

BILL ANALYSIS

H.C.R. 194
By: Swinford
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The federal government's failure to secure the border and enforce immigration laws has placed the burden of controlling the Texas-Mexico border and funding the costs of illegal immigration on the State of Texas and local governments. Although border security is a federal responsibility, the federal government has abdicated this important duty, leaving the Texas-Mexico border unsecured, unprotected, and vulnerable to exploitation by terrorists and criminal organizations. An unsecured and unprotected border provides a safe haven for drug traffickers, human smugglers, and the growing sex slave industry; terrorist groups have been known to use these criminal enterprises to facilitate terrorist activities and operations.

The federal government's inaction on illegal immigration is further demonstrated by its failures to create a guest worker program and to stimulate the Mexican economy, initiatives that would address the influx of illegal labor into this country; as a result, illegal immigration costs push the limits of state and local budgets. These costs are suffered at the local level through overcrowded schools, unpaid medical services at hospitals, the deterioration of once-thriving neighborhoods, and the depression of wages for hardworking domestic laborers; similarly, at the state level, budget writers must consider the impact of illegal immigration on the provision of state services.

Paragraph 2, Article VI, United States Constitution, establishes the U.S. Constitution, federal statutes, and U.S. treaties as "the supreme law of the land"; this "supremacy" clause preempts states from creating policies to reform immigration and border security law even if the federal government has neglected its duty to address these issues. States are increasingly burdened by the disingenuous methods and strategies used by the executive branch and the United States Congress to delay action on a fair and commonsense solution to illegal immigration and border security.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

HCR 194 provides that the 80th Legislature of the State of Texas hereby express dissatisfaction with the federal government's failure to secure the border and enforce immigration laws.

HCR 194 provides that the legislature hereby declares that the state will not support gamesmanship and deal-making as a substitute for an equitable and reasonable resolution to this important issue.