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(Original Signature of Member)

113TH CONGRESS
2D SESSION

H. RES.

Expressing the sense of the House of Representatives regarding the
President's responsibility to address the border crisis.

IN THE HOUSE OF REPRESENTATIVES

Mr. FRANKS of Arizona submitted the following resolution; which was referred
to the Committee on _____

RESOLUTION

Expressing the sense of the House of Representatives regard-
ing the President's responsibility to address the border
crisis.

Whereas the United States has a great tradition of welcoming
immigrants of all ethnicities, cultures, and backgrounds
under the rule of law;

Whereas under the Constitution of the United States, it is
the Congress that has plenary constitutional authority to
establish United States immigration policy;

Whereas the Obama Administration has sought unilaterally
to rewrite immigration laws passed by the Congress by
taking administrative action via policy memoranda;

Whereas the Obama Administration has sent a broad signal to unlawful immigrants that, once they enter the United States, they can remain here in violation of the law without consequence;

Whereas on June 15, 2012, the Obama Administration announced via executive fiat the Deferred Action for Childhood Arrivals (DACA) program, in which certain people who came to the United States as children may request consideration of deferred action on removal and would then be eligible for work authorization;

Whereas the Obama Administration has abused prosecutorial discretion in order to shield entire categories of unlawful immigrants from the rule of law;

Whereas in fiscal year 2013, United States Immigration and Customs Enforcement arbitrarily released over 36,000 criminal aliens from detention, in most cases, an act not compelled by a court or immigration judge;

Whereas these 36,000 criminal aliens had nearly 88,000 convictions, including 193 homicide convictions, 303 kidnapping convictions, 426 sexual assault convictions, 8,187 dangerous drug convictions, and 16,070 drunk or drugged driving convictions;

Whereas under the Obama Administration, approval rates by United States Citizen and Immigration Services officers in affirmative asylum cases have increased from 28 percent in 2007 to 46 percent in 2013 and approval rates by immigration judges in affirmative asylum cases have increased from 51 percent in 2007 to 74 percent in 2013;

Whereas under the Obama Administration, “credible fear” claims have increased 586 percent from 2007 to 2013, as the Obama Administration rubber-stamps applications;

Whereas in fiscal year 2013, 92 percent of “credible fear” claims were approved on the merits;

Whereas the Department of Homeland Security expects to apprehend more than 90,000 unaccompanied minors on the border this year, representing a 1,381 percent increase since 2011;

Whereas the Department of Homeland Security expects to apprehend more than 140,000 unaccompanied minors in 2015, representing a 2,232 percent increase since 2011;

Whereas the El Paso Intelligence Center (EPIC), a highly respected intelligence analysis center in support of field enforcement entities throughout the Southwest border region, was established in 1974 and contains representatives from 24 agencies;

Whereas the EPIC intelligence report from July 7, 2014, assessed homicide trends in Central American countries and migrant interviews, suggesting violence is likely not the principal factor driving the increase in unlawful migration into the United States;

Whereas the EPIC intelligence report from July 7, 2014, reveals that, in late May of 2014, the Border Patrol interviewed unaccompanied minors and migrant families apprehended in the Rio Grande Valley, and of the 230 total unlawful immigrants interviewed, 95 percent (219 individuals) cited the primary reason for migrating to the United States was the perception of United States immigration laws granting free passes or permisos allowing them to stay;

Whereas the EPIC intelligence report from July 7, 2014, reveals several United States media outlets have identified Central American newspapers that have enticed children

to travel to the United States, including Honduran and El Salvadoran press which have reportedly advertised the DACA policy, accommodations for detained unlawful immigrants, and the promise of reunification with family members in the United States;

Whereas the House of Representatives is deeply concerned about the migrants, especially innocent children, who have been impacted by the President's policies and, as a result, enticed to undertake such a dangerous and treacherous journey;

Whereas the continuation of the President's policies threatens a widening crisis, with an increasing number of migrants displaced and endangered thousands of miles from their support system and at an increased risk of many threats, including involvement in human trafficking; and

Whereas the President currently has the necessary tools at his disposal to solve the humanitarian crisis at the border with existing funding from Congress: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) agrees with the President that there is an
3 “actual humanitarian crisis on the border that only
4 underscores the need to drop the politics and fix our
5 immigration system once and for all”;

6 (2) calls upon the President to use the re-
7 sources already at his disposal to gain certifiable
8 operational control of the border;

9 (3) calls upon the President to send a clear
10 message that those who are seeking to enter the

1 United States illegally will be returned to their home
2 countries;

3 (4) calls upon the President to send a clear
4 message that subjecting children to the perilous mi-
5 gration northward to our border will no longer be
6 tolerated;

7 (5) calls upon the President to cease using his
8 prosecutorial discretion authority to shield unlawful
9 immigrants from prosecution;

10 (6) calls upon the President to cease releasing
11 convicted criminal aliens from detention;

12 (7) calls upon the President to crack down on
13 fraudulent asylum claims;

14 (8) calls upon the President to implement
15 tougher standards for "credible fear" claims;

16 (9) calls upon the President to restore agree-
17 ments with local law enforcement agencies to enforce
18 immigration laws;

19 (10) calls upon the President to give Border
20 Patrol agents access to Federal lands where drug
21 traffickers, human smugglers, and unlawful immi-
22 grants hide;

23 (11) calls upon the President to employ diplo-
24 matic resources with Mexico, Honduras, Guatemala,
25 and El Salvador to stop the border crisis; and

1 (12) stands ready to work with the President to
2 make certain the preceding calls to action are real-
3 ized as expeditiously as possible.