

HOUSE JOINT RESOLUTION 70

By VanHuss

A RESOLUTION to urge the President and Congress to take immediate action to protect citizens and lawful residents from the consequences resulting from the uncontrolled influx of undocumented immigrants into this country.

WHEREAS, the federal Department of Homeland Security has set forth in a report, entitled *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2011*, that the unauthorized immigrant population totaled 11.5 million in 2011; and

WHEREAS, the U.S. Customs and Border Protection agency apprehended 486,651 individuals crossing the borders of the United States in fiscal year 2014 alone; and

WHEREAS, the power to control immigration and naturalization is reserved to the federal government by the provisions of Article I, Section 8, of the United States Constitution, which tasks the legislative branch with establishing uniform rules of naturalization; and

WHEREAS, the explosive growth in numbers of illegal immigrants, including a substantial increase in unaccompanied alien children, over the past few years reflects a failure by the President of the United States, his administration, and the various members of Congress to implement procedures that adequately address this issue; and

WHEREAS, despite the lack of authority granted to the states to fully address the issue of illegal immigration, as evidenced by recent court decisions, including *Arizona v. United States*, 132 S. Ct. 2492 (2012), the costs of supporting illegal immigrants in this country continues to fall directly to the several states, and their counties and cities; and

WHEREAS, according to the complaint filed by several states against certain officials in the administration in charge of immigration enforcement, the Texas Department of Public Safety estimated that it was spending \$1.3 million per week on troopers and resources to deal with the

immigration surge, as well as deploying 1,000 National Guard troops to the border at a cost of \$38 million; and

WHEREAS, the Supreme Court of the United States has decreed in *Plyler v. Doe*, 102 S. Ct. 2382 (1982), that education cannot be denied even to those who have entered this country illegally; and

WHEREAS, Congress has likewise decreed that emergency medical care, pursuant to 8 U.S.C. §§ 1611 and 1621, cannot be denied even to those who have come here illegally; and

WHEREAS, this General Assembly is fully aware of the growing existence of illegal immigrants in the various counties of this State, including the 1,294 unaccompanied alien children released to sponsors in this State by the Office of Refugee Resettlement in fiscal year 2014; and

WHEREAS, the costs of illegal immigration present a significant financial burden to each state in the form of expenditures for education, criminal justice, and emergency medical care, a burden this State cannot absorb without jeopardizing the quality of life for its U.S. citizens and lawful immigrant population; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that even as the members of this General Assembly take decisive steps to address the issue of illegal immigration to the fullest extent of our powers, we strongly urge the President and the Congress of these United States to resolve this issue in a timely and efficient manner, to pass a comprehensive immigration policy that allows those wishing to immigrate to this country to do so only in a lawful manner, and to ensure that American society is not threatened by a decline in public safety, educational standards, medical accessibility, and the overall standard of living resulting from those who knowingly choose to enter this country in violation of the law.

BE IT FURTHER RESOLVED, that the President and the Congress of these United States include in any comprehensive immigration policy a revision to existing federal law that would favor U.S. citizens and lawful residents in receiving benefits such as health care,

education, and any other government benefits before offering any benefits to those individuals entering this country illegally.

BE IT FURTHER RESOLVED, that the President and the Congress of these United States incorporate into any comprehensive immigration policy a system in which the several states may be fully compensated by the federal government for any financial burdens that result from decisions made in Washington, D.C., with regard to illegal immigrants.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the President of the United States, the U.S. Secretary of Homeland Security, the Governor of the State of Tennessee, the Speaker and Clerk of the United States House of Representatives, the President and Secretary of the United States Senate, and each member of the Tennessee Congressional Delegation with this final clause omitted from such copy.