

2025 HOUSE JUDICIARY

HB 1209

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1209
1/21/2025

A BILL for an Act to provide an appropriation to the attorney general for purposes of conducting a foreign adversaries threat assessment; to provide for a legislative management report; and to declare an emergency.

9:01 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Hoverson, Johnston, McLeod, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representatives Henderson and Olson

Discussion Topics:

- Public safety
- Allocation of appropriation funds
- Homeland Security involvement with the bill
- Legislative management report contents
- Security of classified reports

9:02 a.m. Representative Jeff Hoverson, North Dakota Representative for District 3, introduced the bill.

9:10 a.m. Al Dohrmann, Governor Armstrong's Chief Operating Officer, testified neutrally.

9:26 a.m. Derren Hansen, Homeland Security Director at the Department of Emergency Services, testified neutrally.

Additional Testimony:

Representative SuAnn Olson, North Dakota Representative for District 8, submitted testimony in favor #30246, # 30434, #30435, and #30436.

9:38 a.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

25.0393.02001
Title.

Prepared by the Legislative Council
staff for Representative S. Olson
January 20, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1209

Introduced by

Representatives S. Olson, Frelich, Marschall, Osowski, Rohr, Hoverson, Motschenbacher

Senators Enget, Paulson, Weston

1 A BILL for an Act to provide an appropriation to the ~~attorney-general~~department of emergency
2 services for purposes of conducting a foreign adversaries threat assessment; to provide for a
3 legislative management report; and to declare an emergency.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 SECTION 1. APPROPRIATION - GENERAL FUND - ~~ATTORNEY~~
6 ~~GENERAL~~DEPARTMENT OF EMERGENCY SERVICES - FOREIGN ADVERSARY THREAT
7 ASSESSMENT - REPORT - ONE-TIME FUNDING - LEGISLATIVE MANAGEMENT REPORT.

8 1. For the biennium beginning July 1, 2025, and ending June 30, 2027, there is
9 appropriated out of any moneys in the general fund in the state treasury, not otherwise
10 appropriated, the sum of ~~\$3,200,000~~\$500,000, or so much of the sum as may be
11 necessary, to the ~~attorney-general for the purpose of contracting with a~~
12 ~~consultant~~department of emergency services to perform a comprehensive assessment
13 of the state's vulnerabilities relating to security threats posed by foreign adversaries.
14 The funding provided in this subsection is considered a one-time funding item.

15 2. The ~~consultant~~department of emergency services shall:
16 a. Identify sectors and industries most vulnerable to foreign adversarial influence,
17 including critical infrastructure, technology, agriculture, energy, and academia;
18 b. Assess foreign adversarial influence beyond land acquisition, including strategic
19 investments, partnerships, and other forms of economic, educational, and
20 political influence;

- 1 c. Evaluate existing investments and activities to determine compliance with
- 2 federal, state, and local laws;
- 3 d. Identify sectors in which foreign adversarial influence is often unmonitored or
- 4 under reported; and
- 5 e. Propose broad mitigation strategies relating to identified risks and vulnerabilities
- 6 to enhance the state's ability to manage foreign adversarial influence while
- 7 supporting economic growth and security.
- 8 3. By July 1, 2026, the ~~consultant shall provide a written report to the attorney-~~
- 9 ~~general~~department of emergency services shall produce a written report outlining its
- 10 findings and recommendations. The report must:
- 11 a. Provide a detailed analysis of the foreign adversary threats and vulnerabilities
- 12 specific to the state;
- 13 b. Identify critical risks across sectors, including infrastructure, security, academia,
- 14 and economic investments;
- 15 c. Provide sector specific mitigation recommendations designed to reduce
- 16 vulnerabilities in infrastructure, academic institutions, economic investments, and
- 17 other prominent sectors in the state; and
- 18 d. Include a proposal providing for the establishment of a state intelligence unit and
- 19 the structure, roles, and operational procedures required for continuous
- 20 monitoring of foreign adversary threats by the state intelligence unit.
- 21 4. Before September 1, 2026, the ~~attorney-general~~department of emergency services
- 22 shall present the findings and recommendations provided in the report under
- 23 subsection 3, and any proposed legislation necessary to implement the
- 24 recommendations, to the legislative management.

25 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.

FOR IMMEDIATE RELEASE**January 10, 2025****Statement to North Dakota Legislators from Joan Sammon**

As I begin, I would like to thank Chairman Beltz and members of the Agriculture and Natural Resources Committee for permitting me to provide insights and information that may provide valuable insight as you consider the legislative measures outlined in Senate Bill 2026.

I want to further acknowledge my appreciation to Congresswoman Olson for her interest in better understanding the threats foreign adversaries represent to our country, and finally, Ag Commissioner, Doug Goehring for his seemingly boundless knowledge and invaluable insights specific to North Dakota's agricultural and energy-producing prowess and their national security significance.

My name is Joan Sammon. I am delighted to be speaking to you today. I called Williston home for many years as I helped the early generations of Bakken oil and gas operators and service providers solve an array of business challenges. While living in North Dakota, I learned much from my colleagues in the energy sector and made lifelong friendships.

I am the Founder of OG-360, a boutique business advisory firm, and more presciently, the Founder of a private intelligence company with expertise in China.---Led by former intelligence community analysts and operators whose expertise was honed by their decades working in three-letter agencies (Federal Bureau of Investigation (FBI) and the National Security Agency (NSA)). Our team also includes experts from units within the US

Special Operations Command, including Special Forces (Rangers and Green Berets), and other veteran intelligence and technology experts with advanced expertise and understanding specific to the threat posed by China.

My path to understanding the threat of China as a foreign adversary has been unconventional. In the face of the COVID-19 attack and having previously worked in the pharmaceutical industry, it was immediately apparent that there was discontinuity in the response to and messaging around the virus's origins. China obfuscated, and the World Health Organization (WHO) feigned incompetence. Censorship was pervasive, and misinformation was an obvious manipulation. Little did most know at that time --- but the world was experiencing the results of a biological attack using a pathogen that, according to sources, is one of 29 engineered viruses that currently make up China's biological warfare arsenal. Beginning with the initial release and continuing through China's three-year lockdown, our understanding evolved to what is now understood: it was all part of China's war for global dominance that you will come to understand as "Unrestricted Warfare."

My knowledge of the geo-political threat of China, stridently demonstrated during COVID led me to meeting with a WHO virologist from the WHO H-5 reference laboratory at the University of Hong Kong. The CCP had tried to kill her to prevent her from revealing the elements of the virus that had been manipulated. Fleeing Hong Kong in April 2020, she arrived in the U.S. and was met by the FBI, DHS and others from the intelligence community and law enforcement assets. After a lengthy discussion and interview, they

deemed her credible and permitted her entry into the country, and escorted her to her final destination on the east coast.

In 2021, I began the process of introducing her and other Chinese ex-pats with knowledge of “Unrestricted Warfare” tactics to Members of the United States Congress and/or their staff so that Members could come to understand COVID as part of China’s “Unrestricted Warfare” strategy. I knew that once they understood the dynamics of Unrestricted Warfare, they would be better equipped to develop policies that matched the complex threat China represents.

Since then, the ex-pats have been instrumental in articulating the nature of China’s tactics and their ultimate strategic objective. Chinese agents continue to hunt them inside our country in defiance of all international law, demonstrating the impact of their work. It has been so decisive that as of this moment, China’s Ministry of State Security (MSS) has the virologist and some of her colleagues on a ‘kill list.’ They all live in hiding as they continue to warn America of this ominous threat.

Because I spent the early years of Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF) working with combat veterans contending with the then ill-understood and underfunded consequence of combat-related post-traumatic stress, I was able to establish a network of experienced combat operators that understood the consequence of not knowing one’s enemy. This was further reinforced during training I attended in Israel, which sought to train first responders and the military in the counter-terrorism tactics Israel had perfected after decades of threats within their own country during the first and

second Intifadas. October 7 was an unfortunate reminder of the need to continually adapt to the evolution of one's enemies. After twenty years focused on the Islamist threat, we must now rapidly adapt to the newly recognized enemy China represents.

I want to underscore today that while there are many foreign adversaries including Iran and Russia, my comments today largely, though not exclusively, pertain to China. The purpose of this statement is to provide insight into how the Chinese Communist Party's (CCP's) influence and ambitions are undermining America through what China historically referred to as the "People's War," but that in contemporary times has become known as "Unrestricted Warfare."

As is well documented, China has been working for decades to build its economic and military capacity in an effort to achieve its stated objective of global dominance by 2035. In only 30 years, China has gone from being a potential threat to America to being an imminent threat—politically, economically, and militarily.

To understand the complexity of the effort, it is essential to understand the pillars that buttress the CCP and its "Unrestricted Warfare" strategy. In combination, these pillars increase the CCP's strategic reach and tactical agility, amplifying its influence, strength, and control in economics, technology, space, and warfare.

Initially rooted in the theories of Mao Zedong, this strategy is based on the idea that the strength of the Chinese people, can be harnessed to wage a prolonged struggle against superior forces---especially in the context of asymmetrical warfare. The "People's War" involved the active participation of the entire population, including civilians, in supporting

the war effort. The idea is to mobilize all segments of society, from soldiers to farmers and from workers to academics--- creating a broad-based and resilient force capable of engaging in guerrilla tactics and resisting a conventional superior military force. In the “People’s War”, citizens from any station of society become a critical force for both resistance and logistical support, even when the military is not directly involved in combat.

The modern evolution of this concept is known as “Unrestricted Warfare”. Described as a war “without limits,” it doesn’t pertain to breaching boundaries as much as to expanding them. It represents a more multifaceted strategy that seeks to exploit all avenues of power, blending military with non-military tools, to weaken or defeat an adversary, irrespective of traditional limitations in warfare. Everything becomes a potential weapon and every citizen a potential warrior. From military, economic, political, and cyber, to legal and media (propaganda and censorship), it involves not just military engagement but also economic warfare (think supply chain manipulation), information warfare, biological warfare, and cyber warfare. It involves manipulating and exploiting a country’s legal system, civil society, and democratic institutions. It adapts to the advances in technology, and the interconnectivity of economies and countries, and the complexity of modern warfare.

The concept of “Unrestricted Warfare” can be broadly articulated by describing three pillars.

- **Pillar One: Military-Civil Fusion—**

This refers to using civilian fronts as cover for work being done on behalf of the military and CCP inside and outside China.

A recent example involves China's military preparing for war against Taiwan. The PLA has outfitted civilian fishing vessels with military equipment installed to deceive Taiwan and its ally, the U.S.. They know that international law prohibits militaries from attacking civilian vessels.

- **Pillar Two: Medical and Academic Research:** Medical and academic research often serves as an entry point for CCP agents abroad. They seek friendly collaboration but have the same nefarious motives as military scientists.

The CCP leverages the infiltrated professional networks at U.S. universities and private biotech labs using inducements in research attribution, achievement awards, grants, and capital investment. These become the often-subtle levers of corruption within the U.S. research and private biotech communities. This insidious tactic has corrupted the independence of researchers, medical doctors, and private biotech companies.

- **Pillar Three: Mis-Information and Censorship**

Whether using the Hate Speech Engineering team at Facebook or TikTok as a weaponized social media platform--- manipulation of one's understanding of events and ideas diminishes individual liberty and, over time, will weaken a society. As we have seen, Tik Tok has caused a generation of young people distraction, at best and great mental and emotional harm at worst. Their access to facial recognition data and the data from leakage from one's cell phones has proven another outcome designed into the seemingly innocuous platform.

But, by developing an understanding of the complexity of these strategic objectives and related tactics each of you will inevitably draft and pass more thoughtful and impactful legislative

initiatives. This understanding of China will inform your efforts and better protect North Dakota's citizens, economy, infrastructure, and long-term security--- and by extension, that of the United States.

North Dakota represents a multifaceted target whose strategic importance supersedes its population because of its agricultural and energy production, UAV technology programs, biotech industry, and myriad military sites. Any effort you make to protect the state from China's ill-intentions and dangers will inevitably also impact the broader security of the country.

Food production is a vital element to U.S. national security--- North Dakota's ability to produce specifically positions state leaders as powerful voices for the rest of the ag-producing country.

With over 54 different commercial commodities and 13 micro-climates representing different soil types, which are ideal for different commodities, it should not be lost on any member here that North Dakota represents a unique and important target for foreign adversaries like China.

The idea that I am using the phrase "Unrestricted War" may be alarming to many of you. But understanding that not wanting war, or not liking war does not preclude one's adversary from never-the-less declaring and engaging in war against them.

One begins to understand the scale of the CCP's "Unrestricted Warfare" initiatives by studying their own documents and statements.

One such document from 2015, authored by Chinese scientists, public health officials and members of the PLA entitled, "*The Unnatural Origin of SARS and New Species of Man-Made Viruses as Genetic Bioweapons*"¹, predicts that World War Three would be fought with

¹ <https://www.news.com.au/world/coronavirus/leaked-chinese-document-reveals-a-sinister-plan-to-unleash-coronaviruses/news-story/53674e8108ad5a655e07e990daa85465>

biological weapons. Having lived through the COVID-19 pandemic from which 7 million people died globally, one must take seriously the authors description of efforts to develop bioweapons designed also to destroy America's livestock and crops.

Then, in a 2019 broadcast on China's state-run news agency, CCT, the announcer asserts that a "People's War" had begun in response to then-President Trump's tariffs on some Chinese goods.

Finally, on May 14, 2022, the Guangdong Provincial Party Committee convened an extended meeting of the Standing Committee after receiving the National Mobilization Order and peacetime to wartime transition Instructions. Provincial government and military leadership attended. A recording² of the meetings was surreptitiously shuttled out of the country and is now open source. One leader is heard saying,

"Comrades, strategic decision-making is critical to the great cause of national rejuvenation, to the future and destiny of the country, and to influencing the global strategic landscape. Implementing the transition from peacetime to wartime is a key measure for winning the nation's overall war, the general political war, and the people's war in the new era [Referring to Unrestricted War]. It must be prioritized and carried out effectively."

² <https://youtu.be/WUDKWh0QQn0>

(同志们，战略决胜，事关民族复兴伟业，关乎国家前途命运，影响世界战略格局，实施平战转换，是打赢国家总体战，全局政治战，和新时代人民战争的关键之举，必须抓紧抓好。)

Meanwhile, sources along the border now indicate that there are 3700 command-level members of the People's Liberation Army inside the U.S... As of April 2024--- 24,376 Chinese nationals had been encountered at the Southwest border--- 24,214 were apprehended while illegally crossing the border. Encounters of Chinese nationals in March 2024 increased by over 8,000 percent compared to March 2021. Just over a year later, the CCP moved from peacetime to wartime footing. How many more military-aged Chinese men have illegally crossed into our country since then? March 2024 also marked a historic high for encounters along the busiest sector of the *northern* border, the Swanton Sector, which saw a nearly 50-percent increase compared to March 2023 and more than a 2,000-percent increase compared to March of FY21. More than 1,000 Chinese nationals have crossed the northern border every month for the past five months.³

I hope you will consider what I have shared today and then act upon what you learn... each of you in a way that maximizes your expertise, unique knowledge, and particular area of focus for protecting North Dakota and the security of America.

³ <https://homeland.house.gov/2024/04/18/startling-stats-factsheet-encounters-of-chinese-nationals-surpass-all-fiscal-year-2023-at-the-southwest-border/>

As you consider foreign adversary legislation this session, it is vitally important that you understand that the CCP has the intention to harm America -----They have the capability to harm America--- and they are already here... inside America and in North Dakota. Only through your decisive action to understand the complexity of their tactics will their “Unrestricted War” be blunted and their efforts be neutralized in North Dakota and throughout the country.

Thank you.

Written Testimony:

Michelle Humphrey, Executive Vice President of Analysis
Servius Group LLC
Presented to the North Dakota Legislature
January 21, 2025



Addressing Foreign Ownership and Influence: A Proactive Strategic Approach

Good morning, esteemed members of the North Dakota Legislature,

Thank you for the opportunity to provide testimony on this critical issue. Foreign ownership and influence pose complex challenges requiring vigilance and proactive measures. My testimony today will address the scope of these threats, particularly from adversaries like China, and outline recommendations for safeguarding North Dakota's industries, infrastructure, and institutions. I currently serve as Executive Vice President of Analysis for the Servius Group. My background includes senior intelligence analyst positions at the FBI Counterintelligence Division with a focus on China and Russian mission sets, as well as roles at the Department of Homeland Security (DHS) Counterintelligence Division, DHS/ICE, and as an advisor to senior, flag-level leadership in the Department of Defense at the Pentagon and U.S. Indo-Pacific Command (INDOPACOM).

The Complex Nature of Foreign Influence in North Dakota

China's "whole-of-society" approach integrates economic, political, cultural, and military tools to achieve long-term strategic objectives. These operations go far beyond visible actions like land purchases; they aim to infiltrate local economies, institutions, and decision-making systems over time.

Why North Dakota is an Attractive Target

North Dakota's critical industries—agriculture, energy, and infrastructure—make it a prime target for foreign influence. The state's agricultural exports, such as soybeans, are vital to global markets, while its energy reserves and infrastructure are essential to U.S. energy independence.

These sectors are of strategic interest to adversaries seeking to:

- Gain control over agricultural production or supply chains.
- Influence energy development projects to align with their strategic objectives.
- Establish partnerships or investments that provide access to decision-making networks and critical systems.
-

While HB 1135 and SB 2371 legislation addresses foreign land ownership, foreign influence often operates subtly. Partnerships, academic collaborations, and investments that seem benign

can serve broader strategic goals. **For adversaries, even a failed land purchase is not a total loss; the relationships built, intelligence gathered, and insights into decision-making processes can be just as valuable, if not more so, than the acquisition itself.**

Cultural Context: China's Strategic Philosophy

Its cultural principles deeply inform China's strategies, prioritizing influence-building over confrontation. Central to this approach are:

- Guanxi (Relationships): Building reciprocal networks to establish pathways for influence.
- Shi (Positional Advantage): Securing incremental advantages within networks to shape outcomes indirectly.
- Qi (Dynamic Energy): Aligning systems to maintain harmony and sustain influence.
-

These principles guide how China embeds itself into local systems through infrastructure investments, business partnerships, and cultural diplomacy.

Similarly, understanding China's decision-making processes and cultural frameworks is essential for countering its influence. Without this insight, the ability to stay "left of launch" and anticipate actions is significantly diminished, leaving only reactive measures.

Case Study: The Belt and Road Initiative (BRI)

China's BRI exemplifies its strategy of embedding influence through infrastructure investments. While it appears to focus on building ports, highways, and pipelines, its true objective is to create dependencies, embedding China within the target regions' political, economic, and social frameworks.

For example, the Alaska LNG Project demonstrates how China uses investments to build influence in Alaska. Beyond economic benefits, China engaged with Native American tribes, scientific institutions, and other stakeholders, creating networks that shape future decision-making.

This approach is not unique to Alaska. Across Africa, Asia, and Europe, China's influence strategies reveal a pattern: targeting vulnerabilities and embedding within systems for long-term control. North Dakota must consider itself as its own entity within this global strategy. China will approach the state differently than it approaches other regions in the U.S., adapting its methods to the state's unique industries and resources.

Assessing North Dakota's Vulnerabilities

Effectively assessing North Dakota's threat landscape requires expertise across cultural, strategic, and operational domains:

1. Cultural Understanding
 - Recognize the philosophical underpinnings of adversarial strategies, such as *guanxi*, *shi*, and *qi*, to uncover deeper motivations.

2. Strategic Insight
 - Identify how North Dakota’s industries fit into adversaries’ long-term objectives, such as leveraging agriculture and energy resources to create global dependencies.
3. Operational Context
 - Map how visible actions, like investments or partnerships, align with broader strategic goals and reveal vulnerabilities in local systems.

A comprehensive assessment must illuminate:

- Vulnerable industries, such as agriculture, energy, and technology.
- Decision-making networks that adversaries may exploit.
- Patterns of engagement that indicate long-term influence-building efforts.

This level of analysis requires advanced expertise in counterintelligence, cultural analysis, and strategic risk assessment—capabilities beyond traditional state-level resources.

Recommendation for North Dakota

Proactive Monitoring and Assessment

The first step for North Dakota is to conduct a comprehensive threat and vulnerability assessment that examines the entirety of the risks posed to the state. This assessment must account for internal vulnerabilities—critical industries, infrastructure, and decision-making networks—and the state’s broader role within the United States, including its connections to agriculture, energy, and the Department of Defense (DoD). For example, North Dakota’s agricultural exports play a pivotal role in global supply chains, making the state a target for adversaries seeking to manipulate markets or establish dependencies. Similarly, its contributions to national security, such as hosting critical infrastructure that supports DoD operations, position it as a strategic interest for adversaries looking to exploit weaknesses at the state level.

This level of analysis goes beyond traditional state-level assessments. As the *China Deep Dive* report from the House Permanent Select Committee on Intelligence notes, “The Committee’s central finding of this report is that the United States’ intelligence community has not sufficiently adapted to a changing geopolitical and technological environment increasingly shaped by a rising China and the growing importance of interlocking non-military transnational threats.” The report underscores that absent a significant realignment of resources, the federal government alone cannot address the full scope of the challenges posed by adversaries like China. This means that states like North Dakota must be prepared to proactively identify and mitigate these threats at the local and regional levels, as the federal government is not equipped to manage these vulnerabilities comprehensively.

By establishing a state-based framework for threat monitoring and vulnerability assessment, North Dakota can ensure it is safeguarding its own industries and institutions and contributing to the resilience of the broader United States against foreign influence. This framework will enable the state to identify risks in real-time and develop targeted strategies to address both immediate and long-term challenges.

Conclusion: Why Servius Group is Uniquely Qualified to Help

Servius Group is uniquely positioned to support North Dakota in addressing these challenges. Our team brings decades of experience across counterintelligence, law enforcement, military operations, cognitive, social science, and strategic analysis. We have advised senior leaders at the U.S. Indo-Pacific Command (INDOPACOM) on countering foreign influence and hybrid warfare tactics, equipping them to understand and neutralize complex threats.

What sets us apart is our proactive methodology. We focus on identifying vulnerabilities "left of launch," addressing threats before they materialize rather than relying on reactive measures. By combining tactical monitoring with a deep understanding of adversaries' long-term objectives, we provide actionable insights that address both immediate risks and broader strategic goals. North Dakota has a unique opportunity to lead by example. By leveraging expertise like ours, the state can protect its future while serving as a national model of resilience and innovation.

Thank you for your attention and commitment to this important issue. I welcome your questions and the opportunity to support North Dakota in this effort.

HB 1209: Foreign Adversary Threat Assessment
Judiciary Committee
January 21, 2015
Testimony Provided by Rep. SuAnn Olson

Mr. Chairman and members of the committee, please note that HB 1209 is being presented with an amendment. A Christmas tree version of the amended bill and a final version as amended have been handed out.

The need for this bill evolved over time as I, and members of the interim ag committee, heard various testimonies regarding the threat posed by foreign adversaries, now referred to as "foreign countries of concern" by CFIUS (Committee on Foreign Investment in the US). The overriding theme from much of that testimony was that no single department of state government had the resources and skills to research and address the multiple ways our state can be threatened by foreign adversaries. Several members of the committee had discussions with contractors who have the security clearances and knowledge to conduct a study of the risks to North Dakota and the original bill would have required a study by contractors to conduct a deep threat assessment.

After Gov. Kelly Armstrong took office, he appointed newly retired Major General Alan Dohrmann as his Chief Operating Officer. This appointment brings new skills and oversight by the Governor's office that just wasn't possible before. The amended bill moves the responsibility for the assessment to the Department of Emergency Services which is reportable to the Governor. The requirements of the risk assessment remain the same while the cost is substantially reduced by keeping it in-house.

Section 1.1 of the bill allocates up to \$500,000 of general funds for a risk assessment to be conducted by the Department of Emergency Services.

Section 1.2 lists the requirements for the assessment.

Section 1.3 requires a written report outlining findings and recommendations by July 1, 2026.

Section 1.4 requires the Department of Emergency Services to present its findings and recommendations to legislative management by September 1, 2026.

Members of the committee, North Dakota is a high-value target for our adversaries. We are an agriculture, energy and military powerhouse. All three of these areas are important to national security as well as to North Dakota's security. Knowing where vulnerabilities are is the first step in creating good policy that addresses weaknesses. I urge you to pass HB 1209.

Thank you.

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

HB 1209
1/21/2025

A BILL for an Act to provide an appropriation to the attorney general for purposes of conducting a foreign adversaries threat assessment; to provide for a legislative management report; and to declare an emergency.

2:27 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Hoverson, McLeod, Olson, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representatives Henderson, Johnston, Satrom

Discussion Topics:

- Proposed changes to the bill
- Committee action

2:33 p.m. Representative Hoverson moved to Adopt Amendment LC: 25.0393.02002

2:33 p.m. Representative Vanwinkle seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	A
Representative Jeff Hoverson	Y
Representative Daniel Johnston	A
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	A
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

2:34 p.m. Motion passed 11-0-3.

2:35 p.m. Representative Tveit moved a Do Pass as Amended.

2:35 p.m. Representative Vanwinkle seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	A
Representative Jeff Hoverson	Y
Representative Daniel Johnston	A
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	A
Representative Mary Schneider	Y
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

2:36 p.m. Motion passed 11-0-3.

2:36 p.m. Representative Schneider will carry the bill.

2:38 p.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

January 21, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

*Jm 1-21-25
1 of 2*

HOUSE BILL NO. 1209

Introduced by

Representatives S. Olson, Frelich, Marschall, Osowski, Rohr, Hoverson, Motschenbacher

Senators Enget, Paulson, Weston

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3 ~~declare an emergency.~~

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6 **GENERAL DEPARTMENT OF EMERGENCY SERVICES - FOREIGN ADVERSARY THREAT**
7 **ASSESSMENT - REPORT - ONE-TIME FUNDING - LEGISLATIVE MANAGEMENT REPORT.**

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10 ~~appropriated, the sum of \$3,200,000, or so much of the sum as may be necessary, to~~
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12 ~~comprehensive assessment of the state's vulnerabilities relating to security threats~~
13 ~~posed by foreign adversaries. The funding provided in this subsection is considered a~~
14 ~~one-time funding item.~~

15 ~~2.~~ The ~~consultant~~ department of emergency services shall:

- 16 a. Identify sectors and industries most vulnerable to foreign adversarial influence,
17 including critical infrastructure, technology, agriculture, energy, and academia;
18 b. Assess foreign adversarial influence beyond land acquisition, including strategic
19 investments, partnerships, and other forms of economic, educational, and
20 political influence;

- 1 c. Evaluate existing investments and activities to determine compliance with
- 2 federal, state, and local laws;
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- 4 under reported; and
- 5 e. Propose broad mitigation strategies relating to identified risks and vulnerabilities
- 6 to enhance the state's ability to manage foreign adversarial influence while
- 7 supporting economic growth and security.

8 ~~3.2.~~ By July 1, 2026, the ~~consultant~~ department of emergency services shall

9 ~~provide~~ produce a written report ~~to the attorney general~~ outlining its findings and

10 recommendations. The report must:

- 11 a. Provide a detailed analysis of the foreign adversary threats and vulnerabilities
- 12 specific to the state;
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- 14 and economic investments;
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- 16 vulnerabilities in infrastructure, academic institutions, economic investments, and
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- 18 d. Include a proposal providing for the establishment of a state intelligence unit and
- 19 the structure, roles, and operational procedures required for continuous
- 20 monitoring of foreign adversary threats by the state intelligence unit.

21 ~~4.3.~~ Before September 1, 2026, the ~~attorney general~~ department of emergency services

22 shall present the ~~findings and~~ recommendations ~~provided~~ in the report under

23 subsection ~~3.2~~, and any proposed legislation necessary to implement the

24 recommendations, to the legislative management. The findings in the report must

25 remain in the exclusive possession and under the control of the department of

26 emergency services and is an exempt record under chapter 44-04.

27 **~~SECTION 2. EMERGENCY.~~** ~~This Act is declared to be an emergency measure.~~

**REPORT OF STANDING COMMITTEE
HB 1209**

Judiciary Committee (Rep. Klemin, Chairman) recommends **AMENDMENTS** ([25.0393.02002](#)) and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1209 was placed on the Sixth order on the calendar.

2025 SENATE STATE AND LOCAL GOVERNMENT

HB 1209

2025 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee Room JW216, State Capitol

HB 1209
4/3/2025

Provide for a legislative management report.
--

3:20 p.m. Vice Chairman Castaneda called the hearing to order.

Members Present: Vice Chair Castaneda; Senators: Barta, Braunberger, Lee and Walen.

Members Absent: Chair Roers

Discussion Topics:

- Strike "one time funding"
- Foreign adversary threat assessment
- Department of Emergency Services
- Agriculture, energy and military powerhouse

3:20 p.m. Representative S. Olson, District #8, introduced the bill and submitted testimony #44632.

3:28 p.m. Al Dohrmann, Chief Operating Officer Governor's office, testified neutral.

3:40 p.m. Senator Walen moved to adopt amendment LC #25.0393.03001.

3:40 p.m. Senator Barta seconded the motion.

Senators	Vote
Senator Kristin Roers	AB
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Judy Lee	Y
Senator Chuck Walen	Y

Motion Passed 5-0-1

3:42 p.m. Senator Walen moved Do Pass as amended.

3:42 p.m. Senator Barta seconded the motion.

Senators	Vote
Senator Kristin Roers	AB
Senator Jose L. Castaneda	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	N
Senator Judy Lee	N

Senator Chuck Walen	Y
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Motion Passed 3-2-1

Senator Barta will carry the bill.

3:45 p.m. Vice Chairman Castaneda closed the hearing.

Susan Helbling, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

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4/3/25
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ENGROSSED HOUSE BILL NO. 1209

Introduced by

Representatives S. Olson, Frelich, Marschall, Osowski, Rohr, Hoverson, Motschenbacher
Senators Enget, Paulson, Weston

1 A BILL for an Act to provide for a legislative management report relating to a foreign adversary
2 threat assessment conducted by the department of emergency services.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. DEPARTMENT OF EMERGENCY SERVICES - FOREIGN ADVERSARY**
5 **THREAT ASSESSMENT - REPORT - ~~ONE-TIME FUNDING~~ - LEGISLATIVE MANAGEMENT**
6 **REPORT.**

- 7 1. The department of emergency services shall:
- 8 a. Identify sectors and industries most vulnerable to foreign adversarial influence,
9 including critical infrastructure, technology, agriculture, energy, and academia;
- 10 b. Assess foreign adversarial influence beyond land acquisition, including strategic
11 investments, partnerships, and other forms of economic, educational, and
12 political influence;
- 13 c. Evaluate existing investments and activities to determine compliance with
14 federal, state, and local laws;
- 15 d. Identify sectors in which foreign adversarial influence is often unmonitored or
16 under reported; and
- 17 e. Propose broad mitigation strategies relating to identified risks and vulnerabilities
18 to enhance the state's ability to manage foreign adversarial influence while
19 supporting economic growth and security.

- 1 2. By July 1, 2026, the department of emergency services shall produce a written report
2 outlining its findings and recommendations. The report must:
 - 3 a. Provide a detailed analysis of the foreign adversary threats and vulnerabilities
4 specific to the state;
 - 5 b. Identify critical risks across sectors, including infrastructure, security, academia,
6 and economic investments;
 - 7 c. Provide sector specific mitigation recommendations designed to reduce
8 vulnerabilities in infrastructure, academic institutions, economic investments, and
9 other prominent sectors in the state; and
 - 10 d. Include a proposal providing for the establishment of a state intelligence unit and
11 the structure, roles, and operational procedures required for continuous
12 monitoring of foreign adversary threats by the state intelligence unit.
- 13 3. Before September 1, 2026, the department of emergency services shall present the
14 recommendations in the report under subsection 2, and any proposed legislation
15 necessary to implement the recommendations, to the legislative management. The
16 findings in the report must remain in the exclusive possession and under the control of
17 the department of emergency services and is an exempt record under chapter 44-04.

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1209**

State and Local Government Committee (Sen. Roers, Chairman) recommends **AMENDMENTS (25.0393.03001)** and when so amended, recommends **DO PASS** (3 YEAS, 2 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1209 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

HB 1209: Foreign Adversary Threat Assessment
Senate State and Local Government Committee
April 3 , 2025
Testimony Provided by Rep. SuAnn Olson

Madam Chairwoman and members of the committee, please note that HB 1209 is being presented with an amendment that is more of a technical correction. On the House side, the money was taken out of the bill so the words, "ONE-TIME FUNDING" on page 1, line 4, should have been removed as well.

The need for this bill evolved over time as I, and members of the interim ag committee, heard various testimonies regarding the threat posed by foreign adversaries, now referred to as "foreign countries of concern" by CFIUS (Committee on Foreign Investment in the US). The overriding theme from much of that testimony was that no single department of state government had the resources and skills to research and address the multiple ways our state can be threatened by foreign adversaries. Several members of the committee had discussions with contractors who have the security clearances and knowledge to conduct a study of the risks to North Dakota and the original bill would have required a study by contractors to conduct a deep threat assessment.

After Gov. Kelly Armstrong took office, he appointed newly retired Major General Alan Dohrmann as his Chief Operating Officer. This appointment brings new skills and oversight by the Governor's office that just wasn't possible before. I worked with the Governor's office on the bill and the amendments on the House side were provided by the Governor's office. The responsibility for the very same deep threat assessment that the original bill called for is now being assigned to the Department of Emergency Services which is reportable to the Governor. Major General Dohrmann thinks that the study can be accomplished inside their current budget so there is no fiscal note.

Section 1.1 of the bill lists five items that the Department of Emergency Services will look at in their risk assessment.

Section 1.2 requires a written report outlining findings and recommendations that must be completed by July 1, 2026.

Section 1.3 requires the Department of Emergency Services to present its findings and recommendations to legislative management by September 1, 2026.

Members of the committee, North Dakota is a high-value target for our adversaries. We are an agriculture, energy and military powerhouse. All three of these areas are important to national security as well as to North Dakota's security. Knowing where vulnerabilities are is the first step in creating good policy that addresses weaknesses. I urge you to pass HB 1209.

Thank you.

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

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