

STATE OF ARIZONA

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EXECUTIVE ORDER

Executive Order 2023-27

Ordering the Arizona National Guard to Arizona's Southern Border, As Part of Operation SECURE

WHEREAS, for far too long, Arizona has borne the burden of federal inaction in managing the State's southern border; and

WHEREAS, Arizona's ports of entry are essential to the economy of the State and the Country and it is vital that they be properly staffed and resourced to continue to fuel economic growth; and

WHEREAS, the federal government's recent decision to close the Lukeville Port of Entry has led to an unmitigated humanitarian crisis in the area and has put Arizona's safety and commerce at risk; and

WHEREAS, approximately 2,500 National Guard service members are currently on federal active duty orders on the southern border and 243 of those service members are already in the Tucson Sector; and

WHEREAS, the federal government has declined prior requests to reassign those or other service members of the National Guard currently on federal active duty to Arizona to assist U.S. Customs and Border Protection to reopen the Lukeville Port of Entry; and

WHEREAS, the safety of Arizona citizens and the prosperity of the State's economy are intertwined and, in the absence of action by the federal government, the State must take action to protect both.

NOW, THEREFORE, I, Katie Hobbs, Governor of the State of Arizona, by virtue of the power vested in me by the Arizona Constitution and the laws of this State, hereby order and direct as follows:

1. Pursuant to A.R.S. § 26-172, the Adjutant General shall mobilize, consistent with applicable laws, such part of the Arizona National Guard as is determined necessary to assist in the protection of life and property at the State's southern border, including to augment and support the activities of the Department of Public Safety and local law enforcement agencies relating to violations of the laws of this State, such as fentanyl interdiction, analytical support, and human trafficking enforcement, in the southern border region.
2. The Department of Public Safety shall increase operations along the State's southern border to enforce the laws of this State, including responding to violations of such laws resulting from or related to the Lukeville Port of Entry closure, increased migrant crossings, or inadequate federal action.
3. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision or application of this Executive Order that can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

4. This Executive Order shall not confer any legal rights or remedies upon any person and shall not be used as a basis for legal challenges to any action or inaction of a State Agency, officer, employee, or agent thereof.

This Executive Order shall take effect immediately upon signature.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.



GOVERNOR

DONE at the Capitol in Phoenix on this Fifteenth day of December in the Year Two Thousand Twenty-Three and of the independence of the United States of America the Two Hundred and Forty-Eighth.

ATTEST:



SECRETARY OF STATE

