

TEXAS PUBLIC POLICY FOUNDATION

March 2026

United States Senate and House of Representatives
Washington, D.C. 20515

Dear Members of Congress,

The undersigned organizations support House Resolution 50, which reaffirms that Article I, Section 10 preserves the sovereign authority of states to protect their territory and exclude those who have no lawful right to be present.

The authority of states to defend their citizens and territories predates the formation of the Union itself. The Declaration of Independence did more than proclaim individual liberty; it affirmed the sovereignty of the states and their inherent right of self-preservation. This principle—rooted in the founding era—has shaped the constitutional framework of American governance and has been reinforced by historical practice and judicial interpretation. H.Res. 50 places today’s border security realities within the Constitution’s original framework.

In recent years, states along the southern border faced unprecedented unlawful crossings, the expansion of transnational criminal organizations, and the operational presence of narco-terrorist cartels exploiting gaps in enforcement. These conditions imposed extraordinary burdens on border communities, strained state resources, and threatened public safety. The speed and scale at which such conditions developed demonstrate how quickly state security can be compromised, and how easily similar circumstances could arise again absent clear constitutional recognition of state authority.

While the federal government possesses broad defensive and immigration-related responsibilities, our constitutional system does not render the states defenseless. To the contrary, states retain the unequivocal right to defend themselves against invasion and imminent threats. This balance is central to American federalism: national authority in matters of common defense coexists with the states’ sovereign duty to protect their citizens and maintain order within their borders.

H.Res. 50 does not diminish federal authority; it clarifies constitutional reality. It affirms that states possess inherent sovereign authority to act in defense of their territory and people.

For these reasons, we respectfully encourage your support of H.Res. 50. Doing so reaffirms the constitutional structure the Framers designed—one that preserves both national security and the sovereign capacity of states to defend themselves when necessary.

Respectfully,



Greg Sindelar
Chief Executive Officer
Texas Public Policy Foundation

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