

118TH CONGRESS
1ST SESSION

H. RES. 50

Recognizing that article I, section 10 of the United States Constitution explicitly reserves to the States the sovereign power to repel an invasion and defend their citizenry from the overwhelming and “imminent danger” posed by paramilitary, narco-terrorist cartels, terrorists and criminal actors who have seized control of our southern border.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2023

Mr. ARRINGTON (for himself, Mr. BABIN, Mr. BANKS, Mr. GOODEN of Texas, Mr. BURGESS, Mr. MURPHY, and Mr. WEBER of Texas) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Recognizing that article I, section 10 of the United States Constitution explicitly reserves to the States the sovereign power to repel an invasion and defend their citizenry from the overwhelming and “imminent danger” posed by paramilitary, narco-terrorist cartels, terrorists and criminal actors who have seized control of our southern border.

Whereas the Preamble to the United States Constitution outlines the chief responsibility of the Federal Government is to “insure domestic tranquility” and “provide for the common defense”;

Whereas article IV, section 4 of the United States Constitution clearly states “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion”;

Whereas President Biden has continuously failed to uphold his oath and fulfill his constitutional duty to “faithfully execute” the laws of the land;

Whereas, since President Biden took office, we have seen recordbreaking apprehensions at the southern border;

Whereas monthly apprehensions have exceeded 200,000 for numerous months and continue to increase month over month, eclipsing all-time records for apprehensions at the southern border;

Whereas border States spend hundreds of millions of dollars annually on the provision of healthcare, housing, education, and other services for illegal aliens;

Whereas those being apprehended have come from over 160 nations, including many individuals on the terrorist watch list;

Whereas thousands of criminal offenses have been committed by illegal immigrants, including assault, homicide, illegal drug and contraband possession, trafficking, and sexual offenses;

Whereas criminal offenses committed by illegal immigrants have increased one hundred plus percent year over year;

Whereas arrests of illegal immigrants convicted of sex offenses has increased one thousand plus percent year over year according to Customs and Border Protection;

Whereas authorities have seized thousands of pounds of fentanyl—enough to kill every American multiple times over;

Whereas the United States has a drug epidemic whereby tens of thousands of Americans die every year and a little less than 100 percent of drugs, including heroin, methamphetamine, fentanyl, and cocaine, are smuggled across the southern border;

Whereas migrant women and children, who represent an increasing number of crossings and face a high risk of sexual assault and trafficking, are abused, raped, tortured, enslaved and trafficked as a result of the Biden administration’s failure to secure our southern Border;

Whereas attempted crossings by, and apprehensions of, illegal immigrant criminals on the FBI’s terror watchlist have increased exponentially year over year, and even more illegal immigrant criminals and terrorists may have slipped across the border without detection—the “gotaways”;

Whereas cartels act as paramilitary, narco-terrorist organizations that profit from trafficking people and drugs across the southern border into the United States;

Whereas Customs and Border Protection agents have confirmed that cartels facilitate and profit from virtually every illegal border crossing;

Whereas the Biden administration has repeatedly removed effective measures that have reduced illegal immigration and secured the border, including Migrant Protection Protocols policy, remain in Mexico, a halt on border wall construction, a reinstatement of “catch and release”, a weakening of asylum requirements, and countless other

policy decisions that encourage a disregard for our laws and sovereignty and embolden cartels;

Whereas States along our southern border—Texas, New Mexico, Arizona, and California—are forced to spend billions of their own taxpayer dollars to address and combat the devastation resulting from an unsecured southern border;

Whereas State and local law enforcement entities are overwhelmed by dangerous criminal activities associated with illegal border crossings, putting officers and their communities in danger while draining local resources; and

Whereas the quality of life and security of communities in border States, along with every other State in the U.S., are being threatened, including ranchers suffering from stolen and damaged property, healthcare providers with strained capacity, and educators struggling to absorb the high volume of migrant children in classrooms: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) declares and finds as a matter of fact any
3 State within the United States has the sovereign
4 right to exclude from the sovereign’s territory any
5 person who does not have the right to be there;

6 (2) declares and finds as a matter of fact the
7 States at our southern border, including Texas, New
8 Mexico, Arizona, and California, are being invaded
9 or are in such imminent danger from paramilitary,
10 narco-terrorist cartels, terrorists and criminal actors
11 as will not admit delay as stated in article I, section

1 10 of the United States Constitution and those
2 States have the sovereign and unilateral authority
3 pursuant to article I, section 10 of the United States
4 Constitution to defend themselves against the inva-
5 sion or imminent danger by paramilitary, narco-ter-
6 rorist cartels, terrorists and criminal actors;

7 (3) declares and finds as a matter of fact the
8 United States has failed to protect the aforemen-
9 tioned States at our southern border against inva-
10 sion pursuant to article IV, section 4 of the United
11 States Constitution or to “ensure domestic tran-
12 quility”, “provide for the common defense”, and
13 “execute the laws” of the United States; and

14 (4) declares and finds as a matter of fact the
15 Biden administration has failed to faithfully execute
16 the laws of the United States and to defend and pro-
17 tect the aforementioned States on the southern bor-
18 der against invasion or imminent danger.

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