

AMERICAN GOVERNORS' BORDER STRIKE FORCE

OVERVIEW

The Problem

Due to President Biden's disastrous border policies, dangerous transnational criminal organizations continue flooding our communities with drugs while reaping billions of dollars from human smuggling and causing a record-breaking number of apprehensions at the Southern Border.

The Solution

In the absence of federal leadership, states are partnering together to create the American Governors' Border Strike Force to disrupt and dismantle transnational criminal organizations by increasing collaboration, improving intelligence, investing in analysis, combating human smuggling, and stopping drug flow in our states. By partnering across state lines, governors can serve as a force multiplier to target cartels and criminal networks financially and operationally. Together, governors will improve public safety, protect victims from horrific crimes, reduce the amount of drugs in our communities, and alleviate the humanitarian crisis at the Southern Border.

The Border Strike Force will coordinate states' efforts to:

Partner at the state fusion center level to disrupt and dismantle cartels:

- Share criminal justice information to improve investigations in the border region and nationwide, especially in communities adjacent to or crossing state boundaries.
- Coordinate and improve interdiction on interstates to combat drug trafficking and human smuggling.
- Co-locate intelligence analysts in border states to improve collaboration, real time response, intelligence sharing, and analysis connected to border security.
- Assist border states with supplemental staff and resources at state fusion centers, such as on rotation assignments, to share information obtained both on the border and in other states.
- Send law enforcement to train in border states to detect, track, and curb border-related crime.

Focus state law enforcement efforts to disrupt and dismantle cartels:

- Target cartel finances that fund criminal activity in the border regions to seize the tools used to assist the cartels.
- Monitor cybersecurity issues that may increase vulnerability along the Southern Border, such as criminal networks that operate on social media to recruit traffickers.
- Review state criminal statutes regarding human trafficking, drug trafficking, and transnational criminal organizations to ensure the laws deter, disrupt, and dismantle criminal activity.
- Review state criminal justice statistics and information to determine crimes that can be traced to the Southern Border.
- Develop interstate procedures to fill any identified gaps or identified inconsistencies in existing plans to address border crime.

*The American Governors' Border Strike Force is a partnership across state lines
to accomplish what the federal government has failed to do:*

Protect our communities from ruthless transnational criminal organizations.



MEMORANDUM OF UNDERSTANDING

**BETWEEN THE GOVERNORS OF THE STATES OF ARIZONA, TEXAS, ALABAMA, ALASKA, ARKANSAS, FLORIDA, GEORGIA, IDAHO, INDIANA, IOWA, MARYLAND, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA, NEW HAMPSHIRE, NORTH DAKOTA, OHIO, OKLAHOMA, SOUTH CAROLINA, SOUTH DAKOTA, TENNESSEE, UTAH, VIRGINIA, WEST VIRGINIA, AND WYOMING TO FORM
AMERICAN GOVERNORS' BORDER STRIKE FORCE**

WHEREAS, since 2021, the Southern Border of the United States has seen a major increase in border crossings by illegal immigrants, leading to a record-breaking number of apprehensions; and

WHEREAS, illegal border crossings lead to more drugs entering the country, more dangerous individuals evading arrest, and more victims of human trafficking; and

WHEREAS, criminal organizations on both sides of the border are profiting off of illegal immigrants through extortion and trafficking; and

WHEREAS, the porousness of the Southern Border is an open door to transnational criminal organizations that use it to traffic drugs that feed the addiction epidemic throughout the United States; and

WHEREAS, in Fiscal Year 2021, the U.S. Customs and Border Protection reported more than 5,400 pounds of heroin, 97,000 pounds of cocaine, 190,000 pounds of methamphetamine, 11,200 pounds of fentanyl, and many counterfeit pills or other drugs interdicted crossing our Southern Border; and

WHEREAS, the drugs that are not intercepted are trafficked from the Southern Border along U.S. interstates and into our neighborhoods throughout the country, both in large cities and in small towns; and

WHEREAS, transnational criminal networks are now recruiting American teens and young adults to participate in their criminal activity; and

WHEREAS, the states, through the adoption of the United States Constitution, created the federal government to protect the states from those outside our borders that seek to harm our country and its people; and

WHEREAS, the federal government has inexplicably failed to complete the border wall, which would be a major impediment to those crossing the border illegally; and

WHEREAS, in the absence of the federal government, the states have spent billions of dollars to protect their citizens from threats caused by the federal government's failure to protect the states from a breach of the Southern Border; and

WHEREAS, the federal government's neglect of its duty has forced the states to take actions to protect the health, safety, and welfare of their citizens and to join together at times to protect their collective interests.

NOW, THEREFORE, as governors of their respective states, the signatories of this agreement hereby agree to the following provisions:

1. Article I – GENERAL PROVISIONS

- a. This agreement is made and entered into by and between the participating member governors on behalf of their states, hereinafter called party states.
- b. The purpose of this agreement is to provide for cooperative effort and mutual assistance in the prevention of crime and in the enforcement of the party states' respective criminal laws and policies related to drug trafficking, human trafficking, transnational criminal organizations, and other border-related crimes.
- c. This agreement shall also provide for mutual cooperation in training exercises or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party states or subdivisions of party states.

2. Article II – GENERAL IMPLEMENTATION

- a. Each party state entering into this agreement recognizes the effects of illegal immigration due to drug trafficking, human trafficking, and other crimes that result from our porous Southern Border.
- b. Each party state further recognizes that due to the federal government's failure to effectively address the crisis on our Southern Border, it is necessary for the states to come together to share information, cooperate amongst law enforcement, and coordinate training to protect themselves from the effects of illegal immigration.
- c. On behalf of the governor of each state participating in the agreement, the legally designated state official who is the top law enforcement executive or director, commissioner, or colonel of the respective state police agency as determined by each governor will be responsible for formulation of the appropriate interstate mutual aid plans and procedures necessary to implement this agreement.

3. Article III – PARTY STATE RESPONSIBILITIES

- a. It shall be the responsibility of each party state to formulate procedural plans and programs for interstate cooperation in the performance of the responsibilities listed in this article. In formulating such plans and in carrying them out, the party states, insofar as practical, shall:
 - i. Review individual state criminal justice statistics and information to determine those crimes that can be traced to the Southern Border.
 - ii. Review party states' individual strategies for crime fighting.
 - iii. Develop interstate procedures to fill any identified gaps and to resolve any

- identified inconsistencies or overlaps in existing or developed plans to address border crime.
- iv. Assist in sharing information in communities adjacent to or crossing state boundaries.
 - v. Provide, to the extent authorized by law, for sharing of criminal justice information between state fusion centers while following all relevant federal and state laws to maintain the confidential nature of such information where warranted in order to improve investigations and the ability of states to address the effects of border crimes.
- b. The authorized representative of a party state may request assistance of another party state by contacting the authorized representative of that state. The provisions of this agreement shall only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request shall be confirmed in writing within thirty (30) days of the verbal request. It is expected that party states may enter into supplemental and/or more specific agreements that may vary the terms of this agreement.

4. Article IV – LIMITATIONS

- a. This agreement forms the American Governors' Border Strike Force that facilitates the cooperation among party states to implement the work and responsibilities set forth in Article III, specifically the coordination of information sharing, training of law enforcement personnel, and review of existing laws to ensure that the crimes of drug trafficking, human trafficking, and border-related criminal offenses are investigated and punished to the fullest extent of the law.
- b. Any further request for mutual assistance beyond that set forth in Article III, relating to the ongoing crisis at the Southern Border of the United States, shall be made by separate request pursuant to and in accordance with federal and state law, such as the Emergency Management Assistance Compact, which terms shall govern the request and the implementation and delivery of all such mutual assistance. Nothing in this agreement supersedes any existing agreements including the Emergency Management Assistance Compact nor does it restrict any future agreements.
- c. This agreement does not obligate any party state to expend funds. Any commitment of funds is subject to availability of a party state's appropriated funds.
- d. This agreement does not create any rights or benefits, substantive or procedural, enforceable at law or in equity by any person against any party state.

5. Article V – LICENSES AND PERMITS

Any person who holds a license, certificate, or other permit issued by any party state evidencing the meeting of qualifications for professional, mechanical, or other skills shall be deemed licensed, certified, or permitted by the state requesting assistance to render aid involving such skill, subject to such limitations and conditions as the governor of the requesting state may prescribe by executive order or otherwise.

6. Article VI – EMPLOYMENT

Each party state shall be responsible for its own personnel performing operations under this agreement, whether such operations are performed in the participating state or the requesting state.

7. Article VII – REIMBURSEMENT

Each party state shall be responsible for its own costs to participate in this agreement.

8. Article VIII – IMPLEMENTATION

- a. This agreement shall become operative immediately upon its signing by any two (2) states; thereafter, this agreement shall become effective as to any other state upon its signing by such state.
- b. Any party state may withdraw from this agreement by providing notice to the other party states.
- c. Duly authenticated copies of this agreement shall, at the time of their approval, be deposited with each of the party states.

9. Article IX – IMPLEMENTATION OF STRICT LAWS ON HUMAN TRAFFICKING AND DRUG TRAFFICKING

Each party state will review its criminal statutes regarding human trafficking, drug trafficking, and transnational criminal organizations to ensure that such crimes are prosecuted to the fullest extent of the law.

Signed on this day, the 19th of April 2022,



Governor Doug Ducey
State of Arizona



Governor Greg Abbott
State of Texas



Governor Kay Ivey
State of Alabama



Governor Mike Dunleavy
State of Alaska



Governor Asa Hutchinson
State of Arkansas



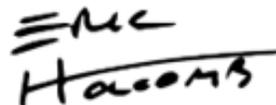
Governor Ron DeSantis
State of Florida



Governor Brian Kemp
State of Georgia



Governor Brad Little
State of Idaho



Governor Eric Holcomb
State of Indiana



Governor Kim Reynolds
State of Iowa



Governor Larry Hogan
State of Maryland

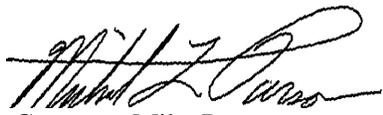


Governor Tate Reeves
State of Mississippi

American Governors' Border Strike Force

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Governor Mike Parson
State of Missouri



Governor Greg Gianforte
State of Montana



Governor Pete Ricketts
State of Nebraska



Governor Chris Sununu
State of New Hampshire



Governor Doug Burgum
State of North Dakota



Governor Mike DeWine
State of Ohio



Governor Kevin Stitt
State of Oklahoma



Governor Henry McMaster
State of South Carolina



Governor Kristi Noem
State of South Dakota



Governor Bill Lee
State of Tennessee



Governor Spencer Cox
State of Utah



Governor Glenn Youngkin
Commonwealth of Virginia



Governor Jim Justice
State of West Virginia



Governor Mark Gordon
State of Wyoming