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**HOUSE RESOLUTION NO. 10**

Offered January 20, 2012

*Memorializing the President of the United States and the Secretary of Homeland Security to honor Virginia's request to enter into a § 287(g) memorandum of agreement extending specific, limited federal immigration training and enforcement authority to the Virginia Department of State Police.*

Patrons—Miller, Albo, Anderson, Bell, Richard P., Bell, Robert B., Byron, Cline, Cole, Comstock, Cosgrove, Cox, J.A., Cox, M.K., Crockett-Stark, Dudenhefer, Edmunds, Fariss, Farrell, Garrett, Gilbert, Greason, Habeeb, Head, Helsel, Hodges, Howell, W.J., Hugo, Iaquinto, Ingram, Jones, Kilgore, Knight, Landes, LeMunyon, Lingamfelter, Loupassi, Marshall, D.W., Marshall, R.G., Massie, May, Merricks, Minchew, Morefield, Morris, O'Bannon, O'Quinn, Orrock, Peace, Pogge, Poindexter, Purkey, Putney, Ramadan, Ransone, Robinson, Rush, Rust, Scott, E.T., Sherwood, Stolle, Tata, Ware, R.L., Watson, Webert, Wilt, Wright, Yancey and Yost

Referred to Committee on Rules

WHEREAS, under the authority given him by the Constitution of the Commonwealth of Virginia and the Code of Virginia, the Governor, as Chief Executive of the Commonwealth, is charged with both ensuring that the law is faithfully executed and with formulating executive branch policies, including those of the Virginia Department of State Police and pertaining to public safety; and

WHEREAS, § 287(g) of the Immigration and Nationality Act, 8 U.S.C. § 1357(g), as amended by the Homeland Security Act of 2002, authorizes the Secretary of Homeland Security to enter into a written agreement with a state, or any political subdivision of a state, so that qualified personnel can perform certain specific functions of an immigration officer; and

WHEREAS, upon his election, the Governor, through the Superintendent of State Police, made inquiries to the Secretary of Homeland Security and U.S. Immigration and Customs Enforcement regarding the potential granting of § 287(g) authority to the Virginia Department of State Police for limited purposes; and

WHEREAS, on August 10, 2010, the Governor formally requested that the Secretary of Homeland Security enter into a § 287(g) memorandum of agreement between the agency and the Virginia State Police to address only those criminal aliens who have engaged in major drug offenses; violent offenses such as murder, manslaughter, rape, robbery, kidnapping; or DUI offenses; and

WHEREAS, after receiving no response for nearly eight months, the Governor sent a second letter to the Secretary of Homeland Security on May 12, 2011, requesting immediate review of Virginia's application; and

WHEREAS, on numerous occasions, both directly and through the Secretary of Public Safety, the Governor has requested action on Virginia's application from the President of the United States and the Secretary of Homeland Security, but has received no response to his specific request to enter into a § 287(g) agreement; and

WHEREAS, appeals to both the President of the United States and the Secretary of Homeland Security by the Governor and members of the Virginia Delegation to the United States Congress have been met repeatedly with such ambiguity and delay as to be disrespectful of the offices to which they are elected by the people of the Commonwealth of Virginia; now, therefore, be it

RESOLVED by the House of Delegates, That the President of the United States and the Secretary of Homeland Security be urged to honor Virginia's request to enter into a § 287(g) memorandum of agreement extending specific, limited federal immigration training and enforcement authority to the Virginia Department of State Police; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates transmit copies of this resolution to the President of the United States, the United States Secretary of Homeland Security, the Governor, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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