

TESTIMONY
OF
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U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE
COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE
HEARING
ON THE
PROBLEM OF METHAMPHETAMINE USE IN INDIAN COUNTRY

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Good morning, Mr. Chairman, Mr. Vice Chairman and Members of the Committee. My name is Patrick Ragsdale and I am the Director of the Bureau of Indian Affairs (BIA) at the Department of the Interior. I am pleased to be here today to provide the Department's testimony on the devastating impact methamphetamine use is having in Indian country.

Methamphetamine, or "meth," is a highly addictive synthetic stimulant that creates intense euphoric highs for periods up to 24 hours long. It is inexpensive and, unfortunately, has rapidly become the drug of choice for an increasing number of Americans – including Native Americans. Joe Garcia, the President of the National Congress of American Indians, has stated, "Meth is killing our children, affecting our cultures and ravaging our communities." I agree. During the course of the past year, I have noticed a disturbing trend which supports President Garcia's statement.

As Director of the Bureau of Indian Affairs, I have the privilege of meeting with tribal leaders from all across the country. Different tribes have a variety of concerns that I hear about on a daily basis. However, one issue that is virtually the same for the vast majority of tribes is that methamphetamine is destroying lives in Indian country. Tribal leaders are using terms like "out of control" and "epidemic" when describing to me their tribe's experience with meth. Some leaders are suggesting that on their reservations, a whole generation of young people may soon be lost to this one drug. The social effects of meth use go beyond destroying the body and mind of the user. Addicted parents are neglecting to care for their own children and meth is fueling homicides, aggravated assaults, rape, child abuse, and other violent crimes.

The BIA does not take drug abuse in Indian country lightly. As methamphetamine use within Indian country has become more pervasive, The BIA's Office of Law Enforcement Services (OLES) has taken the initiative to help combat it. For example, one highly publicized investigation originated on the Northern Arapaho and Eastern Shoshone Tribes' Wind River reservation in Wyoming. While I cannot publicly divulge details of that case which are law enforcement sensitive, I will make mention of the case as reported in the public press. According to the Casper Star-Tribune, the case involved a drug cartel that developed a business plan to take methamphetamine to Indian reservations in northern states, to provide free samples to local tribal members, get them addicted, and then create a positive cash flow for the cartel; one of the reservations targeted was Wind River. In response to increased drug activity on the reservation, the BIA OLES Police Department, which serves the Wind River community, developed a cooperative inter-jurisdictional task force between the OLES, the Drug Enforcement Administration, the Wyoming Division of Criminal Investigation, and the Fremont County Sheriff's office. The operation resulted in numerous arrests.

While sentencing the defendant to life in prison for his role in the Wind River methamphetamine distribution network, U.S. District Judge Alan B. Johnson said the following: "[This sentence] sends a strong message out to the public of the court's abhorrence of the poison of methamphetamine that is and has been, under this conspiracy, distributed in Wyoming and elsewhere and, more particularly, targeting Fremont County, Wyoming, and . . . the Wind River Indian Reservation. . . The sentence

imposed certainly does express the government's strong desire to inform the public and this defendant as to the danger and injuries that are caused by methamphetamine. It is a sad thing. . .that there is such an appetite for this controlled substance so as to stimulate and offer incentives to this individual to violate the laws of the United States as a business. And that's what this was, a business, pure and simple, to distribute large quantities of methamphetamine.”

In a more recent case, partially arising from Chickasaw tribal lands in Oklahoma, 108 suspects have been indicted for dealing in methamphetamine in southern Oklahoma and northern Texas. According to the Native American Times, “Operation 700 Ranch Round Up” involved an alleged major methamphetamine trafficking ring. The ring involved a Chicago based gang. The investigation resulted in the indictment of 108 defendants and seizures of 49 weapons, \$161,000 cash, and 15 pounds of methamphetamine. The case was jointly investigated by BIA OLES, Chickasaw Nation Lighthorse Police, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and state/local law enforcement agencies in both Oklahoma and Texas.

One of the reasons that so many law enforcement agencies get involved in such cases is because of the complex web of jurisdictional laws which dictate that depending on the status of the suspect (Indian or non-Indian), the status of victim (in crimes where there is an identifiable victim), and the type of crime involved, jurisdiction may lie in either federal court, tribal court, or state court. Additionally, law enforcement agencies are finding that methamphetamine knows no jurisdictional boundaries – it does not care whether its victims are located on- or off-reservation and it does not care whether its victims are Indian or non-Indian.

Cooperative law enforcement arrangements are the only way that federal, tribal, and state law enforcement agencies will be able to effectively combat meth. This was one of the conclusions of the meeting that took place in October 2005 in Coeur d’Alene, Idaho. At that meeting, the Office of National Drug Control Policy, United States Attorneys, BIA OLES, the Federal Bureau of Investigation, the Drug Enforcement Administration, and representatives of over 30 tribes met to discuss methamphetamine in Indian country. Christopher Chaney, our Deputy Bureau Director for the BIA OLES, attended and informed me that there was a consensus about two things: (1) there is currently an epidemic of methamphetamine use in Indian country, and (2) that inter-jurisdictional cooperation is going to be essential in combating the problem.

Another key component to addressing methamphetamine is education. Methamphetamine use, trafficking and manufacture on Indian land is relatively new to most tribal communities, although the Department of Justice has been fighting meth for over 20 years; Indian Country needs to be made aware of the dangers of meth. In addition, more law enforcement officers need to be trained on law enforcement issues related to drug enforcement laws and the special dangers posed by meth labs. The BIA OLES Indian Police Academy is working in partnership with the Department of Homeland Security’s Federal Law Enforcement Training Center (DHS FLETC) to take education on these matters directly to Indian country communities.

The Mobile Meth Lab is a meth lab mock-up which is easily transportable to remote locations. Since October 2005, BIA OLES and DHS FLETC have taken the Mobile Meth Lab to eight tribal communities in the Southwest. Typically, sessions are held to train tribal police and officers from other agencies about meth labs, environmental and personal safety hazards posed by meth labs, methamphetamine interdiction and investigation strategies. In addition, special separate educational sessions are held for members of the public to educate them about the dangers posed by meth manufacturing, the horrors of meth use, and how to work with law enforcement officials to ensure effective reporting of drug related crime. So far, in just eight Indian country site visits 184 law enforcement officers have been trained and 289 private citizens have been educated about methamphetamine.

In the FY 2006 enacted budget, BIA OLES received increased funding for Indian country law enforcement and corrections. Part of the appropriations included over \$6.3 million total to address high crime areas in Indian country and to address high priority law enforcement needs within Indian country. This new discretionary funding is being used at the field level by law enforcement agencies serving over 25 tribal communities which were in the greatest need for additional resources. Some of these funds are currently being used to combat methamphetamine in tribal communities and to address drug smuggling which is occurring on some tribal lands (especially across reservations that lie on or near international borders). These funds are also being used to address the fight against violent crime including homicides, child abuse, rapes, and aggravated assaults, many of which are committed by persons using methamphetamine.

The President's FY 2007 budget request continues the trend of increases for Indian country law enforcement programs. The amount of the Public Safety and Justice budget request for BIA OLES is increased to \$201,620,000 (a 4.3 percent increase over the FY 2006 enacted level) and includes proposed increases to Indian country policing, criminal investigations, and corrections. These funds would help OLES in its continued efforts to ensure the safety of those who live, work, and recreate within tribal lands.

Not all of the solution to eliminate the production, sale, and use of methamphetamine are limited to the sphere of law enforcement. As you and the other committee members are well aware, social problems such as methamphetamine use do not occur in isolation but are intertwined with other social problems such as crime, abuse of other substances, limited economic opportunities, reduced academic achievement, and suicide, to name just a few.

Methamphetamine use may precipitate an increase in the number of child abuse and neglect, incidents that result in more child placements, broken families, and domestic violence which increases the demand on and cost of social and economic services available in Indian country. This, in turn, increases the demand on and cost of law enforcement, tribal courts, and detention in Indian country. Likewise, it is increasing the demand on the health care delivery system and the cost of providing services to repair the consequences of methamphetamine user's degraded nutritional, health, and mental

condition including that of their family members. Methamphetamine use also may impact on the children born to mothers who used methamphetamine while pregnant, although we do not yet know the extent of the consequences. San Carlos Apache Tribal Chairwoman, Kathleen Kitcheyan, has noted that in her community during 2005, sixty-three babies were born with methamphetamine in their systems.

Methamphetamine is having a significant impact on the ability of youth to learn, stay in school, and graduate which then impacts their ability to secure and sustain gainful employment. The BIA Office of Indian Education Programs (OIEP) currently participates in the Centers for Disease Control and Prevention, Division of Adolescent School Health Youth Risk Behavior Survey. This data source shows trends starting in 1994 through 2004. The results for 2005 should be completed this spring. This survey will assist OIEP in its development of programs to meet the specific needs of BIA schools and dormitories as it relates to students who may be tempted to use, or are currently using, methamphetamine. Survey data will also be useful for tribal and community schools facing similar problems.

The Department of the Interior supports efforts to address and examine ways to fight this harmful situation. In addition to law enforcement efforts to combat methamphetamine, it is also important that we develop ways to assist Tribes in setting up preventive measures to keep methamphetamine abuse from ever starting. Therefore, the Department supports the development of a comprehensive, culturally appropriate, coordinated and collaborative federal-tribal strategy to define the problem, develop policies, design and implement programs and assess implementation impacts in order to reduce methamphetamine use and its effects on Indian people. This strategy should include infrastructure development, governing processes as well as social and economic programs and interventions. We believe that there are strategies that could be adopted that would bolster our efforts to address the methamphetamine problem in Indian country, and we would be happy to discuss them with the Committee.

The BIA stands ready to work with Tribes and Tribal organizations, as well as our sister Federal agencies, in working together to develop and implement a comprehensive strategy to address all aspects of methamphetamine use in Indian country. Only by addressing the big picture, namely the comprehensive issues presented by the methamphetamine problem, will we be able to have a complete response to this epidemic.

This concludes my prepared statement. I will be happy to answer any questions you may have.