



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU
Governor

August 18, 2023

The Honorable Jeanne Shaheen
United States Senate
506 Hart Senate Office Building
Washington, DC 20510

The Honorable Maggie Hassan
United States Senate
324 Hart Senate Office Building
Washington, DC 20510

The Honorable Ann Kuster
United States House of Representatives
320 Cannon House Office Building
Washington, DC 20515

The Honorable Chris Pappas
United States House of Representatives
319 Cannon House Office Building
Washington, DC 20515

Dear Members of New Hampshire's Congressional Delegation,

I write to urge you to address the surge of activity occurring at New Hampshire's border with Canada and in the rest of Swanton Sector. Illegal border crossings, drug trafficking, and other crimes are increasing in frequency, and a stronger response from the federal government is necessary to keep Granite Staters from becoming victims to these bad actors.

Border activity has been increasing exponentially in both the entire Swanton Sector and locally in New Hampshire. In February, the Swanton Sector saw an 846% increase in encounters and apprehensions compared to the same period in FY22. Just this month, there have been reports that the 5,400 apprehensions in the Swanton Sector have eclipsed the last nine years combined. Law enforcement has consistently encountered large groups of people when individuals and pairs were previously the norm. Hundreds of thousands of dollars in contraband has been discovered and seized. Border Patrol and local law enforcement are dedicated and efficient, but they do not have the resources to stop hundreds of crossings per month. The federal government must give them the support they need.

As I learned firsthand when I visited our northern border at the beginning of August, enforcing the law presents a significant challenge due to difficult terrain and sparse population. More staff and equipment will always be helpful, but the real issue is communication. Radio and cellular signal are wildly inconsistent. Officers and agents drop in and out of contact frequently, placing them in serious physical danger whenever they are pursuing a suspect or responding to an emergency. In the past, pursuits have been terminated over concern for responding officers' safety.

We are extremely limited in what we can do at the state level to address the border crisis. The Department of Homeland Security denied New Hampshire's request for an ICE Delegation Agreement, which would have allowed the State Police and local law enforcement to investigate alleged violations of federal law and detain suspects pending their transfer to Border Patrol's custody. As it stands now, unless a crossing occurs on private property or the suspect otherwise violates our state's trespassing laws, there is little we can do to stop the suspect or prevent the crossing in the first place. We will vigorously protect the safety

and property of Granite Staters who live near the border, and we wish we could approach the broader national security and humanitarian crisis with the same vigor.

New Hampshire is stepping up where we can. In this biennium's budget, we set aside approximately \$1.4 million to pay for equipment, overtime, and other expenses that will help reinforce our law enforcement presence on and around the border. We are the most fiscally responsible state in the country, but that money will only stretch so far over the course of two years. We are also exploring other legislative and rules changes to help the state, municipalities, and landowners tackle the issue of illegal immigration.

To that end, I am asking you to help the state on two matters:

1. Help us secure an adequate ICE Delegation Agreement. The Department of Homeland Security has refused to enter into a new agreement.
2. Identify funding to increase resources in the Swanton Sector and specifically New Hampshire. It is evident Customs and Border Protection needs additional resources to better carry out their duties in the Swanton Sector.

I hope the people of New Hampshire can count on your undivided attention to this matter.

Sincerely,



Christopher T. Sununu
Governor