

**Statement of
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Before the

**House Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy
and Human Resources**

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“Ice in the Ozarks: The Methamphetamine Epidemic in Arkansas”

Executive Summary

The rapid rise and spread of methamphetamine use and trafficking in Arkansas has created a unique and difficult challenge for federal, state, and local law enforcement officials. Unlike more traditional drugs of abuse, methamphetamine presents some distinctive challenges. First, it is relatively easy to manufacture; anyone who can read and measure can make methamphetamine. Second, many production sites are located in rural areas of Arkansas where there is limited day-to-day law enforcement presence. Third, methamphetamine is a particularly intense stimulant, highly addictive, and devastatingly dangerous. The combination of these factors has led the DEA to pursue a multi-faceted response.

The methamphetamine trafficking situation in Arkansas reflects the current overall methamphetamine situation throughout the Midwest. Methamphetamine is the number one drug threat in the state of Arkansas. The methamphetamine situation in Arkansas is a two-fold problem: Small Toxic Labs (STLs) and Mexican Drug Trafficking Organizations.

Small Toxic Labs are small methamphetamine laboratories capable of producing one – two ounces of methamphetamine. These Small Toxic Labs are dangerous clandestine laboratories, which are placing strains on our communities and Arkansas law enforcement agencies. Locally, over ninety percent of independent small toxic lab (STL) operators produce methamphetamine for personal use and local distribution. The laboratory operators, known as “cooks”, typically have no chemical background or training, which leads to these laboratories resulting in fires or explosions.

The DEA has joined forces with our state and local law enforcement counterparts to investigate and shut down these toxic labs. Progress requires vigilance to ensure the safe cleanup of the labs. Being very costly, the DEA works with state and local officials to provide as much assistance as possible with lab cleanups and extensive training for law enforcement.

Mexican Drug Trafficking Organizations control a vast majority of the methamphetamine distribution in Arkansas, especially in Northwest and Central Arkansas. Their networks transport multi-pound quantities from clandestine “superlabs” capable of producing at least 10 pounds of the drug in a 24-hour period from location in the West and even Mexico, to Arkansas for distribution.

In the last 12 months, Arkansas has seen a significant increase in the amount of methamphetamine “ice” being distributed or seized. The majority of the “ice” seizures have been linked to Mexican Drug Trafficking Organizations, where traditionally the “ice” was coming from Asian criminal organizations.

In this testimony, the DEA will describe the nature of the methamphetamine threat to Arkansas, offer specific examples of how we are targeting it, and describe why it is important for the DEA and its partners to make every effort to combat this increasing menace.

Introduction

Chairman Souder, distinguished members of the Subcommittee, and honored guests; it is indeed my distinct pleasure to appear before you. My name is William J. Bryant and I am the Assistant Special Agent in Charge of the Little Rock District Office. On behalf of the DEA Administrator Karen P. Tandy and Special Agent in Charge William J. Renton, Jr. of the New Orleans Field Division, I would like to thank this subcommittee for your continued support of the DEA and its mission.

The Simplicity of Methamphetamine

Methamphetamine is a synthetic stimulant that is classified as a Schedule II controlled substance. This widely abused drug also goes by the names “crank”, “meth”, “crystal”, “speed” and “ice.” Although commonly sold in powder form, it has been distributed in tablets or as crystals. Methamphetamine can be smoked, snorted, injected or taken orally.

The clandestine manufacture of methamphetamine has been a concern of law enforcement officials since the 1960's, when outlaw motorcycle gangs dominated distribution. Methamphetamine continues to be the primary drug manufactured in the vast majority of drug labs seized by law enforcement throughout the nation. Since 1997, ninety-seven percent of the clandestine lab seizures reported to the DEA were either methamphetamine or amphetamine labs.

Methamphetamine is, unfortunately, a simple drug to produce. Ingredients are not only readily available, but also inexpensive. For approximately \$100 in materials purchased in either a grocery or hardware store, a “cook” can produce \$1,000 worth of methamphetamine. Items such as lithium batteries, camp fuel, match striker plates, starter fluid, and iodine crystals can be utilized to substitute for some of the necessary chemicals. Precursor chemicals such as ephedrine and pseudoephedrine can be extracted from common over-the-counter cold medications. A clandestine lab operator currently utilizes relatively ordinary items such as

mason jars and coffee filters to substitute for sophisticated laboratory equipment. Simply put, these are straightforward science fair experiments put to the worst use imaginable.

Another factor in the clandestine lab epidemic is the evolution of technology and the increased use of the Internet. While in the past “chemists” closely guarded their formulas, today's computer savvy America has made them more willing to share their “recipes of death.” Aside from marijuana, methamphetamine is the only widely abused illegal drug that is readily manufactured or capable of being produced by the actual abuser. Given the relative ease with which manufacturers are able to acquire precursor chemicals, and the unsophisticated nature of the production process, it is not difficult to see why this highly addictive drug and literally explosive clandestine laboratories continue to appear in Arkansas neighborhoods and all across America.

National DEA Success Against Methamphetamine

Nationally, we have begun to make significant headway to impact methamphetamine trade, primarily through concerted action against the key precursor chemical, methamphetamine. We believe that we have substantially impacted its availability and caused dramatic shifts in trafficking patterns.

Our effort began with three successful back-to-back operations to control domestic diversion of pseudoephedrine, Operations Mountain Express I, II, and III. Combined, these efforts resulted in the arrests of over 289 defendants and the seizure of significant amounts of methamphetamine and currency. More importantly in the long run, they drove traffickers to rely on Canadian pharmaceutical companies to fill the void for huge quantities of methamphetamine. This allowed the DEA to respond with Operation Northern Star, which was specifically designed to combat and control precursor chemicals moving along the U.S.-Canada border with a top-to-bottom strategy, from suppliers of precursor chemicals, to brokers and transporters, to manufacturers and distributors, and ending with the money launderers.

In raw numbers, Operation Northern Star resulted in the arrest of 67 individuals in ten cities throughout the United States and Canada and the seizure of \$3.6 million, six residences, 34,154 pounds of pseudoephedrine, and chemicals capable of producing over 20,000 pounds of methamphetamine. It also caused a fundamental shift in the way pseudoephedrine traffickers and methamphetamine manufacturers operate as well as the way that DEA views precursor chemical distributors. We proved that concentrating resources and investigative effort in a specific geographic area of the global chemical trade can make a tangible and demonstrable difference. This is best illustrated by the precipitous drop in the amount of Canadian pseudoephedrine seizures after April 2003. Seizures of pseudoephedrine dropped from a high of more than 75 million tablets in 2001 to approximately 26 million tablets in 2003 -- a majority of which was confiscated before April of last year. This shift is further evidenced by an 85 per cent reduction in Canadian border seizure events for these chemicals from 419 in 2001 to 61 in 2003. In addition, the number of methamphetamine “super-labs” seized in California has decreased from 224 in 2001 to 133 in 2003 and the price of illegal pseudoephedrine in California doubled from \$4,000 to \$6,000 per case currently, as compared to \$2,100-\$2,400 per case in 2002.

As the importation of bulk pseudoephedrine dropped at the Northern Border, seizures of finished methamphetamine crossing the Southwest border into the United States increased from 1,170 kilograms in 2001 to 1,601 kilograms in 2003, indicating that methamphetamine production has moved back to Mexico. This further intensifies an already difficult job of cracking down on Mexican drug organizations along the southwest border.

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Arkansas - The Natural State in the Grasp of Methamphetamine

The number one drug threat for the state of Arkansas is methamphetamine. In Arkansas, the methamphetamine problem is two-fold: Small Toxic Labs (STL) and Mexican Drug Trafficking Organizations. In addition, the state of Arkansas has three major interstate systems: Interstate 40, Interstate 30, and Interstate 55 that traverse through the state. Major drug trafficking organizations transport large quantities of methamphetamine from the Southwest Border to large distribution cities in the Midwest. Law enforcement agencies in the state of Arkansas often interdict these drug carriers that are transporting methamphetamine to other states for distribution. These interdiction stops often lead to controlled deliveries to other states, which can pose significant manpower allocations from federal, state, and local law enforcement agencies in Arkansas to conduct and further these types of investigations.

Small Toxics Labs

STLs are local and independent operators who produce gram to multi-ounce quantities of methamphetamine for personal use and local distribution. According to the Arkansas State Crime Lab in 2003, sixty-two percent of all clandestine methamphetamine laboratories seized in Arkansas utilize the HI/Red Phosphorous production method that allows a novice manufacturer to rely on readily available, inexpensive products and an uncomplicated process to create methamphetamine. Another common manufacturing method being utilized by laboratory operators in Arkansas is the Birch or "Nazi" Method. Approximately sixteen percent of the methamphetamine laboratories seized in 2003 were utilizing this method. The prevalence of these labs spreads the drug to more users and has the most immediate and visible impact.

Overall, all three of the DEA offices (Little Rock District Office, Fayetteville Resident Office, and Fort Smith Post of Duty) in Arkansas expend approximately over 59% of their Priority Target investigative resources on methamphetamine related cases.

According to the latest statistics from the El Paso Intelligence Center (EPIC), the number of clandestine methamphetamine laboratories seized in Arkansas has increased steadily from a low of 11 in 1994 to a high of 791 in 2003. But even this figure could be a low estimate due to incomplete reporting to EPIC from other law enforcement agencies. Detailed statistics from the Arkansas State Crime Lab now indicate that 1,208 clandestine laboratories were seized in 2003. Unfortunately for the year 2004, lab seizures are on pace to exceed the 2003 total. As of June 2004, a total of 562 methamphetamine labs have been seized in the state of Arkansas. The DEA is working closely with state and local law enforcement agencies in Arkansas to implement a new procedure to more accurately track and report lab seizures with the El Paso Intelligence Center database known as the Clandestine Laboratory Seizure System (CLSS).

Small Toxic Labs and Their Environmental Impact

The small toxic labs I described generate significant quantities of hazardous waste during each production cycle. Small, rural communities within Arkansas ultimately must pay the price of the fiscal, environmental, health, and safety hazards associated with criminal entrepreneurs.

STLs initially emerged as a problem in the Midwest in the early to mid-1990s. After initial introduction by Mexican traffickers, local users discovered that they could produce their own methamphetamine. Both the ease of manufacturing and the availability of chemicals contributed greatly to the dramatic growth and spread of these labs throughout the state of Arkansas. While not readily available at the retail level, anhydrous ammonia is used extensively in rural areas throughout the state. Law enforcement agencies' reports indicate that the chemical is easily stolen from nurse tanks stored on family farms and co-ops, and diverted from one of the anhydrous pipelines in the state. "Cooks" are now learning how to manufacture their own Anhydrous Ammonia, which is a very dangerous process in itself.

Methamphetamine laboratories create environmental hazards with enormous cleanup costs. The chemicals used to produce methamphetamine are extremely flammable and toxic. Every pound of methamphetamine produced yields up to five pounds of waste chemicals, which in turn contaminate the land, streams, and public sewer systems.

The DEA assists state and local law enforcement agencies with the cleanup of methamphetamine laboratories with funding supplied by Congress. The DEA contracts with hazardous waste disposal companies to respond to the clandestine laboratory sites to properly package, transport and dispose of the hazardous chemicals and waste. In 2002, the DEA assisted law enforcement agencies in Arkansas with 545 lab cleanups, which totaled \$1,831,500. The average cleanup cost in 2002 was \$3,300 per lab. In 2003, the DEA was able to negotiate a new contract with hazardous waste disposal companies and reduce the costs of the cleanup. In 2003, the DEA in Arkansas assisted law enforcement with 810 lab cleanups for a total of \$1,397,300, in which the average cost of a cleanup for a lab was \$1,725.

Due to the large number of laboratories being seized in Arkansas, the DEA negotiated for a second hazardous waste disposal company response site to be located in Fayetteville, Arkansas in January 2004. The placement of this second response site significantly reduced response time, which resulted in a savings of overtime costs for those law enforcement agencies that had to wait for the hazardous waste disposal company to respond to the lab site from the Little Rock response site.

The small labs are often more dangerous than the larger operations. The "cooks" are generally less experienced and have little regard for the consequences arising from the use of toxic, explosive, and poisonous chemicals. In 2001, EPIC reported 15 fires and explosions related to methamphetamine production in Arkansas. The number of fires and explosions has continued to increase with 20 fires and explosions in 2002 and 28 fires and explosions in 2003.

Children Affected

The methamphetamine trade is particularly insidious because of its direct, alarming, and negative impact on our youth. Federal and state law enforcement officials remain vigilant in our efforts to keep youth in Arkansas and across the country from the devastating effects of this drug.

A recently published comprehensive report from the National Jewish Medical and Research Center found that the toxic clouds of chemicals created by meth “cooks” within their “home labs” are posing a significant health and safety threat to the children and adults living in and around labs. This first-of-its kind study scientifically documented how toxic methamphetamine chemicals adhere to almost all the surfaces in a home or even hotel rooms used as a meth lab, from walls to carpets, to table tops and children’s clothing. Given this environment, children might as well be taking the drug directly. The DEA Administrator Karen Tandy commented at a January 2004 press conference that the study “exposes the enormous, but hidden, risks of methamphetamine.” She emphasized that these high levels of toxins “expose innocent and unwary citizens to poisons that can be silent killers.”

The sad fact is that Arkansas children are continually exposed to the ravages of this illegal substance. Toxic labs are often discovered where children live and play. In 2001, information reported to EPIC showed 121 children affected. EPIC CLSS defines the category of children affected as children residing (not necessarily present) and any children visiting at the lab site. In 2002, the number of children affected rose to 207 and in 2003, the number of children affected continued to rise to 219. More than any other controlled substance, methamphetamine endangers children through exposure to drug use/abuse, neglect, physical and sexual abuse, toxic chemicals, hazardous waste, fire, and explosion. In response to this tragic phenomenon, the DEA ensures that endangered children are identified and the child’s immediate safety is addressed at the scene through coordination with child welfare and health care service providers.

Not only do clandestine laboratories pose a threat to the general public and children, they also pose a tremendous safety threat to law enforcement. The DEA has provided training to state and local law enforcement officers to safely seize and dismantle these clandestine laboratories. The DEA has trained over 334 state and local officers in Arkansas in the State and Local Lab Certification School, which is held in Quantico, VA. The DEA incurs the costs for this training to include lodging, travel, per diem, and safety equipment. Each officer that attends the SALC training receives over \$2,000.00 in safety equipment. The DEA also provides other clandestine laboratory training to officers in Arkansas to include Site Safety Officer School and Clan Lab Tactical School. To date, 103 officers from Arkansas have attended the Site Safety Officer School and the 12 officers have attended the Clan Lab Tactical School.

Mexican Drug Trafficking Organizations

The DEA offices in Arkansas have seen a definite increase of Mexican Drug Trafficking Organizations operating in Arkansas, primarily involved in the distribution of methamphetamine. The majority of the DEA investigations into Mexican Drug Trafficking Organizations have been in the area of responsibility of the DEA Fayetteville Resident Office (FRO) and the DEA Fort Smith Post of Duty (FSPOD).

The DEA investigations have found that Mexican Drug Trafficking Organizations transport multi-pound quantities of methamphetamine to Arkansas from the clandestine “superlabs” (laboratories with a production capacity of at least 10 pounds of methamphetamine in a 24 hour period) located in the West and Mexico. The vast majority of methamphetamine that is actually distributed in Arkansas by volume is dominated by the Mexican Drug Trafficking Organizations.

These organizations are distributing multi-pound quantities of methamphetamine in Arkansas compared to the one - two ounce quantities of methamphetamine being produced by the Small Toxic Laboratories. The DEA’s intelligence in Arkansas indicates that these organizations are capable to distributing over 20 pounds of methamphetamine per month.

“Ice” in the Ozarks

Over the last twelve months, the DEA has observed a significant amount of methamphetamine “ice” being distributed in Arkansas. Methamphetamine “ice” is a colorless, odorless form of d-methamphetamine. It resembles glass fragments or shiny blue-white “rocks” of various sizes.

Methamphetamine “ice” and powdered methamphetamine both contain the same active chemical compound; however, crystal methamphetamine typically has a higher purity level and may produce longer-lasting, more intense physiological effects. Methamphetamine “ice” is often compared to crack cocaine. The drugs produce similar physiological effects, are highly addictive, and typically are smoked using a glass pipe. Methamphetamine “ice” also may be injected. Immediately after smoking or injecting methamphetamine “ice”, abusers experience a brief, intense sensation, or rush, that is followed by a high that may last 12 hours or more. Crack cocaine abusers experience the same effects for only 20 to 30 minutes.

Traditionally, methamphetamine “ice” production and distribution have been associated with Asian criminal groups. Mexican Drug Trafficking Organizations are now producing methamphetamine “ice” in Mexico, California, and southwestern states and use their established transportation networks to distribute the drug throughout the United States.

Arkansas Distribution Sources, Prices and Purity

The methamphetamine trafficking situation in Arkansas reflects the current trafficking situation throughout the Midwest.

Methamphetamine prices for Arkansas are on average \$85 - \$100 per gram, \$800 - \$1,200 per ounce and \$8,000 - \$12,000 per pound. The price for Methamphetamine “ice” is higher with the average price of \$100 - \$150 per gram, \$1,000 - \$1,800 per ounce and \$13,000 - \$18,000 per pound.

Enforcement Initiatives

The DEA has joined forces with our state and local partners to address methamphetamine-related trends from large trafficking organizations down to the small-time producer operating out of their homes.

Priority Targeting Program

Administrator Tandy has made it an agency priority to focus on disrupting and dismantling priority target organizations and to deprive them of the profits of the drug trade. One of the DEA’s most aggressive enforcement efforts is the Priority Targeting Program to which substantial financial and manpower resources are committed consistent with the strategies of the President and the Attorney General. Since the inception of the Priority Targeting Program in 2000, the DEA in Arkansas has initiated 22 Priority Target Investigations, in which 59% were methamphetamine related. The DEA in Arkansas currently has 11 active Priority Target Investigations, in which 6 (55%) are methamphetamine related.

Elimination of Small Toxic Labs

Along with state and local law enforcement counterparts, the DEA has been successful in eliminating many STLs throughout Arkansas. Moreover, the DEA assists state and local authorities with hazardous waste removal, prevention, public awareness, and training that are associated with methamphetamine.

Chemical Control

Recent local initiatives in Arkansas have required the placement of pseudoephedrine behind counters in retail businesses that sell cold medications and limits on the amount of pseudoephedrine that can be purchased. Combined with Federal regulations already in place, these initiatives will significantly limit the availability of precursor chemicals such as pseudoephedrine in the illicit market.

Controlling Pseudoephedrine/Precursor Trafficking

The DEA also uses the precursor control program to identify and target the most significant sources of methamphetamine precursor chemicals. The DEA works domestically with legitimate handlers of precursor chemicals to ensure that these chemicals are not diverted for illicit use. Currently there are three Diversion Investigators and two DEA Task Force Officers assigned to the Little Rock District Office and Fort Smith Post of Duty, who are responsible for working with their state and local counterparts to enforce the chemical control measures in the Controlled Substances Act.

The DEA's chemical investigations have increased by 400 percent since 1999, and the DEA has also undertaken yearly "outreach" and education efforts with the regulated chemical industry for the purpose of preventing chemical diversion.

In addition, the DEA aggressively investigates companies who wish to distribute List I chemicals that could be utilized to manufacture a controlled substance. We also operate a Warning Letter Program to notify manufacturers and distributors of pseudoephedrine and ephedrine tablets when their product is found in illicit settings. To date, the DEA has issued over 634 warning letters, which can form a foundation for criminal, civil, and/or administrative action against registrants who fail to adequately monitor their distribution of List I chemicals.

The DEA in Arkansas has pursued both criminal charges and civil fines in dealing with individuals and companies who illegally distributed List I chemicals through the Eastern and Western Districts of Arkansas United States Attorneys' Offices.

Significant Investigations and Seizures

As I mentioned, the DEA devotes over half of its Arkansas investigative resources to methamphetamine related cases. These investigations have uncovered activities of concern across the state.

The DEA in Arkansas is fortunate to have a DEA Task Force Program in all three of its offices. These state and local officers are deputized as DEA Task Force Officers and have the same authority and jurisdiction as a DEA Special Agent. This program acts as a force multiplier for the DEA and allows participating agencies to participate in major investigations.

The state of Arkansas is a small state, but has outstanding relationships between federal, state, and local law enforcement. This team effort has led to significant investigations as listed below, which allows law enforcement to attack the number one drug threat in Arkansas: Methamphetamine.

In May 2001, the DEA FRO, in conjunction with the Decatur Police Department, the Rogers Police Department, the Siloam Springs Police Department, the Springdale Police Department, the Fayetteville Police Department, the 4th Judicial District Drug Task Force, the Benton County Sheriff's Office, the Washington County Sheriff's Office, the California Bureau

of Narcotics and the Benton County Prosecutor's Office initiated a Priority Target/OCDETF investigation "Operation Treasure Hunt". This investigation focused on a methamphetamine distribution organization that was receiving up to 20 pounds of methamphetamine at a time in Arkansas for distribution. The source of supply for the methamphetamine was from California.

As a result of this investigation, a total of five defendants were arrested and convicted. A total of twelve pounds of methamphetamine, 3.3 pounds of methamphetamine "ice", 27 firearms (including a machine gun), and \$120,788 in property and assets were seized. The main target of the investigation, Charles HUDSON, was sentenced in the Western District of Arkansas to 135 months in prison for the offense of Possession with Intent to Distribute Methamphetamine. This investigation led to the arrest of the source of supply of the methamphetamine, Sergio ARROYO of Delhi, California. ARROYO was sentenced by Chief United States District Judge Jimm Larry Hendren in the Western District of Arkansas to 210 months in prison for the offense of Conspiracy to Distribute Methamphetamine.

In June 2003, the DEA FRO and the Rogers Police Department initiated a Priority Target/OCDETF investigation (Operation: Fist Full of Dollars) into a methamphetamine drug distribution organization in Northwest Arkansas. This investigation led to the federal indictment of four defendants in the Western District of Arkansas on federal drug charges. During the course of this investigation, a total of 20 pounds of methamphetamine was seized, in which 8 pounds of the 20 pounds was methamphetamine "ice". Agents also seized over \$56,781 in U.S. currency. This investigation revealed that the source of supply for this methamphetamine was located in Tijuana, Mexico.

In October 2003, the DEA FRO initiated a Priority Target/OCDETF investigation (Operation: West Easy Street) into a drug trafficking organization, which was operating in Benton and Washington counties. To date, this investigation has led to the seizure of 13 pounds of methamphetamine, in which 10 pounds were methamphetamine "ice", and two kilograms of cocaine. A total of 16 defendants have been charged in federal court in the Western District of Arkansas. The DEA, with assistance from state and local agencies executed a total of 12 search warrants in this investigation and conducted several Title III intercepts.

Conclusion

The seriousness of the problems resulting from the methamphetamine threat cannot be overstated. Methamphetamine puts all of us—users and nonusers alike—at risk. The innocence of children, the fortitude of law enforcement, and the pristine state of our ecosystem are not immune to meth's dangers.

The DEA is combating the methamphetamine epidemic on several fronts. Our agency is targeting Mexican trafficking organizations while working closely with state and local law enforcement to eliminate the spread of small toxic labs and alleviate their consequences.

As a single mission agency, the DEA will continue to devote its resources to identify, investigate and dismantle the organizations responsible for the spread of methamphetamine across Arkansas and our country.

Thank you again for the opportunity to testify before the Subcommittee today. I will be happy to answer any questions at the appropriate time.