

CAUSE NO. D-1-GN-23-003613

EPI'S CANOE & KAYAK TEAM, LLC and	§	IN THE DISTRICT COURT
JESSIE F. FUENTES	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
	§	
v.	§	98 th JUDICIAL DISTRICT
	§	
STATE OF TEXAS; GREG ABBOTT IN HIS	§	
OFFICIAL CAPACITY AS GOVERNOR OF	§	
THE STATE OF TEXAS AND	§	
COMMANDER-IN-CHIEF OF THE TEXAS	§	
MILITARY DEPARTMENT; STEVE	§	TRAVIS COUNTY, TEXAS
MCCRAW IN HIS OFFICIAL CAPACITY AS	§	
DIRECTOR/COLONEL OF THE TEXAS	§	
DEPARTMENT OF PUBLIC SAFETY;	§	
THE TEXAS DEPARTMENT OF PUBLIC	§	
SAFETY; MAJOR GENERAL THOMAS	§	
SUELZER IN HIS OFFICIAL CAPACITY AS	§	
ADJUTANT GENERAL OF THE TEXAS	§	
MILITARY DEPARTMENT (AKA TEXAS	§	
NATIONAL GUARD); AND THE TEXAS	§	
MILITARY DEPARTMENT (AKA TEXAS	§	
NATIONAL GUARD)	§	
	§	
<i>Defendants.</i>	§	

PLAINTIFFS' FIRST AMENDED ORIGINAL PETITION

NOW COME, Epi's Canoe and Kayak Team, LLC ("EPI") and Jessie F. Fuentes ("Mr. Fuentes") (collectively, "Plaintiffs") and file this Plaintiffs' First Amended Petition against the State of Texas ("Texas"); Greg Abbott in his Official Capacity as Governor of the State of Texas and Commander-in-Chief of the Texas Military Department ("Governor Abbott"); Steve McCraw in his Official Capacity as Director/Colonel ("Colonel McGraw") of the Texas Department of Public Safety; the Texas Department of Public Safety ("DPS"); Major General Thomas Suelzer in his Official Capacity as Adjutant General of the Texas Military Department ("Major General Suelzer") and the Texas

Military Department (collectively, “Texas National Guard”) (collectively, “Defendants”) and in support thereof, would respectfully show the Court as follows:

I. INTRODUCTION

1. Through Operation Lone Star (“OLS”), Defendants have engaged in a pattern and practice of targeting Mexicans, Mexican Americans, and immigrants from Latin America who reside at or near the United States border without legal authority and in violation of the (1) Texas Disaster Act of 1975 (“Disaster Act”), (2) Texas Administrative Procedures Act (“Texas APA”) and (3) Article I, Sec. 3a of the Texas Constitution.

2. The International Boundary and Water Commission (“IBWC”) holds exclusive jurisdiction over the international boundary located within the Rio Grande under the Mexican Water Treaty of 1944 (“1944 Treaty”). Defendants, and the Disaster Act, do not have jurisdiction to enforce Texas law at the international boundary within the Rio Grande.

3. On or about July 11, 2023, Defendants began installing buoys in the Rio Grande despite having no authority under the Disaster Act to do so. The Disaster Act does not authorize Defendants to install buoys in the Rio Grande because (1) the definition of disaster under the Disaster Act does not explicitly or implicitly designate migration from Mexico as a disaster covered under the act and (2) the Rio Grande is not within the territorial boundary of Texas.

4. Therefore, Governor Abbott, Colonel McGraw, and Major General Suelzer engaged in *ultra vires* acts when they authorized the installation of buoys within the Rio Grande at or near Eagle Pass, Texas without authority under the Disaster Act. Additionally, Defendants exceeded their delegated authority and engaged in *ultra vires* acts when the Defendants installed the buoys outside the designated disaster area.

5. By this lawsuit, Plaintiffs seek removal of any buoys already installed in the Rio Grande to preserve the status quo and to permanently enjoin Defendants from installing buoys in the Rio Grande.

II. DISCOVERY CONTROL PLAN & STATEMENT FOR RELIEF

6. Discovery should be conducted under a Level 3 tailored discovery control plan under Texas Rule of Civil Procedure 190.4.

7. Under Texas Rule of Civil Procedure 47, Plaintiffs seek non-monetary relief and assert that all relief sought is within the jurisdictional limits of the Court.

III. THE PARTIES¹

8. Epi's Canoe & Kayak Team, LLC is a Texas limited liability company with its principal place of business located at 439 Westlakes Blvd., Eagle Pass, Texas 78852.

9. Jessie F. Fuentes is an individual residing in Eagle Pass, Texas. Mr. Fuentes owns and operates EPI.

10. The State of Texas may be served through the state's "chief executive officer" pursuant to Fed. R. Civ. P. 4(j)(2). The Texas Constitution designates the Texas Governor, Greg Abbott, as the chief executive officer of the State of Texas and may be served with process on behalf of the State of Texas. Tex. Const. Art. IV, § 1. The State of Texas may receive service at the following address: Office of the Governor, Attn: General Counsel, P.O. Box 12428, Austin, Texas 78711.

11. Governor Greg Abbott, in his official capacity as Governor of the State of Texas and commander-in-chief of the Texas Military Department, may be served with process at the following

¹ Whenever it is alleged that each defendant committed any act, it is also meant that each defendant committed said act or acts through or by their respective officers, directors, agents, employees, servants, contractors, and/or representatives, acting with full authority, by virtue of express, apparent, or implied agency, within the course and scope of any employment and/or with the full ratification of the Defendants.

address: Office of the Governor, Attn: General Counsel, P.O. Box 12428, Austin, Texas 78711; or wherever he may be found.

12. The Texas Department of Public Safety is a Texas state department and may be served with process through the Texas Attorney General pursuant to Tex. Civ. Prac. & Rem. Code § 107.002(a)(3). TDPS may receive service at the following address: Office of the Attorney General, Attn: General Counsel, P.O. Box 12548, Austin, Texas 78711-2548.

13. Steve McCraw, as Director/Colonel of the DPS, may be served with process through the Texas Attorney General and in his official capacity pursuant to Tex. Civ. Prac. & Rem. Code § 107.002(a)(3). McCraw may receive service at the following address(s): Office of the Attorney General, Attn: General Counsel, P.O. Box 12548, Austin, Texas 78711-2548; Department of Public Safety Office, Attn: Steve McCraw, P.O. Box 4087, 5805 N. Lamar Blvd., Austin, Texas 78752; or wherever he may be found.

14. The Texas Military Department, a.k.a. the Texas National Guard is a Texas state department and may be served with process through the Texas Attorney General pursuant to Tex. Civ. Prac. & Rem. Code § 107.002(a)(3). The Texas Department of Public Safety may receive service at the following address: Office of the Attorney General, Attn: General Counsel, P.O. Box 12548, Austin, Texas 78711-2548.

15. Major General Thomas Suelzer, as Adjutant General of the Texas National Guard may be served with process through the Texas Attorney General and in his official capacity pursuant to Tex. Civ. Prac. & Rem. Code § 107.002(a)(3). Suelzer may receive service at the following address(s): Office of the Attorney General, Attn: General Counsel, P.O. Box 12548, Austin, Texas 78711-2548; The Texas Military Department Office, Attn: Major General Thomas Suelzer, 2200 W. 35th St., Austin, Texas 78763; or wherever he may be found.

IV. VENUE/JURISDICTION

16. Venue of this lawsuit is mandatory and/or proper in Travis County, Texas pursuant to Tex. Gov't Code § 2001.038(b) (“The action may be brought only in a Travis County district court”).

17. Plaintiffs invoke the jurisdiction of this Court pursuant to Article V, Section 8 of the Texas Constitution, Texas Government Code Sections 24.007 and 24.008.

V. STATEMENT OF THE LAW

A. TEXAS CONSTITUTION.

18. EQUALITY UNDER THE LAW. Equality under the law shall not be denied or abridged because of sex, race, color, creed, or *national origin*. This amendment is self-operative. Tex. Constitution Article I, Sec. 3a. (Added Nov. 7, 1972.) (emphasis added).

B. TEXAS APA.

19. Under the Texas APA,

(A) a rule means a state agency statement of general applicability that:

(i) implements, interprets, or prescribes law or policy; or

(ii) describes the procedure or practice requirements of a state agency;

(B) includes the amendment or repeal of a prior rule; and

(C) does not include a statement regarding only the internal management or organization of a state agency and not affecting private rights or procedures

TEX. GOV'T CODE § 2001.003(6).

20. “‘State agency’ means a state officer, board, commission, or department with statewide jurisdiction that makes rules or determines contested cases. The term includes the State Office of Administrative Hearings for the purpose of determining contested cases.” TEX. GOV'T CODE §2001.003(7).

21. “A state agency rule, order, or decision made or issued on or after January 1, 1976, is not valid or effective against a person or party, and may not be invoked by an agency, until the agency has indexed the rule, order, or decision and made it available for public inspection as required by this chapter.” TEX. GOV'T CODE § 2001.005(A).

22. “The validity or applicability of a rule, including an emergency rule adopted under Section 2001.034, may be determined in an action for declaratory judgment if it is alleged that the rule or its threatened application interferes with or impairs, or threatens to interfere with or impair, a legal right or privilege of the plaintiff.” TEX. GOV’T CODE § 2001.038(B).

23. A court may render a declaratory judgment without regard to whether the plaintiff requested the state agency to rule on the validity or applicability of the rule in question. TEX. GOV’T CODE § 2001.038(B).

C. *Ultra Vires* Claim.

24. On or about March 6, 2021, Governor Abbott directed the DPS to initiate OLS. According to Governor Abbot, as of 2021, OLS has deployed over 1,000 DPS troopers and hundreds of Texas National Guard soldiers to the Texas-Mexico border. Attached hereto as **Exhibit 1** is a copy of the May 31, 2021, Proclamation (“Proclamation”). This proclamation, or a variation of it, has been issued each month by Governor Abbott. Attached as **Exhibit 2 (a-z)** is a true and correct copy of each proclamation from 2021 through the June 2023 Proclamation. These Proclamations function as rules promulgated by Defendants to operate OLS and to install the buoys based on the Disaster Act, codified at Texas Government Code §418.001.

25. Under §418.004, “disaster” is defined as follows:

Disaster means the occurrence or imminent threat of widespread or severe damage, injury, or **loss of life or property resulting from** any natural or **man-made cause**, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, cybersecurity event, other public calamity² requiring emergency action, or energy emergency (emphasis added).

² *Calamity*, Collins Dictionary (last visited Jul. 5, 2023), <https://www.collinsdictionary.com/us/dictionary/english/calamity>.

26. The definition of disaster does not include any language supporting the installation of buoys or barriers in the Rio Grande to target immigrants crossing the Rio Grande.

27. The installation of a buoy system in the Rio Grande near Eagle Pass has no logical connection to the purpose of the Disaster Act, which is to respond to “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause.”

28. “To be cognizable, an ultra vires claim must challenge the government official’s authority, not whether the government official made an incorrect decision.” *Paxton v. Waller County*, 620 S.W.3d 843, 849 (Tex. App.—Amarillo 2021, pet. denied).

29. “When an official is granted discretion to interpret the law, an act is not ultra vires merely because it is erroneous; ‘only when these improvident actions are **unauthorized** does an official shed the cloak of the sovereign and act ultra vires.’” *Id.* (citing *Hall v. McRaven*, 508 S.W.3d 232, 243 (Tex. 2017)).

30. “A plaintiff bringing an ultra vires claim must ‘allege, and ultimately prove, that the officer acted without legal authority or failed to perform a purely ministerial act.’” *Abbott v. La Joya Indep. Sch. Dist.*, No. 03-21-00428-CV, 2022 Tex. App. LEXIS 1797, 2022 WL 802751, at *9 (Tex. App.—Austin March 17, 2022, pet. filed) (“[W]e again conclude that the Governor does not possess absolute authority under the Texas Disaster Act to preempt orders issued by governmental entities and officials.”).

D. The 1944 Treaty.

31. “‘The International Boundary and Water Commission (“Commission”) is a bi-national body comprised of the USIBWC and the Comisión Internacional de Límites y Aguas (“CILA”) in Mexico.’” *City of Imperial Beach v. Int’l Boundary & Water Comm’n, U.S. Section*, 356 F. Supp 3d 1006, 1011, (S.D.

Cal. 2018)) “Both sections of the Commission exercise the rights and obligations of their governments under the 1944 Treaty.” *Id.*

32. Under Article 2 of the 1944 Treaty, the IBWC shall have jurisdiction over the Rio Grande:

The International Boundary Commission established pursuant to the provisions of the Convention between the United States and Mexico signed in Washington March 1, 1889, to facilitate the carrying out of the principles contained in the Treaty of November 12, 1889, and to avoid difficulties occasioned by reason of the changes which take place in the beds of the Rio Grande (Rio Bravo) and the Colorado River shall hereafter be known as the International Boundary and Water Commission, United States and Mexico, which **shall continue to function for the entire period during which the present Treaty shall continue in force** (emphasis added).

The Commission shall in all respects have the **status of an international body, and shall consist of a United States Section and a Mexican Section** (emphasis added).

The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary, each Section of the Commission retaining jurisdiction over that part of the works located upon their common boundary, each Section of the Commission retaining jurisdiction over that part of the works located within the limits of the country of the other without the express consent of the Government of the latter. The works constructed, acquired or used in fulfillment of the provisions of this Treaty and located wholly within the territorial limits of either country, although these works may be international in character, shall remain, except as herein otherwise specifically provided, under exclusive jurisdiction and control of the Section of the Commission in whose country the works be situated.

The duties and powers vested in the Commission by this Treaty shall be in addition to those vested in the International Boundary Commission by the Convention of March 1, 1889 and other pertinent treaties and agreements in force between the two countries except as the provisions of any of them may be modified by the present Treaty (emphasis added).

Further, the federal government has exclusive jurisdiction to approve projects in the Rio Grande pursuant to §403 of the Navigable Rivers Act, which states:

The creation of any obstruction not affirmatively authorized by Congress, to the navigable capacity of any of the waters of the United States is prohibited; and it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of the Army; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the

course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army prior to beginning the same.

E. *Arizona v. U.S.*

33. “The Government of the United States has broad, undoubted power over the subject of immigration and the status of aliens.” *Arizona v. U.S.*, 567 U.S. 387, 392-93 (2012) (citing, *Toll v. Moreno*, 458 U.S. 1, 10, 102 S. Ct. 2977, 73 L. Ed. 2d 563 (1982); see generally *S. Legomsky & C. Rodriguez, Immigration and Refugee Law and Policy* 115-132 (5th ed. 2009)).

34. “This authority rests, in part, on the National Government’s constitutional power to “establish a uniform Rule of Naturalization,” Art. I, § 8, cl. 4, and its inherent power as sovereign to control and conduct relations with foreign nations.” *Id.* (citation omitted).

35. “It is fundamental that foreign countries concerned about the status, safety, and security of their nationals in the United States must be able to confer and communicate on this subject with one national sovereign, not the 50 separate States.” *Id.* (citing *Chy Lung v. Freeman*, 92 U.S. 275, 279-280, 23 L. Ed. 550 (1876); see also *The Federalist* No. 3, p. 39 (C. Rossiter ed. 2003) (J. Jay) (observing that federal power would be necessary in part because “bordering States . . . under the impulse of sudden irritation, and a quick sense of apparent interest or injury” might take action that would undermine foreign relations)) *Id.*

36. Texas does not have a constitutional or statutory right to regulate the border, as indicated in the following excerpts:

Agencies in the Department of Homeland Security play a major role in enforcing the country’s immigration laws. United States Customs and Border Protection (CBP) is responsible for determining the admissibility of aliens and securing the country’s borders. See *Dept. of Homeland Security, Office of Immigration Statistics, Immigration Enforcement Actions: 2010*, p. 1 (2011).

In 2010, CBP’s Border Patrol apprehended almost half a million people. *Id.*, at 3. Immigration and Customs Enforcement (ICE), a second agency, “conducts criminal

investigations involving the enforcement of immigration-related statutes.” *Id.*, at 2. ICE also operates the Law Enforcement Support Center. LESC, as the Center is known, provides immigration status information to federal, state, and local officials around the clock. See App. 91.

ICE officers are responsible “for the identification, apprehension, and removal of illegal aliens from the United States.” *Immigration Enforcement Actions*, at 2. Hundreds of thousands of aliens are removed by the Federal Government every year. See *id.*, at 4 (reporting there were 387,242 removals, and 476,405 returns without a removal order, in 2010).

37. Under the U.S. Constitution and federal statutes, Texas has no authority to enforce immigration laws absent a 287(g) agreement with DHS. Further, the IBWC regulates and oversees the Rio Grande, which is an international boundary; and as such, Governor Abbott has no authority to install buoys within it. Governor Abbott cannot make an emergency declaration under the Disaster Act to grant himself the authority to enforce federal immigration law merely because the Rio Grande happens to run between Texas and Mexico. As a matter of policy, it is untenable that an emergency declaration under the Disaster Act could allow Texas to grant itself the war and foreign-affairs powers of the federal government. In essence, it would mean that Texas has the discretion to reverse-commandeer federal authority to decide when migration is an “emergency” and when it is not, when there is a “war” and when there is not, or when there is a foreign “invasion” and when there is not.

38. Because the Disaster Act does not authorize Texas to install buoys in the Rio Grande and/or operate OLS and because federal law preempts Texas law, Governor Abbott’s use of Chapter 418 to enact OLS and create his own DHS, CBP, and/or ICE agencies constitutes *ultra vires* acts.

VI. STATEMENT OF FACTS

A. Operation Lone Star (“OLS”).

39. Through OLS, Texas seeks to convert an aspect of DPS into a “Texas Border Patrol” to control the U.S.-Mexico border and to regulate immigrants located within Texas. The following are statements made by Texas officials regarding the purpose of OLS:

- (1) Governor Greg Abbott today signed a series of border security legislation passed during the 88th Regular Legislative Session into law at the Texas Capitol. This package of six bills **will expand Texas' unprecedented efforts to the line and protect Texans from the record level of illegal immigration, weapons, and deadly drugs pouring into Texas from Mexico caused by President Biden's refusal to secure the border** (emphasis added).³
- (2) "Thanks to the leadership and hard work of Director McCraw, General Suelzer, and their teams, Texas has pushed back against the swell of migrants and held the line to keep people out of Texas—but there's more that needs to be done," said Governor Abbott.
- (3) "The Texas Legislature has stepped up to make sure we continue to robustly respond to President Biden's growing border crisis, including allocating \$5.1 billion for border security. Today, I am signing six bills from this year's regular session to ensure that Texas can continue to do even more to stop illegal immigration at our southern border and provide new tools to the brave men and women along the southern border to protect Texans and Americans from the chaos and crisis of the border."
- (4) Governor Greg Abbott, the Texas Department of Public Safety (DPS), and the Texas National Guard are continuing to work together **to secure the border**; stop the smuggling of drugs, weapons, and people into Texas; and **prevent, detect, and interdict transnational criminal behavior between ports of entry** (emphasis added).
- (5) Since the launch of Operation Lone Star, the multi-agency effort has led to over **381,000 illegal immigrant apprehensions** and more than 29,000 criminal arrests, with more than 26,000 felony charges reported (emphasis added).
- (6) Texas has also bused more than 9,700 migrants to our nation's capital since April 2022, over 7,600 migrants to New York City since August 5, more than 2,200 migrants to Chicago since August 31, more than 1,400 migrants to Philadelphia since November 15, and over 120 migrants to Denver since May 18.
- (7) Operation Lone Star **continues to fill the dangerous gaps left by the Biden Administration's refusal to secure the border**. Every individual who is apprehended or arrested and every ounce of drugs seized would have otherwise made their way into communities across Texas and the nation due to President Joe Biden's open border policies (emphasis added).⁴

³ Press Release, Governor Abbott Signs Sweeping Package Of Border Security Legislation, Office of the Texas Governor, (June 8, 2023), <https://gov.texas.gov/news/post/governor-abbott-signs-sweeping-package-of-border-security-legislation>.

⁴ Press Release, Operation Lone Star Deploys New Border Security Deterrence Strategies, OFFICE OF THE TEXAS GOVERNOR, (June 9, 2023), <https://gov.texas.gov/news/post/operation-lone-star-deploys-new-border-security-deterrence-strategies>.

40. The Disaster Act does **not** allow Texas to conduct the following actions:
- a) protect Texans from the record level of illegal immigration pouring into Texas from Mexico caused by President Biden’s refusal to secure the border;
 - b) push back against the swell of migrants and hold the line to keep people out of Texas based on their immigration status, national origin, color of skin, and/or race;
 - c) secure the border;
 - d) prevent, detect, and interdict transnational criminal behavior between ports of entry;
 - e) apprehend 381,000 illegal immigrants;
 - f) bus 9,700 migrants to Washington D.C.;
 - g) bus 7,600 migrants to New York City;
 - h) bus more than 2,200 migrants to Chicago;
 - i) bus more than 1,400 migrants to Philadelphia;
 - j) bus over 120 migrants to Denver; or
 - k) fill the “dangerous gaps” left by the Biden Administration’s refusal to secure the border.

B. The Actual Disaster.

41. The definition of disaster within the Disaster Act does not authorize Governor Abbott to declare a disaster to stop a surge of individuals unlawfully crossing the Texas-Mexico border.

42. On May 31, 2021, Governor Abbott issued his proclamation declaring a disaster that allegedly allowed Governor Abbott to expand OLS.

43. Relying on the May 2021 Proclamation and the Disaster Act, and subsequent extensions, on or about July 11, 2023, Governor Abbott commenced installing a barrier system of floating buoys in the Rio Grande to stop illegal immigration from Mexico in the Rio Grande at or near Eagle Pass in violation Article I, Sec. 3a of the Texas Constitution.

44. Under §418.014 of the Texas Government Code, Governor Abbott has authority to declare a disaster: “[t]he governor by executive order or proclamation may declare a state of disaster if the governor finds a **disaster** has occurred or that the occurrence or threat of **disaster** is imminent.” TEX. GOV’T CODE §418.014(A) (emphasis added).

45. An executive order or proclamation under §418.014(d) of the Texas Government Code **requires a designation of the area threatened** and a **description of the conditions that have**

brought the state of disaster about or made possible the termination of the state of disaster. Tex. Gov't Code §418.014(d) (emphasis added).

46. Under §418.018 of the Texas Government Code: “[t]he governor may control ingress and egress to and from **a disaster area** and the movement of persons and the occupancy of premises in the area.” TEX. GOV'T CODE §418.018(c)(emphasis added).

C. The Disaster Area.

47. The May 2021 Proclamation identified 34 counties as the initial disaster area.

48. On or about June 29, 2023, Governor Abbott expanded the disaster area to include the following Texas counties:

Bee, Brewster, Brooks, Caldwell, Cameron, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilberger, Wilson, Zapata, and Zavala Counties (collectively, the “Disaster Area”).

D. The Political Disaster.

49. Governor Abbott's disaster is a disagreement over immigration policy targeting the federal government and President Biden. Under §418.014(d) of the Texas Government Code, Governor Abbott is required to describe the conditions that resulted in an alleged disaster. Governor Abbott's alleged conditions resulting in the “disaster” on the Rio Grande are as follows:

- a) on March 6, 2021, amidst escalating border crossings, I directed DPS to initiate Operation Lone Star and devote additional law enforcement resources towards deterring illegal crossings and protecting our border communities;
- b) in fewer than three months since Operation Lone Star began, DPS has made over 1,300 criminal arrests, apprehended over 35,000 illegal migrants, and seized over 10,000 pounds of drugs and 100 firearms;
- c) the federal government used to take seriously its responsibility to enforce federal immigration laws and secure the international border, which allowed Texas to collaborate on law enforcement and related activities along the border;

- d) under the Biden Administration, however, the federal government has shown unwillingness, ambivalence, or inability to enforce federal immigration laws, to deter and stop illegal border crossings into the United States, or to meaningfully partner with Texas in pursuing these goals;
- e) my calls for the federal government to do its job and secure the border have gone unanswered;
- f) the Biden Administration's inaction, whether intentional, reckless, or negligent, is causing a dramatic increase in the number of individuals unlawfully crossing the international border into Texas;
- g) the federal government's failure to secure the border has led to so many individuals unlawfully crossing the border that it has unilaterally established roughly ten new migrant detention facilities in Texas that are operated exclusively by the federal government, without any state regulation or oversight.

50. Under Texas law, the following rules of statutory construction apply:

Statutory construction is a question of law that we review de novo. *See First Am. Title Ins. Co. v. Combs*, 258 S.W.3d 627, 631 (Tex. 2008).

When construing a statute, our primary objective is to ascertain and give effect to the legislature's intent. *Id.* at 631-32. In determining legislative intent, we first consider the plain language of the statute. *GMC v. Bray*, 243 S.W.3d 678, 685 (Tex. App.—Austin 2007, no pet.).

When statutory text is clear, it is determinative of legislative intent, unless enforcing the plain meaning of the statute's words would produce an absurd result. *Entergy Gulf States, Inc. v. Summers*, 282 S.W.3d 433, 437 (Tex. 2009).

We consider the statute as a whole, reading each word in context rather than in isolation, and **unless a different definition is supplied by the legislature, we assume the words chosen have their plain and ordinary meaning.** *See City of Rockwall v. Hughes*, 246 S.W.3d 621, 625-26 (Tex. 2008).

Our analysis is informed by the presumption that “the entire statute is intended to be effective” and that “a just and reasonable result is intended.” See Tex. Gov't Code § 311.021(2), (3); *Sbook v. Walden*, 304 S.W.3d 910, 917 (Tex. App.—Austin 2010, pet. denied).

Combs v. Newport Res., Inc., 422 S.W.3d 46, 49 (Tex. App.—Austin 2013, no pet.) (emphasis added).

51. The Texas Legislature defined the word “disaster” in the Disaster Act as follows:

“Disaster” means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause,

including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, extreme heat, cybersecurity event, other public calamity requiring emergency action, or energy emergency.

TEX. GOV'T CODE §418.004.

52. [U]nless a different definition is supplied by the legislature, we assume the words chosen have their plain and ordinary meaning. *See City of Rockwall v. Hughes*, 246 S.W.3d 621, 625-26 (Tex. 2008). *Including* is a “term of enlargement and not of limitation or exclusive enumeration, and use of the terms does not create a presumption that component not expressed are excluded.” TEX. GOV'T CODE §311.005(13). A *component* is part of a larger whole.

E. The Disaster Declaration.

53. In his May 2021 Proclamation, Governor Abbott declares the following alleged disaster:

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, do hereby certify that **the ongoing surge of individuals unlawfully crossing the Texas-Mexico border** poses an ongoing and imminent threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in Brewster, Brooks, Cameron, Crockett, Culberson, Dimmit, Duval, Edwards, El Paso, Goliad, Gonzales, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kenedy, Kinney, La Salle, Lavaca, Maverick, McMullen, Pecos, Presidio, Real, Reeves, Starr, Sutton, Terrell, Uvalde, Val Verde, Webb, Willacy, Zapata, and Zavala counties, and for all state agencies affected by this disaster. I do hereby declare a state of disaster for all listed counties covered by this disaster declaration and for all state agencies affected by the disaster (emphasis added).

54. The May 2021 Proclamation identifies “the ongoing surge of individuals unlawfully crossing the Texas-Mexico border” as the event that allegedly “poses an ongoing and imminent threat of widespread and severe damage, injury and loss of life and property...” In order words, Governor Abbott disagrees with the federal government’s immigration policy.

55. An “ongoing surge of individuals unlawfully crossing the Texas-Mexico border” or disagreements with federal immigration policy are not situations expressly identified within the

definition of disaster. However, the definition uses the term “including” before providing examples. Being a term of enlargement without a presumption that a component not expressed is excluded, other components not included in the list may also trigger a disaster under the definition.

56. With that said, unlawful immigration or federal immigration are not components within the definition. There is no term or category of terms that suggest that stopping people from crossing the Rio Grande is a disaster included in the Disaster Act.

57. Disaster also does not reference or suggest that crime or criminals are components contemplated by the Legislature that would allow Governor Abbott to declare a disaster.

58. “As the old maxim goes, the Legislature does not hide elephants in mouseholes...” *Hogan v. Zoanni*, 627 S.W.3d 163, 174 (Tex. 2021) (“[i]t certainly does not provide an express remedy when it means to imply another significantly more severe one.”).

59. The definition of disaster cannot be read to allow Governor Abbott to install a system of floating barriers or buoys to stop a surge of individuals crossing the U.S.-Mexico border because it is the exclusive jurisdiction of the federal government. Because maintaining control of the U.S.-Mexico border rests with the federal government, the Disaster Act cannot include such powers.

60. If the Disaster Act provides Governor Abbott with authority to install a system of floating barriers or buoys to stop a surge of individuals crossing the U.S.-Mexico border, the Defendants are admitting that the Disaster Act violates the supremacy clause⁵, and is thus unconstitutional. Under state or federal law, Texas cannot create its own Texas border patrol or department of homeland security to install border barriers in the Rio Grande.

⁵ This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding. U.S. CONT. ART. VI

61. To argue that the definition of disaster allows the Defendants to install border barriers or buoys in the Rio Grande to stop a surge of individuals unlawfully crossing the Texas-Mexico border would be an absurd result. *Entergy*, 282 S.W.3d at 437.

62. Governor Abbott failed to declare a disaster authorized under the Disaster Act because the definition of disaster (1) does not provide express authority to stop unlawful immigration or declare an emergency over disagreements with federal immigration policy, and (2) cannot support an implied authority theory that the Texas Legislature intended unlawful immigration to be a component part within the definition of disaster.

D. The Buoys.

63. On or about June 8, 2023, Governor Abbott announced his decision to install a series of buoys in the Rio Grande River at or near Eagle Pass, Texas. Governor Abbott commenced installing the buoys on July 11th.

64. The buoys are, in essence, a type of floating border wall which Governor Abbott alleges will deter illegal crossings from Mexico into the United States. The following photo illustrates a press conference in which Governor Abbott announced the deployment of the buoys in the Rio Grande:



65. The Disaster Act does not provide Governor Abbott with the authority to install a floating border barrier on the Rio Grande.

C. Eagle Pass.

66. Eagle Pass is a town located in Maverick County, Texas, with a population of approximately 28,000 inhabitants. Eagle Pass borders the city of Piedras Negras, Coahuila, Mexico, which is southwest to and across the Rio Grande. The Eagle Pass-Piedras Negras metropolitan area (“EP-PN”) is one of six binational metropolitan areas along the United States-Mexico border. As of January 2008, according to the U.S. census, the EP-PN’s population was 48,401 people, and the Piedras Negras metropolitan area’s population was 169,771. Approximately 96% of people living in Eagle Pass are Hispanic or Mexican American.

67. The communities targeted by OLS—such as Eagle Pass, Laredo, and El Paso—are overwhelmingly Mexican American. The communities at or near the U.S.-Mexico border are the targets of OLS (“OLS Zone”). They are communities that have historically been marginalized and

discriminated against. Despite having no authority to regulate the U.S.-Mexico border, the Defendants have admittedly created their own DHS, CBP, and ICE agencies in the form of DPS and its Texas Tactical Border Force, aka, a Texas border patrol. This is an example of the Defendants failing to follow their normal procedures.

68. The buoys represent a hateful policy that intends to create the impression that Mexicans, immigrants, and Mexican Americans living within the OLS Zone are dangerous. Evidence of this impact can be seen in the lost or failed events planned by Plaintiffs discussed below.

D. EPI.

69. Mr. Fuentes is a Mexican American residing in Eagle Pass and is the owner and operator of EPI. EPI is a small, Texas-based business that provides customers with canoe and kayak training and tours on the Rio Grande. Attached as **Exhibit A** is a true and correct copy of the Declaration of Jessie F. Fuentes attesting to the facts asserted herein. EPI has been serving the river sports crowds since August 1, 2015. According to the information to date, portions of Governor Abbott's buoy barrier will be installed just south of the International Bridge #2 in Eagle Pass.

70. EPI conducts its canoeing and kayaking sessions on the Rio Grande River at or near Bridge #2 where the buoys are set to be installed.

71. EPI will be unable to conduct tours and canoe and kayak sessions in Eagle Pass because of installation of the buoys.

72. The buoys will prevent EPI from operating its business in certain areas on the Rio Grande near Eagle Pass, which will result in imminent and irreparable harm to EPI. The buoys will additionally result in imminent and irreparable harm to the canoeing and kayaking industry as a whole due to the perception created by Governor Abbott's unauthorized use of the Disaster Act.

73. The following lists several examples of events that were cancelled or received little interest because of media coverage involving OLS in Eagle Pass and the proposed installation of the buoys:

- (1) (June 23) – Several weeks ago, EPI launched a Ride The River Campaign that had to abruptly be put on hold because the City of Eagle Pass declared the Shelby Boat Ramp off limits to all individuals except law enforcement in support of OLS. (This campaign has not been able to make any profits, and without access to the boat ramp EPI is still not generating any revenue).
- (2) (March 23) – Kayaking Lessons through South West Texas Jr. College Workforce Center - no one registered due to safety stigma.
- (3) (June 23) – Kayaking Summer School - No one registered due to security controls.
- (4) (May 23) – A wedding on the Rio Grande involving Roberta Flores was put on hold because of security reasons resulting from the buoys.
- (5) (June 23) – No sponsor was willing to sponsor the Kayak Races because of the narrative surrounding Eagle Pass because of OLS.
- (6) (June 23) – Island in the Rio Grande was bulldozed to create a security guard post. The flow of the river was altered and rerouted. **The tributary that was bulldozed was the canoe and kayak main entrance** to the end of the river trips.
- (7) (Present) – Plaintiffs concern is that the next island between both international bridges may also get bulldozed. We must protect our river. That is the main point for all tourists on the river and in all kayaking classes because there are some naturally occurring rapids between both international bridges at that point of the river.

74. As a small, Texas-based business owner and business directly impacted by OLS and the installation of the buoys, Plaintiffs challenge Governor Abbott's use of the Disaster Act and OLS to install buoys on the Rio Grande in Eagle Pass. Plaintiffs further seek relief from this Court in the form of a permanent injunction to 1) remove the buoys already installed on the Rio Grande and 2) prevent further installation of buoys on the Rio Grande.

E. Rio Grande Not Within Disaster Area.

75. The Rio Grande was not designated as a disaster area under the Disaster Act in the May 2021 Proclamation or in any subsequent extension. Because the Rio Grande is not designated as a disaster area under the proclamations, Governor Abbott cannot install the buoys in the Rio Grande.

76. Even if Governor Abbott designated the Rio Grande as a disaster area, his acts would nonetheless be *ultra vires* because there is no Texas law that allows Governor Abbott to designate the

Rio Grande as a disaster area to stop an alleged “ongoing surge of individuals unlawfully crossing the Texas-Mexico border”.

F. Rio Grande within the Jurisdiction of IBWC.

77. Article V of the Treaty of Guadalupe Hidalgo designated the Rio Grande as the boundary between the United States and Mexico:

The Boundary line between the two Republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the deepest branch, if it should have more than one branch emptying directly into the sea; from thence, up the middle of that river, following the deepest channel, where it has more than one to the point where it strikes the Southern boundary of New Mexico. . . .

Treaty of Guadalupe Hidalgo, Mexico-U.S. art. V, Feb. 2, 1848.

78. Through the IBWC, the federal government oversees the treaties that regulate the boundaries and use of water in the Rio Grande.

79. The IBWC regulates the Rio Grande in part through the following statutes:

The Secretary of State, acting through the American Commissioner, International Boundary Commission, United States and Mexico, is further authorized to conduct technical and other investigations relating to the defining, demarcation, fencing, or monumentation of the land and water boundary between the United States and Mexico, to flood control, water resources, conservation, and utilization of water, sanitation and prevention of pollution, channel rectification, stabilization, drainage of transboundary storm waters, and other related matters upon the international boundary between the United States and Mexico; and to construct and maintain fences, monuments and other demarcations of the boundary line between the United States and Mexico, and sewer systems, water systems, and electric light, power and gas systems crossing the international border, and to continue such work and operations through the American Commissioner as are now in progress and are authorized by law.

The President is authorized and empowered to construct, operate, and maintain on the Rio Grande River below Fort Quitman, Texas, any and all works or projects which are recommended to the President as the result of such investigations and by the President are deemed necessary and proper.

22 USCS § 277A (emphasis added).

[T]he Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States, and Mexico (hereafter in this Act referred to as the “Commissioner”), is authorized—

(2) to acquire by donation, purchase, or condemnation, all lands or interests in lands required—

(A) for transfer to Mexico as provided in the treaty;

(B) for construction of that portion of new river channels and the adjoining levees in the territory of the United States;

(C) to preserve the Rio Grande and the Colorado River as the boundary by preventing the construction of works which may cause deflection or obstruction of the normal flow of the rivers or of their floodflows;

22 USCS § 277D-34(2)(C) (emphasis added).

When a determination must be made under the treaty whether to permit a new channel to become the boundary, or whether or not to restore a river to its former channel, or whether, instead of restoration, the Governments should undertake a rectification of the river channel, **the Commissioner’s decision, approved by the Secretary of State, shall be final so far as the United States is concerned**, and the Commissioner is authorized to construct or arrange for the construction of such works as may be required to give effect to that decision.

22 USCS § 277D-37(emphasis added).

80. Any rules adopted under the Texas Water Act pertaining to water rights in the Rio Grande must comply with IBWC’s rules and the treaties it oversees:

Before granting a permit to convey water down the banks and bed of the Rio Grande, the commission shall adopt rules that provide for the methods and procedures by which the watermaster shall account for any discharge, delivery, conveyance, storage, diversion, or associated loss of water conveyed down the banks and bed of the Rio Grande. A permit to convey water down the banks and bed of the Rio Grande may not allow the permit holder to share in any beneficial state water inflows into the Rio Grande. The permit holder is entitled to convey only the amount of water specified in the permit, less the carriage losses incurred in transit, as described and measured according to commission rules.

A rule adopted by the commission under this subsection must be consistent with the Treaty Relating to the Utilization of the Waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, concluded by the United States and the United Mexican States on February 3, 1944, and with any minute order adopted by the International Boundary and Water Commission.

TEX. WATER CODE §11.3271(H) (emphasis added).

81. The Disaster Act does not allow the Defendants to install buoys in the Rio Grande because the international boundary is outside Governor Abbott and the Disaster Act's jurisdiction. Without state or federal authority to install the buoys in the Rio Grande, Governor Abbot has acted outside of his authority, and his acts are therefore *ultra vires*.

F. Governor's Limited Authority.

82. The Disaster Act does not authorize Governor Abbott to install border barriers or buoys in the Rio Grande to stop a surge of individuals unlawfully crossing the Texas-Mexico border.

83. "The court's analysis is informed by the presumption that the entire statute is intended to be effective, and that a just and reasonable result is intended." *Combs*, 422 S.W.3d at 49.

84. The Disaster Act provides Governor Abbott with the following powers, duties and responsibilities pertaining to a disaster:

The governor is responsible for meeting: (1) the dangers to the state and people presented by disasters; and (2) disruptions to the state and people caused by energy emergencies.

TEX. GOV'T CODE §418.011

Under this chapter, the governor may issue executive orders, proclamations, and regulations and amend or rescind them. Executive orders, proclamations, and regulations have the force and effect of law.

TEX. GOV'T CODE §418.012

The governor by executive order may establish an emergency management council to advise and assist the governor in all matters relating to disaster mitigation, preparedness, response, and recovery.

TEX. GOV'T CODE §418.013(A).

The governor by executive order or proclamation may declare a state of disaster if the governor finds a disaster has occurred or that the occurrence or threat of disaster is imminent.

TEX. GOV'T CODE §418.014(A).

- (a) The governor's office, using existing resources, shall compile and maintain a comprehensive list of regulatory statutes and rules that may require suspension during a disaster.
- (b) On request by the governor's office, a state agency that would be impacted by the suspension of a statute or rule on the list compiled under Subsection (a) shall review the list for accuracy and shall advise the governor's office regarding any statutes or rules that should be added to the list.

TEX. GOV'T CODE §418.0115.

- (a) The governor may use all available resources of state government and of political subdivisions **that are reasonably necessary to cope with a disaster**.
- (b) The governor may temporarily reassign resources, personnel, or functions of state executive departments and agencies or their units for the purpose of performing or facilitating emergency services.
- (c) The governor may commandeer or use any private property if the governor finds it necessary to cope with a disaster, subject to the compensation requirements of this chapter.

TEX. GOV'T CODE §418.017 (emphasis added).

- (a) The governor may recommend the evacuation of all or part of the population from a stricken or threatened area in the state if the governor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery.
- (b) The governor may prescribe routes, modes of transportation, and destinations in connection with an evacuation.
- (c) The governor may control ingress and egress **to and from a disaster area** and the movement of persons and the occupancy of premises in the area.

TEX. GOV'T CODE §418.018 (emphasis added).

The governor may suspend or limit the sale, dispensing, or transportation of alcoholic beverages, explosives, and combustibles, other than explosives or combustibles that are components of firearm ammunition.

TEX. GOV'T CODE §418.019.

- (a) The governor may enter into purchase, lease, or other arrangements with an agency of the United States for temporary housing units to be occupied by disaster victims and may make units available to any political subdivision.
- (b) The governor may assist a political subdivision that is the locus of temporary housing or emergency shelters for disaster victims to acquire sites necessary for temporary

housing or emergency shelters and to do all things required to prepare the sites to receive and use temporary housing units or emergency shelters by:

- (1) advancing or lending funds available to the governor from any appropriation made by the legislature or from any other source;
 - (2) allocating funds made available by a public or private agency; or
 - (3) becoming a copartner with the political subdivision for the execution and performance of any temporary housing or emergency shelter project for disaster victims.
- (c) Under regulations prescribed by the governor, the governor may temporarily suspend or modify for a period of not more than 60 days any public health, safety, zoning, intrastate transportation, or other law or regulation if by proclamation the governor considers the suspension or modification essential **to provide temporary housing or emergency shelter for disaster victims**.

TEX. GOV'T CODE §418.020 (emphasis added).

- (a) On the governor's determination that a local government of the state has **suffered or will suffer a substantial loss of tax and other revenue from a major disaster** and has demonstrated a need for financial assistance to perform its governmental functions, the governor may apply to the federal government on behalf of the local government for a loan and may receive and disburse the proceeds of an approved loan to the local government.
- (b) The governor may determine the amount needed by a local government to restore or resume its governmental functions and certify that amount to the federal government. The amount sought for the local government may not exceed 25 percent of the annual operating budget of the local government for the fiscal year in which the major disaster occurs.
- (c) The governor may recommend to the federal government, based on the governor's review, the cancellation of all or part of repayment if in the first three full fiscal years following the major disaster the revenues of the local government are insufficient to meet its operating expenses, including additional disaster-related expenses of a municipal operation character.

TEX. GOV'T CODE §418.021 (emphasis added).

- (a) On the governor's determination that financial assistance is essential to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster that cannot be otherwise adequately met from other means of assistance, the governor may accept a grant by the federal government to fund the financial assistance, subject to the terms and conditions imposed on the grant. The governor may agree with the federal government or any officer or agency of the United States pledging the state to participate in funding not more than 25 percent of the financial assistance.

- (b) The governor may make financial grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by a major disaster that cannot otherwise adequately be met from other means of assistance. The grants may not exceed an aggregate amount in excess of that established by federal statute for an individual or family in any single major disaster declared by the president of the United States.
- (c) The governor may designate in the state emergency management plan the Department of Human Services or another state agency to carry out the functions of providing financial aid to individuals or families qualified for disaster relief. The designated agency may employ temporary personnel for those functions to be paid from funds appropriated to the agency, from federal funds, or from the disaster contingency fund. The merit system does not apply to the temporary positions. The governor may allocate funds appropriated under this chapter to implement the purposes of this chapter.

TEX. GOV'T CODE §418.022.

- (a) In addition to disaster mitigation measures included in the state, local, and interjurisdictional emergency management plans, the governor shall as a continuing duty consider steps that could be taken to mitigate the harmful consequences of disasters.
- (b) At the direction of the governor and pursuant to any other authority and competence a state agency may have, a state agency shall study matters related to disaster mitigation. This includes agencies charged with responsibility in connection with floodplain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land use planning, and construction standards.
- (c) The governor shall from time to time make recommendations to the legislature, local governments, and other appropriate public and private entities as may facilitate measures to mitigate the harmful consequences of disasters.

TEX. GOV'T CODE §418.121.

85. Nothing in the above-referenced provisions authorize Governor Abbott to install border barriers or buoys in the Rio Grande to stop unlawful immigration at the Texas-Mexico border. Not once in the entire statute are the following words mentioned: border, immigrants, surge, Texas-Mexico, Rio Grande, undocumented immigrants. The inclusion of these words are necessary to lend support for the Defendants' reliance on the Disaster Act as authority for installing border barriers or buoys in the Rio Grande.

86. Governor Abbott does not have independent power, whether constitutional or statutory, to stop unlawful immigration at the Texas-Mexico border. Because he does not hold that power, the Disaster Act cannot be used to legitimize his unlawful acts. Governor Abbott does not have the power to stop unlawful immigration at the Texas-Mexico border because that power resides exclusively with the United States government.

VII. CAUSES OF ACTION

A. *Ultra Vires Acts.*

87. Plaintiffs incorporate by reference the allegations in all preceding paragraphs.

88. Governor Abbott committed an *ultra vires* act when he illegally relied on the Disaster Act to install buoys in international waters and/or an international boundary exclusively governed by the IBWC and in violation of the 1944 Treaty.

89. Governor Abbott committed an *ultra vires* act when he illegally relied on the Disaster Act to install buoys in international waters exclusively governed by the IBWC and in violation of the 1944 Treaty despite the Rio Grande not being designated a disaster area.

90. Governor Abbott committed an *ultra vires* act when he illegally relied on the Disaster Act to install buoys in international waters exclusively governed by the IBWC and in violation of the 1944 Treaty to prevent people from Mexico and other Latin American countries from entering the state of Texas in violation of Article I, Sec. 3a of the Texas Constitution, which prohibits the use of the Disaster Act to target individuals based on their national origin.

91. Relying on the Disaster Act, the Defendants have created their own, DHS, CBP and ICE agencies to stop illegal immigration at the U.S. Mexico Border.

92. Relying on the Disaster Act, the Defendants have empowered a “border czar” to govern the OLS Zone.

93. Relying on the Disaster Act, the Defendants have obtained land in the OLS Zone for construction of border barriers.

94. Relying on the Disaster Act, the Defendants have purchased and installed buoys in the Rio Grande at or near Eagle Pass.

95. The Disaster Act does not allow the Defendants to take these actions or regulate the U.S.-Mexico Border in this manner. The Defendants' improper reliance on the Disaster Act to install buoys in the Rio Grande to stop immigration from Mexico, to dispute federal immigration policy, or to disregard the 1944 Treaty has collectively negatively impacted the Plaintiffs who will be unable to operate their canoeing and kayaking business as before.

B. Texas APA.

96. Plaintiffs incorporate by reference the allegations in all preceding paragraphs.

97. "The validity or applicability of a rule, including an emergency rule adopted under Section 2001.034, may be determined in an action for declaratory judgment if it is alleged that the rule or its threatened application interferes with or impairs, or threatens to interfere with or impair, a legal right or privilege of the plaintiff." TEX. GOV'T CODE § 2001.038(B).

98. A court may render a declaratory judgment without regard to whether the plaintiff requested the state agency to rule on the validity or applicability of the rule in question. TEX. GOV'T CODE § 2001.038(B).

C. Declaratory Judgment Action.

99. Plaintiffs incorporate by reference the allegations in all preceding paragraphs.

100. Plaintiffs seek a declaration that installation of the proposed buoys in Eagle Pass is an *ultra vires* act, and that Defendants should be permanently enjoined from installing said buoys and other border barriers at or near the U.S./Mexico border and/or the Rio Grande.

101. Plaintiffs seek a declaration that Governor Abbott committed an *ultra vires* act when he relied on the Disaster Act to install buoys in the international waters of the Rio Grande, which are exclusively governed by the IBWC and the 1944 Treaty, to stop migration from Mexico.

102. Plaintiffs seek a declaration that Governor Abbott committed an *ultra vires* act when he relied on the Disaster Act to install buoys in international waters, which are exclusively governed by the IBWC and the 1944 Treaty knowing that the Rio Grande was not within the disaster area or the jurisdiction of the Disaster Act.

103. Plaintiffs seek a declaration that Governor Abbott committed an *ultra vires* act when he illegally relied on the Disaster Act to install buoys in international waters exclusively governed by the IBWC and in violation of the 1944 Treaty to prevent people from Mexico and other Latin American countries from entering the state of Texas in violation of Article I, Sec. 3a of the Texas Constitution, which prohibits the use of the Disaster Act to target individuals based on their national origin.

104. Plaintiffs seek a declaration that OLS and the installations of the proposed buoys in Eagle Pass as part of OLS are subject to an invalid rule or rules promulgated through the proclamation(s) and announcement(s) made by Defendants collectively referred to as OLS and said rule(s) or its threatened application interferes with, impairs, or threatens to interfere with or impair, a legal right or privilege of Plaintiffs.

105. Plaintiffs seek a declaration that OLS and the installation of the buoys in Eagle Pass as part of OLS are a series of rules that are arbitrary and capricious because the Defendants are preempted by federal law and cannot operate OLS and/or install buoys in Eagle Pass.

106. Plaintiffs seek a declaration from this Court that OLS and the installations of the buoys in Eagle Pass as part of OLS are a series of rules that are arbitrary and capricious because the Disaster Act does not provide Defendants any authority to enact OLS and/or install buoys in Eagle Pass.

VIII. VERIFIED EMERGENCY REQUEST FOR TEMPORARY AND PERMANENT INJUNCTION

107. Plaintiffs incorporate by reference the allegations in all preceding paragraphs.

A. Applicable Authority.

108. The purpose of a temporary restraining order is to preserve the status quo of the subject matter of the litigation until a preliminary hearing can be held on an application for temporary injunction. *Cannan v. Green Oaks Apts., Ltd.*, 758 S.W.2d 753, 755 (Tex. 1988). The status quo is the last actual, peaceable, non-contested status that preceded the controversy. *In re Newton*, 146 S.W.3d 648, 651 (Tex. 2004). The last actual, peaceable, non-contested moment was on July 7, 2023, before the Defendants installed any buoys in the Rio Grande at or near Eagle Pass.

B. Ex Parte Allegations.

109. Due to the extensive irreparable injuries to be suffered, Plaintiffs require emergency relief. For this reason, Plaintiffs respectfully requests the Court to grant an *ex parte* request for relief via a temporary restraining order. Therefore, Plaintiffs seek to enjoin Defendants from installing buoys in the Rio Grande at or near Eagle Pass under OLS pending the outcome of this litigation.

C. Grounds for TRO/TI.

110. As will be introduced at a hearing, Plaintiffs have no adequate remedy at law because Defendants, through OLS, have placed a physical barrier in the Rio Grande which prevents Plaintiffs from operating their business. Based on a textual analysis of the Disaster Act, Defendants are not authorized to operate OLS and/or install buoys, as outlined above. Therefore, Plaintiffs have a probable right of recovery on their *ultra vires* and Texas APA/Declaratory Judgment Action claims.

111. Plaintiffs have shown that they have a substantial likelihood of success on the merits, as shown in the causes of action asserted herein.

112. Plaintiffs have a substantial threat of irreparable injury if this injunction is not issued. EPI is a small Texas-based business that provides customers with training and experience on the Rio Grande

River using canoes and kayaks. EPI's market is focused solely on canoeing and kayaking sessions in Eagle Pass on the Rio Grande River in areas to be impacted by the buoys. If Governor Abbott proceeds with installation of the buoys, EPI will be unable to conduct tours and canoe and kayak sessions in Eagle Pass. According to the information to date, portions of Governor Abbott's buoy floating wall will be installed just south of the International Bridge #2 in Eagle Pass, which is where EPI conducts its business activities.

113. If the buoys are installed or remain in the Rio Grande, EPI will sustain profit loss. As described herein, the Rio Grande is EPI's lifeblood, and without access to same, as it is legally entitled to, EPI will not be able to operate. Conversely, Defendants would not face any injury if the Court grants injunctive relief. Defendants will not be affected in any way if they are unable to install the buoys because there is no evidence that the buoys are necessary and there is no evidence that their installation will remedy any issues at the U.S. – Mexico border. Even if Defendants would face injury if injunctive relief is granted, it would not outweigh the sure loss of Plaintiff's business and livelihood. If the Defendants install and maintain the buoys in the Rio Grande as outlined above, Plaintiffs shall suffer imminent and irreparable injury. Plaintiffs are willing to post a bond.

IX. CONDITION PRECEDENT

114. Plaintiffs allege that all conditions precedent to the filing of and recovery on the claims and causes of action have been performed, complied with, and/or have occurred.

X. JURY DEMAND

115. Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiffs demand a trial by jury on their claims and causes of action.

XI. PRAYER

116. Wherefore, Premises Considered, Plaintiffs respectfully request that the Court:

- a) Declare that the Texas Disaster Act does not authorize the Defendants to install buoys in the Rio Grande as outlined above;
- b) Enjoin the Defendants from installing the buoys in Eagle Pass or anywhere along the U.S.-Mexico border;
- c) Enjoin the Defendants by ordering the removal of all buoys installed in the Rio Grande as outlined above to maintain the status quo;
- d) Award Plaintiffs their costs and reasonable attorneys' fees in this action; and
- e) Grant such other relief as the Court deems just and proper.

Dated: July 14, 2023,

Respectfully submitted,

By: /s/ Carlos Evaristo Flores

Carlos Evaristo Flores (Attorney-in-Charge)

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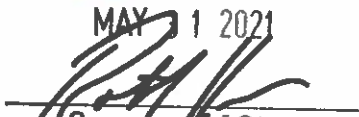
*Attorneys for Epi's Canoe and Kayak Team, LLC, and
Jessie F. Fuentes*



GOVERNOR GREG ABBOTT

May 31, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8PM O'CLOCK

MAY 31 2021

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

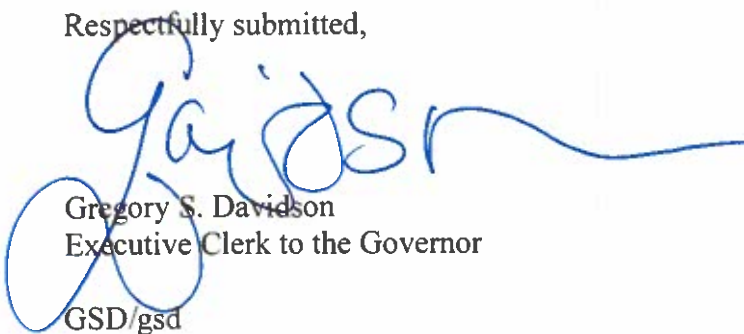
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation certifying that the ongoing surge of individuals unlawfully crossing the Texas-Mexico border poses an ongoing and imminent threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in certain Texas counties and for all state agencies affected by this disaster.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, securing the international border is the federal government's responsibility, but the State of Texas has consistently taken action to ensure the safety of all Texans by augmenting federal border security efforts at the Texas-Mexico border; and

WHEREAS, since 2014, Texas has spent roughly \$3.5 billion to help secure the border and protect public safety; and

WHEREAS, in 2021 alone, I have deployed 1,000 troopers from the Texas Department of Public Safety (DPS) and hundreds of soldiers from the Texas National Guard to the border; and

WHEREAS, on March 6, 2021, amidst escalating border crossings, I directed DPS to initiate Operation Lone Star and devote additional law enforcement resources towards deterring illegal border crossings and protecting our border communities; and

WHEREAS, on March 17, 2021, I expanded Operation Lone Star to have DPS interview unaccompanied alien children to identify victims of human trafficking and gain actionable intelligence that will aid in the arrest of traffickers; and

WHEREAS, in fewer than three months since Operation Lone Star began, DPS has made over 1,300 criminal arrests, apprehended over 35,000 illegal migrants, and seized over 10,000 pounds of drugs and over 100 firearms; and

WHEREAS, the federal government used to take seriously its responsibility to enforce federal immigration laws and secure the international border, which allowed Texas to collaborate on law enforcement and related activities along the border; and

WHEREAS, under the Biden Administration, however, the federal government has shown unwillingness, ambivalence, or inability to enforce federal immigration laws, to deter and stop illegal border crossings into the United States, or to meaningfully partner with Texas in pursuing these goals; and

WHEREAS, my calls for the federal government to do its job and secure the border have gone unanswered; and

WHEREAS, the Biden Administration's inaction, whether intentional, reckless, or negligent, is causing a dramatic increase in the number of individuals unlawfully crossing the international border into Texas; and

WHEREAS, the Biden Administration's immigration policies are failing Texans, causing a humanitarian crisis in many Texas communities along the border; and

WHEREAS, there are numerous reports of farmers, ranchers, and other Texans suffering property damage as a result of the increase in unlawful crossings, including damage to crops, livestock, ranch fences, and homes; and

WHEREAS, the Biden Administration's open-border policies have enabled escalating violence from the cartels, dramatically increased the risk of human trafficking, and created a severe crisis of illegal drugs crossing into the United States, including 21.5

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
efm O'CLOCK

MAY 31 2021

Governor Greg Abbott
May 31, 2021

Proclamation
Page 3

with the authority vested in me by Section 418.014 of the Texas Government Code, do hereby certify that the ongoing surge of individuals unlawfully crossing the Texas-Mexico border poses an ongoing and imminent threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in Brewster, Brooks, Cameron, Crockett, Culberson, Dimmit, Duval, Edwards, El Paso, Goliad, Gonzales, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kenedy, Kinney, La Salle, Lavaca, Maverick, McMullen, Pecos, Presidio, Real, Reeves, Starr, Sutton, Terrell, Uvalde, Val Verde, Webb, Willacy, Zapata, and Zavala counties, and for all state agencies affected by this disaster. I do hereby declare a state of disaster for all listed counties covered by this disaster declaration and for all state agencies affected by this disaster.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster, including the use of all available resources of state and local law enforcement to assist and protect Texans from criminal activity and property damage.

I hereby direct DPS to use available resources to enforce all applicable federal and state laws to prevent the criminal activity along the border, including criminal trespassing, smuggling, and human trafficking, and to assist Texas counties in their efforts to address those criminal activities.

I hereby direct the Texas Commission on Jail Standards and the Texas Commission on Law Enforcement to work with Texas counties, to provide appropriate guidance, and to request from the Office of the Governor any necessary suspensions of law, in order to ensure that the counties have the flexibility needed to establish adequate alternative detention facilities or otherwise add or expand capacity; to streamline procedures for licensing and transfers; and to address any staffing issues that may arise in expanding capacity.

I hereby direct the Texas Health and Human Services Commission (HHSC) to take all necessary steps to discontinue state licensing of any child-care facility in this state that shelters or detains unlawful immigrants or other individuals not lawfully present in the United States under a contract with the federal government. Pursuant to Section 418.016 of the Texas Government Code, I hereby suspend Sections 42.046 and 42.048 of the Texas Human Resources Code, and all other relevant laws, to the extent necessary to allow HHSC to deny a license application for any new child-care facility that shelters or detains unlawful immigrants or other individuals not lawfully present in the United States under a contract with the federal government, to renew any existing such licenses for no longer than a 90-day period following the date of this order, and to provide notice and initiate a 90-day period beginning on the date of this order to wind down any existing such licenses.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
SPM O'CLOCK

MAY 31 2021

Governor Greg Abbott
May 31, 2021

Proclamation
Page 4

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 31st day of May, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

8pm O'CLOCK

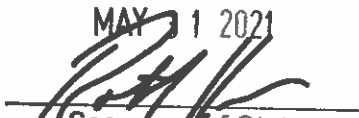
MAY 31 2021



GOVERNOR GREG ABBOTT

May 31, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8PM O'CLOCK

MAY 31 2021

Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation certifying that the ongoing surge of individuals unlawfully crossing the Texas-Mexico border poses an ongoing and imminent threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in certain Texas counties and for all state agencies affected by this disaster.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, securing the international border is the federal government's responsibility, but the State of Texas has consistently taken action to ensure the safety of all Texans by augmenting federal border security efforts at the Texas-Mexico border; and

WHEREAS, since 2014, Texas has spent roughly \$3.5 billion to help secure the border and protect public safety; and

WHEREAS, in 2021 alone, I have deployed 1,000 troopers from the Texas Department of Public Safety (DPS) and hundreds of soldiers from the Texas National Guard to the border; and

WHEREAS, on March 6, 2021, amidst escalating border crossings, I directed DPS to initiate Operation Lone Star and devote additional law enforcement resources towards deterring illegal border crossings and protecting our border communities; and

WHEREAS, on March 17, 2021, I expanded Operation Lone Star to have DPS interview unaccompanied alien children to identify victims of human trafficking and gain actionable intelligence that will aid in the arrest of traffickers; and

WHEREAS, in fewer than three months since Operation Lone Star began, DPS has made over 1,300 criminal arrests, apprehended over 35,000 illegal migrants, and seized over 10,000 pounds of drugs and over 100 firearms; and

WHEREAS, the federal government used to take seriously its responsibility to enforce federal immigration laws and secure the international border, which allowed Texas to collaborate on law enforcement and related activities along the border; and

WHEREAS, under the Biden Administration, however, the federal government has shown unwillingness, ambivalence, or inability to enforce federal immigration laws, to deter and stop illegal border crossings into the United States, or to meaningfully partner with Texas in pursuing these goals; and

WHEREAS, my calls for the federal government to do its job and secure the border have gone unanswered; and

WHEREAS, the Biden Administration's inaction, whether intentional, reckless, or negligent, is causing a dramatic increase in the number of individuals unlawfully crossing the international border into Texas; and

WHEREAS, the Biden Administration's immigration policies are failing Texans, causing a humanitarian crisis in many Texas communities along the border; and

WHEREAS, there are numerous reports of farmers, ranchers, and other Texans suffering property damage as a result of the increase in unlawful crossings, including damage to crops, livestock, ranch fences, and homes; and

WHEREAS, the Biden Administration's open-border policies have enabled escalating violence from the cartels, dramatically increased the risk of human trafficking, and created a severe crisis of illegal drugs crossing into the United States, including 21.5

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
efm O'CLOCK

MAY 31 2021

Governor Greg Abbott
May 31, 2021

Proclamation
Page 2

million lethal doses of fentanyl that were intercepted by DPS from January through April 2021, all of which threatens harm throughout Texas and in other states; and

WHEREAS, the arrest of human smugglers by state and local law enforcement, combined with increased arrests connected with other border-related crime, threatens to substantially increase inmate population in jails to the extent that there may not be an adequate number of jail beds available; and

WHEREAS, the federal government's failure to secure the border has led to so many individuals unlawfully crossing the border that it has unilaterally established roughly ten new migrant detention facilities in Texas that are operated exclusively by the federal government, without any state regulation or oversight; and

WHEREAS, while Texas previously licensed certain residential facilities that house unaccompanied alien children or families, the U.S. Constitution prohibits the federal government from commandeering the State of Texas or its officials to continue administering state-licensed facilities in response to a federal migrant detention crisis caused by the acts or omissions of the federal government; and

WHEREAS, the unabated influx of individuals resulting from federal government policies threatens to negatively impact state-licensed residential facilities, including those that serve Texas children in foster care; and

WHEREAS, in the Texas Disaster Act of 1975, the Legislature charged the Governor with the responsibility "for meeting . . . the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and expressly granted the Governor broad authority to fulfill that responsibility; and

WHEREAS, the Legislature has, in Section 418.004(1), defined a "disaster" as "the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause;" and

WHEREAS, under Texas law, declaring a disaster allows the use of all available state and local resources needed to manage the situation, activates the state emergency management plan, and empowers the Texas Division of Emergency Management to reassign and fully utilize appropriate personnel where they are needed most; and

WHEREAS, the Legislature has also, in Section 12.50 of the Texas Penal Code, increased the punishments available for certain criminal offenses committed in an area for which a disaster has been declared, including for criminal trespass, burglary, and theft; and

WHEREAS, declaring a disaster also allows the State of Texas to request federal funding for costs related to the disaster, and a number of counties have already declared a local disaster and started accounting for costs that can be made part of a request (Crockett, Edwards, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kinney, Lavaca, La Salle, Maverick, Presidio, Uvalde, Real, and Val Verde counties); and

WHEREAS, declaring a disaster also allows the State of Texas to request federal funding for costs related to the disaster, and a number of counties have already declared a local disaster and started accounting for costs that can be made part of a request (Crockett, Edwards, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kinney, La Salle, Lavaca, Maverick, Presidio, Real, Uvalde, and Val Verde counties);

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, in accordance
FILED IN THE OFFICE OF THE
SECRETARY OF STATE
8pm O'CLOCK

MAY 31 2021

Governor Greg Abbott
May 31, 2021

Proclamation
Page 3

with the authority vested in me by Section 418.014 of the Texas Government Code, do hereby certify that the ongoing surge of individuals unlawfully crossing the Texas-Mexico border poses an ongoing and imminent threat of widespread and severe damage, injury, and loss of life and property, including property damage, property crime, human trafficking, violent crime, threats to public health, and a violation of sovereignty and territorial integrity, in Brewster, Brooks, Cameron, Crockett, Culberson, Dimmit, Duval, Edwards, El Paso, Goliad, Gonzales, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kenedy, Kinney, La Salle, Lavaca, Maverick, McMullen, Pecos, Presidio, Real, Reeves, Starr, Sutton, Terrell, Uvalde, Val Verde, Webb, Willacy, Zapata, and Zavala counties, and for all state agencies affected by this disaster. I do hereby declare a state of disaster for all listed counties covered by this disaster declaration and for all state agencies affected by this disaster.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster, including the use of all available resources of state and local law enforcement to assist and protect Texans from criminal activity and property damage.

I hereby direct DPS to use available resources to enforce all applicable federal and state laws to prevent the criminal activity along the border, including criminal trespassing, smuggling, and human trafficking, and to assist Texas counties in their efforts to address those criminal activities.

I hereby direct the Texas Commission on Jail Standards and the Texas Commission on Law Enforcement to work with Texas counties, to provide appropriate guidance, and to request from the Office of the Governor any necessary suspensions of law, in order to ensure that the counties have the flexibility needed to establish adequate alternative detention facilities or otherwise add or expand capacity; to streamline procedures for licensing and transfers; and to address any staffing issues that may arise in expanding capacity.

I hereby direct the Texas Health and Human Services Commission (HHSC) to take all necessary steps to discontinue state licensing of any child-care facility in this state that shelters or detains unlawful immigrants or other individuals not lawfully present in the United States under a contract with the federal government. Pursuant to Section 418.016 of the Texas Government Code, I hereby suspend Sections 42.046 and 42.048 of the Texas Human Resources Code, and all other relevant laws, to the extent necessary to allow HHSC to deny a license application for any new child-care facility that shelters or detains unlawful immigrants or other individuals not lawfully present in the United States under a contract with the federal government, to renew any existing such licenses for no longer than a 90-day period following the date of this order, and to provide notice and initiate a 90-day period beginning on the date of this order to wind down any existing such licenses.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
SPM O'CLOCK

MAY 31 2021

Governor Greg Abbott
May 31, 2021

Proclamation
Page 4

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 31st day of May, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Ruth R. Hughs".

RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

8pm O'CLOCK

MAY 31 2021

Estado de la bandera: Asta completa



English

Contacto

[Inicio](#) [Noticias](#) Governor Abbott Renews Border Security Disaster Declaration In July 2021

Governor Abbott Renews Border Security Disaster Declaration In July 2021

July 30, 2021 | Austin, Texas | [Proclamation](#)

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, 2021, including to modify the list of affected counties and therefore declare a state of disaster for Brewster, Brooks, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kimble, Kinney, La Salle, Lavaca, Live Oak, Maverick, McMullen, Midland, Pecos, Presidio, Real, Terrell, Uvalde, Val Verde, and Zapata counties, and for all state agencies affected by this disaster; and

WHEREAS, on June 30, 2021, I renewed that disaster proclamation, as amended, and also declared a state of disaster for Colorado, Crane, Galveston, Kenedy, Mason, Medina, and Throckmorton counties based on the same certified conditions; and

WHEREAS, on July 15, 2021, I amended the proclamation issued on June 30, 2021, to modify the list of affected counties to also declare a state of disaster for Bee, Jackson, Schleicher, Sutton, Webb, and Zavala counties based on the same certified conditions; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Menard County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for Menard County, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McMullen, Medina, Midland, Pecos, Presidio, Real, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Webb, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, and July 15, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of

Austin, Texas, this the 30th day of July, 2021.

Governor Greg Abbott

[Inicio](#) [Gobernador Abbott](#) [Primera Dama](#) [Iniciativas](#) [Noticias](#) [Organización](#) **Contacto**



Oficina del Gobernador de Texas

P.O. Box 12428
Austin Texas 78711
(512) 463-2000

[Empleo](#)
[Accesibilidad](#)
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[Mapa del sitio](#)

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[Portal de Veteranos de Texas](#)
[Texas.gov](#)
[RSS Feed](#)





GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3pm O'CLOCK

AUG 29 2021

[Signature]
Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

[Signature]
Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, 2021, including to modify the list of affected counties and therefore declare a state of disaster for Brewster, Brooks, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kimble, Kinney, La Salle, Lavaca, Live Oak, Maverick, McMullen, Midland, Pecos, Presidio, Real, Terrell, Uvalde, Val Verde, and Zapata counties, and for all state agencies affected by this disaster; and

WHEREAS, on June 30, 2021, I renewed that disaster proclamation, as amended, and also declared a state of disaster for Colorado, Crane, Galveston, Kenedy, Mason, Medina, and Throckmorton counties based on the same certified conditions; and

WHEREAS, on July 15, 2021, I amended the proclamation issued on June 30, 2021, to modify the list of affected counties to also declare a state of disaster for Bee, Jackson, Schleicher, Sutton, Webb, and Zavala counties based on the same certified conditions; and

WHEREAS, on July 30, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster for Menard County based on the same certified conditions; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Wharton County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for Wharton County, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Webb, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, and July 30, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3pm O'CLOCK

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3PM O'CLOCK

AUG 29 2021



GOVERNOR GREG ABBOTT

September 28, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:15 PM O'CLOCK

SEP 28 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A large, stylized blue ink signature of Gregory S. Davidson.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, 2021, including to modify the list of affected counties and therefore declare a state of disaster for Brewster, Brooks, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kimble, Kinney, La Salle, Lavaca, Live Oak, Maverick, McMullen, Midland, Pecos, Presidio, Real, Terrell, Uvalde, Val Verde, and Zapata counties, and for all state agencies affected by this disaster; and

WHEREAS, on June 30, 2021, I renewed that disaster proclamation, as amended, and also declared a state of disaster for Colorado, Crane, Galveston, Kenedy, Mason, Medina, and Throckmorton counties based on the same certified conditions; and

WHEREAS, on July 15, 2021, I amended the proclamation issued on June 30, 2021, to modify the list of affected counties to also declare a state of disaster for Bee, Jackson, Schleicher, Sutton, Webb, and Zavala counties based on the same certified conditions; and

WHEREAS, on July 30, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster for Menard County based on the same certified conditions; and

WHEREAS, on August 29, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster for Wharton County based on the same certified conditions; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in McCulloch, Refugio, Victoria, and Wilbarger counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for McCulloch, Refugio, Victoria, and Wilbarger counties, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Webb, Wharton, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, and August 29, 2021, are in full force and effect.

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:15pm O'CLOCK

SEP 28 2021

Governor Greg Abbott
September 28, 2021

Proclamation
Page 2

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 28th day of September, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:15pm O'CLOCK

SEP 28 2021



GOVERNOR GREG ABBOTT

October 28, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 PM O'CLOCK

OCT 28 2021


Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

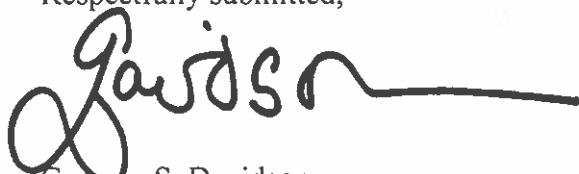
Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,



Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION
BY THE
Governor of the State of Texas

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
[Signature]
O'CLOCK

OCT 28 2021

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, 2021, including to modify the list of affected counties and therefore declare a state of disaster for Brewster, Brooks, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Goliad, Gonzales, Hudspeth, Jeff Davis, Jim Hogg, Kimble, Kinney, La Salle, Lavaca, Live Oak, Maverick, McMullen, Midland, Pecos, Presidio, Real, Terrell, Uvalde, Val Verde, and Zapata counties, and for all state agencies affected by this disaster; and

WHEREAS, on June 30, 2021, I renewed that disaster proclamation, as amended, and also declared a state of disaster for Colorado, Crane, Galveston, Kenedy, Mason, Medina, and Throckmorton counties based on the same certified conditions; and

WHEREAS, on July 15, 2021, I amended the proclamation issued on June 30, 2021, to modify the list of affected counties to also declare a state of disaster for Bee, Jackson, Schleicher, Sutton, Webb, and Zavala counties based on the same certified conditions; and

WHEREAS, on July 30, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster for Menard County based on the same certified conditions; and

WHEREAS, on August 29, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster for Wharton County based on the same certified conditions; and

WHEREAS, on September 28, 2021, I renewed the disaster proclamation, as amended and renewed, and also declared a state of disaster in McCulloch, Refugio, Victoria, and Wilbarger counties based on the same certified conditions; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Jim Wells and Wilson counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for Jim Wells and Wilson counties, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton,

Governor Greg Abbott
October 28, 2021

Proclamation
Page 2

Wilbarger, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, August 29, and September 28, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 28th day of October, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00pm O'CLOCK

OCT 28 2021

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".
JOE A. ESPARZA
Deputy Secretary of State



GOVERNOR GREG ABBOTT

November 27, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

2pm O'CLOCK

NOV 27 2021

Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, June 30, July 15, July 30, August 29, September 28, and October 28, 2021, including to modify the list of affected counties and therefore declare a state of disaster in those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Chambers County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for Chambers County, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, August 29, September 28, and October 28, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 27th day of November, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

NOV 27 2021

Governor Greg Abbott
November 27, 2021

Proclamation
Page 2

ATTESTED BY:



JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2pm O'CLOCK

NOV 27 2021



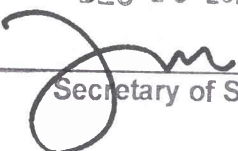
GOVERNOR GREG ABBOTT

December 23, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

1 PM O'CLOCK

DEC 23 2021


Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

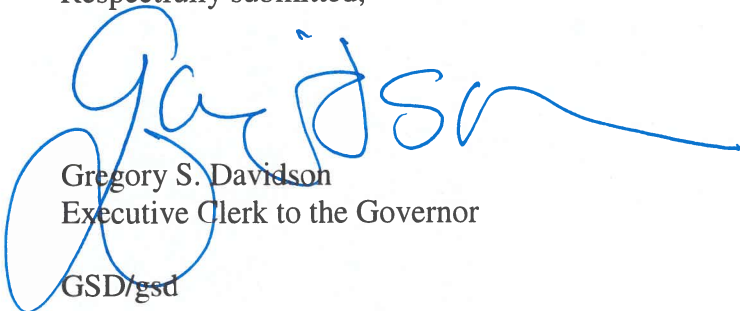
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, June 30, July 15, July 30, August 29, September 28, October 28, 2021, and November 27, 2021, including to modify the list of affected counties and therefore declare a state of disaster in those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Duval and Kleberg Counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for Kleberg County, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, August 29, September 28, October 28, and November 27, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 23rd day of December, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1 PM O'CLOCK

DEC 23 2021

Governor Greg Abbott
December 23, 2021

Proclamation
Page 2

ATTESTED BY:



JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1 PM O'CLOCK

DEC 23 2021



GOVERNOR GREG ABBOTT

January 22, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10AM O'CLOCK

JAN 22 2022


Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

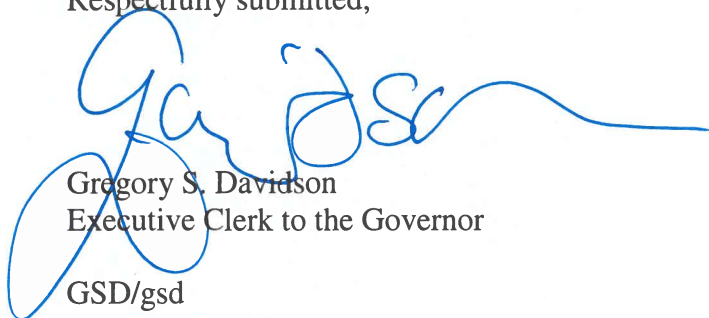
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation amending and renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, June 30, July 15, July 30, August 29, September 28, October 28, November 27, and December 23, 2021, including to modify the list of affected counties and therefore declare a state of disaster in those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in San Patricio County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster for San Patricio County, and I do hereby renew the disaster proclamation, as amended and renewed, for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, August 29, September 28, October 28, November 27, and December 23, 2021, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 22nd day of January, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor


FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 AM O'CLOCK

JAN 22 2022

Governor Greg Abbott
January 22, 2022

Proclamation
Page 2

ATTESTED BY:



JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10 AM O'CLOCK
JAN 22 2022



GOVERNOR GREG ABBOTT

February 21, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 AM CLOCK

FEB 21 2022

Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation on June 25, June 30, July 15, July 30, August 29, September 28, October 28, November 27, December 23, 2021, and January 22, 2022, including to modify the list of affected counties and therefore declare a state of disaster in those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed on June 25, June 30, July 15, July 30, August 29, September 28, October 28, November 27, December 23, 2021, and January 22, 2022, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 21st day of February 21, 2022.

A handwritten signature in black ink, reading "Greg Abbott", written over a horizontal line.

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30AM 'CLOCK

FEB 21 2022

Governor Greg Abbott
February 21, 2022

Proclamation
Page 2

ATTESTED BY:



JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 AM O'CLOCK

FEB 21 2022




GOVERNOR GREG ABBOTT

March 23, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12 PM O'CLOCK

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

MAR 23 2022

Secretary of State

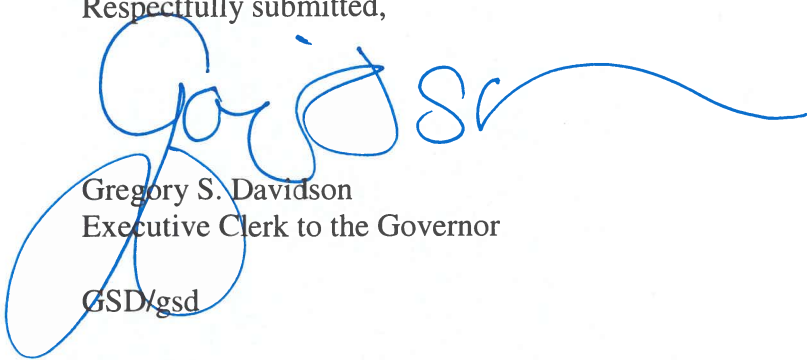
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A large, stylized handwritten signature in blue ink, appearing to read "GSD".

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 23rd day of March, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12pm O'CLOCK
MAR 23 2022

Governor Greg Abbott
March 23, 2022

Proclamation
Page 2

ATTESTED BY:



A handwritten signature in black ink, appearing to read 'John B. Scott', is written over a horizontal line.

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12 PM O'CLOCK

MAR 23 2022



GOVERNOR GREG ABBOTT

April 22, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

5PM O'CLOCK

APR 22 2022


Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

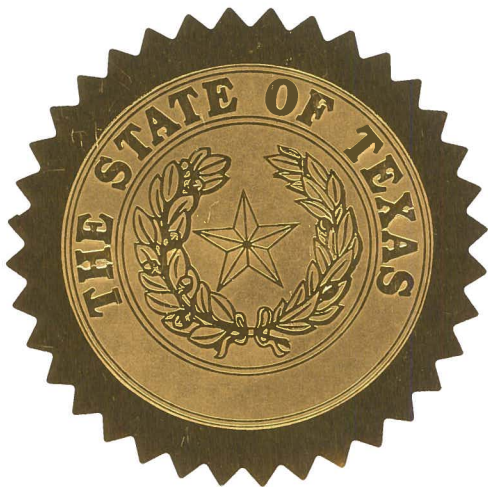
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.0 14 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 22nd day of April, 2022.

A handwritten signature in black ink, appearing to read "Greg Abbott", written over a horizontal line.

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink, appearing to read "John B. Scott", written over a horizontal line.

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5 pm O'CLOCK

APR 22 2022



GOVERNOR GREG ABBOTT

May 22, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

1:30pm O'CLOCK

MAY 22 2022


Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

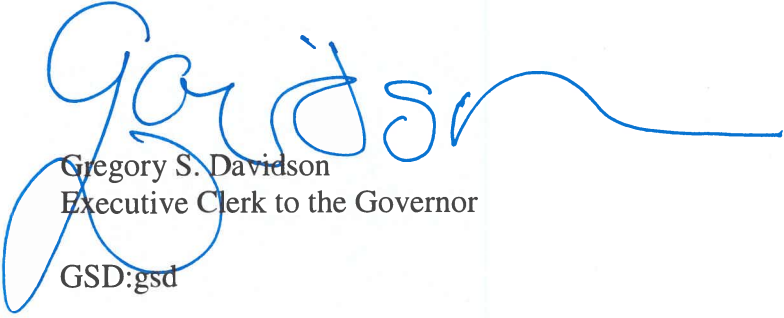
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

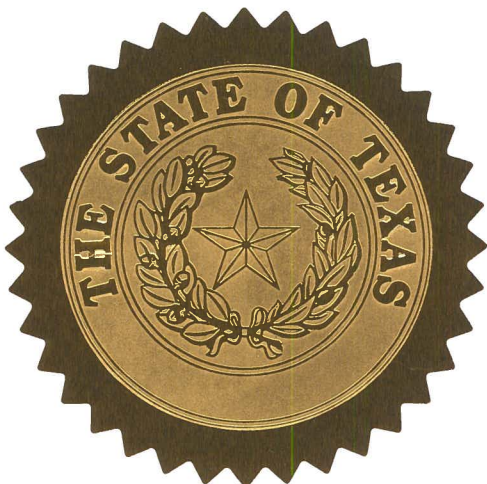
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 22nd day of May, 2022.

A handwritten signature in black ink, reading "Greg Abbott", written over a horizontal line.

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink, reading "John B. Scott", written over a horizontal line.

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:30 PM O'CLOCK

MAY 22 2022

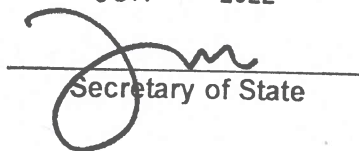


GOVERNOR GREG ABBOTT

June 21, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:15 pm O'CLOCK

JUN 21 2022


Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

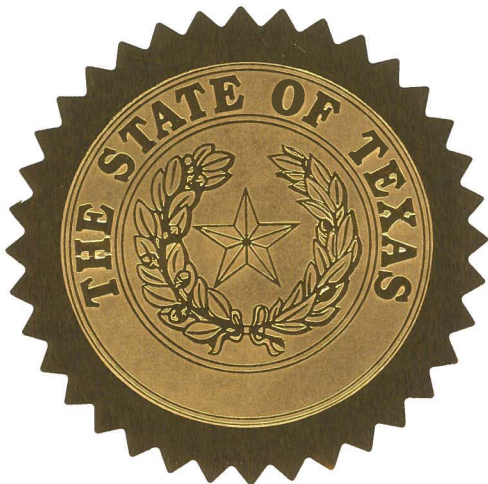
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 21st day of June, 2022.

A handwritten signature in cursive script that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in cursive script that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
12:15 pm O'CLOCK

JUN 21 2022




GOVERNOR GREG ABBOTT

July 21, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1pm O'CLOCK

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

JUL 21 2022

Secretary of State

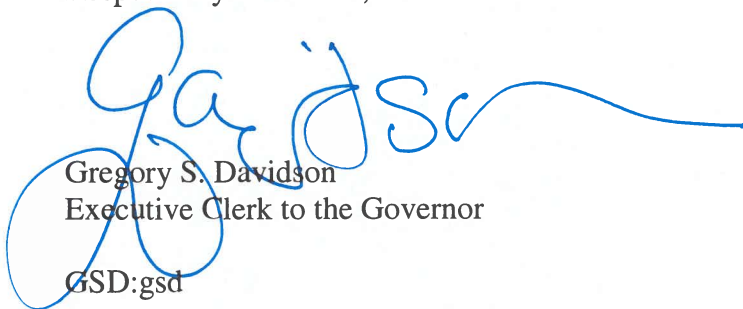
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 21st day of July, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:15 PM O'CLOCK

JUL 21 2022




GOVERNOR GREG ABBOTT

August 20, 2022

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10AM O'CLOCK

AUG 20 2022

Secretary of State

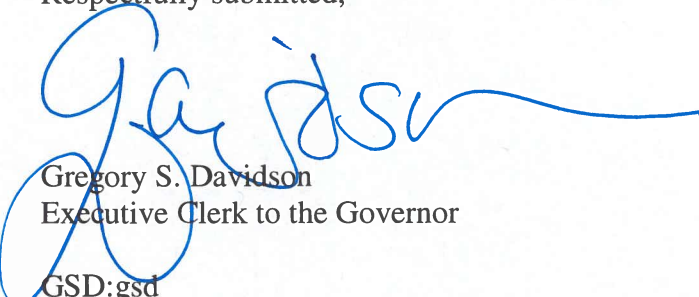
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties, and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties, and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 20th day of August, 2022.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of John B. Scott in black ink.

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10AM O'CLOCK

AUG 20 2022



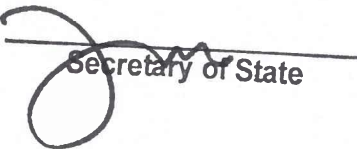
GOVERNOR GREG ABBOTT

September 19, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:30am O'CLOCK

SEP 19 2022

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701


Secretary of State

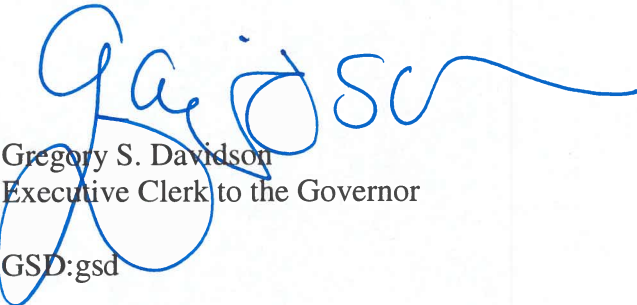
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster;

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, communications with county officials have confirmed that the certified conditions now also pose an ongoing and imminent threat of disaster in Kerr County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 19th day of September, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:30AM O'CLOCK

SEP 19 2022



GOVERNOR GREG ABBOTT

October 19, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00AM 'CLOCK

OCT 19 2022

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Secretary of State

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 19th day of October, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:00AM O'CLOCK

OCT 19 2022



GOVERNOR GREG ABBOTT

November 18, 2022

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

3:30 PM O'CLOCK

NOV 18 2022

A handwritten signature in black ink, appearing to be "John B. Scott", written over a horizontal line.

Secretary of State

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Gregory S. Davidson", written in a cursive style.

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 18th day of November, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK


NOV 18 2022



GOVERNOR GREG ABBOTT

December 16, 2022

The Honorable John B. Scott
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM O'CLOCK
DEC 16 2022

Secretary of State

Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in cursive script that reads "Davidson".

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 16th day of December, 2022.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "John B. Scott".

JOHN B. SCOTT
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30 PM O'CLOCK

DEC 16 2022



GOVERNOR GREG ABBOTT

January 20, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30pm O'CLOCK

JAN 20 2023

Jane Nelson
Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

GSD
Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 20th day of January, 2023.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Jane Nelson".

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:30pm O'CLOCK

JAN 20 2023



GOVERNOR GREG ABBOTT

February 20, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

3:45pm O'CLOCK

FEB 20 2023

Jane Nelson
Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A large, stylized handwritten signature in blue ink, appearing to read "GSD".

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

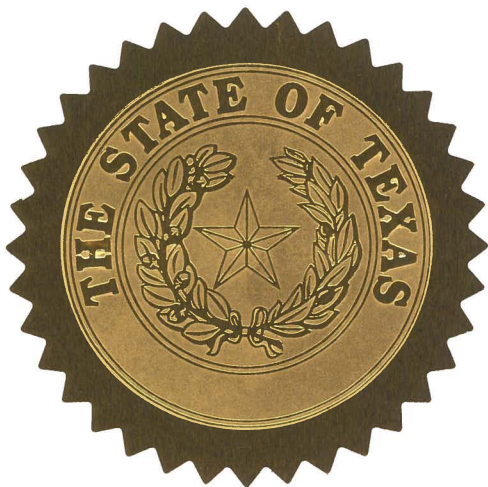
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas—Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 20th day of February, 2023.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Jane Nelson in black ink.

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:45 PM O'CLOCK

FEB 20 2023



GOVERNOR GREG ABBOTT

March 22, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

10:30 AM O'CLOCK

MAR 22 2023


Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

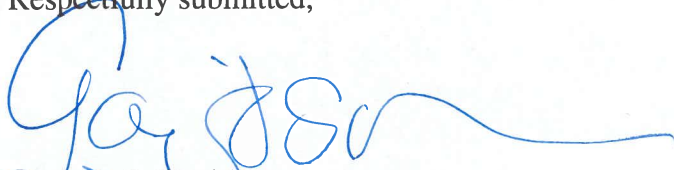
Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, a disaster has been declared at the local level by Caldwell County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Caldwell, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 22nd day of March, 2023.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30AM O'CLERK

MAR 22 2023

Governor Greg Abbott
March 22, 2023

Proclamation
Page 2

ATTESTED BY:



JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30am O'CLOCK

MAR 22 2023



GOVERNOR GREG ABBOTT

April 21, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

9:00 AM O'CLOCK

APR 21 2023

Jane Nelson
Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "G. Davidson", with a long horizontal flourish extending to the right.

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

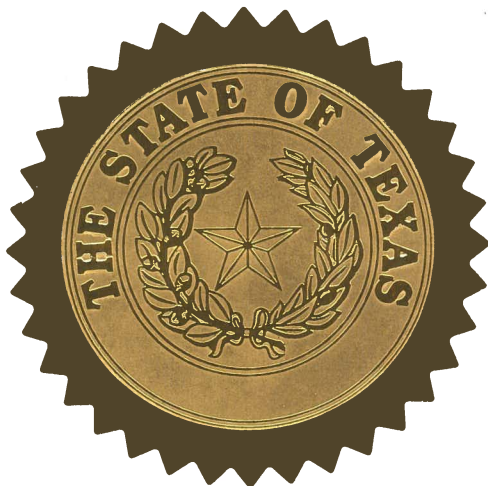
WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Caldwell, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 21st day of April, 2023.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Jane Nelson in black ink.

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:00AM O'CLOCK

APR 21 2023



GOVERNOR GREG ABBOTT

May 12, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

4 pm O'CLOCK

MAY 12 2023

A handwritten signature in black ink that reads "Jane Nelson".

Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gregory S. Davidson".

Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

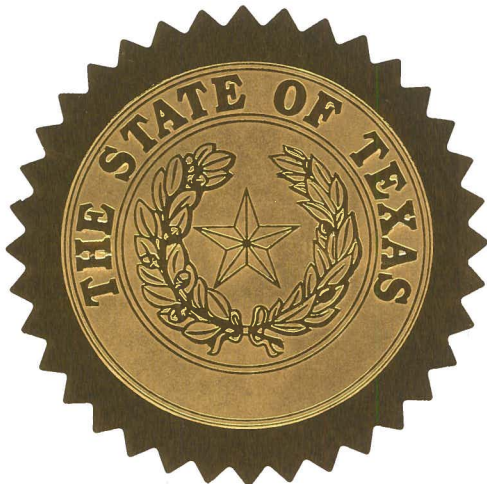
WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, a disaster has been declared by the Counties of Cameron and Hidalgo;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Caldwell, Cameron, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 12th day of May, 2023.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Jane Nelson in black ink.

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4pm O'CLOCK

MAY 12 2023

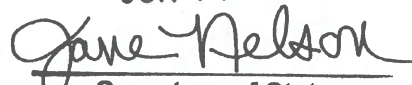


GOVERNOR GREG ABBOTT

June 11, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 pm O'CLOCK

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

JUN 11 2023

Secretary of State

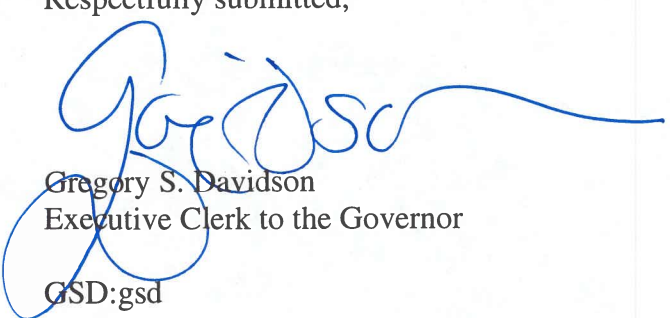
Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Caldwell, Cameron, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 11th day of June, 2023.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

ATTESTED BY:

Handwritten signature of Jane Nelson in black ink.

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 pm O'CLOCK

JUN 11 2023

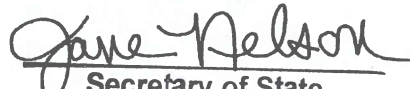


GOVERNOR GREG ABBOTT

June 29, 2023

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45pm O'CLOCK

JUN 29 2023


Secretary of State

The Honorable Jane Nelson
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

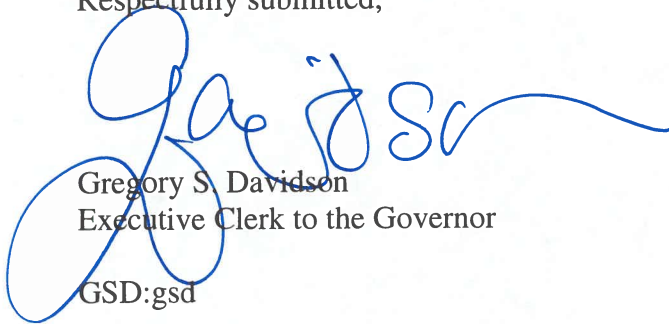
Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the disaster proclamation concerning border security.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD:gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas–Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Bee, Brewster, Brooks, Caldwell, Cameron, Chambers, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Patricio, Schleicher, Sutton, Terrell, Throckmorton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of June, 2023.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Jane Nelson".

JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45pm O'CLOCK

JUN 29 2023

CAUSE NO. D-1-GN-23-003613

EPI'S CANOE & KAYAK TEAM, LLC and	§	IN THE DISTRICT COURT
JESSIE F. FUENTES	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
	§	
v.	§	98 TH JUDICIAL DISTRICT
	§	
STATE OF TEXAS; GREG ABBOTT IN HIS	§	
OFFICIAL CAPACITY AS GOVERNOR OF	§	
THE STATE OF TEXAS AND	§	
COMMANDER-IN-CHIEF OF THE TEXAS	§	
MILITARY DEPARTMENT; STEVE	§	TRAVIS COUNTY, TEXAS
MCCRAW IN HIS OFFICIAL CAPACITY AS	§	
DIRECTOR/COLONEL OF THE TEXAS	§	
DEPARTMENT OF PUBLIC SAFETY;	§	
THE TEXAS DEPARTMENT OF PUBLIC	§	
SAFETY; MAJOR GENERAL THOMAS	§	
SUELZER IN HIS OFFICIAL CAPACITY AS	§	
ADJUTANT GENERAL OF THE TEXAS	§	
MILITARY DEPARTMENT (AKA TEXAS	§	
NATIONAL GUARD); AND THE TEXAS	§	
MILITARY DEPARTMENT (AKA TEXAS	§	
NATIONAL GUARD)	§	
	§	
	§	
<i>Defendants.</i>	§	

DECLARATION OF JESSIE F. FUENTES

1. My name is Jessie F. Fuentes, and I am the Plaintiff in the above-referenced lawsuit. I make this declaration on behalf of myself. I am over eighteen (18) years of age. I provide this testimony on my behalf and on behalf of Epi's Canoe & Kayak Team, LLC ("EPI"). I am of sound mind and fully competent to testify to the matters stated herein. I have never been convicted of a felony or other crime involving dishonesty or moral failing, and I am not suffering from any disability, which would impair my ability to know or perceive the truth. Furthermore, I have personal knowledge of all of the facts and matters stated herein and they are true and correct, unless otherwise specified. My date of

birth is December 24, 1960, and my physical address is 439 Westlake Boulevard, Eagle Pass, Texas 78852.

2. I own EPI, and I am a Mexican American residing in Eagle Pass. EPI is a small Texas business that provides customers with training and experience on the Rio Grande River using canoes and kayaks. EPI has been serving the river sports crowds since August 1, 2015. The peak season for my business is the summer, but I conduct and operate services year round.

3. The Rio Grande river is enjoyed by many, for profit and pleasure alike, in Maverick County, Texas. I have observed use of the Rio Grande river all year long by others, including private watercraft, canoers, kayakers, fishermen and others.

4. There is only **one** boat ramp in all of Maverick County available to all persons who wish to put in and enjoy the Rio Grande River, whether by hire or for personal use.

5. The only nations with rights and jurisdiction to the Rio Grande River are the United States of America and the Republic of Mexico per the 1944 Treaty. The state of Texas has no jurisdiction to impede access and use of the Rio Grande river.

6. Preparations for Governor Abbot's floating buoy, the "Buoy", have included the placement of all of the below:

- (1) A perimeter around the boat ramp, denying **any** access to the Rio Grande by **anyone** other than the State of Texas, see photos attached;
- (2) A razor ribbon around the boat ramp and across it to ensure that NO ONE has access to the Rio Grande;
- (3) Ongoing installation of the Buoy, presently at 1000 feet located just south of the International Bridge #2 in Eagle Pass, Texas, see photo attached;
- (4) Patrolling by the State of Texas;
- (5) Redirected the flow and eliminated a tributary that feeds the Rio Grande river;
- (6) Among other barriers.

All of the items referenced above will be referred to herein as the "Barrier".

7. The Barrier is a militarized zone, constantly policed and controlled for the exclusive use and possession of the state of Texas, to the exclusion of **all** others.

8. The Buoy is located in the “sweet spot” between the two international bridges since there are natural rapids that occur in the location between the two bridges. As of July 10, 2023, a 1000 foot portion of the Buoy has been installed just south of the International Bridge #2 in Eagle Pass. Moreover, on information and belief, Governor Abbot intends to extend the Buoy at some point in the future.

9. EPI conducts activities on the Rio Grande River near Bridge #2 where the Buoy has been placed. EPI will be unable to conduct tours and canoe and kayak sessions in Eagle Pass because of the presence of the Buoy. Moreover, no other person or entity can enjoy the Rio Grande river because of the Barrier. In effect, this obliterates a thriving use and the industry created by so many on the Rio Grande both for business and pleasure. The numbers of persons and entities affected is unable to be calculated because there are so many!

10. EPI’s market is focused solely on canoeing and kayaking sessions in Eagle Pass on the Rio Grande River in areas directly impacted by the Buoy.

11. The Buoy and the Barrier have prevented EPI from operating a business in Eagle Pass, which will result in imminent and irreparable harm to EPI and countless others as mentioned in paragraph 9 above.

12. The following shows several examples of events that were cancelled or received little interest because of media coverage of OLS in Eagle Pass and the Barrier and Buoy:

- (1) (June-23) – Several weeks ago EPI launched a Ride The River Campaign that had to abruptly be put on hold because the City of Eagle Pass declared the Shelby Boat Ramp off limits to all individuals except law enforcement in support of OLS. (This campaign has not been able to make any profits for me, and without access to that boat ramp I am still not generating any revenue).
- (2) (March 23) – Kayaking Lessons through South West Texas Jr. College Workforce Center cancelled, no one registered for safety stigma.
- (3) (June-23) – Kayaking Summer School - No one registers due to security controls.

- (4) (May-23) – May river wedding expedition put on hold because of security reasons resulting from the buoys.
- (5) (June -23) – No sponsor willing to sponsor Kayak Races because of the narrative surrounding Eagle Pass because of OLS.
- (6) (June - 23) – Island in the Rio Grande River gets bulldozed to create a security guard post. The flow of the river is altered, rerouted. **The tributary that was bulldozed was our canoe and kayaks main entrance** to the end of our river trips.
- (7) (Present) – My concern is that the next island between both international bridges may also get bulldozed. We must protect our river. That is our main point for all tourists on the river and in all kayaking classes because there are some naturally occurring rapids in between both international bridges at that point of the river.

13. As a small business owner directly impacted by OLS and the installation of the Barrier and Buoy, I challenge the Governor's use of OLS to install the Barrier and Buoy because the Defendants do not have legal authority to do so relying on the Texas Disaster Act.


14. If the Defendants are allowed to proceed with the continued placement of the Barrier and Buoy on the Rio Grande, EPI and countless others will be unable to conduct tours and canoe and kayak sessions and enjoy the use and benefit of the Rio Grande, which will result in immediate and irreparable injury to EPI and others. The industry and use of the Rio Grande has been wrongfully obliterated. EPI and I are willing to post a bond.

15. I further verify that the information and statements contained in paragraphs 69-74 and 109-113 of Plaintiffs' First Amended Original Petition are true and correct and within my personal knowledge.

16. The photographs attached to this Declaration (1-6) were taken by me via a drone which was under my control. I am familiar with the land/scene depicted in the photographs because I have been physically present at each of the depicted areas on countless occasions. I am further familiar with the land/scene depicted in the photographs because it is the location at which EPI is located. I recognize the objects/scenes in each of the photographs and the photographs are a fair and accurate depiction of the objects/scenes in the photographs at the relevant times.

17. I declare under penalty of perjury that the foregoing statements are true and correct.

Executed in Maverick County, Texas on the 14th day of July 2023.


Jessie F. Fuentes

The below are photographs 1-6, which are referenced in this Declaration:





3.



4.



5.



6.

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Isabel Inguanzo on behalf of Carlos Flores

Bar No. 24050606

iinguanzo@wctexlaw.com

Envelope ID: 77553270

Filing Code Description: Amended Filing

Filing Description: PLAINTIFFS FIRST AMENDED ORIGINAL PETITION

Status as of 7/20/2023 9:45 AM CST

Associated Case Party: EPI'S CANOE & KAYAK TEAM, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Carlos EvaristoFlores		cflores@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Martha Cigarroa		mcigarroa@wctexlaw.com	7/14/2023 5:11:19 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Natalie SLewis		nlewis@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Alicia Garcia		agarcia@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Rosalinda Blasco		rblasco@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Antonia Taylor		ataylor@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Isabel Inguanzo		iinguanzo@wctexlaw.com	7/14/2023 5:11:19 PM	SENT

Associated Case Party: JESSIE FFUENTES

Name	BarNumber	Email	TimestampSubmitted	Status
Carlos EvaristoFlores		cflores@wctexlaw.com	7/14/2023 5:11:19 PM	SENT
Martha Cigarroa		mcigarroa@wctexlaw.com	7/14/2023 5:11:19 PM	SENT