

Texas Border Crisis Action Plan: A Plan to Secure the Border with Mexico and Protect the Health, Safety, and Economy of the State of Texas

Authored by Texas Grassroots Leaders for State Government Officials & the People They Swore to Serve

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Executive Summary

By JoAnn Fleming

*“The era of procrastination, of half-measures, of soothing and baffling expedients, of delays is coming to its close. In its place **we are entering a period of consequences.**” — Winston Churchill*

Introduction: Dale Huls and JoAnn Fleming are co-authors of the Texas Border Crisis Plan and had input from many activists, state and local law enforcement officers, current and former border patrol agents, Texas Border Volunteers, constitutional scholars, investigative reporters (they know who they are), public policy professionals, and a few very candid elected officials.

This Executive Summary is not a “Cliff’s Notes” version of The Texas Border Crisis Action Plan. Rather, it is a summary of **WHY** Texas grassroots leaders were compelled to act and what they are attempting to achieve with this Plan. Since we believe our nation has entered a very dangerous period in history, we urge reading of the detailed plan in its entirety because Texas state leaders indeed have the constitutional authority to act without the blessing of a failing federal government. ***The question is – do they have the courage?***

The Problem: A wide-open Texas border with Mexico presents imminent danger to the health, safety, and economy of the State of Texas. Since Texas is a gateway to the rest of the nation, the open border is a security risk for the United States of America.

What we’ve come to call “the Border crisis” is undeniably government-made. Due to willful abandonment of the US Constitution, disrespect for the rule of law, political correctness, and the influence of special interest groups, the border crisis can be laid at the feet of both political parties. However, the open border has been exploited by the Obama Administration, whose stated mission to fundamentally change America has resulted in [policies that undermine our nation’s security](#), subject us to criminal aliens and organized crime syndicates, expand human slavery through cheap labor and sex trafficking, and demoralize our border agents. [Never letting a serious crisis go to waste](#), federal documents show the Obama Administration has [advance planned](#) to use the open border as an excuse to push for amnesty, while failing its constitutional duty to secure our nation’s border and protect American citizens and legal residents.

It is a myth that crossing the border without papers is a federal civil matter. The fact is, it is a federal crime to cross the border without official authorization. [Source: 8 U.S.C. § 1325 **Improper Entry by Alien:** “Improper time or place; avoidance of examination or inspection; misrepresentation and concealment of facts ...shall, for the **first** commission of any such **offense**, be fined under title 18 or **imprisoned** not more than **6 months**, or both, and, for a **subsequent** commission of any such **offense**, be fined under title 18, or **imprisoned** not more than **2 years**, or both.”] It is the arrest of an alien who has set foot on Texas soil that **triggers** a civil process to make their case as to why they entered (Immigration & Nationality Act of 1952 as amended). **This is the process the Obama Administration has exploited.** It is time to dramatically reduce this opportunity to exploit the INA by invoking Article 1 Section 10 Clause 3 due to “imminent danger,” and putting the boots on the ground with the right charge (as our Plan details).

The Federal government is bypassing local governments and relocating illegal alien detainees into Texas communities. **This is an unconstitutional act** – the *de facto* commandeering of state and local (taxpayer-funded) resources and assets by the federal government – an act prohibited by the US Constitution except during official periods of a declared state of war or national emergency. The stealth federal actions are clearly unfunded mandates for those communities where the Federal Government places the illegal alien adults and minors.

Historically, what have Texas state leaders done? Not much. Texas is actually a “sanctuary state.” The only difference between Texas and California is conservative-sounding rhetoric. While California’s Governor Jerry Brown has declared to illegals [“You’re All Welcome in California.”](#) Texas has the permanent welcome mat out with an open taxpayer-funded social safety net, a Republican-dominated state government that cannot pass a ban on sanctuary cities, mandate the use of E-verify, or repeal Governor Perry’s DREAM Act which gives [in-state tuition breaks and taxpayer funded grants to illegals](#) to attend Texas colleges.

Making matters worse, two unclassified documents from the Texas Department of Public Safety (DPS) [The 2013 Texas Public Safety Overview](#) and the [2014 Texas Gang Threat Assessment](#) are sobering and alarming. These reports clearly warn about the rise of dangerous criminal elements fostered by illegal alien criminals crossing the border. For example, the reports show that the Dallas-Fort Worth metro area – more than 400 miles from the border with Mexico – has become a key “command and control” center for moving drugs and people across the country, according to top state and federal law enforcement officials. DPS Director Colonel Steven McCraw has stated in media reports that Mexican cartels [“constitute the greatest organized-crime threat”](#) to the state.

In a [June 8, 2013, interview](#) with the *Fort Worth Star-Telegram*, McCraw said, “In the last half-dozen years or so, the cartels have expanded beyond drug smuggling to become multifaceted organized-crime groups dealing in murder, extortion, kidnapping, human trafficking, oil theft, money laundering, auto theft, weapons smuggling and corruption.” Colonel McCraw added, “They’ve evolved. They’ve adapted military tactics to engage each other and the Mexican government. They’ve adopted terrorist tactics that we’ve never seen before in organized crime. **There has never been organized crime groups that have been this depraved.** McCraw went on to say that cartels have also broadened their “partnerships” with the growing number of Texas gangs. The DPS estimates that the Lone Star State has more than 100,000 gang members.

When Texas grassroots TEA Party leaders began to study these reports in light of the “border crisis,” we asked, **“How did Texas get here?”** How is it that Texas has six of the eight most dangerous drug and human trafficking cartels in the world working with transnational gangs in an elaborately established network of command-and-control centers all over our state – far, far from the border? Could it be that our state officials neglected to focus on keeping the criminal elements OUT of our state simply because they were too concerned with political correctness and too influenced by the Big Business “open borders” lobby that loves cheap labor?

Purpose and Scope: The purpose of the Texas Border Crisis Action Plan is to provide thoughtful input from the Texas “liberty movement” grassroots leadership to our elected statewide officials and legislators regarding the national security risk of a wide-open southern border with Mexico. **The plan lays out constitutional action steps and the justification for those steps.** This plan is a principled response to the border crisis and employs solutions that go far beyond mere participation in the federal “catch and release” program, which only serves to mock the rule of law and undermine our state sovereignty. This plan is an opportunity for the State of Texas to address the serious threats to life, liberty, and property posed by the ongoing waves of illegal border crossers and the open border policies of the Federal government.

It is also the purpose of this document to strip away the shield of ignorance that some of our Texas elected officials hide behind. Many times, when the grassroots have asked for a special legislative session, the response from a state lawmaker is “What would we do in a special session?” or this is a “Federal issue, not a state issue.” This “citizen” constructed action plan will provide sound, principled instruction for such questions and responses.

The scope of the actions proposed in this plan are limited to those we believe the Texas Government can achieve through bold leadership and by following a constitutional path to protect the citizens of Texas.

It is important to note that the principal authors of this plan have actually visited the Texas border on an unannounced tour of the Laredo and Rio Grande Valley Sectors and were not escorted by elected officials. The tour gave them direct access to US Border Patrol spokesmen who were very candid in their descriptions regarding the Texas Border Crisis and why we have a crisis. They backed up their descriptions by showing us unquestionable proof of a wide-open border.

Texas Border Crisis Action Plan Objectives: 1) Identify the **constitutional** authority that allows the State of Texas to take unilateral actions necessary to address the Texas Border Crisis. 2) Identify specific actions needed to stop the massive influx of illegal migration into the State of Texas – actions made necessary because the Federal Government has failed its constitutional responsibility to secure the border. 3) Inform Texas politicians, the media, and the public about the constitutional options and actions the State of Texas may pursue to secure the southern Texas border, thereby protecting Texas and the Nation from criminal elements and security risks. ###