

STATEMENT OF

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Congressional Affairs Liaison, National HIDTA Directors Association  
Deputy Director, New England High Intensity Drug Trafficking Area

before the

Subcommittee on Government Operations  
of the  
Committee on Oversight and Government Reform  
United States House of Representatives

**EXAMINATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY AND  
ITS EFFORTS TO COORDINATE DRUG POLICY ACROSS THE FEDERAL  
GOVERNMENT**

December 2, 2015  
Washington, DC

Chairman Meadows, Ranking Member Connolly, and distinguished members of the Subcommittee, I am honored to appear before you today on behalf of the members of the National HIDTA Directors Association (NHDA). I am thankful for the opportunity to offer testimony highlighting the mission, goals, objectives, and vast scope of the High Intensity Drug Trafficking Area Program (HIDTA). I also wish to speak to the very important issue of the reauthorization of the Office of National Drug Control Policy (ONDCP), particularly as it relates to the role of the HIDTA program, and more specifically to the recommendations of the HIDTA Directors with regard to proposed language allowing for the establishment or expansion of drug treatment and prevention programs under the ONDCP Reauthorization Act of 2015.

Illicit drug use and its consequences continue to constitute dynamic and challenging threats to the United States. Communities across this nation, whether urban, suburban, or rural, are in the midst of a public health and public safety crisis. We must understand that the scourge of drug abuse has no boundaries. It does not recognize geography, social or economic status, race, gender, or age. It is an equal opportunity threat to our well-being. The abuse of opioids, a group of drugs that includes heroin and prescription painkillers, expose the addicted to the risk of death each and every day, the scourge of methamphetamine devastates communities in its wake, and

the emergence of synthetic cannabinoids and cathinones gives rise to increasing levels of violence. These are but a few examples of the far reaching drug challenges we face. Drug trafficking organizations that prey upon our communities and the criminal activity associated with them can be found in every part of the United States. This underscores the need for a comprehensive approach- a multi-disciplinary, holistic strategy- to address the prevailing public health and public safety issues raised by drug abuse and misuse in our society.

The Office of National Drug Control Policy has the important responsibility to establish priorities and objectives for the nation's drug policy, which includes treatment, prevention and law enforcement. The goals include reducing illicit drug use, trafficking, drug-related crime and violence, and drug-related health consequences. To achieve these goals, the Director of ONDCP is charged with producing the National Drug Control Strategy (NDCS) that directs the nation's efforts and establishes a budget and guidelines for cooperation among federal, state, local and tribal entities. The current NDCS promotes a focused approach, balancing the public health and public safety aspects of drug use and substance abuse disorders.

The High Intensity Drug Trafficking Area Program is an essential component of the National Drug Control Strategy. It is clear that federal, state, local, and tribal law enforcement plays an integral role in the balanced strategy to reducing drug use and its consequences. The mission of the HIDTA program is to disrupt the market for illegal drugs by dismantling or disrupting drug trafficking organizations in order to eliminate or reduce drug trafficking and its harmful consequences in critical regions of the United States. There are 28 regional HDTAs throughout the United States. The HDTAs include 17 percent of all counties in the nation and 60 percent of the population. HIDTA designated counties are in 48 states, as well as Puerto Rico, the US Virgin Islands, and the District of Columbia. The individual HDTAs enhance and coordinate federal, state, local and tribal anti-drug abuse efforts from a local, regional, and national perspective, leveraging resources at all levels in a true partnership.

At the national level, ONDCP provides policy direction and guidance, and grant administration to the HIDTA program. At the local level, each HIDTA is governed by an Executive Board comprised of an equal number of federal agencies and participating state, local, and tribal

agencies. The Executive Board provides direction and oversight in establishing and achieving the goals of the individual HIDTA. The HIDTA program gives the federal, state, local and tribal criminal justice leaders a balanced and equal voice in identifying the regional threat, developing a strategy, investing in that strategy, and assessing performance. The flexibility of this leadership model creates the ability for the Executive Board to quickly, effectively, and efficiently adapt to emerging threats that may be unique to their HIDTA by redirecting resources as necessary to provide for the greatest level of impact. To highlight program success in disrupting the market for illegal drugs, in 2014 the HIDTA program disrupted or dismantled 835 international, 960 multi-state, and 1,067 local drug trafficking organizations, removing over \$15 billion dollars in wholesale value of illicit drugs, and over \$1 billion in illegally gained assets from drug traffickers.

Intelligence and information sharing is a critical component of the overall strategy to reduce the market for illegal drugs. The HIDTA program establishes Investigative Support Centers in designated areas, specifically to create a communication infrastructure that can facilitate information sharing among federal, state, local and tribal law enforcement agencies. The HIDTA Directors believe that information gleaned from the collection, evaluation, analysis and synthesis of intelligence must be shared in order to effectively reduce the production, transportation, distribution, and use of drugs. As evidence of this fact, HIDTA intelligence centers in 2014 supported over 26,000 investigations, referred over 58,000 investigative leads, and entered over 274,000 tactical operations in deconfliction systems designed to ensure officer safety and investigative integrity.

Training is an essential ingredient to improve the efficiency and effectiveness of HIDTA initiatives. The HIDTA training curriculum makes a significant contribution to advancing the knowledge, skills, and abilities of drug law enforcement, treatment, and prevention professionals, while also offering unique networking opportunities across agencies and disciplines.

The strengths of the HIDTA program are truly multi-dimensional. One of the cornerstones of the program is its demonstrated ability to bring people and agencies together to work toward a common goal. The neutrality of the HIDTA program is viewed as another key to its success.

HIDTA is not an agency, does not espouse the views of any one agency, and is not beholden to the mandates of any one agency. HIDTA is truly an agency neutral program that serves only to facilitate and coordinate. HIDTA's strength can also found in its innovation, expanded scope of mission, and diversity. The program embraces a balanced and holistic approach to address prevailing drug issues that require a multi-disciplinary and multi-faceted plan of action. While the primary mission focus of enforcement remains of paramount importance, HIDTAs throughout the nation are also involved in drug prevention activities that stress training, partnership, sponsorship and community outreach. The fact that we cannot arrest our way out of this drug problem is well recognized by the law enforcement community. The emerging partnership between public health and public safety has never been more important and HIDTA provides the perfect platform to promote that partnership.

The HIDTA program has been at the forefront of establishing, coordinating, and supporting innovative approaches in partnership with relevant disciplines to stem the tide of drug abuse. The Washington-Baltimore HIDTA, through its HIDTA Treatment/Criminal Justice component, seeks to break the cycle of drug abuse and crime through well-organized, criminal justice based treatment programs that incorporate graduated sanctions, drug testing and intensive supervision of offenders who are under correctional control. The focus is to reduce crime in targeted communities and change the drug habits of repeat offenders. In New England, the HIDTA has partnered with the Boston University School of Medicine's nationally renowned Safe and Competent Opioid Prescribing Education program. Well aware of the fact that opioid/heroin abuse is at epidemic levels, and with the full understanding of the need to employ a multi-pronged approach, the New England HIDTA's posture is to address this emergent drug threat on the front end, through the support of prescriber education as well as through traditional and non-traditional enforcement efforts. Through an innovative use of discretionary funding, five HIDTAs - New England, New York/New Jersey, Philadelphia/Camden, Washington/Baltimore, and Appalachia have jointly developed a Heroin Response Strategy (HRS) to address the severe heroin threat in their communities. The HRS provides a unique, unprecedented platform, designed to enhance public health-public safety collaboration across 15 states, as well as to advance drug use prevention efforts throughout the region, with the overarching goal of reducing drug overdose deaths.

The synergistic effect of enforcement, treatment, prevention, and education working together across disciplines towards a common goal of a sustainable quality of life in the community that allows our citizens to remain healthy and achieve their full potential, is a noteworthy pursuit.

ONDCP and the HIDTA program have developed a partnership that has been instrumental in the continuing success of HIDTA. In fact, the collaborative and cooperative working relationship that currently exists has never been stronger. It is a partnership that will pave the way for greater achievement in the face of future challenges. The National HIDTA Directors Association strongly encourages Congress to reauthorize the Office of National Drug Control Policy during this session. Moreover, the reauthorization of ONDCP at this critical juncture would surely demonstrate the unwavering commitment of our national leaders to safeguard the health and safety of our nation. With that said, the National HIDTA Directors Association supports the existing language in the ONDCP Reauthorization Act of 2015 with three exceptions:

- (1) The existing authorization specifies that “the Director shall ensure that no Federal funds appropriated for the [HIDTA] Program are expended for the establishment or expansion of drug treatment programs.” The proposed revision of this prohibition would allow the ONDCP Director, upon the request of a HIDTA Executive Board, to authorize the expenditure of program funds to support drug treatment programs. The HIDTA Directors recognize that there may be times when it would be appropriate to spend some funds to further collaborate with demand reduction programs such as the drug courts and other alternative sentencing programs. We support this change but believe funding should not exceed a cap of 10 percent of the affected HIDTA’s baseline budget.
- (2) In the past, no more than 5 percent of HIDTA funds could be “expended for the establishment of drug prevention programs.” The new wording allows the ONDCP Director, upon request of a HIDTA Executive Board, “to authorize the expenditure of an amount greater than 5 percent of Program funds.” We support this change but

believe that funding should not exceed a cap of 10 percent of the affected HIDTA's baseline budget.

- (3) The language authorizes the appropriation to ONDCP of \$193,400,000 for FY 2016 for the HIDTA program. In FY 2014 and years prior to that, Congress authorized \$238.5 million for the HIDTA program. In FY 2015, Congress authorized \$245 million for the HIDTA program. The amount in the proposed language of the bill would amount to a 22 percent reduction in HIDTA program funding. This reduction would severely handicap the HIDTA program in accomplishing its goals and objectives. The National HIDTA Directors Association would respectfully recommend that the language reflect funding in the amount of \$245 million as the minimum funding appropriation, which was the amount awarded in FY 2015.

Thank you for allowing me this opportunity to testify before you today. I look forward to answering your questions.

**Committee on Oversight and Government Reform**  
**Witness Disclosure Requirement – "Truth in Testimony"**  
**Required by House Rule XI, Clause 2(g)(5)**

Name: David W. Kelley

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I. Please list any federal grants or contracts (including subgrants or subcontracts) you have received since October 1, 2011. Include the source and amount of each grant or contract.

2011 - Office of National Drug Control Policy Grant G11NE0001A- Professional Services Contract with New England HIDTA fiduciary, Town of Scarborough, Maine, in the amount of \$141,298.

2012- Office of National Drug Control Policy Grant G12NE0001A- Professional Services Contract with New England HIDTA fiduciary, Town of Scarborough, Maine, in the amount of \$146,935.

2013- Office of National Drug Control Policy Grant G13NE0001A- Professional Services Contract with New England HIDTA fiduciary, Town of Scarborough, Maine, in the amount of \$146,935.

2014- Office of National Drug Control Policy Grant G14NE0001A- Professional Services Contract with New England HIDTA fiduciary, Town of Scarborough, Maine, in the amount of \$152,791.

2015- Office of National Drug Control Policy Grant G15NE0001A- Professional Services Contract with New England HIDTA fiduciary, Town of Scarborough, Maine, in the amount of \$25,710 .(October, November 2015)

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2. Please list any entity you are testifying on behalf of and briefly describe your relationship with these entities.

I am testifying on behalf of the National HIDTA Directors Association. As a member of the Board of Directors, in the capacity of Director at Large, I serve as the Association's Congressional Liaison.

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3. Please list any federal grants or contracts (including subgrants or subcontracts) received since October 1, 2010, by the entity(ies) you listed above. Include the source and amount of each grant or contract.

N/A

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*I certify that the above information is true and correct.*

Signature:

Date:

*David W. Kelley*

*11/25/2015*

**David W. Kelley**  
**Deputy Director**  
**New England High Intensity Drug Trafficking Area**

David Kelley was selected to be the Deputy Director of the New England High Intensity Drug Trafficking Program in September of 2007, after 25 years of service in the New Hampshire State Police. At the time of his retirement, Deputy Director Kelley held the rank of Major and commanded the Investigative Services Bureau. As Bureau Commander, Deputy Director Kelley directed and coordinated the Division of State Police investigative operations through its specialized units: Major Crime, Narcotics and Special Investigations, Terrorism and Intelligence, and Polygraph.

The High Intensity Drug Trafficking Area Program (HIDTA) is a grant program administered through the Office of National Drug Control Policy's Office of State, Local and Tribal Affairs. The HIDTA program serves as a coordination umbrella to facilitate and enhance Federal, state, local, and tribal law enforcement agencies' drug control efforts in designated areas, enabling them to combine and leverage resources and capabilities to address drug trafficking and drug-related crime. The HIDTA program also supports drug treatment and prevention activities, fostering collaboration between law enforcement and the demand reduction community at large.

As a member of the Management and Coordination Initiative, Deputy Director Kelley provides administrative, financial, and program management guidance and direction for the New England HIDTA; facilitates and encourages the development of innovative approaches to drug law enforcement; ensures New England HIDTA initiatives are in compliance with HIDTA Program requirements; and advises the Executive Board concerning the performance of New England HIDTA initiatives. Deputy Director Kelley serves as the New England regional coordinator for the Domestic Highway Enforcement Program; providing administrative oversight and assistance to law enforcement agencies in developing comprehensive strategies that meet the goals and objectives of this national law enforcement model. In 2015 Deputy Director Kelley was appointed by the National HIDTA Directors Association to serve as its Congressional Affairs Liaison.

Deputy Director Kelley is a 1980 graduate of Northeastern University in Boston, where he was awarded a Bachelor of Science Degree in Political Science. In 2002, Mr. Kelley was selected to attend the global law enforcement executive development session of the FBI National Academy, and later returned as a guest lecturer at the invitation of the FBI Critical Incident Management Group.