

NATIONAL HIDTA DIRECTORS ASSOCIATION RESPONDS TO ONDCP DIRECTOR WALTERS' FY06 HIDTA BUDGET PROPOSALS

Proposed Actions

John Walters, Director of the Office of National Drug Control Policy (ONDCP) has proposed reducing the High Intensity Drug Trafficking Area (HIDTA) Program budget from \$227M to \$100M, representing a 56 percent reduction from its current funding level. He has also proposed transferring the HIDTA Program from the ONDCP's Bureau of State and Local Affairs (BSLA) to the U.S. Department of Justice (DOJ) Organized Crime Drug Enforcement Task Force (OCDETF) Program.

Director Walters has recommended this budget without contacting the hundreds of state and local drug law enforcement leaders who comprise the 28 HIDTA executive boards or those Congressional leaders who have supported the HIDTA Program since its inception in 1990. The following cites a justification for Director Walters' proposals, and the National HIDTA Directors Association's response:

Issue #1: The U.S. Office of Management and Budget's Program Assessment Rating Tool (PART) Score Suggests that the HIDTA Program Has Not Demonstrated Results

NHDA response: When OMB implemented PART, ONDCP only provided HIDTA budget summaries and anecdotal information. Therefore, OMB did not have the data it needed to determine whether or not the program has demonstrated results. However, the HIDTA Program has produced unquestionable demonstrable results, to include the following:

- In 2004, HIDTA-supported task forces identified over 3,000 drug trafficking organizations and disrupted or dismantled 509 international, 711 multi-state, and 1,110 local drug trafficking organizations. Of these, 823 cases received OCDETF designation. The HIDTA Program has a proven record of success against priority, high-level targets. Investigations generated by HIDTA-funded initiatives have contributed to approximately 40% of the OCDETF cases.
- HIDTA task forces have dismantled or disrupted 744 drug trafficking organizations that primarily distributed methamphetamine. In 2004, HIDTA-supported task forces seized and dismantled 5,065 clandestine lab operations, which were capable of producing \$51,742,000 worth of methamphetamine in just one single "cook." This number represents 51% of the labs seized nationwide. The same task forces were involved in locating and cleaning 2,663 clandestine lab hazardous waste dumpsites (66% of all dumpsites nationwide) and seizing 1,703 partial clandestine labs.
- HIDTAs trained 21,893 criminal justice personnel. Half of the HIDTAs have programs that specifically target violent drug dealing gangs. Many HIDTAs are

engaged in a proactive drug interdiction program called COBIJA.

- HIDTAs operate 53 intelligence centers that feature event and target deconfliction—both of which will be impossible to fund with the proposed HIDTA budget reductions. Event deconfliction, which is vital for ensuring officer safety, allows undercover officers to determine if multiple law enforcement activities are occurring at or near the same address/location. Target deconfliction reduces the cost of multiple agencies investigating the same person, which had traditionally occurred because of systemic difficulties or the resistance to share information.
- The HIDTA Program developed the National Clandestine Laboratory Database in partnership with the El Paso Intelligence Center—the first federal law enforcement database to allow direct state/local access.
- HIDTA-supported task forces seized record numbers of drugs—Tons of drugs that will never reach the streets of our cities, towns, and neighborhoods. For example, in 2004, Chicago HIDTA task forces seized over a ton of cocaine, 40 kilograms of heroin, and eight tons of marijuana. There are 28 HIDTA across the country—imagine their impact on reducing drug availability.

Director Walters himself, in the 2004 HIDTA Annual Report, stated that the HIDTA Program has “continued to bring federal, state and local law enforcement together to make a measurable difference in disrupting the market for illegal drugs.” He pointed out, “the ability to get federal, state and local law enforcement to work together in a coordinated fashion ... in turn enhances the security of our country from threats both foreign and domestic, and serves as a model for other agencies.”

Issue #2: Associate Deputy Attorney General Catherine O’Neil, Director of the OCDETF Program, claims that moving the HIDTA Program to DOJ will enable the Department of Justice to more effectively define its drug control strategy, establish clear priorities for its key programs, and allocate its drug enforcement resources appropriately.

NHDA response: ADAG Catherine O’Neil and Director Walters apparently want to federalize the drug problem when it is not totally a federal problem - it is a state and local problem as well. Centralizing the administration of HIDTA funding will weaken its ability to affect change in each distinct HIDTA region. Each HIDTA executive board, which gives an equal number of votes to federal, state, and local law enforcement agencies, develops its own strategy that is complementary to the National Drug Control Strategy. The boards implement their strategies by funding structured and formal initiatives, each with a mission that best uses particular expertise and addresses a specific threat. This type of information is most effectively identified at the regional - not national - level.

A targeted strategy implemented locally produces greater immediate impact while, at the same time, provides avenues for further investigation into multi-state and international trafficking groups.

Issue #3: The level of funding proposed for the HIDTA Program, combined with its placement at DOJ, will enable the Program to maintain a strong focus on supporting state and local agencies.

NHDA response: Ensuring a strong focus on supporting state and local law enforcement requires keeping the HIDTA Program at ONDCP, the agency that has “disrupting drug markets” as one of its three goals. The HIDTA Program’s first goal is to “disrupt the market for illegal drugs by dismantling or disrupting drug trafficking organizations.” Given the original placement of the HIDTA Program at ONDCP, it is understandable that ONDCP’s strategy goal and the HIDTA Program’s goal are complementary. In contrast, DOJ is responsible for a variety of other law enforcement-related issues and goals and currently has no plan for how or where the HIDTA funding will be administered. It is unlikely that the HIDTA Program will have a stronger focus at DOJ than it has at ONDCP.

Moving the HIDTA Program to OCDETF is inappropriate because OCDETF is accurately described as an administrative, prosecution support system, rather than a bridge that brings together federal, state, and local resources to address regional drug threats. The move would eliminate local input into drug target selection, hinder information sharing, and remove the incentives for local agencies to participate in critical drug enforcement programs. In addition, OCDETF task forces, which are comprised mostly of federal agency representatives, do not provide investigative support beyond prosecution and money. Accordingly, OCDETF administrators will be ill-equipped to address numerous critical functions, such as intelligence analysis, that are routinely handled by HIDTAs.

Moreover, the proposed funding cuts will have a profound effect on drug law enforcement at the local level. They will damage the cooperative relationships among federal, state, and local agencies that the HIDTA Program has facilitated over the past 15 years. HIDTA is not just about funding - it’s about cooperation, collaboration, and measurable results.

Issue #4: In order for the HIDTA Program to be the best it can be at important functions such as intelligence sharing and fostering multi-agency and multi-jurisdictional coordination, it is important for the program to be at the Department of Justice itself.

NHDA response: Housed at ONDCP’s Bureau of State and Local Affairs, the HIDTA Program enjoys a degree of visibility, efficacy, fairness, and neutrality. This

neutrality fosters an innovative program that is immune to turf battles and maximizes the HIDTA Program's ability to leverage and coordinate federal, state, and local drug enforcement efforts. No other program in the federal government that integrates federal, state, and local assistance and financial awards allows this level of local oversight and direction. It is highly unlikely that this environment would survive at DOJ, since it does not currently exist there.

Additionally, if the ability to maintain the operational collaboration made possible by the current HIDTA organizational structure is lost, local law enforcement risks returning to the days when cooperation among agencies was episodic rather than systematic, delivered on a case-by-case basis, and found to be generally ineffective in disrupting drug trafficking organizations. We cannot afford to take that risk - we must continue moving forward.