-agency participation was a prerequisite for funding consideration. The Northwest HIDTA received awards in each of the last four years totaling \$640,000. The Yakama Nation Initiative which operates in Washington State focuses on identifying and targeting drug trafficking organizations responsible for cultivating marijuana on tribal lands. The Task Force consists of Federal, state, local and Tribal law enforcement officers working jointly on investigations and seizures of illegal drugs. In 2008 this task force was responsible for the arrest of 152 individuals, generating 131 cases; and seizure of 44 tons of marijuana. Tribal police from Arizona and New Mexico participate in our task forces associated with the Southwest Border HIDTA.

We believe the HIDTA Task Force model has been successful on tribal lands located within HIDTA-designated counties. The success of this model is due to the early participation of tribal leadership and/or law enforcement.

We coordinated with the National Drug Intelligence Center (NDIC) of the U.S. Department of Justice in the production of two recent assessments of the drug threat to Indian country. The first of these assessments provides a detailed regional breakdown of tribal lands and specific regional

drug problems. The second assessment provides a detailed discussion of cross-border drug trafficking on the Tohono O'odham and St. Regis Mohawk Reservations. NDIC also plans to produce additional focused assessments on drugs and drug-related problems in Indian country.

ONDCP's National Youth Anti-Drug Media Campaign directs messages specifically to Native American and Alaska Native communities. In 2008, ONDCP's Media Campaign implemented the first-ever national anti-methamphetamine campaign in Indian country and in Alaska. These print and radio advertisements were developed with the input of multiple American Indian and Alaska Native communities across several states. This year, the Media Campaign developed two new anti-meth televisions public service announcements (PSAs) as part of its continued commitment to the Native American Anti-Meth Campaign. These PSAs are available for customization and use in Indian country and are accessible at www.methresources.gov.

In addition, ONDCP worked in collaboration with the Department of Health and Human Services (HHS) to develop treatment efforts to address the needs of highly vulnerable populations to bring treatment resources to American Indians and Alaska Natives. From FY 2006-2009, HHS also has made awards totaling \$4.0 million to develop tribal models for addressing drug abuse through the Indian Country Methamphetamine Initiative (ICMI). The ICMI is based on a community-oriented approach which focuses on building partnerships, improving cross-coordination between public health and public safety, and improving awareness through ONDCP's national media campaign and local efforts.

A fundamental problem compounding the drug threat in Indian country is the geographically remote location of reservations. Tribal law enforcement agencies are often under-staffed compared to their counterparts in non-Indian communities, due in large part to difficulties in recruiting candidates to work in remote locations. Likewise, there is a strain on correctional resources in Indian country, particularly for juvenile offenders, and on treatment and prevention programs for Native youth. Jurisdictional gaps also make effective criminal justice responses to drug crimes on reservations (production, cultivation, use, trafficking, transiting) a challenge. The lack of coordination among Federal, Tribal, and state law enforcement exacerbates the problems with jurisdiction and with it the drug threat to Indian country.

The complexities and challenges unique to the criminal justice system on Tribal land are precisely the features that have drawn the interest of international drug-trafficking organizations. Unfortunately, ONDCP believes that these aspects have become vulnerabilities and they are being exploited.

ONDCP participates, through various programs, in multi-jurisdictional collaboration involving several Federal partners. A good example is the FBI's Safe Trails Task Force, which unites the FBI (the principal law enforcement agency for major crimes on Indian Reservations) with the DEA, the BIA, the ATF, state and local law enforcement agencies, and with tribal police departments to combat drug trafficking and violent crime in Indian country.

Finally, ONDCP commends the Committee's effort to address public safety needs in Indian County. President Barack Obama announced at the White House Tribal Nations Conference on November 5, 2009, that he strongly supports S. 797, the Tribal Law and Order Act legislation. ONDCP looks forward to working with the Committee and other federal agencies that have a critical role to play in addressing these challenging law enforcement issues.