



WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

August 9, 2021

Representative Ron Kind
1502 Longworth LOB
Washington, D.C. 20515

Representative Kind,

As we're sure you're aware, on July 21, a bipartisan coalition of state attorneys general announced a \$26 billion settlement with Johnson & Johnson and three of the country's largest drug distributors regarding their roles in the U.S. opioid epidemic. The agreement is intended to resolve the claims of both states and local governments across the country, including the nearly 4,000 that have filed lawsuits in federal and state courts. Attorney General Kaul recently announced that our state is set to receive about \$400 million from that settlement.

Opioid and substance abuse has devastatingly impacted individuals and families in our State Assembly Districts and throughout the 3rd Congressional District. The stories of families and friends that have lost loved ones to opioid and substance abuse is tragic. It has not only caused trouble and grief for families and friends suffering from addiction and abuse, but it has also placed a tremendous strain on local governments and municipal officials, elected and otherwise, that have been forced to deal with this epidemic at the local level.

In order to respond to the crisis, since the 2014-2015 Legislative Session, we have productively worked with our colleagues in the Assembly and Senate on the Heroin, Opiate Prevention and Education (HOPE) Agenda. That effort, originally spearheaded by now former Representative John Nygren of the 89th Assembly District, has produced over 30 pieces of legislation that have passed the Legislature with broad bipartisan support and have been enacted by both Republican and Democrat governors.

In part, that is why in preparation of this settlement announcement, we were happy to support bipartisan legislation authored by our colleague, Representative Jon Plumer of the 42nd Assembly District in Southcentral Wisconsin, that helps to guarantee the timely and equitable settlement of the aforementioned lawsuit and agreement. Wisconsin Act 57 was signed into law in June and guarantees that 70 percent of any settlement Wisconsin receives will be sent to our partners in the 71 county governments that were a party to the lawsuit and the remaining funds will be retained by the state.

We understand the magnitude of this epidemic and the exceptional impact it has on local communities. In order to continue to address and respond to the crisis, we plan to continue to do what we can to work with our local partners at the county, town, village and city level to try to make sure that they efficiently have the tools they need to continue to address the epidemic.

However, at the federal level we have grave concerns and that is why we write to you today. The illegal immigration crisis at the Southern Border and Democrat open border policies work directly against the aforementioned efforts we have undertaken and plan to continue at the state level to address the opioid epidemic in local communities throughout the 3rd Congressional District. We crossed the six month mark of the Biden Administration on July 20th. In that roughly six month time-frame, we have transitioned from the stringent border enforcement policies implemented by former President Trump and his administration to the facile and negligent enforcement policies that have been implemented by President Biden and his administration, and the statistics are unbelievable.

Based on publicly available statistics provided by the Department of Homeland Security's U.S. Customs and Border Protection, Southwest Land Border Encounters have increased from 78,442 in the month of January this year, to 188,829 through June of this year. For comparison, in the 2020 fiscal year covering the months of October 2019 through September 2020, total fiscal year encounters were reported to be 458,088. So far, 2021 fiscal year to date statistics from October of 2020 through June of this year (the most current statistics as of this writing) there have been 1,119,204 Southwest Land Border Encounters reported. **That's roughly a 245% increase in reported encounters year over year only ¾ into this fiscal year.**

- On May 18, ABC News reported that the Department of Homeland Security's Customs and Border Protection (CPB) had seized more fentanyl as of April of this year than had been seized in all of 2020. Additionally, at that time, CBP reported that methamphetamine seizures were approaching levels seen in all of 2020, less than halfway through the year.
- On June 9th, CBS Evening News reported that fentanyl seizures were skyrocketing along the U.S.-Mexico border. That report included information on how drug cartels are seizing an opportunity presented by the U.S. manpower focus on human smuggling, to enable drug traffickers to move a staggering amount of drugs, including fentanyl. In that piece, U.S. Border Patrol agent Joel Freeland is quoted as saying, "We are seeing that the cartels are exploiting our current influx of unaccompanied children as well as our influx of single adults and they're bringing in hard drugs."
- On June 29th, NBC News reported that fentanyl seizures at the U.S. southern border have risen dramatically, stating that federal agents have seen a staggering 4,000% increase in fentanyl seizures over the past three months. According to that report, "The Border Patrol says the rising amount of fentanyl is being found in the desert – transported by increasingly brazen smugglers who are exploiting stretched federal resources. In 2018, the Border Patrol in the El Paso sector found just one pound of fentanyl outside ports of entry. In 2019, two pounds. In 2020, nine. During the 2021 fiscal year, agents have found 41 pounds so far – a dramatic rise that experts attribute to the increasing role in drug cartels producing the illicit drug themselves with raw materials from China."

As you're well aware, once illegal drugs enter the country, they are then transported throughout the nation, and that includes our Assembly Districts here in Wisconsin and the Congressional District that you represent. We are respectfully asking you to do whatever you can to support strong border enforcement policies that will help to keep these dangerous illegal drugs out of our state and our local communities.

We know that if President Biden and Democrats in Congress continue to pursue open border/lax border enforcement policies, the work we've done and continue to do for our mutual constituents with the cooperation and engagement of our local government and law enforcement partners will be tremendously more challenging, if not rendered useless altogether.

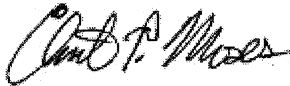
Sincerely,



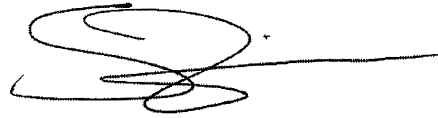
Representative Jesse James
68th Assembly District



Representative Nancy VanderMeer
70th Assembly District



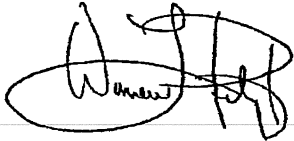
Representative Clint Moses
29th Assembly District



Representative Shannon Zimmerman
30th Assembly District




Representative Loren Oldenburg
96th Assembly District



Representative Warren Petryk
93rd Assembly District



Representative Treig Pronschinske
92nd Assembly District



Representative Travis Tranel
49th Assembly District