



OFFICE OF
INSPECTOR GENERAL
U.S. DEPARTMENT OF THE INTERIOR

APR 15 2011

Memorandum

To: Vicki Forrest
Chief Financial Officer – Indian Affairs

From: *for* Kimberly Elmore *Melanie Sorenson*
Assistant Inspector General for Audits, Inspections, and Evaluations

Subject: Office of Inspector General's Independent Report on the Bureau of Indian Affairs'
Fiscal Year 2010 Accounting and Performance Summary Review Reports for the
Office of National Drug Control Policy
Report No. ER-IN-BIA-0004-2011

The Office of Inspector General (OIG) reviewed the Bureau of Indian Affairs' (BIA) Accounting Report dated March 23, 2011, (Attachment 1) and its Performance Summary Review Report dated February 9, 2011, (Attachment 2) prepared for the Office of National Drug Control Policy (ONDCP). BIA management is responsible for these reports.

The reports are presented in place of the Detailed Accounting Submission and Performance Summary Report required by the ONDCP Circular: Drug Control Accounting dated May 1, 2007. The Circular allows this alternative reporting method when prior year drug control obligations are less than \$50 million and full compliance with the Circular constitutes an unreasonable burden. BIA management asserted that full compliance would be an unreasonable burden and that the obligations reported constitute the statutorily required detailed accounting.

We reviewed management's assertion in accordance with the generally accepted government auditing standards applicable to attestations that incorporate the attestation standards established by the American Institute of Certified Public Accountants. A review is substantially less in scope than an examination, which expresses an opinion on management's assertions. Accordingly, we do not express such an opinion.

We limited our review to management's assertion that full compliance with the requirements of the Circular constituted an unreasonable burden. Our review procedures were limited to inquiries and analytical procedures appropriate for a review engagement. Our objective was not to express, and we do not express, opinions or conclusions on whether the reports were fairly stated.

Based on our review, BIA management's assertion conforms to the requirements of the Circular.

Should you have any comments or questions regarding this report, please do not hesitate to contact me at 202-208-5512.

This report is intended solely for the information and use of the management of BIA, ONDCP, and the U.S. Congress, and is not intended to be and should not be used by anyone other than these specified parties. The distribution of our report, however, is not limited.

Attachments (2)




United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 23 2011

Memorandum

To: Kimberly Elmore
Assistant Inspector General for Audits, Inspections and Evaluations

From: Deputy Assistant Secretary - Management 

Subject: Office of Inspector General's Independent Report on the Office of National Drug Control Policy (ONDCP) 2010 Accounting Report – Indian Affairs

Attached for your review and response is the ONDCP 2010 Accounting Report for Indian Affairs. As required by the ONDCP Circular: Drug Control Accounting dated May 1, 2007, the report show that Indian Affairs prior-year drug control obligations are less than \$50 million and is in full compliance with the requirements of the Circular and constitutes an unreasonable burden.

If you have any questions, please contact the Office of Justice Services, David Johnson - Acting Deputy Associate Director, Drug Enforcement at 405-247-1665 or 202-208-5787.

Attachment

ONDCP 2010 Accounting Report – Indian Affairs

Resource Summary

Prior Year Drug Control Obligations		FY 2010
Function: Prevention		
J33	Special Initiatives	10,000,000
	Substance Abuse - Meth Initiative	10,000,000
	Total ALL Functions	10,000,000
	Total FTE (Direct ONLY)	35

Full compliance with this Circular constitutes an unreasonable reporting burden. Obligations reported under this section constitute the statutorily required detailed accounting.


Deputy Assistant Secretary - Management

3-23-11



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

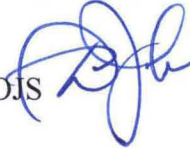
Washington, D.C. 20240

IN REPLY REFER TO:

February 22, 2011

Memorandum

To: Kimberly Elmore
Assistant Inspector General for Audits, Inspections and Evaluations

From: David Johnson
Acting Chief – Division of Drug Enforcement, BIA/OJS 

Subject: 2010 ONDCP Performance Summary Review

Attached is the 2010 ONDCP Performance Summary Review. I apologize for the delay in the report submission.

With past discrepancies in OJS reporting it was my intent to focus on providing an accurate report. When compiling the drug seizure amount totals those numbers were re-calculated several times to ensure proper calculation. Hopefully, OJS has developed a report which adequately addresses any questions you may have.

I have met with DOI-OLES reviewed their drug statistic reporting data base to determine if it would be something BIA-OJS can utilize to enhance reporting.

If you have questions please contact me at 202-273-3585.



2010

ONDCP Performance Summary Review

ONDCP Performance Summary Review

ONDCP Budget		FY 2008	FY 2009	FY 2010
Function: Prevention				
J33	Special Initiatives	6,338,000	6,338,000	10,000,000
	Substance Abuse - Meth Initiative	6,338,000	6,338,000	10,000,000
Function: Education				
J34	Indian Police Academy	505,050	505,050	505,050
TOTAL ALL Functions		6,843,050	6,843,050	10,505,050
Drug Resource Summary of Personnel				
Total FTE (Direct Only)		18	33	35

*38 Includes Administrative Staff

Performance Introduction

In 2010, the Bureau of Indian Affairs (BIA) continued to see an increase in drug activity on lands under its jurisdiction. As reflected in the number of drug cases worked and the level of drug seizures; including methamphetamine (ICE), crack cocaine and illegally diverted prescription drugs. In response, BIA has increased the number of trained officers and other service personnel to assist in investigations, arrests and drug seizures. This report includes performance measures, targets, and achievements for the latest year for which data is available. Data was gathered and verified from the Office of Justice Services (OJS) data base and the Division of Drug Enforcement (DDE) case log.

Performance Measure One: *Number of Patrol Officers Receiving Drug Training*

In 2009, BIA proposed training an additional 200 officers. The BIA documented the training of 240 officers in 2009, exceeding the target goal of 200 by 20%. The training conducted in 2010 resulted in a substantial increase of trained officers and other service oriented staff to support drug investigations. A total of 358 individuals were trained in 2010 a 49% increase over the previous year. Bubar & Hall Consulting was contracted by BIA-DDE to provide drug related outreach training to tribal and BIA law enforcement officers and other service oriented staff to support drug agents in investigations and arrests. Training provided in 2010 consisted of "Responding to Methamphetamine Endangered Children in Tribal Communities." Training was held at six locations; Albuquerque, NM, Phoenix, AZ, Billings, MT, Seattle, WA, Bismarck, ND, and Tulsa, OK.

2009 Proposed	2009 Achieved	2010 Achieved
200	240	358

*The preceding information was obtained from contract files at Central Office, copy of the training rosters are attached.

The DDE continues to experience challenges gathering accurate data using systems developed by the BIA IT division or its contractors. Information gathered for this report and the subsequent verification process again highlighted the need for an automated data collection system. OJS-DDE recently learned of the DOI drug data collection system and began reviewing the system to determine if it would meet OJS-DDE needs. The initial review found the system would need modifications to fully support the collection of drug related data submitted for all tribes.

Drug Enforcement Agents are responsible for managing drug investigations and implementing the interdiction programs necessary to reduce the effects of drugs and drug-related crime in Indian country. In October 2007, there were only five (5) BIA drug agents investigating issues related to drug activity throughout Indian country. Recent funding increases have allowed BIA to expand the Drug Unit to 30 agents who are strategically placed within or near other task force units in order to combat the illegal drug epidemic in Indian country. Arrests documented in 2010 increased by 20% over the 2009 figures.

Percent increase in number of drug related arrests

2008 Baseline	2009 10% Proposed	2009 Achieved	2010 10% Proposed	2010 Achieved
443	487	559	615	671

**The preceding information was obtained from the Lotus Notes drug database. A copy of the database information is attached.*

Performance Measure Two: Percent increase in drug cases worked

The number of drug cases reported is tracked by gleaning data from monthly statistical reports provided by BIA-DDE, BIA and Tribal Police programs and entering the data into the OJS drug database system.

The following information documents the cases worked by **all Indian country law enforcement programs** (BIA-DDE, BIA and Tribal). These figures demonstrate an overall **increase** of approximately 10% in drug cases worked in Indian country in FY 2010.

2008 Baseline	2009 40% Proposed	2009 Achieved	2010 (+ 2%) Proposed	2010 Achieved
606	667	656	669	722

The following information documents the cases worked as reported by the **BIA-DDE**. These figures demonstrate an overall **increase** of approximately 57.6% in cases worked in FY 2010.

2008 Baseline	2009 40% Proposed	2009 Achieved	2010 (+3%) Proposed	2010 Achieved
90	126	267	272	421

The following information documents the cases worked as reported by **BIA and Tribal police departments**. These figures demonstrate an overall **decrease** of approximately 24.2% in cases worked in FY 2010.

2008 Baseline	2009 40% Proposed	2009 Achieved	2010 (+2%) Proposed	2010 Achieved
516	567	389	397	295

**The preceding information was obtained from the Lotus Notes drug database and DDE case logs. A copy of the database information is attached.*

Performance Measure Three: Increase in the amount of drugs seized

FY 2010 has shown a dramatic increase in the use of the Drug Database in the Lotus Notes data collection system. Individuals from both the BIA DDE and Law Enforcement Operations have been instructed in the use of the system and necessity of this data in performance reporting and for use in managing their programs in the fight on drugs. Both programs are now entering data into the system to provide a more accurate accounting of drug seizures and cases worked in Indian country.

The 2008 actual baselines are established based on the monthly statistical reports entered into the OJS drug database system by the District Law Enforcement Operations and the BIA DDE at the Central Office.

The following information documents drug seizures accomplished by the combined efforts of BIA-DDE, BIA and Tribal Police programs. These figures demonstrate an overall **decrease** of approximately 84.6% in drugs seized by Indian Country Law Enforcement Programs in FY 2010.

2010 All Submissions					
Increase in Amount of Drugs Seized	2008 Baseline	2009 Proposed	2009 Achieved	2010 (+2%) Proposed	2010 Achieved
<i>2009 achieved and 2010 totals represented in pounds:</i>	13,859	16,604 g	287,099.00 lb	292,840.98 lb	44,759.67 lb
Cocaine Powder	1,114	1,225 g	178.62 lb	182.19 lb	106.53 lb
Cocaine Crack	630	693 g	0.66 lb	0.67 lb	8.28 lb
Heroin	523	575 g	0.48 lb	0.48 lb	0.08 lb
MDMA (Ecstasy)	4	4 g	0.03 lb	0.03 lb	0.15 lb
Meth Crystal	473	520 g	13.75 lb	14.02 lb	40.87 lb
Meth Powder	86	95 g	4.55 lb	4.64 lb	0.73 lb
Processed Marijuana	5,466	6,013 g	85.49 lb	87.19 lb	4,159 lb
Prescription Drugs Seized	683	751 g	13.10 lb	13.36 lb	52.15 lb
Other drugs seized	344	378 g	0.50 lb	0.51 lb	1.88 lb
Marijuana (# Plants = lbs)	10	12,000	286,802	292,538	40,390

The total number of marijuana plants seized in 2010 is recorded as 40,390. Research conducted by various private Universities, Law Enforcement Training Programs and Law Enforcement Operations have established the average usable amount of product derived from a mature marijuana plant to be approximately one pound. Total marijuana seized (processed and eradicated) in Indian country in FY 2010 is 44,540 pounds.

The following information demonstrates drug seizures accomplished by the BIA-DDE. These numbers were derived from the DDE case investigations logs and statistical reports and subtracted from the previous charts depicting the overall Indian country seizures. These figures demonstrate an overall decrease of approximately 70.8% in drugs seized by the BIA-DDE.

2010 BIA-DDE Only					
Increase in Amount of Drugs Seized	2008 Baseline	2009 Proposed	2009 Achieved	2010 (+2%) Proposed	2010 Achieved
<i>2009 achieved and 2010 totals represented in pounds:</i>	3,179	3,651 g	149,713.47 lb	152,707.73 lb	43,762.88 lb
Cocaine Powder	495	546 g	178.62 lb	182.19 lb	105.85 lb
Cocaine Crack	188	207 g	0.38 lb	0.38 lb	8.13 lb
Heroin	261	287 g	0.38 lb	0.38 lb	0.08 lb
MDMA (Ecstasy)	0	0	0	0	0.12 lb
Meth Crystal	0	0	0	0	40.60 lb
Meth Powder	232	255 g	18.34 lb	18.70 lb	0.72 lb
Processed Marijuana	643	707 g	45.27 lb	46.17 lb	3,384.30 lb
Prescription Drugs Seized	.004	0	0.04 oz	0.04 oz	0.08 lb
Other drugs seized	0	0	0.64 lb	0.65 lb	0
Marijuana (# Plants = lbs)	3	12,000	149,467	152,456	40,223

Review of the preceding information indicates the decline in total seizures is due to a reduced number of marijuana plants seized by all Indian country programs. *Overall, there were 109,067 fewer marijuana plants seized during FY 2010.*

BIA-DDE management reports the number of marijuana eradication operations conducted in FY 2010 was comparable to the number of FY 2009 operations conducted, but the number of cultivation sites and plants discovered in Indian country was greatly reduced. ***The 2010 figures indicate a focus on investigative activity (undercover/buy operations) resulting in an increase in amount of Crack Cocaine, Methamphetamine and processed marijuana seized. These types of investigations tend to take more time (multiple buys for prosecution) and the quantity of drugs seized is less, but this type of activity result in the prosecution of drug dealers. Having agents in the communities making drug buys, and seeking prosecution of suppliers has an immediate affect and is very important to community members and tribal leaders.***

**The preceding information was obtained from the Lotus Notes drug database and DDE case logs. A copy of the database information is attached. A copy of a DDE case log summary is attached.*

Program

The BIA Office of Justice Services has been provided additional base funding for the development of a Victim Witness Program, consisting of 10 Victim Witness Specialist positions to be filled throughout Indian country. The Victim/Witness Specialists will sponsor victims and witnesses of issues related to drugs and violent crimes. Until recently crime victims did not have a BIA victim's advocate. Working with the Department of Justice-Office of Victims of Crime (OVC), has resulted in DOJ-OVC funding four victim/witness specialist positions for the BIA.

The OJS Intelligence Analyst is assigned to the southwest border intelligence workgroup located at the El Paso Intelligence Center (EPIC). OJS-DDE plans to recruit 6 additional intelligence analyst positions to be stationed throughout the country to work within task force environments. Through these placements the BIA will be able to assist in providing a solid intelligence network for tribal, Federal, state and local law enforcement to work collaboratively on information-sharing related to illegal drug activities, gang activity and other violations of law within Indian country.

The BIA Tribal Equipment Loan program was established to provide access to state of the art drug surveillance equipment for tribal law enforcement programs with specific drug problems. Currently in 2010, there are 9 tribes participating in the equipment loan program. Each of these tribes is operating under a Pub. L 93-638 contract or Self-Governance compact and has indicated a need for the equipment because of high rates of illegal drug use and crime within their communities.

With 100+ schools servicing Indian Country, the School Resource Officer (SRO) program has become an important part of the OJS drug initiative. The DDE funds 18 SRO positions throughout Indian Country. The program allows interaction of officers and students in the student's environment. SRO's provide instruction in drug awareness and gang resistance using nationally recognized and adopted curriculum. A SRO position serves as the initial contact with students and educates them on the negative aspects of illegal drug use and gang activity. These positions play a key role in providing visual deterrent and identifying potential threats of school violence. Since initiating the SRO program it has received significant attention, and school administrators have seen the positive effects of having a uniform police officer on school campuses. Those administrators are now asking for additional SRO's to support additional schools in the BIE system. A future goal of the SRO program is to develop a mentoring component using the SRO platform allowing the SRO to be available to focus on individual children with issues that place them in high risk situations.

MANAGEMENT ASSERTIONS

1. Performance reporting systems are appropriate and applied –

The DDE continues to experience challenges gathering accurate data using systems developed by the BIA IT division or its contractors. Information gathered for this report and the subsequent verification process again highlighted the need for an automated data collection system. OJS-DDE recently learned of the DOI drug data collection system and has reviewed the system to determine if it meets OJS-DDE needs. The initial review found the system would need modifications to fully support the collection of drug related data submitted for all tribes.

2. Explanations for not meeting performance targets are reasonable –

The decrease in total amount of drugs seized is due to the lack of marijuana plants seized. BIA (Direct Service) and Tribal Law Enforcement programs not opening independent drug investigations. 2010 figures indicate DDE increased focus on investigative activity targeting individuals selling illegal drugs showing substantial increases in the seizure of Cocaine (crack), Methamphetamine, and processed marijuana.

3. Methodology to establish performance targets is reasonable and applied –

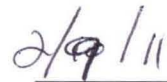
Due to the substantial increase in agents, targets were projected for FY 2010 based upon what the program thought the increase of 25 agents would be able to provide. Now that the program has 2 years of statistical data, projecting targets for the two measures on cases and seizures will be more realistic.

4. Adequate performance measures exist for all significant drug control activities—

The agency has 3 acceptable performance measures that adequately cover each of the decision units. Each measure considers the intended purpose of the NDCP activity.



Director, Bureau of Indian Affairs



Date

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