



RESOLUTION

WHEREAS, 82R HB 1937 (now known as HB 41 in the current special session) safeguards basic rights defined under the Fourth Amendment of the U.S. Constitution for persons traveling in Texas;

WHEREAS, “enhanced pat-downs” by the Transportation Safety Administration are administrative policies established by federal bureaucracy and not statutory law enacted by federal government and therefore cannot hold supremacy over the U.S. Constitution or the Texas State Constitution;

WHEREAS, it is unlawful for properly trained law enforcement officers to perform “enhanced pat-downs” as performed by the Transportation Safety Administration;

WHEREAS, HB 1937 received a unanimous recommendation from the House Criminal Jurisprudence committee;

WHEREAS, HB 1937 was unanimously passed by the Texas House of Representatives;

WHEREAS, HB 1937 received a unanimous recommendation from the Texas Senate Transportation and Homeland Security committee;

WHEREAS, HB 1937 had oral expressions of support from 30 of 31 Texas State Senators prior to being scheduled for hearing on the Senate floor;

WHEREAS, Senate passage of HB 1937 was halted at the eleventh hour after the U.S. Department of Justice delivered a factually inaccurate letter concerning the effect of HB 1937 and that threatened an immediate injunction which included “canceling a flight or series of flights”;

WHEREAS, this level of intimidation establishes grounds for a constitutional crisis;

WHEREAS, Lt. Governor David Dewhurst has now recommended HB 1937 for the current special session of the State Legislature; now, therefore, be it

RESOLVED, that the State Republican Executive Committee urges Governor Rick Perry to call 82R HB 1937--now filed as HB 41--as emergency legislation so that it may be considered by the Texas Legislature in special session.

Adopted by the State Republican Executive Committee on June 4th, 2011 and distributed to the Republican members of the Texas Legislature.