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113TH CONGRESS
2D SESSION

H. RES. 692

Expressing the sense of the House of Representatives regarding actions the President should take to secure the borders of the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2014

Mr. FLEMING submitted the following resolution; which was referred to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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RESOLUTION

Expressing the sense of the House of Representatives regarding actions the President should take to secure the borders of the United States.

Whereas on June 17, 2011, Immigration and Customs Enforcement Director John Morton issued a memo directing Immigration and Customs Enforcement personnel to cease enforcing immigration laws except in certain narrowly proscribed circumstances, so that the vast majority of illegal aliens would not be subject to deportation;

Whereas on June 15, 2012, the President announced that the Secretary of Homeland Security would no longer be enforcing immigration laws against certain people who

came to this country as children, through the Deferred Action for Childhood Arrivals (DACA) directive;

Whereas, according to Customs and Border Patrol statistics, between fiscal years 2009 and 2011, the number of minors from Central America being apprehended at the southwest border for illegal crossing was between 3,300–4,500 per year;

Whereas in fiscal year 2012, the number of minors from Central America began increasing, from over 10,000 in 2012, to over 20,000 in 2013, to 44,000 through June 30 of 2014;

Whereas President Obama has stated that he is constrained by section 235 of Public Law 110–457, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008;

Whereas Senator Dianne Feinstein of California was quoted in the New York Times on July 7, 2014, ''That law already provides the administration with flexibility to accelerate the judicial process in times of crisis. The administration should use that flexibility to speed up the system while still treating these children humanely, with compassion and respect.'';

Whereas Senator Harry Reid of Nevada was quoted in the Washington Times on July 15, 2014, that ''There's leeway there that the executive branch of government doesn't need new legislation.'';

Whereas the President has the authority to deploy the National Guard to secure the border from illegal crossers under title 32, section 502(f);

Whereas the influx of minors illegally crossing at the southwest border was created by policies and statements of the

President of the United States and his Administration, which led families to hire criminal smuggling organizations to bring their children to enter the United States without authorization or visa, knowing they would be allowed to remain and seek legal status; and

Whereas the President already possesses the tools to address this influx: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President should take the following actions:

(1) Declare an end to the Deferred Action for Childhood Arrivals program implemented pursuant to the memorandum by the Secretary of Homeland Security issued on June 15, 2012.

(2) Use the ''exceptional circumstances'' exception in section 235(b)(3) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)(3)) to keep apprehended illegal immigrants in the custody of the Department of Homeland Security in the border region; and create an accelerated process to the maximum extent provided by law for their return to their home countries.

(3) Deploy the National Guard to help secure the border.

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