



GOVERNOR GREG ABBOTT

January 20, 2025

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear President Trump:

Congratulations on your inauguration as the Forty-Seventh President of the United States.

For the past four years, Texas and other States have been battling the open border policies that invited record-breaking illegal immigration that made Americans less safe. For many in my State, no failure has loomed larger than former President Joe Biden's open borders.

I demanded that former President Biden fulfill his obligation to protect Texas and the United States from the invasion of their sovereign territories.¹ Our federal Constitution "guarantee[s]" that the United States "shall protect each [State] against Invasion." U.S. CONST. art. IV, § 4. The *en masse* entry into this country by violent criminals, known terrorists, and other hostile foreign actors smuggling weapons and drugs like deadly fentanyl, trafficking women and children, and raping and murdering at will is an invasion, as FBI officials told Congress just last year. These criminals come in open defiance of our laws and often by force, outfitted with body armor, burying improvised explosive devices, and decorating trees with trophies from sexual assaults.² Yet when I demanded that former President Biden do his job to secure the border, he refused and did the opposite—taking additional actions that prioritized illegal immigrants over the American people he swore to protect.

The Framers protected against federal abdication by providing that a State may act on its own to guard against such threats. In fact, Article I, Section 10, Clause 3 of the U.S. Constitution authorizes States to defend themselves, including deploying troops, ships, making compacts with other States, and even engaging in war when the State is invaded or there is imminent danger that will not admit of delay. This provision is a corollary of every State's inherent, sovereign prerogative to preserve itself within its territory. A Union that prevented States from defending themselves is not a Union that Texas—or any State—would have ever joined. The two preceding constitutional provisions

¹ See, e.g., Letter from Governor Greg Abbott to President Joe Biden (Nov. 16, 2022); Letter from Governor Greg Abbott to President Joe Biden (Jan. 8, 2023); Letter from Governor Greg Abbott to President Joe Biden (July 24, 2023); Statement of Governor Greg Abbott (Jan. 24, 2024); Letter from Governor Greg Abbott to President Joe Biden (May 31, 2024).

² See Letter from Governor Greg Abbott to President Joe Biden and Vice President Kamala Harris (Sept. 9, 2024), <https://gov.texas.gov/uploads/files/press/09.09.2024 - President Biden and Vice President Harris Letter .pdf>.

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make one thing clear. The United States has an obligation to protect States from invasion; failing that, the U.S. Constitution authorizes States to protect themselves.

When former President Biden refused to act, I invoked this constitutional authority to protect Texas, just as other Governors have before me. In 1875, after “organized bands of marauders” crossed the southern border in a “series of outrages” committing violence and destroying property, Texas Governor Richard Coke wrote to the federal government seeking “protection for the people of [the Rio Grande Valley] against these invasions of outlaws from Mexico.” H.R. Rep. No. 44-343, at 71, 73–77 (1876). Then, as now, our southern neighbor proved unwilling or unable to stop incursions of hostile non-state actors from its own territory into Texas, as required under the law of nations. Meanwhile, our federal government refused then, as now, to fulfill its duty to protect a member State under Article IV. Accordingly, Governor Coke invoked Texas’s “inherent right of self-defense,” which is “fully authorized, under article 2, section 10,” to “defend the people of Texas against hostile invasion.” *Id.* at 164–67. As the House Committee on Foreign Affairs later noted, the U.S. Attorney General “acquiesced in these conclusions.” H.R. Rep. No. 45-701, at 161 (1878).

Similarly, I defended the people of Texas against a hostile invasion. Under Operation Lone Star, Texas National Guard soldiers and Texas Department of Public Safety troopers at my direction have apprehended over half a million illegal immigrants; repelled over 140,000 attempted illegal entries; made over 50,000 criminal arrests; seized over half a billion lethal doses of fentanyl—more than enough to kill every man, woman, and child in the United States, Mexico, and Canada combined; built over 240 miles of border barriers, including our own border wall; and constructed the only military base along Texas’s southern border. Through our historic border security efforts, Texas decreased illegal crossings into our State by 87%, while such crossings have gone up in other States like California and Arizona.

Today, on behalf of the sovereign State of Texas, I respectfully make the same ask: Protect Texas, and the rest of the United States, from the continuing invasion along our southern border by exercising the full scope of your authority under Article IV, Section 4 of our Constitution. For too long, Texas has fought to secure the border in the face of federal obstruction. I look forward to ending this crisis with your help.

Welcome back, Mr. President.

Sincerely,



Greg Abbott
Governor