



STATE OF NORTH DAKOTA

OFFICE OF ATTORNEY GENERAL

www.attorneygeneral.nd.gov

(701) 328-2210

Drew H. Wrigley
ATTORNEY GENERAL

Written Testimony of Drew H. Wrigley, North Dakota Attorney General

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Committee on the Judiciary

Subcommittee on Immigration and Citizenship

Hearing on

“The Biden Border Crisis: North Dakota Perspectives”

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Mr. Chairman and Members of the Committee,

Thank you for taking the time to travel to North Dakota for the purpose of holding this hearing on this critically important issue. My name is Drew Wrigley, and I was elected Attorney General of North Dakota in 2022. Serving as North Dakota’s chief law enforcement officer is a privilege and a solemn responsibility, and I welcome the opportunity to discuss the destabilizing impact that border insecurity is having and will have on our state and on this country. I should also note that I twice had the honor of serving as North Dakota’s Presidentially appointed United States Attorney, first from 2001 to 2009, then from 2019 to 2021. Each day, I draw on my experience as a federal and state law enforcement official and prosecutor, as we face the very real challenges before us.

As has been noted elsewhere, the catastrophically porous southwest border of the United States has led to the present reality that all of America is now a border state. Of course, North Dakota's sector along America's northern border has long required security attention, especially in the aftermath of the September 11, 2001, terrorist attacks on this nation. However, the situation has deteriorated significantly in recent years, and the current situation is untenable with millions of illegal entrants streaming across the America's southwest border. North Dakota is already experiencing negative law enforcement impacts as a result of the Biden Administration's refusal to shut down the border, but my concern is that the worst is yet to come, both in the context of street crimes and violence as well as in the arena of America's national security.

As Attorney General of North Dakota, I oversee the operations of our highly trained and well-equipped North Dakota Bureau of Criminal Investigation (BCI). In that capacity, I am routinely briefed on narcotics trafficking investigations, criminal intel-gathering, and statistical information regarding criminal activity from across the state and region. While someone unfamiliar with our state might be forgiven for assuming that narcotics trafficking is something that happens elsewhere, the people of North Dakota are well aware that our state has become a significant target region for narcotics produced in Mexico, smuggled across the relatively open international border between Mexico and the United States, then sold at a dramatic profit in my relatively prosperous state. Methamphetamine, marijuana, and synthetic opioids such as fentanyl are the poisons most commonly trafficked to North Dakota from Mexico. A quick view of the basic economics of fentanyl, by way of just one example, illustrates the problem exacerbated by the lax border policies of the Biden administration.

The large-scale production of fentanyl in Mexico is well documented both publicly and in law enforcement intelligence gathering. As a direct result of easily accessed illegal transport

conduits into the United States from Mexico, fentanyl and other synthetic opioids are routinely available at the Southwest border area for 25 cents per pill, 15 cents per pill, or even 10 cents per pill, depending on the week or a few other factors. The pills are then easily transported to a variety of locations around the United States. North Dakota has become a significant draw for the traffickers because of the premium price they are able to garner for the pills here in our state. Prices of \$60 per pill are not uncommon, and prices of \$80 a pill are not unheard of, depending on supply in that region of our state at that particular time. Either way, the profit margin on the illegal pills is staggering! The cost is low at the southwest border because of the relative ease with which illegal entry is gained to the United States. A two-day drive north is all it takes to gain mark up of 23,900%. Basic economics are at work, and the most important factor in all of that is the open border providing the avenue by which low priced poison gets into the county easily and is readily available to enterprising drug traffickers willing to turn a two-day car ride into staggering profits, all at the cost of escalating carnage across North Dakota and the nation.

In addition to the worsening narcotics trafficking dangers caused by the Biden administration's refusal to enforce the southwest border, we are all faced with the perilous public safety crisis regarding violent criminals and enemy combatants who pose a clear and present danger to our national security. Relative to the onslaught of illegals entering our country through the southwest border, the federal effort to stop them is abysmal, by any fair assessment. At the very same time, it appears as though the Biden administration's permissiveness has signaled weakness at the northern border, resulting in a significant uptick in illegal activity here as well. And the statistics are alarming.

I recently requested a briefing relevant to this hearing from my office's BCI personnel directing our State and Local Intelligence Center (SLIC), our criminal intel-sharing arm. There

are 18 land ports of entry along North Dakota's 310-mile portion of America's northern border, with just 3 of those ports open 24 hours per day. Travel across the northern border in our segment is robust due to commerce and tourism travel between Canada and the United States. Troublingly, however, FY 2021 through FY 2023, "Border Encounters" for the North Dakota sector of the border have escalated at a dramatic rate, calling the integrity of the northern border into serious question. "Border Encounters" include apprehensions of illegal attempts to cross the border, people deemed inadmissible by U.S. border security personnel, and expulsions. There were 548 such entries attempted and refused in FY 2021, then 2,127 in FY 2022, and an explosive 4,444 in FY 2023. Early indications are that FY 2024 will continue the statistical climb.

While it would be easy to claim that these border contacts represent some sort of success story, I argue it is actually a troubling metric representing a massive surge in attempts to illegally gain entry to the United States. Combined with the physical reality of wide-open expanses across this region, it is only logical to conclude that the surge in unlawful attempted crossings also represents a surge in successful unlawful crossings at the northern border.

The fact of these numbers would be troubling enough when viewed even only as affronts to our national sovereignty. However, when we consider the fact that it took just 19 terrorists to significantly hobble our nation in the aftermath of the 9/11 attacks, our respective states are faced with the stunning reality that our communities are in danger and must be alerted to the reality that significant numbers of our foreign adversaries have made their way into our midst and are undermining public safety and long-term national security.