

**U.S. Senator Maria Cantwell**

**Senate Committee on Indian Affairs Oversight Hearing titled, “Fentanyl in Native Communities: Federal Perspectives on Addressing the Growing Crisis”**

**December 6, 2023**

**Sen. Cantwell Opening Remarks**

[\[AUDIO\]](#) [\[VIDEO\]](#)

**Sen. Cantwell:** Thank you, Chairman Schatz, and thank you and Vice Chair Murkowski for your important work on holding the second fentanyl crisis hearing in Indian Country and thank you for your comments. I think Senator Murkowski’s comments illuminated very well - the challenge that we face in dealing with the fentanyl problem specifically in Indian Country.

Last month, we heard directly from tribal leaders about how fentanyl is devastating their communities. They need more support to protect their members from this deadly drug.

Today we will learn what the Administration is doing to help combat this crisis in Indian Country.

I am glad United States Attorney Waldref of the Eastern District of Washington is here and can talk directly about how it's harming communities in the eastern part of our state.

Earlier this year, federal, state, local, and tribal law enforcement made major seizures of drugs in Eastern Washington. They prevented more than 100 pounds of drugs – and 161,000 fentanyl-laced pills – from reaching the Colville and Yakama Tribal communities.

Last week, Kalispel Tribal law enforcement officers seized another 18,000 fentanyl laced pills in Airway Heights just outside of Spokane, Washington.

So, make no mistake about it - the fentanyl crisis is a flood of poison entering Indian Country and communities and it is not a crisis that our Tribes can face alone. We've heard [from] tribal leaders and their law enforcement agencies [about] how they're chronically understaffed and under-resourced. And in Eastern Washington, just a handful of officers are responsible for patrolling thousands of square miles of tribal land, and they can't shoulder that burden alone.

Another persistent issue is the lack of strong and consistent data on fentanyl overdoses across Indian Country and we need to do a good job of understanding that problem.

This poses a huge hurdle for effectively directing federal resources, not to mention law enforcement and health care professionals, if we don't know how to accurately describe the crisis.

As tribal communities everywhere confront this crisis, we know that we need more support.

Earlier this week, the [Northwest] Portland Area Indian Health Board released its federal policy recommendations from the National Tribal Opioid Summit held in August. I know that NCAI will look forward to reviewing those issues.

And the summit, I thought, was a very good cross section of people throughout the United States who were talking about how this was affecting their particular region.

But we need more opportunities to do health and wellness. We need more partnership from the federal government on law enforcement. And we need the tools to stop this product from arriving into our [country].

I want to applaud our colleagues who went to China and urged the Chinese government to stop production of the precursors that are used. And I think we've made some progress on that.

I know that the President met [with Chinese President Xi Jinping] at a summit in San Francisco and had a similar commitment by the Chinese leader.

And I hope that our colleagues or whoever is stopping or trying to stop the Senate provisions of the NDAA, the FEND Off Fentanyl Act, which is literally cracking down on the distribution of drugs by cracking down on the money sources - I know my colleague from Nevada knows this very well. But somehow somebody's trying to stop us from getting this over the goal line. I hope they'll just quit.

I hope they'll understand that this is a tool that we need to get passed. We need to crack down on these rings. We need to crack down on the money.

Those pills that were just held up. This is one package of one delivery happening in our communities everywhere. So, the seizure of this product can be greatly enhanced by stopping the trafficking and we need to pass the FEND Off Fentanyl Act. Thank you, Mr. Chairman.

#### **Witness Q&A**

##### **Witnesses:**

- **Mr. Adam W. Cohen, Deputy Director - White House Office of National Drug Control Policy**
- **The Honorable Roselyn Tso - Director, Indian Health Service, U.S. Department of Health and Human Services**
- **The Honorable Vanessa Waldref - U.S. Attorney, Eastern District of Washington, U.S. Department of Justice**
- **Mr. Glen Melville - Bureau Deputy Director, Bureau of Indian Affairs – Office of Justice Services, U.S. Department of the Interior**

[\[AUDIO\]](#) [\[VIDEO\]](#)

**Sen. Cantwell:** Thank you, Mr. Chairman. I think I'm kind of going to follow the two of you in this line of questioning and just keep digging on why this is such a prevalent problem for the populations that we're talking about.

And Mr. Melville, it's good to know that you're enrolled Makah because it means you know what remote is, and how remote Indian Country can be.

I want to welcome the Yakama nation who is here too in the audience.

The amount of volume that we're uncovering in Indian Country in various reservations, whether you're talking about the Colville and 160,000 plus pills for a population of about 7,000 people, enrolled members [in] Yakama or some of these other places. This says to me that it's not just the population that they're after, that perhaps this is also a location to run operations out of because there isn't enough law enforcement in the region. Are we seeing data on this?

We had this big bust up in Lummi very close to the Canadian border. We needed the help of the FBI to bust up that ring. So, are we seeing people not just preying on this population, which they clearly are preying on this population as Senator Murkowski described, but in addition is it just a good place to operate their facilities from?

Does anybody have a comment on that? Mr. Melville?

**Glen Melville:** Thank you, Senator. Absolutely.

So, there is a well-known fact, in the Mexican cartels, that if you can go on to an Indian reservation and work your way into an Indian reservation, that that's an area that they know that they can try to utilize and manipulate because they know that the tribal police officers, they're only really in charge or looking at the tribal members [or] visitors. There's a myriad of jurisdiction everywhere you go.

Washington is especially difficult with tribal jurisdiction, state jurisdiction, federal jurisdiction. So, they figured out that that's a place that they want to try to go and get a foothold.

And it's very, very difficult in some of these remote areas for these task forces to be able to operate. Because as soon as you drive onto the Makah Indian Reservation, everybody knows you're there already. There is one way in and one way out. So any strange cars come in that are not known, people talk about it.

If you're driving an SUV that looks like a government vehicle, you're not going to be able to do much surveillance. So, our drug division is very, very intuitive and inventive under the ways that they try to get into those areas to try to work with the Tribes and the task forces to try to root that out. And so that's one of the things that they work on. But it's a very, very difficult area to work in.

**Sen. Cantwell:** Anybody else on that point? Yes.

**Vanessa Waldref:** Thank you Senator, there are certainly challenges in addressing the trafficking of drugs in rural communities, and you've identified a lot of them.

The same strategies that we have found throughout rural communities in Eastern Washington have been effective in addressing drug trafficking on our tribal lands as well. And that is really trying to use resources like HIDTA (High Intensity Drug Trafficking Areas), and our Safe Trails Task Forces, so that we have accurate information from our tribal law enforcement members, because they really know what's going on the ground.

And so, if those tribal law enforcement members can be either task force officers or have the special law enforcement commissions, those are extremely valuable tools for us to be able to bring federal prosecutions effectively.

**Sen. Cantwell:** Well, Senator Mullin and I both have sponsored legislation, the Tribal Law Enforcement Parity Act, which would help Tribes with law enforcement self-governance contracts, and retaining law enforcement and so I certainly support that.

I certainly support more resources for local task forces, bottom up. But I was also trying to get out just this notion that not only are they preying on a population, but they're also finding a good place to hide, is that correct?

**Vanessa Waldref:** There are challenges in rural communities, and we have that throughout the Eastern District, both in and around the Yakima area and the Yakima Valley, as well as in Northeast Washington, where there are rural communities that can be areas to hide those drugs.

What we do to try to address that and to effectively prosecute these cases is having the most effective information sharing that we possibly can, which is using all of our information sharing resources such as HIDTA, our task forces, and our DEA and BIA cross designated partners.

**Sen. Cantwell:** And just to be clear, what is the data change that we need to do that you think is - who do you think needs to get us better data?

**Vanessa Waldref:** We can always be partnering with this committee to try to provide the data information that we can. We're working with our tribal partners on gathering that information, and we'd be happy to support this committee's interest in additional information about the impact of fentanyl in our Indian Country communities.

**Sen. Cantwell:** Thank you. I know my time has expired, Mr. Chairman, but I do think that improving the data connection was something the Northwest Indian Health Board out of Portland has talked about and I know [with] leaders here that we need to get something for the record asking Director Cohen about that. Thank you.