

1-1 By: Kolkhorst S.C.R. No. 23
1-2 (In the Senate - Filed March 6, 2023; March 9, 2023, read
1-3 first time and referred to Committee on Border Security;
1-4 April 11, 2023, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 11, 2023,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | <u>Yea</u> | <u>Nay</u> | <u>Absent</u> | <u>PNV</u> |
|------|-----------------|------------|---------------|------------|
| 1-8 | | | | |
| 1-9 | <u>Birdwell</u> | X | | |
| 1-10 | <u>Flores</u> | X | | |
| 1-11 | <u>Blanco</u> | X | | |
| 1-12 | <u>Hinojosa</u> | X | | |
| 1-13 | <u>King</u> | X | | |

1-14 COMMITTEE SUBSTITUTE FOR S.C.R. No. 23 By: Flores

1-15 SENATE CONCURRENT RESOLUTION

1-16 WHEREAS, The State of Texas and the United States federal
1-17 government have 1,254 miles of land to protect along Texas' border
1-18 with Mexico, a job that has become increasingly violent as this
1-19 state has been subjected to an invasion by foreign drug cartels; and

1-20 WHEREAS, These foreign drug cartels bring terror to Texas
1-21 communities by flooding the streets with deadly narcotics, forcing
1-22 women and children into human and sex trafficking, enriching
1-23 themselves on the misery and enslavement of Texans, and butchering
1-24 and murdering anyone who tries to stop them; and

1-25 WHEREAS, State and local law enforcement agencies are forced
1-26 to contend with extensive and dangerous criminal activity resulting
1-27 from, or associated with, foreign drug cartels, thereby putting
1-28 Texas law enforcement officials in danger and draining resources
1-29 away from protecting our communities; and

1-30 WHEREAS, The State of Texas has acted to address the problem
1-31 by adding hundreds of commissioned law enforcement officers to the
1-32 border, purchasing state-of-the-art helicopters, conducting border
1-33 security surge operations, and paying millions of dollars for
1-34 overtime, training, equipment, and technology for local law
1-35 enforcement; and

1-36 WHEREAS, Law enforcement agencies working together in Texas
1-37 have seized billions of dollars in illegal drugs and hundreds of
1-38 millions in cash, along with thousands of firearms and other
1-39 weapons, all related to the invasion of foreign drug cartels; and

1-40 WHEREAS, Texas has repeatedly asked the federal government to
1-41 send more border security resources to the state, requesting an
1-42 increase in manpower and authority for border patrol agents and
1-43 other federal personnel; and

1-44 WHEREAS, Texas prisons house violent offenders that claim
1-45 foreign citizenship, and the state bears the cost of housing and
1-46 prosecuting those offenders; and

1-47 WHEREAS, Texas taxpayers have spent billions compensating
1-48 for the lack of federal resources provided to the state; and

1-49 WHEREAS, The federal government's failure to develop a
1-50 comprehensive plan to address this border security problem puts an
1-51 unfair and unreasonable burden on the entire state, especially on
1-52 Texas border communities, in violation of Article IV, Section 4 of
1-53 the United States Constitution; and

1-54 WHEREAS, Under Article I, Section 10, Clause 3 of the United
1-55 States Constitution, Texas is entitled as a sovereign state of the
1-56 United States of America to protect itself against this current
1-57 foreign drug cartel invasion; this constitutional authority grants
1-58 the State of Texas the power to defend the state when the state has
1-59 been invaded or is "in such imminent Danger as will not admit of
1-60 delay"; and

1-61 WHEREAS, The governor, in a letter to the president of the

2-1 United States on November 16, 2022, invoked the authority under
2-2 Article I, Section 10, Clause 3 of the U.S. Constitution, to protect
2-3 the State of Texas; now, therefore, be it

2-4 RESOLVED, That the 88th Legislature of the State of Texas
2-5 hereby demand the federal government to immediately declare violent
2-6 foreign drug cartels as foreign terrorist organizations under
2-7 Section 219 of the Immigration and Nationality Act, 8 U.S.C. § 1189;
2-8 and, be it further

2-9 RESOLVED, That the Texas Legislature hereby find that the
2-10 State of Texas has been invaded by foreign drug cartels and that the
2-11 citizens of this state are in imminent danger of irreparable harm;
2-12 and, be it further

2-13 RESOLVED, That the Texas Legislature hereby encourage all
2-14 applicable state and local resources as needed, to use any and all
2-15 authority under Article I, Section 10, Clause 3 of the United States
2-16 Constitution to repel this violent foreign drug cartel invasion,
2-17 and that such authority should be invoked with the intention of
2-18 utilizing such authority in the most peaceful manner possible
2-19 consistent with bringing this invasion to a conclusion at the
2-20 earliest possible moment.

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